

# JOURNAL OF THE SENATE



## SENATE OF VIRGINIA 2004 SESSION

**NUMERICAL INDEX--Bills, Resolutions and Documents showing legislative history.**

**SUBJECT INDEX--Titles of Bills, Resolutions and Documents listed alphabetically under headings of subject matter; all other business transacted by the Senate listed by subject or individual names.**

### APPENDIX

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**JOURNAL  
OF  
THE  
SENATE**

**2004 REGULAR SESSION**

WEDNESDAY, JANUARY 14, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Kenneth E. Dennis, Greater Mt. Moriah Baptist Church, Richmond, Virginia, offered the following prayer:

Our Eternal Father,  
We thank You for the opportunity to utilize our abilities for humanity's good.  
Accept our Efforts,  
Guide our Thoughts,  
And Honor our Actions.  
We thank You for Your spirit to sensitize us  
And grant us Your peace. Amen.

The Clerk stated that the disclosure forms of all Senators-elect had been filed with the Clerk.

**COMMUNICATION**

The following communication was received from the State Board of Elections:

COMMONWEALTH OF VIRGINIA  
State Board of Elections

January 9, 2004

The Honorable Susan Clarke Schaar  
 Clerk of the Senate  
 Commonwealth of Virginia  
 State Capitol  
 Richmond, VA 23219

Dear Madam Clerk:

This is to certify that at a meeting of the State Board of Elections held on November 24, 2003, on an examination of the official Abstracts of Votes on file in this office pursuant to §24.2-679 of the Code of Virginia, it was ascertained and determined that at the November 4, 2003 General Election, the persons on the attached list were duly elected as a Member of the Senate of Virginia for a four-year term beginning the second Wednesday of January, 2004.

We have sent to you the member-elect’s certificate of election. It is my understanding that it will be placed on the member-elect’s desk prior to the opening of the 2004 Session.

Respectfully,

/s/ Jean R. Jensen  
 Secretary

Members of the General Assembly  
 Elected at the Tuesday, November 4, 2003 General Election

OFFICE: Senate of Virginia

<u>DIST</u>	<u>PARTY</u>	<u>INCUMBENT</u>	<u>NAME</u>	<u>ADDRESS</u>
01	R	Y	Marty E. Williams	9921 River Road, Newport News, VA 23601
02	D	N	Mamie E. Locke	37 Wills Way, Hampton, VA 23666
03	R	Y	Thomas K. Norment, Jr.	139 Wareham’s Point, Williamsburg, VA 23185
04	R	Y	William T. “Bill” Bolling	7995 Strawhorn Drive, Mechanicsville, VA 23116
05	D	Y	Yvonne B. Miller	2816 Gate House Road, Norfolk, VA 23504
06	R	Y	D. Nick Rerras	1821 Hartford Drive, Norfolk, VA 23518
07	R	Y	Frank W. Wagner	PO Box 68008, Virginia Beach, VA 23471
08	R	Y	Kenneth W. “Ken” Stolle	700 Pavilion Center, Virginia Beach, VA 23451

09	D	Y	Benjamin J. Lambert III	3109 Noble Avenue, Richmond, VA 23222
10	R	Y	John C. Watkins	15610 Midlothian Turnpike, Midlothian, VA 23113
11	R	Y	Stephen H. Martin	PO Box 700, Chesterfield, VA 23832
12	R	Y	Walter A. Stosch	12101 Country Hills Way, Glen Allen, VA 23059
13	R	Y	Frederick M. Quayle	621 Butler Avenue, Suffolk, VA 23434
14	R	Y	Harry B. Blevins	PO Box 16207, Chesapeake, VA 23328
15	R	Y	Frank M. Ruff, Jr.	PO Box 332, Clarksville, VA 23927
16	D	Y	Henry L. Marsh III	3211 Q Street, Richmond, VA 23223
17	D	Y	R. Edward "Edd" Houck	306 Woodfield Drive, Spotsylvania, VA 22553
18	D	Y	L. Louise Lucas	1 Eleanor Court S, Portsmouth, VA 23701
19	R	Y	Charles R. Hawkins	PO Box 818, Chatham, VA 24531
20	D	Y	W. Roscoe Reynolds	PO Box 404, Martinsville, VA 24114-0404
21	D	Y	John S. Edwards	PO Box 1179, Roanoke, VA 24006
22	R	N	J. Brandon Bell II	PO Box 20855, Roanoke, VA 24018
23	R	Y	Stephen D. "Steve" Newman	2052 Indian Hill Road, Lynchburg, VA 24503
24	R	Y	Emmett W. Hanger, Jr.	PO Box 2, Mt. Solon, VA 22843
25	D	Y	R. Creigh Deeds	PO Box 766, Millboro, VA 24460
26	R	N	Mark D. Obenshain	PO Box 555, Harrisonburg, VA 22801
27	R	Y	H. Russ Potts, Jr.	210 Handley Boulevard, Winchester, VA 22601

28	R	Y	John H. Chichester	PO Box 904, Fredericksburg, VA 22404
29	D	Y	Charles J. Colgan, Sr.	14206 Vint Hill Road, Nokesville, VA 20181
30	D	Y	Patricia S. "Patsy" Ticer	512 Prince Street, Alexandria, VA 22314
31	D	Y	Mary Margaret Whipple	3556 N. Valley Street, Arlington, VA 22207
32	D	Y	Janet D. Howell	11338 Woodbrook Lane, Reston, VA 20194
33	R	Y	William C. "Bill" Mims	PO Box 741, Leesburg, VA 20178
34	R	N	Jeannemarie A. Devolites	PO Box 936, Vienna, VA 22183
35	D	Y	Richard L. "Dick" Saslaw	4418 Random Court, Annandale, VA 22003-4557
36	D	Y	Linda T. "Toddy" Puller	PO Box 73, Mt. Vernon, VA 22121
37	R	Y	Ken T. Cuccinelli II	PO Box 606, Centreville, VA 20121
38	D	Y	Phillip P. Puckett	PO Box 2440, Lebanon, VA 24266
39	R	Y	J.K. "Jay" O'Brien, Jr.	7903 Clifton Hunt Court, Clifton, VA 20124
40	R	Y	William C. Wampler, Jr.	3 Long Crescent Drive, Bristol, VA 24201

The roll was called and the following Senators-elect answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams

A quorum was present.

After the roll call, Senators Locke and Marsh notified the Clerk of their presence.

#### RECONSIDERATION

Senator Stolle moved to reconsider the vote by which the roll was called.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The roll was called and the following Senators-elect answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

#### **OATH OF OFFICE**

A quorum being present, Senators-elect Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, and Williams, having been certified by the State Board of Elections, each took and subscribed the oath prescribed by law. The oath was administered by the Clerk of the Senate.

The oaths and certificates of election transmitted by the State Board of Elections were referred to the Committee on Privileges and Elections.

#### **GUESTS PRESENTED**

On motion of Senator Norment, the privileges of the floor were granted to distinguished persons.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Norment presented Congressman Tom Davis, Congressman Bob Goodlatte, and Judge Aubrey Matthews to the Senate.

The President recognized Senator Hanger, the Senator from Augusta, who presented Senator Bell, the Senator from Roanoke County, to the Senate.

The President recognized Senator O'Brien, the Senator from Eastern Fairfax County, who presented Senator Devolites, the Senator from Central Fairfax County, to the Senate.

The President recognized Senator Saslaw, the Senior Senator from Fairfax County, who presented Senator Locke, the Senator from Hampton, to the Senate.

The President recognized Senator Bolling, the Senator from Hanover, who presented Senator Obenshain, the Senator from Harrisonburg, to the Senate.

At 12:25 p.m., Senator Norment moved that the Senate recess until 1:40 p.m.

The motion was agreed to.

The hour of 1:40 p.m. having arrived, the Chair was resumed.

**INTRODUCTION OF LEGISLATION  
RULES OF THE SENATE**

Senator Norment, by leave, presented the following resolution:

**S.R. 2.** Establishing the Rules of the Senate.

Patron--Norment

Referred to Committee on Rules

**IMMEDIATE CONSIDERATION**

**S.R. 2** (two), being of a purely procedural nature, was taken up for immediate consideration.

**SENATE RESOLUTION NO. 2**

Establishing the Rules of the Senate.

RESOLVED by the Senate of Virginia, That the following are adopted as the Rules of the Senate to supersede all previous Rules of the Senate:

*RULES OF THE SENATE*

*I.*

*Presiding Officer.*

*1. The presiding officer of the Senate shall be the Lieutenant Governor of the Commonwealth as the President of the Senate in accordance with Article V, Section 14, of the Constitution.*

*2 (a). There shall be elected by the Senate, on the first day of the session following the election of the Senate, a President pro tempore who shall serve for a term of four years and be a senior member in the Senate.*

2 (b). *In the event of the absence, disability or vacancy in the office of the Lieutenant Governor, the President pro tempore shall carry out the duties of the Lieutenant Governor as presiding officer. Further, the President pro tempore shall be the Chairman of the Commission on Interstate Cooperation of the Senate.*

2 (c). *The President pro tempore shall have the right to name in open session, or if he is absent, in writing, a Senator to perform the duties of the presiding officer, but such substitution shall not extend beyond an adjournment of a daily session, except by unanimous consent of those present.*

2 (d). *In the event of a vacancy in the office of the Lieutenant Governor, or whenever the powers and duties of the Governor shall devolve upon the Lieutenant Governor, the President pro tempore shall have the right to name, in writing, a Senator to perform the duties of the presiding officer during his absence; and the Senator so named shall have the right to name, in open session, or in writing, if he is absent, a Senator to perform the duties of the presiding officer, but such substitution shall not extend beyond adjournment of a daily session, except by unanimous consent of those present.*

3. *The presiding officer, after taking the Chair pursuant to these Rules, and a quorum being present, shall cause the Journal of the preceding day to be read. The reading of the Journal may be waived by a majority of those Senators present and voting. The reading of the Journal may be waived at a reconvened session of a special session by at least two members present and voting, only if there is no business to consider in accordance to Article IV, Section 6 of the Constitution of Virginia. Any errors in the entries shall be corrected, and the Journal being found correct, shall be signed by the presiding officer for that day and the Clerk of the Senate. The Journals, when so signed, shall be the official records of the proceedings of the Senate.*

4. *If any question is put upon a bill or resolution, the presiding officer shall state the same without argument.*

## II.

### *Attendance and Adjournment.*

5. *A member of the Senate shall be a Senator elected to represent one of the 40 senatorial districts. A majority of Senators shall constitute a quorum to do business; two may adjourn, and nine may order a call of the Senate, send for absentees, and make any order for their censure or discharge. However, not less than 16 may meet by proclamation of the Governor under the provisions of Article IV, Section 8, of the Constitution. At a special session or a reconvened session of a special session when there is no business to consider in accordance with Article IV, Section 6 of the Constitution of Virginia, two members may convene the Senate, dispense with the reading of the Journal, recess or adjourn the Senate.*

6. *No Senator shall absent himself from the service of the Senate without leave.*

## III.

### *The Pages.*

7. *The Senate shall elect 11 Pages and five Pages shall be appointed by the following: one by the Lieutenant Governor; one by the President pro tempore; one by the chairman of the caucus of the majority party; one by the majority leader; and one by the minority leader. The Pages shall be no less than 13 and no more than 15 years of age at the time of election or appointment, shall be residents of the Commonwealth of Virginia, and shall be elected or appointed for a term of one year. No Page shall be eligible for reelection. Any such Page so elected or appointed may be suspended or dismissed for cause by the Clerk of the Senate.*

## IV.

*The Clerk of the Senate.*

8 (a). *A Clerk of the Senate shall be elected by the Senate for a term of four years and shall thereafter continue in office until another is chosen. The oath of office shall be administered to the Clerk of the Senate by any person qualified by law to administer oaths. If a vacancy in the office of Clerk of the Senate occurs when the General Assembly is not in session, a successor shall be selected by the Committee on Rules to serve until the first day of the next session, at a meeting to be called by the Chairman, or in his absence or inability to act, the next senior member of such Committee able and willing to do so. At least five days notice by certified mail of the time, place and purpose of the meeting shall be given all members of the Committee, and, at such meeting, the person receiving the votes of a majority of the members present and voting shall be elected to fill the vacancy.*

8 (b). *The Clerk of the Senate shall be the custodian of the public seal and design of armorial bearings of the Senate.*

8 (c). *The Clerk of the Senate shall be the custodian of all records and papers of the Senate and the Clerk shall not suffer any such records or papers to be taken from the Clerk's desk or out of the Clerk's custody by any person except the Chairman or the clerk of a Committee, or any Senator on taking receipts for same. Amendments agreed to by the Senate shall be handled only by the Clerk of the Senate, or staff members designated by the Clerk.*

8 (d). *It shall be the duty of the Clerk of the Senate to refer all bills and resolutions to the appropriate standing Committee or the Committee on Rules as provided in these Rules. If there is any objection as to the referral by the Clerk of the Senate of any bill or resolution to any standing committee or the Committee on Rules, the Committee on Rules shall hear the same, resolve the issue and report to the Senate.*

8 (e). *The Clerk of the Senate shall prepare a list of the Senators in order of seniority. Seniority shall be based upon longest continuous service in the Senate. However, if a Senator has previous interrupted service in the Senate, then the beginning date of such previous Senate service shall qualify the Senator for seniority before those Senators elected at the same time not having previous service in the Senate, and if a Senator has previous service in the House of Delegates then the beginning date of such House service shall qualify the Senator to seniority before those Senators elected to the Senate at the same time not having previous service in the House of Delegates. Senators elected at the same time without previous service in the Senate or House of Delegates shall have their seniority determined by a public drawing of lots, conducted by the Clerk of the Senate, to which all Senators involved shall be invited to attend. After the name of each Senator there shall be indicated the name of the political party under which the Senator was elected or abbreviation of the same; e.g., "Rep." or "Dem." If a Senator was not elected as a nominee of a political party, then such Senator shall be listed as an Independent, or "Ind."; however, if any Senator is elected at a special or general election and such Senator has, prior to such election, declared himself in writing a member of a political party during and prior to such election and the political party of his choice did not hold a convention or call a primary election for such election, such Senator shall be listed as a member of the party of which he declared himself a member.*

8 (f). *The Clerk of the Senate, after the election of Senators, shall assign chamber desks to the individual Senators with the Senators elected as members of the majority party in the Senate in the chamber area beginning at the south side of the chamber until all such desks have been assigned, and then the Senators elected as members of the minority party in the Senate, and then any Senator not elected as a member of the two major political parties. The Clerk of the Senate shall also assign office space in such buildings as may be made available for the use of the Senate. Whenever feasible, the Clerk of the Senate shall give due consideration in assigning chamber desks and office space to the seniority and request of a*

*Senator. However, the chamber desk or office space of a Senator having immediate prior service in the Senate shall not be reassigned unless he shall so request the Clerk of the Senate.*

*Should any Senator, however, during his term of office, cease to be a member of the political party of which he was a member at the time of his election or if a special election results in a change of political party membership, the Clerk of the Senate, upon such change in political party membership, is authorized to reassign chamber desks and office space accordingly.*

*8 (g). The area of the General Assembly Building assigned to the members of the Senate, their legislative support staff, the staff of the Senate, the facilities and space for those charged with the maintenance, repair, and security of such building, and such space designated for the news media shall not be utilized or occupied as office space by any other person or persons, except by vote of the Committee on Rules.*

*8 (h). During the sessions, the Clerk shall provide postage and office supplies for official use by the Senators. Postage provided for use by members of the Senate during the sessions of the General Assembly shall be used as necessary to carry out the legislative duties of such members, and shall not be used for the purpose of mailing newsletters. A newsletter is a written communication that is more than one page in length, the contents cover more than one topic, and 500 or more copies are requested to be printed in a calendar year.*

*9. The Journal of the Senate shall be daily drawn up by the Clerk of the Senate, and shall be read the succeeding day, unless the reading thereof is waived as provided in these Rules; it shall be printed under the supervision of the Clerk of the Senate and delivered to the Senators without delay.*

*10. The Clerk of the Senate shall appoint the following: a deputy clerk and such staff as necessary to perform the work of the Senate, including a secretary designated by the President of the Senate and assigned to him. The Clerk may also appoint such number of messengers as may be required. The Clerk of the Senate shall also appoint such committee clerks as may be necessary after consultation with, and the approval of, the Chairmen of the several Committees. All committee clerks so appointed shall remain in the Capitol or other legislative facilities during the daily sessions of the Senate, and committee clerks shall be assigned for duties with various standing Committees by the Clerk of the Senate, after consultation by the Clerk of the Senate and with the approval of the Chairman of each such Committee. Each clerk shall perform any other duties that the Clerk of the Senate shall require, when not employed by their respective standing Committees. Clerks may be removed by the Clerk of the Senate, after consultation with, and the approval of, the Chairman of the Committee to which such clerk is assigned. The Clerk of the Senate shall have supervision over all employees of the Senate. During sessions, the Clerk shall provide postage and office supplies for official use by the Senators.*

*10 (a). The Clerk of the Senate shall be the clerk to the Committee on Rules.*

*11 (a). Before reading each bill or resolution by title, the Clerk of the Senate shall announce, either by individual bill or resolution or en bloc, whether it is the first, second, or third time of such reading.*

*11 (b). The Clerk of the Senate shall keep at the Clerk's desk, during the sittings of the Senate, a calendar which shows the business of the Senate. The Clerk shall have printed and placed on the desk of each member; before the assembling of the Senate each day, a calendar of pending bills and resolutions. The Clerk shall prepare a list of all bills and resolutions offered on the preceding day, with the names of the patrons, titles of the bills or resolutions, and the Committees to which the same have been referred under these Rules.*

12. *It shall be the duty of the Clerk of the Senate, without special order therefor, to communicate to the House of Delegates any action of the Senate upon business coming from the House of Delegates, or upon matters requiring the concurrence of that body, but no such communication shall be made in relation to any action of the Senate while it remains open for consideration.*

13. *The Clerk of the Senate shall, at the beginning of the term after the election of Senators, have printed and bound with the manual and rules, etc., the Constitution of Virginia and the Constitution of the United States for the use of the Senators. Supplements to said manual shall be issued as circumstances may require.*

14 (a). *Whenever the Clerk of the Senate is absent, the deputy appointed pursuant to law and these Rules shall exercise the powers and perform the duties conferred and imposed upon the Clerk of the Senate by law and these Rules, by and with the consent of the Committee on Rules.*

14 (b). *In the discharge of all the duties assigned to the Clerk, and such other duties as the Clerk may from time to time undertake, the Clerk shall be subject to the direction of the Committee on Rules.*

#### V.

#### *Sergeant-at-Arms and Doorkeepers.*

15. *A Sergeant-at-Arms and Doorkeepers shall be elected by the Senate, and shall continue in office at the pleasure of the Committee on Rules for a term not exceeding four years. Except as otherwise provided by these Rules, their duties shall be prescribed by the Committee on Rules.*

16. *Except by order of the Senate, no Senator shall be taken into custody by the Sergeant-at-Arms on any grounds other than to quell a breach of the peace until the matter is examined by the Committee on Privileges and Elections and reported to the Senate.*

17 (a). *The Doorkeepers shall be constantly at their post during the daily sessions of the Senate and shall permit no one to enter freely or remain upon the floor of the Senate during the daily session, except the President of the Senate; members of the General Assembly; officers and employees of the Clerk of the Senate and the Clerk of the House of Delegates; and, representatives of the news media in such numbers as may be seated in accommodations provided for them at the press tables. The Committee on Rules shall consider and determine all matters concerning the news media in the Senate Chamber.*

17 (b). *Members of a Senator's family and such persons whom a Senator may invite shall be entitled to seats in a reserved section of the gallery. Representatives of the news media who cannot be accommodated with seats at press tables on the floor may also be entitled to seats in a reserved section of the gallery. The Committee on Rules shall consider and determine all matters concerning the news media in the Senate Chamber.*

17 (c). *One-half hour prior to the convening of every daily session, the Sergeant-at-Arms shall clear the floor of the Senate of all persons other than those who are authorized to be there during each session and shall not permit unauthorized persons upon the floor of the Senate for five minutes following the conclusion of every daily session.*

17 (d). *Interviews are not allowed in the Senate Chamber during the daily session or during the recesses during the daily session. Interviews in the Senate Chamber shall end 15 minutes prior to the scheduled start of the daily session and shall not commence until five minutes after the adjournment of the daily session.*

17 (e). Whenever any person requests an interview with a Senator or the Clerk of the Senate, a Doorkeeper shall send the request by a Page.

17 (f). A Doorkeeper shall direct all persons not entitled to entry on the floor of the Senate, as set out above, to the gallery of the Senate.

## VI.

### Standing Committees.

18. At the commencement of each session after the election of Senators, members shall be elected to the following standing Committees and the Committee on Rules for a term coincident with their term of office in such numbers as hereinafter set forth:

18 (a). A Committee on Agriculture, Conservation and Natural Resources, 15 Senators, to consider matters concerning agriculture; air and water pollution and solid waste disposal; conservation of land and water resources; crustaceans and bivalves; all matters of environment, forest, fresh and salt water fishing, game, mining, parks and recreation, and petroleum products.

18 (b). A Committee on Commerce and Labor, 15 Senators, to consider all matters concerning banking; commerce; commercial law; corporations; economic development; industry; insurance; labor; manufacturing; partnerships; public utilities, except matters relating to transportation; tourism; workmen's compensation and unemployment matters.

18 (c). A Committee for Courts of Justice, 15 Senators, to consider matters relating to the Courts of the Commonwealth and the Justices and Judges thereof, including the nominations of such Justices and Judges where provided by the Constitution and statutes of Virginia; and all matters concerning the criminal laws of the Commonwealth; together with all matters concerning contracts, domestic relations, eminent domain, fiduciaries, garnishments, homestead and all other exemptions, magistrates, mechanics' and other liens, notaries public and out-of-state commissioners, property and conveyances (except landlord and tenant and condominium matters), wills and decedents' estates.

It shall report to the Senate the names of such persons as it shall find qualified for election as a Justice or Judge of the Commonwealth. Senators, all or part of whose Senate Districts are within the Circuit or District for which a Judge is to be elected, shall jointly nominate a qualified person for such election. If such Senators are unable to agree on a nominee, a Senator shall only nominate a person deemed qualified by the Committee for Courts of Justice for any judicial position.

18 (d). A Committee on Education and Health, 15 Senators, to consider matters concerning education; human reproduction; life support; persons under disability; public buildings; public health; mental health; mental retardation and health professions.

18 (e). A Committee on Finance, 15 Senators, to consider matters concerning auditing; bills and resolutions for appropriations; the budget of the Commonwealth; claims; general and special revenues of the Commonwealth; all taxation and all matters concerning the expenditure of funds of the Commonwealth.

18 (f). A Committee on General Laws, 15 Senators, to consider matters concerning affirmation and bonds; the boundaries, jurisdiction and emblems of the Commonwealth; cemeteries; condominiums; consumer affairs; fire protection; housing; inter- or intra-government information technology applications and uses other than those proposed or used to support the operations of the General Assembly or the Senate; land offices; landlord and tenant; libraries; lotteries; military and war emergency; nuisances; oaths; printing; professions and occupations, except the health and legal professions; religious

*and charitable matters; state governmental reorganization; veterans' affairs; warehouses; and matters not specifically referable to other Committees, including, but not limited to, matters relating to technology, engineering, or electronic research, development, policy, standards, measurements, or definitions, or the scientific, technical, or technological requirements thereof, except for those affecting the operations of the General Assembly or the Senate.*

*18 (g). A Committee on Local Government, 15 Senators, to consider matters of local government in the counties, cities, towns, regions or districts, planning boards and commissions and authorities, except matters relating to the compensation of elected officeholders, where funds of the Commonwealth are involved.*

*18 (h). A Committee on Privileges and Elections, 15 Senators, to consider matters concerning voting; apportionment; conflict of interests, except those concerning members of the judiciary or solely the legal profession, provided that any such matter, after being reported by the Committee, shall be rereferred by the Committee to the Committee for Courts of Justice for consideration of the matters relating only to members of the judiciary or solely to the legal profession; constitutional amendments; elections; elected officeholders; reprimand, censure, or expulsion of a Senator; and nominations and appointments to any office or position in the Commonwealth, except Justices and Judges of the Commonwealth. It shall consider all grievances and propositions, federal relations and interstate matters. It shall examine the oath taken by each Senator and the certificate of election furnished by the proper office and report thereon to the Senate. It shall review and report as may be required in cases involving financial disclosure statements and shall recommend disciplinary action by majority vote where appropriate. It shall report in all cases involving contested elections the principles and reasons upon which their resolves are founded. It shall determine and report on all matters referred to it by the Senate Ethics Advisory Panel as set forth in the statutes.*

*Whenever the Clerk receives a report of the Senate Ethics Advisory Panel or a resolution seeking the reprimand, censure, or expulsion of a Senator, he shall refer it forthwith to the Committee on Privileges and Elections. The Committee shall consider the matter, conduct such hearings as it shall deem necessary, and, in all cases report its determination of the matter, together with its recommendations and reasons for its resolves, to the Senate. If the Committee deems disciplinary action warranted, it shall report a resolution offered by a member of the Committee to express such action. Any such resolution reported by the Committee shall be a privileged matter. The Senate as a whole shall then consider the resolution, and, by recorded vote, either (i) defeat the resolution or take one or more of the following actions; (ii) by a majority vote of the Senators present and voting, reprimand the Senator; (iii) by a majority vote of the elected membership of the Senate, censure the Senator and strip the Senator of seniority, so that the Senator shall be last; (iv) by a two-thirds vote of the elected membership of the Senate, expel the Senator; (v) in the event the Senate finds a knowing violation of § 30-108 or subsection C of § 30-110 of the Code of Virginia, by a majority vote of the Senators present and voting, refer the matter to the Attorney General for such action as the Attorney General shall deem appropriate.*

*18 (i). A Committee on Rehabilitation and Social Services, 15 Senators, to consider matters concerning alcoholic beverages; correctional and penal institutions; drugs; morals; social services and welfare.*

*18 (j). A Committee on Transportation, 15 Senators, to consider matters concerning airports; airspaces; airways; the laws concerning motor vehicles relating to rules of the road or traffic regulations; heliports; highways; port facilities; public roads and streets; transportation safety; public waterways; railways; seaports; transportation companies or corporations; and transportation public utilities. Any matter relating to rules of the road or traffic regulations which include a change in a penalty shall be rereferred by the Committee to the Committee for Courts of Justice.*

## VII.

*Committee on Rules.*

19 (a). A *Committee on Rules*, which shall be in addition to the foregoing standing Committees, 16 Senators, consisting of the standing *Committee Chairs*; the *President pro tempore*, if the person is not a *Chair*; the *Majority Leader*, if the person is not a *Chair*; the *Minority Leader*; and members to comprise the sixteen. The *Chair of the Committee on Rules* shall not be *Chair of any standing Committee*. The *Committee* shall consider all resolutions amending or altering the *Rules of the Senate*; all joint rules with the *House of Delegates*; all bills and resolutions creating study committees or commissions; and all other resolutions except those of a purely procedural nature, those concerning nominations and appointments to any office or position in the *Commonwealth* including the nominations of *Justices and Judges*, and those concerning constitutional amendments. The *Committee* may report such bills or resolutions with the recommendation that they be passed, or that they be rereferred to another *Committee*. In considering a bill or resolution, the *Committee* is empowered to sit while the *Senate* is in session. There shall be a subcommittee of the *Committee* consisting of the *Chair* and six members appointed by the *Chair* which shall exercise on behalf of the *Committee* such powers as are delegated to the *Committee* when acting jointly with the *Committee on Rules of the House of Delegates* or a subcommittee thereof.

19 (b). If there is any objection as to the referral by the *Clerk of the Senate* of any bill or resolution to any standing *Committee* or any matter relating to the *Office of the Clerk*, the *Committee on Rules* shall hear the same, resolve the issue and report to the *Senate*.

19 (c). The *Committee on Rules* shall consider and determine all matters concerning the news media in the *Senate Chamber*; all policies concerning travel expenses and reimbursements; all matters concerning joint assemblies with the *House of Delegates* and such persons, not members of the *Senate*, who are to be permitted to address the *Senate*; and all matters concerning the utilization of the facilities available to the *Senate* and its membership. It shall prescribe the duties not otherwise prescribed for the *Clerk, Sergeant-at-Arms, and Doorkeepers*.

19 (d). The *Committee on Rules* shall from time to time prescribe such requirements as will expedite the flow of the work of the *Senate*, all such requirements being subject to the approval of the *Senate*.

19 (e). Postage provided for use by members of the *Senate* during Sessions of the *General Assembly* shall be used as necessary to carry out the legislative duties of such members, and shall not be used for the purpose of mailing newsletters. A newsletter is a written communication that is more than one page in length, the contents cover more than one topic, and 500 or more copies are requested to be printed in a calendar year.

19 (f). The *Chair of the Committee on Rules* shall appoint a subcommittee to review the financial disclosure statements filed annually by members or candidates and shall determine whether each statement is correct and complete as filed or requires correction, augmentation, or revision by the member or candidate involved, who shall be directed in writing to make the changes required within such time as shall be set by the *Committee*.

Additional review shall be made of any financial disclosure statement by the *Committee on Rules* upon a request in writing by ten percent of the membership of the *Senate* on the basis of newly discovered evidence. This review shall be made promptly, the adequacy of filing determined, and notice of the determination of the *Committee* sent in writing to the member involved. If a financial disclosure statement is found to need correction, augmentation, or revision, the member or candidate involved shall be directed in writing to make the changes required within such time as shall be set by the *Committee*.

19 (g). *There shall be a Subcommittee on Standards of Conduct of the Committee on Rules, consisting of three members, one of whom shall be a member of the minority party, appointed by the Chair. The Subcommittee shall consider any request by a Senator for an advisory opinion as to whether the facts in a particular case would constitute a violation of the Rules of the Senate or any statute enacted relative to conflicts of interests, and may consider any other matters assigned to it by the Committee on Rules. Any Senator requesting such an advisory opinion shall submit the request in writing, addressed to the Chair of the Committee on Rules, and shall set forth specifically the facts relative to the opinion sought. The Subcommittee shall convene as soon as practicable, granting the Senator requesting the opinion the right to appear and, upon the conclusion of its deliberations, the Subcommittee shall submit its written opinion to the full Committee on Rules. The Committee on Rules shall consider the written opinion submitted by the Subcommittee and, if accepted, the same shall constitute an advisory opinion for the conduct of the members of the Senate on the issues set forth. The Clerk of the Senate shall maintain a record of such advisory opinions, which shall be available to any member of the Senate.*

19 (h). *Any Senator who wishes to present a person to the Senate shall first seek the approval of the Committee on Rules. The Senator shall submit a written request to the Chair of the Committee and a copy of the request to the Clerk of the Senate, 48 hours prior to the time of the presentation. The Committee or a subcommittee designated by the Chair shall determine the merit of the presentation and notify the Senator of its decision. The submission of the written request and the approval of the Committee or a subcommittee designated by the Chair shall not be required to present members of the Virginia Congressional Delegation and former members of the Virginia Senate. Whenever possible, a person shall be presented to the Senate on Tuesdays and Thursdays during the morning hour of the session.*

19 (i). *The Committee on Rules shall make all Senate appointments to study committees and commissions in the number authorized for the Senate, whether the authority is limited to Senate members or other persons. It shall appoint members of the Senate to such other committees as may be required to serve as joint committees with the House of Delegates under its Rules, and shall appoint members of the Senate to serve as Senate members on any Committee or Commission required by statute. If no member of a standing Committee of the Senate specified in a study resolution is able to serve, the Committee on Rules may appoint a member of the Senate at large to the study notwithstanding the provisions of the enabling resolution.*

### VIII.

#### *Composition and Procedures of Committees.*

20 (a). *The total membership of all Committees and the membership of each standing Committee shall be composed of members of the two major political parties in the Commonwealth in proportion to the number of Senators of each of such political parties, as nearly as practicable, and as nearly as practicable with equal membership of resident Senators from the several congressional districts of the Commonwealth as the same exist on the date of election of the Senate. As nearly as practicable, no more than two resident Senators in the same congressional district shall serve on the same Committee. However, if none of the resident Senators of the same congressional district makes a request, in writing, for a particular Committee assignment, this requirement may be waived. No member shall be removed from the Committee to which he or she was elected, except by a two-thirds vote of the members elected or by forfeiture under these rules.*

*The standing Committees may also include any Senator not elected as a member of the two major political parties. All members of the Senate shall be elected to the standing Committees, where practicable. No member of the Senate shall serve on more than four, nor less than three, standing Committees. When the Committees are elected, the Senator first named shall be the Chair. However, a Senator shall serve as Chair of only one of the standing Committees. Next shall be listed the members, listed by seniority and by the date elected to the Committee.*

*Should any Senator, during his term of office, cease to be a member of the political party of which he was a member at the time of his election, he shall be deemed, thereby, to have forfeited all Committee memberships to which he may have been elected.*

*20 (b). Any vacancy in Committee membership during the four-year term of the Committee members shall be filled in the manner in which Committee members are elected in the first instance.*

*20 (c). The standing Committees shall meet at such time and place as shall be designated by the Committee on Rules, after consultation with the respective Committee Chair, and the fixed time and place of Committee meetings shall be published.*

*20 (d). All Committee meetings shall be held in public.*

*However, executive sessions may be held pursuant to applicable provisions of law upon a recorded vote. Except as provided herein, a recorded vote of members upon each measure shall be taken and the name and number of those voting for, against or abstaining reported with the bill or resolution and ordered printed on the Calendar. A recorded vote shall not be necessary to report a resolution, if that resolution does not have a specific vote requirement pursuant to these Rules. A Senator who has a personal interest in the transaction, as defined in § 30-101 of the Code of Virginia, shall neither vote nor be counted upon it, and he shall withdraw, or invoke this Rule not to be counted, prior to the taking of any vote upon it, by stating the same before the Committee, and the fact shall be recorded by the Committee Clerk and reported along with the votes of the Committee members on the bill or resolution. If a Senator invokes this rule, the Senator shall not participate, directly or indirectly, in the matter wherein the rule is invoked. Pairs may be taken in Committee voting as provided in Rule 36.*

*20 (e). The majority of any Committee shall constitute a quorum. Any Senator attending and recorded as present at a Committee meeting who must depart prior to the rising of the Committee, may designate, in writing, one member of the Committee to vote his proxy for the duration of his absence, but for no longer than the meeting of the Committee at which the proxy is given. Proxies are not transferable. The Chair shall be informed in open session of the proxy authority prior to the departure of the Senator so leaving.*

*20 (f). Any bill or resolution introduced in an even-numbered year, and not reported to the Senate by a Committee may, upon the majority vote of the elected membership of the Committee to which it has been referred, be continued on the agenda of the Committee for hearings and Committee action during the interim between sessions or for future action by the Committee during the following odd-numbered year regular sessions. A bill or resolution may be continued only one year from an even-numbered year session and not otherwise. The Committee shall report, prior to the adjournment sine die of the Senate, such bills or resolutions as shall be continued and the Clerk of the Senate shall enter upon the Journal the fact that such bill or resolution has been continued.*

*The Senate, upon consideration of any bill or resolution on the Calendar, may recommit, in accordance with these Rules, the bill or resolution to the Committee reporting the same, and direct the Committee to continue the bill or resolution until the following odd-numbered year regular session, and hold such hearings or render such further consideration of the bill or resolution as the Committee may deem proper.*

*The Chair of the Committee, or the majority of the elected membership of a Committee, may call meetings of the Committee during the interim between sessions to study, call hearings, and consider any bill or resolution continued for further action at the odd-numbered year session, or to consider such other matters as may be germane to the duties of the Committee.*

*The provisions of this Rule relating to legislative continuity between sessions shall be subject to the provisions of Article IV, Section 7, of the Constitution of Virginia.*

20 (g). *Each Committee shall have a clerk appointed by the Clerk of the Senate, after consultation with the Chair of the Committee, and such Committee counsel or other staff assistants as a majority of the elected membership of the Committee deem necessary. The Clerk of the Senate shall be the clerk to the Committee on Rules.*

20 (h). *The Chair of any Committee may appoint subcommittees to consider a particular bill or resolution or to consider matters relative to a portion of the work of the Committee. Such subcommittees shall make recommendations to the Committee. The Chair of the full Committee shall be an ex officio member of all subcommittees and entitled to vote, but shall not be counted as a member for purposes of a quorum. All subcommittees shall be governed by the Rules of the Senate.*

20 (i). *Any Committee of the Senate may, at its discretion, confer with any Committee of the House of Delegates having under consideration the same subject and arrange joint meetings, hearings or studies, as the Committees deem appropriate.*

20 (j). *A Committee, after considering a bill or resolution referred to it may:*

*A. Rerefer the same to another Committee, in the same form received, to consider applicable portions of such bill or resolution as are germane to another Committee under the Rules, or may*

*B. Report it to the Senate*

*(i) without amendment,*

*(ii) with recommendation that a Committee amendment(s) be adopted, or*

*(iii) with recommendation that it be rereferred to another Committee (either with or without amendment), in which latter event the Clerk of the Senate shall so rerefer unless the Senate shall otherwise direct.*

*A recorded vote of members shall be taken upon any motion listed in A and B above and the name and number of those voting for, against or abstaining reported with the bill or resolution and ordered printed on the Calendar. The report recorded by the Committee clerk shall be the recorded vote on the motion and cannot be changed unless the vote is reconsidered and voted upon again. A recorded vote shall not be necessary to report or rerefer a resolution, if that resolution does not have a specific vote requirement pursuant to these Rules.*

20 (k). *Any bill, except the budget bill sent down by the Governor, whose principal objective is taxation or which establishes a special fund or any type of nonreverting fund, whether or not such bill may also require an appropriation, tax, special or general revenue, shall first be referred to the Standing Committee which has jurisdiction of the subject matter of the bill as defined in rules 18 (a) through 18 (j) of the Rules of the Senate. If said bill is reported by the Committee of original jurisdiction then said bill shall be rereferred by the Committee to the Finance Committee.*

20 (l). *The Senate members of any committee of conference with the House of Delegates shall be designated by the Chair of the Committee to which the bill or resolution in conference was first referred by the Clerk of the Senate. If a Senate bill or resolution is in conference, the chief patron of the same shall be a first conferee and, where feasible, members of a Committee to which the bill or resolution was referred or rereferred shall comprise the conferees.*

*Any conference report must be agreed to by the majority of the members of each house on the conference committee before it may be filed with the Senate. If the report of the first named conference is rejected by the Senate or the conferees cannot agree, the Chair shall designate the same or new conferees in the event a second conference is formed.*

*Conferees shall not insert in their report matters not committed to them by either house, nor shall they strike from the bill or resolution in conference matters agreed to by both houses.*

*20 (m). Committees of the Senate are authorized to seek and obtain, in the period of time between sessions of the General Assembly, the services of citizens of the Commonwealth whose function will be to participate with such Committees or Subcommittees thereof in reviewing legislation or in performing any referred study or study initiated by the Committee or its Chair.*

*Persons appointed to serve shall receive reimbursement for their actual and reasonable expenses incurred in the performance of services for the Committees. For this purpose and for such other expenses as may be occasioned by the conduct of any Committee study, payments shall be made from the general appropriation to the Senate.*

*Persons who are asked by a Committee Chair to appear before a Committee or subcommittee to offer expert testimony may receive reimbursement for their actual and reasonable expenses if approved by the Chair, in consultation with the Clerk.*

*20 (n). Whenever a bill is introduced that contains matters that would be appropriate for an executive reorganization plan as provided for in Chapter 1, Article 2 of Title 2.2 of the Code of Virginia or which proposes that the Commonwealth provide new services or abolish any existing service, it shall have the word "Organization" stamped upon its covers.*

#### IX.

##### *Order of Business.*

*21. At the appointed hour, the presiding officer of the Senate shall take the chair and call the Senate to order, and the order of business thereafter shall be as follows:*

*(a) A period of devotions.*

*(b) A roll call of members present.*

*(c) The reading of the Journal.*

*(d) A period to be called the "morning hour," for the following purposes:*

*i. to dispose of communications from the House of Delegates, the Executive, and the Judiciary.*

*ii. to receive reports from the Committees, for which purpose they shall be called by the Clerk unless the Senate shall direct otherwise.*

*iii. to recognize and welcome visitors to the Senate.*

*iv. to receive resolutions and bills, but such resolutions and bills may be received at the Clerk's desk at any time after the "morning hour," with leave of the Senate.*

*(e) Consideration of unfinished business. (Unfinished business is legislation before the Senate as a result of or pending action by the House of Delegates.)*

*(f) Consideration of the Calendar of the Senate for that day, for which purpose the Calendar shall be called by the Clerk of the Senate.*

*(g) Upon completion of the Calendar and then Senators expressing Point(s) of Personal Privilege and such other business as may come before the Senate, a recess or adjournment shall then be taken.*

*22. To expedite the business of the Senate, it may order the convening of a "special morning session," at which session no vote shall be taken or other business transacted except the introduction of bills and resolutions. Upon the completion thereof, such session shall recess to such time as the Senate may have theretofore ordered. Such "special morning session" shall be convened by the presiding officer or President pro tempore unless otherwise designated. The "special morning session" shall be considered adjourned upon the convening of the daily session.*

*23 (a). Notwithstanding Rule 21 and Rule 22, any subject may, by a recorded vote of a majority of the members elected, be made a special and continuing order; to commence at a time to be fixed by the Senate, and when the time so fixed for its consideration arises, the presiding officer shall lay it before the Senate.*

*23 (b). When two or more special and continuing orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by majority vote of those present. All motions to change such order shall be decided without debate.*

*24. When a bill or resolution of the House of Delegates is passed or rejected by the Senate, the fact of the passage or rejection, with the bill or resolution, shall be communicated to the House of Delegates.*

*25 (a). All bills, resolutions or other business originating in the Senate and all bills, resolutions or other business sent from the House of Delegates shall be dispatched in the order in which they are introduced or received, unless the Senate shall otherwise direct.*

*25 (b). Bills or resolutions of either house shall be divided on the Calendar between the designation "Uncontested Calendar" and "Regular Calendar," and be considered in such order. When such a division is made for bills or resolutions, the Uncontested Calendar shall not include any bills or resolutions (i) which receive a dissenting vote or abstention in Committee, or (ii) to which objection is made by any Senator on first reading. Any bills or resolutions shall be removed from the Uncontested Calendar at any time at the request of any Senator. Resolutions which do not have a specific vote requirement pursuant to these Rules shall not be placed on the Uncontested Calendar but may be divided separately.*

*25 (c). It shall be the duty of the Clerk to see that the printing and engrossing, when ordered, shall be done in such time that the bills and resolutions may be acted upon according to their priorities upon the Calendar. If, however, any bill or resolution is not ready when it is reached upon the Calendar, it shall be passed by, and be allowed to retain its place upon the Calendar.*

*25 (d). When the Calendar has been called through, it may be called again in order to dispose of any business that may be ready, and if there is none, the business of the "morning hour" shall be resumed and disposed of; but the business of the "morning hour" shall in no case be allowed to interfere with that of the Calendar without the unanimous consent of the members present.*

26 (a). No law shall be enacted except by bill. Every bill, upon its introduction, shall be referred to the appropriate Committee. No bill shall become a law until the procedures required by Article IV, Section 11, of the Constitution of Virginia have been observed.

26 (b). No bill expressly amending any existing law shall be offered by any member unless or until the original and all copies thereof have been prepared so as to indicate deletions and additions. Each bill or resolution shall be signed by at least one Senator or by the Clerk of the Senate upon authorization of a member who has become incapacitated. Any bill or resolution introduced in the Senate may show as "House Patrons" the signatures of members of the House of Delegates. The title of any bill having any provisions pertaining to taxation or revenues shall so indicate. The form for deletions and additions shall be to set forth the material deleted with lines through such material, e.g., ~~deleted material or words~~, and to underscore the words added, before they are received in the Senate. However, the stricken material and underscoring and italics in the printed bill, enrolled bills, and printed Acts shall not be considered evidence of all amendments to any bill or existing statute, but merely as an aid for quick reference to amended portions. Nothing herein contained shall be construed as requiring the use of stricken material or underscoring when new words are substituted for existing words where the new words or the omission of words does not change the sense or meaning of the act.

26 (c). The title of a bill or resolution and all amendments offered thereto shall be entered upon the Journal, except the amendments in the nature of a substitute shall be printed separately, and only the titles thereof entered upon the Journal.

26 (d). Any Senate bill or resolution which has been amended during the legislative process by the Senate shall be engrossed and reproduced by the Clerk of the Senate, as soon as practicable, in sufficient numbers for the members of the Senate and House of Delegates.

26 (e). The designation of "Senate Bill" or "Senate Resolution" or "Senate Joint Resolution" shall not be changed nor amended after a bill or resolution is introduced in the Senate. Nor shall the designation of "House Bill" or "House Joint Resolution" be changed or amended after the bill or resolution is received by the Senate.

26 (f). Any member of the Senate or House of Delegates who requests in writing to the Clerk that he be added as a co-patron of any bill or resolution, provided that the first vote on the passage of the bill or agreement to the resolution has not occurred, or, if the bill or resolution is not reported from Committee, then prior to the last action on such legislation, shall be listed in the Journal as a co-patron of such bill or resolution, and shall be so listed on such bill or resolution at its next printing, if any.

Any member of the Senate or House of Delegates may also request in writing to the Clerk that his name be removed as a co-patron of any bill or resolution provided that the first vote on the passage of the bill or agreement to the resolution has not occurred, or, if the bill or resolution is not reported from Committee, then prior to the last action on such legislation, and thereafter his name shall not be listed in the Journal as a co-patron of such bill or resolution, nor shall his name be listed on such bill or resolution at its next printing, if any.

26 (g). Any memorial or commending resolutions shall conform to the form and procedure set forth by the Clerk of the Senate and shall not be referred to the Committee on Rules, but shall be placed upon the Calendar on the next Thursday of the session and shall be considered for approval on said day; however, any one member may object to such consideration and the same shall be continued to the next Thursday session or any member may move that the same be referred to the Committee on Rules. No exception to this Rule 26 (g) shall be made, unless the Senator proposing such exception has first presented it at a meeting of the Committee on Rules and a majority of the members elected to such Committee has voted in favor of the exception.

27. *Bills or resolutions originating in the House of Delegates and communicated to the Senate shall be read by title the first time when received and referred to the appropriate Committee unless otherwise directed by the Senate.*

28 (a). *No bill or resolution reported from a Committee of the Senate shall be recommitted or amended until it has been twice read by title, nor shall any Senate bill or resolution be amended after its third reading, except by the unanimous consent of the Senate. House bills or resolutions may be recommitted or amended at any time before their final passage, but a bill or resolution which has been recommitted to a Committee, when reported by Committee, shall be restored on the Calendar to the status it had before it was recommitted.*

28 (b). *In the case of a House bill or resolution, engrossment shall only apply to such amendments as may have been made in the Senate.*

29 (a). *Communications from the Executive shall lie on the table at least one day after being received by the Clerk of the Senate, unless otherwise ordered.*

29 (b). *Whenever a Senate bill or resolution is reported to the Senate with one or more House amendments, copies of all such amendments shall be furnished to each Senator. The same shall apply to amendments proposed by a Senate Committee or by a Senator, unless otherwise ordered by the Senate.*

30. *Every question shall be put in the affirmative and the presiding officer shall declare whether the yeas or the nays have it, which declaration shall stand as the judgment of the Senate. The yeas and nays on any question shall, at the desire of one-fifth of those present, be entered on the Journal. On the final vote of any bill, and on the vote in any election or impeachment conducted in the General Assembly or on the expulsion of a Senator, the name of each Senator voting, and how he voted shall be recorded in the Journal. After the roll has been taken, and before the vote is announced by the presiding officer, any Senator shall have the right to correct any mistake committed in enrolling his name and the presiding officer shall order the vote to be stricken.*

31. *Any Senator may call for a division of the question, which shall be divided if it comprehends propositions so distinct in substance that, one being taken away, a substantive proposition shall remain for the decision of the Senate.*

32. *Upon the determination of a question, any Senator may enter his protest upon the Journal, with the consent of one-third of the Senators present; and on the question "Shall the protest be entered on the Journal?", no privileged motion as set out in Rule 46 (a) or Rule 46 (b) shall be in order except to adjourn.*

33. *Whenever the Senate proceeds to consider any nominations or appointments after the same have been reported by the appropriate Committee, which are subject to the choice or ratification of the Senate, and when it is so ordered by the Senate pursuant to Chapter 21 of Title 30 of the Code of Virginia, the same shall be considered in executive session.*

#### X.

##### *The Pending and Previous Question.*

34. *Upon a motion for the pending question, agreed to by a majority of the Senators present, as indicated by a recorded vote, and there being no other motions afforded priority by these Rules, the presiding officer shall immediately put the pending question. All incidental questions of order arising after a motion for the pending question is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.*

35. Upon a motion for the previous question, agreed to by a majority of the Senators present, as indicated by a recorded vote, and there being no other motions afforded priority by these Rules, the presiding officer shall immediately put the question, first upon the amendments in the order prescribed in the Rules, and then upon the main question. If the previous question be not ordered, debate may continue as if the motion had not been made.

## XI.

### *Taking the Vote.*

36. Every Senator present in the Chamber, when any question is put or vote taken, shall vote or be counted as voting on one side or the other, except in the case of pairs, as hereinafter provided. A Senator who has a personal interest in the transaction, as defined in § 30-101 of the Code of Virginia, shall neither vote nor be counted upon it, and he shall withdraw, or invoke this rule not to be counted, prior to the division and the fact shall be recorded on the voting machine. If a Senator invokes this rule, the Senator shall not participate, directly or indirectly, in the matter wherein the rule is invoked. Pairs upon any question pending may be made and entered upon the Journal, and in such cases shall be announced immediately upon completion of the roll call, and before the announcement of its result. Pairs may be general or special. General pairs shall extend to and include all motions, amendments, or other proceedings in aid of or against the question pending, and which is the subject of the pairs. Special pairs shall depend in their scope upon the agreement between the Senators making the same, but in absence of a specific agreement, the presumption shall be conclusive that the pairs are general. The Senator announcing a pair shall be counted as present for the purposes of establishing a quorum. Pairs may be taken in Committee votes under this rule herein set forth.

37. The voting machine may be used for the call of the roll, for recording abstentions under Rule 36, or for the affirmative and the negative of the question.

38 (a). No Senator shall be allowed to vote or submit a vote statement unless he is in attendance at the daily session at the time the Senate is being divided, or before a determination of the question upon a call of the roll, and is physically present in the Chamber, or one of its anterooms. A Senator may submit a vote statement if he was not recorded as voting or if his recorded vote does not reflect his intention. The statement shall be limited to the fact that his vote was not recorded or that his vote did not reflect his intention and must be submitted to the Clerk of the Senate by the adjournment of the daily session.

38 (b). In cases where the presiding officer is also a member of the Senate at the time a recorded vote is being taken, the presiding officer shall request another Senator to cast his vote for him or shall cast his vote from the Chair.

38 (c). When a committee of conference is meeting it shall inform the Clerk of the place of meeting; and, when a vote be put, the presiding officer shall, before calling the vote, inform the Senate conferees of the pending vote and grant them a reasonable opportunity to return to the Chamber to vote.

## XII.

### *Debate.*

39 (a). While the presiding officer is reporting or putting any question, or the Clerk of the Senate is reporting a bill or resolution or calling the roll, or a Senator is addressing the Chair, strict order shall be observed. No Senator or other person shall give audible expression to his or her approval or disapproval of any proceeding before the Senate.

39 (b). *The use of audible electronic devices used for transmitting and receiving communications is prohibited in Senate committee rooms and the Senate Chamber. The use of cellular telephones is prohibited in Senate committee rooms and the Senate Chamber. Violations of this rule shall be punishable as prescribed by the Committee on Rules.*

40. *If words are spoken in debate that give offense, exception thereto shall be taken the same day, and be stated in writing; and in such case, if the words are decided by the presiding officer, or by the Senate, upon an appeal, to be offensive, and they are not explained or retracted by the Senator who uttered them, he shall be subject to such action as the Senate may deem necessary.*

41. *When any member is about to speak in debate or deliver any matter to the Senate, he shall rise from his seat, and without advancing, with due respect, address "Mr. President," confining himself strictly to the point in debate, and avoiding all disrespectful language.*

42. *No member shall speak more than twice upon the same subject without leave of the Senate, nor more than once, until every member choosing to speak has spoken.*

43. *No question shall be debated until it has been stated by the presiding officer, and the mover shall have the right to explain his views in preference to any Senator.*

44. *During any debate any Senator, though he has spoken to the matter, may rise and speak to the orders of the Senate if they are transgressed, in case the presiding officer does not so rise and speak, but if the presiding officer stands up at any time, he is first to be heard, and while he is standing Senators shall keep their seats.*

45. *No Senator shall be allowed to be interrupted while speaking, except on points of order, to correct erroneous statements, or for a Senator to answer any questions that may be stated by the Senator speaking.*

46 (a). *The following motions shall not be debated or spoken to except as hereinafter provided:*

(i) *A motion to adjourn.*

(ii) *A motion calling for a vote on the pending question.*

(iii) *A motion calling for a vote on the previous question.*

(iv) *A motion to suspend the Rules.*

(v) *A motion to close debate.*

(vi) *A motion to limit debate.*

(vii) *A motion to extend the limit of debate.*

(viii) *A motion to reconsider matters not debatable.*

(ix) *A motion to change, in case of two or more special and continuing orders.*

46 (b). *Upon the following motions, the mover shall be allowed five minutes to speak his motion, to state the reasons therefor, and one member opposed to the motion shall be allowed a like time to speak to the motion, to state his objections:*

(i) *A motion for a special and continuing order.*

(ii) *A motion to appeal a ruling of the Chair.*

46 (c). *When a question not debatable is before the Senate, all incidental questions arising after it is stated shall be decided and settled without debate, whether on appeal or otherwise. This same Rule shall apply to all incidental questions arising after the presiding officer has put any question to the Senate.*

46 (d). *A motion to strike out, being lost, shall preclude neither amendment nor a motion to insert, nor a motion to strike out and insert.*

46 (e). *When a question is pending, no motion shall be received but to adjourn, to pass by for the day, for the pending question, for the previous question, or to amend; which several motions shall have precedence in the order in which they are herein set out.*

46 (f). *Except as otherwise provided herein, the provisions of Rule 46 (e), a primary motion may be substituted once.*

### XIII.

#### *Reconsideration.*

47. *A question arising on a Senate Bill, Senate Resolution or Senate Joint Resolution being once determined must stand as the judgment of the Senate, and cannot during the course of that session of the General Assembly be drawn again into debate,*

*unless a motion to reconsider a question which has been decided has been made by a Senator voting with the prevailing side,*

*and unless made on the same day on which the vote was taken;*

*however, if such action has not been communicated to the House, a motion to reconsider may be made within the next two days of actual session of the Senate thereafter*

*provided further that when any question is decided in the negative simply for the want of a majority of the whole Senate, any Senator who was absent from the city of Richmond or detained from his seat by sickness at the time of the vote sought to be reconsidered may move its reconsideration;*

*however, unless unanimous consent of the members of the Senate present and voting on a motion for a second or subsequent reconsideration be granted, no measure being once determined may be reconsidered more than once by the Senate during that session of the General Assembly.*

*A Senator desiring such reconsideration shall confer with the Chairman of the Committee on Rules, or in his absence the most senior available member thereof, who shall consult with the chief spokesman for and against the measure, if there is any, and thereafter such Chairman or senior member may direct the Clerk to defer or expedite the transmittal of the action of the Senate on the measure to the House of Delegates to permit the making of such motion for reconsideration; however, in no event shall such deferral of transmittal hereunder be for more than one legislative day.*

*This rule shall not preclude consideration of any House Bill, House Joint Resolution, or House amendment to a Senate Bill or a Senate Joint Resolution, regardless of whether such House measure involves a question already determined.*

## XIV.

*Suspension of Rules.*

48. Any rule of the Senate may only, except where otherwise provided by the Constitution of Virginia, be amended by a vote of two-thirds of the senators elected. These Rules may be suspended by a vote of two-thirds of the senators elected.

## XV.

*Appeals.*

49. If the presiding officer rules on any matter under these Rules by his own act, or upon request of any Senator, and if any Senator objects to the ruling of the presiding officer, then an appeal to the Senate shall lie, and any motion to sustain the ruling of the presiding officer shall require a majority of those present to prevail.

## XVI.

*Committee of the Whole.*

50. The Senate may go into the Committee of the Whole only upon the affirmative vote of a majority of the members elected. When the Senate shall resolve itself into the Committee of the Whole, the President shall leave the Chair and the President pro tempore shall preside in the Committee. If the President pro tempore is absent from the Senate, then the Senate shall elect a chairman to preside therein.

The Committee of the Whole shall consider and report on such subjects as may be committed to it by the Senate. The Rules of the Senate shall be observed in the Committee of the Whole, so far as they are applicable. The proceedings in the Committee of the Whole shall not be recorded on the Journal of the Senate, except so far as reported to the Senate by the Chairman of the Committee.

## XVII.

*Senate Ethics Advisory Panel.*

51. The Senate Ethics Advisory Panel shall be composed of five members: three of whom shall be former members of the Senate; and two of whom shall be citizens of the Commonwealth who have not previously held such office. The members shall be nominated by the Committee on Privileges and Elections of the Senate and confirmed by the Senate. Nominations shall be made so as to assure bipartisan representation on the Panel.

## XVIII.

*Court of Impeachment.*

52. When, pursuant to the Constitution, the Senate sits as a Court for the trial of impeachments, the Rules covering the same shall be as the Rules of Procedure and Practice in the United States Senate when sitting on Impeachment Trials.

## XIX.

*Votes Required.*

53. The votes required shall be as set forth in the Appendix to these Rules.

XX.

Construction of Rules.

54. The Rules of the Senate shall be adopted at the commencement of the first regular session of the General Assembly after the election of the Senate, and shall be in force for the succeeding four years unless amended or suspended as provided by these Rules. In the construction of the Rules, reference shall be had to the following sources in the following order:

(a) *Jefferson's Manual of Parliamentary Practice.*

(b) *Standing Rules for Conducting Business in the Senate of the United States.*

APPENDIX  
VOTES REQUIRED PURSUANT TO  
CONSTITUTION  
OR RULES OF THE SENATE

(1) Appeals from ruling of chair	-- a majority of the members voting, not less than.....16 (Rule 49)
(2) Bills:	
(a) Ordinary bills	-- a majority of the members voting, not less than.....16 (Const. Art. IV, Sec. 11) (Same for House amendment or Conference report)
(b) Appropriation Claim or Demand of State Debt or Charge New Office Tax	-- a majority of the members elected not less than..... 21 (Const. Art. IV, Sec. 11) (Same for House amendment or Conference report)
(c) (1) Bonds, general obligation	-- a majority of the members elected not less than..... 21 (Const. Art. X, Sec. 9(b))
(2) Bonds, revenue	-- 2/3 of the members elected, not less than.....27 (Const. Art. X, Sec. 9(c))
(d) Charter or "Special Act" for county, city, town or regional government	-- 2/3 of the members elected, not less than.....27 (Const. Art. VII, Sec. 1) (Same for House amendment or Conference report)
(e) Printing or Reading dispensed	-- 4/5 of the members voting, not less than.....17 (Const. Art. IV, Sec. 11)
(f) Creating new office	-- a majority of the members elected, not less than.....21 (Const. Art. IV, Sec. 11)

- (3) *Censure of a Senator* -- a majority of the members elected, not less than.....21  
(Rule 18(h))
- (4) *Committee of the Whole, to go into* -- a majority of the members elected, not less than.....21  
(Rule 50)
- (5) *Constitution, amending*
  - (a) *Virginia Constitution Bills or Resolutions proposing to amend* -- a majority of the members elected, not less than.....21  
(Const. Art. XII, Sec. 1)
  - (b) *Amendment to Bill or Resolution proposing to amend Virginia Constitution* -- a majority of the members elected, not less than.....21  
(Const. Art. XII, Sec. 1)
  - (c) *Virginia Constitutional Convention, calling of* -- 2/3 of the members elected, not less than.....27  
(Const. Art. XII, Sec. 2)
  - (d) *United States Constitution, Resolutions proposing to ratify and amend* -- a majority of the members elected, not less than.....21
  - (e) *United States Constitution, Resolutions proposing calling of a convention to amend* -- a majority of the members elected, not less than.....21
- (6) *Discharging Committee* -- a majority of the members voting, not less than 2/5 of the members elected.....16  
(Const. Art. IV, Sec. 11)
- (7) *Division of question required* -- 1 Senator.....1  
(Rule 31)
- (8) *Emergency Clause* -- 4/5 of the members voting, not less than.....17  
(Const. Art. IV, Sec. 13)
- (9) *Expulsion of a Senator* -- 2/3 of the members elected, not less than.....27  
(Const. Art. IV, Sec. 7; Sec. 10; Rule 18(h))
- (10) *Extended Session 30 days* -- 2/3 of the members elected, not less than.....27  
(Const. Art. IV, Sec. 6)
- (11) *Governor, disability of* -- 3/4 of the members elected, not less than.....30  
(Const. Art. V, Sec. 16)
- (12) *Governor's recommendation for amending bill* -- a majority of the members present  
*In case of refusal, bill again sent to Governor*  
(Const. Art. V, Sec. 6)
- (13) *Impeachment* -- 2/3 of the members present, not less than.....14  
(Const. Art. IV, Sec. 17; Sec. 10)

- (14) *Journal, reading waived*
- (a) *All sessions except reconvened special sessions with no business* -- a majority of the members voting not less than.....11  
(Rule 3)
- (b) *Reconvened special sessions with no business* -- 2 Senators.....2  
(Rules 3 and 5)
- (15) *Protest entered upon Journal* -- 1/3 of the members present, not less than.....7
- (16) *Reading or printing of a Bill dispensed* -- 4/5 of the members voting, not less than.....17  
(Const. Art. IV, Sec. 11)
- (17) *Recorded vote, yeas and nays*
- (a) *Floor* -- 1/5 of the members present  
(Constitution Article IV, Sec. 10 and Rule 30)
- (b) *Committee* -- 1/5 of the Committee members present, not less than.....3
- (18) *Referring certain violations of Conflict of Interest Act to Attorney General* -- a majority of the members voting, not less than.....11  
(Rule 18(h))
- (19) *Reprimand of a Senator* -- a majority of the members voting, not less than.....11  
(Rule 18(h))
- (20) *Resolutions other than those proposing a Constitutional amendment* -- a majority of the members voting, not less than.....16
- (21) *Suspending or amending Rules* -- 2/3 of the members elected, not less than.....27  
(Rule 48)
- (22) (a) *Special and Continuing Order* -- a majority of the members elected, not less than.....21  
(Rule 23(a))
- (b) *Changing Special and Continuing Order* -- a majority of the members voting, not less than.....11  
(Rule 23(b))
- (23) *Supreme Court, Increase size of* -- 3/5 of the members elected, voting at 2 consecutive regular sessions, not less than.....24  
(Const. Art. VI, Sec. 2)
- (24) *Veto, to override* -- 2/3 of the members present, not less than a majority of the members elected.....21  
(Const. Art. V, Sec. 6)
- (25) *Votes on elections, impeachments or expulsions of a Senator* -- names to be recorded in Journal  
(Const. Art. IV, Sec. 10)  
(also see Secs. 7 & 17)
- (26) *Vote to remove Senator from a Committee* -- 2/3 of the members elected, not less than.....27  
(Rule 20(a))

- (27) *Vote to elect Senator(s) to Committee* -- a majority of members elected, not less than.....21
- (28) *Interruption of the Calendar* -- unanimous consent of members present (Rule 25(d))
- (29) *Memorial or commending resolution, Senate to consider out of order* -- a majority of members elected, not less than.....21 (Rule 26(g))
- (30) *Amend Senate bill or resolution after third reading* -- unanimous consent (Rule 28(a))
- (31) *Second and subsequent Reconsideration* -- unanimous consent of members present (Rule 47)
- (32) *President pro tempore's substitute to continue to preside over the Senate* - unanimous consent of members present (Rule 2(c))
- (33) *Call of the Senate to send for absentee(s)* -- at least 9 Senators (Rule 5)
- (34) *Adjournment*
  - (a) *Daily Session* -- at least 2 Senators (Rule 5)
  - (b) *Certain Special Session* -- at least 2 Senators (Rule 5)
  - (c) *Certain Reconvened Session of a Special Session* -- at least 2 Senators (Rule 5)
- (35) *Quorum*
  - (a) *Emergency* -- at least 16 Senators (Const. Art IV, Sec. 8)
  - (b) *Daily Session* -- a majority of members elected, not less than.....21 (Rule 5)
  - (c) *Reconvened Session* -- a majority of members elected, not less than.....21
  - (d) *Certain Special Session* -- at least 2 Senators (Rule 5)
  - (e) *Certain Reconvened Session of a Special Session* -- at least 2 Senators (Rule 5)
  - (f) *Committee* -- at least 8 Senators (Rule 29(e))
- (36) *Election of "Interim" Clerk* -- a majority of Committee members present and voting at least 5 Senators (Rule 8(a))

**S.R. 2**, on motion of Senator Norment, was ordered to be engrossed and was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### ELECTION OF OFFICERS

The President announced that the next order of business was the election of officers of the Senate, the first election being for President pro tempore of the Senate, for a term of four years.

Senator Mims nominated John H. Chichester of Stafford.

The nomination was seconded by Senators Wampler, Stosch, and Saslaw.

Senator Norment moved that the nominations be closed.

The motion was agreed to.

The roll was called with the following results:

For John H. Chichester--39.

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

John H. Chichester, having received all the votes cast, was declared by the President duly elected President pro tempore of the Senate for a term of four years.

The next order of business was the election of Clerk of the Senate, for a term of four years.

Senator Wampler nominated Susan Clarke Schaar.

The nomination was seconded by Senators Ruff, Saslaw, and Chichester.

Senator Norment moved that the nominations be closed.

The motion was agreed to.

The roll was called with the following results:

For Susan Clarke Schaar--40.

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Susan Clarke Schaar, having received all the votes cast, was declared by the President duly elected Clerk of the Senate for a term of four years.

Susan Clarke Schaar took and subscribed the oath prescribed by law, administered by the Honorable J. Aubrey Matthews, Sr.

The next order of business was the election, respectively, of the Sergeant-at-Arms and Doorkeepers of the Senate.

Senator Stosch nominated the following:

Thomas C. Gilman, Sergeant-at-Arms;

Eva Burrell Brinkley, Doorkeeper; John E. Davis, Jr., Doorkeeper; Benjamin R. Hawkins, Doorkeeper; Leon B. Jones, Sr., Doorkeeper; James C. Taylor, Doorkeeper; and Ida Annette Ward, Doorkeeper.

The nominations were seconded by Senator Stolle.

Senator Chichester moved that the nominations be closed.

The motion was agreed to.

The roll was called with the following results:

For Thomas C. Gilman, Eva Burrell Brinkley, John E. Davis, Jr., Benjamin R. Hawkins, Leon B. Jones, Sr., James C. Taylor, and Ida Annette Ward--39.

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the nominees for Sergeant-at-Arms and Doorkeepers of the Senate received an affirmative vote of 39.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The roll was called with the following results:

For Thomas C. Gilman, Eva Burrell Brinkley, John E. Davis, Jr., Benjamin R. Hawkins, Leon B. Jones, Sr., James C. Taylor, and Ida Annette Ward--40.

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### **MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Landes who informed the Senate that the House was duly organized and ready to proceed to business.

#### **ELECTION OF PAGES**

The next order of business was the election of Pages of the Senate.

Senator Stosch nominated the following:

Robert Jeremy Wright, Williamsburg; Ross Stewart Stolle, Virginia Beach; Deshira E. Thompson, Suffolk; Charisse Donnell Carter, Smithfield; Kelsey Wright, Chatham; Brian Ballard Vieth, Roanoke; Samuel Stevens Hewitt, Mechanicsville; Margaret Jardim Taylor, Arlington; Katlyn Alicé Sharp, Bristol; Mary Catherine Earley, Leesburg; and Emillie Elizabeth DeBoissiere, Oakton.

The nominations were seconded by Senator Chichester.

Senator Norment moved that the nominations be closed.

The motion was agreed to.

The roll was called with the following results:

For Robert Jeremy Wright, Williamsburg; Ross Stewart Stolle, Virginia Beach; Deshira E. Thompson, Suffolk; Charisse Donnell Carter, Smithfield; Kelsey Wright, Chatham; Brian Ballard Vieth, Roanoke; Samuel Stevens Hewitt, Mechanicsville; Margaret Jardim Taylor, Arlington; Katlyn Alicé Sharp, Bristol; Mary Catherine Earley, Leesburg; and Emillie Elizabeth DeBoissiere, Oakton--40.

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The nominees for Pages, having received all the votes cast, were declared by the President duly elected Pages of the Senate.

#### **APPOINTMENT OF PAGES**

The following appointments of Pages of the Senate were announced:

John Paul Chaplin, Gainesville, by Senator Chichester, President pro tempore;

Mari Kathryn Gavin, Glen Allen, and Melissa Ferrell Bearden, Richmond, by Senator Stosch, Senate majority leader;

Amy Elnora Dance, Petersburg, by Senator Saslaw, Senate minority leader; and

Zachary Oswald Rubin, Richmond, by the Lieutenant Governor.

#### **APPOINTMENT OF MESSENGERS**

Senator Stosch announced the following appointments of the Messengers of the Senate:

Caroline Elise Atwill, Leesburg; Fenton Lee Bland III, Prince George; Brittany Kathleen Chumley, Surry; Thomas Geddy Cross, Hanover; Monroe Everett Harris, Richmond; Issac Thomas Janak, Richmond; Jayna Avery McGehee, Chesapeake; Jessica Ann Merry, Midlothian; Michael Stephen Muldoon, Annandale; and George Harriss Ricks III, Richmond.

#### **INTRODUCTION OF LEGISLATION**

Senator Norment, by leave, under Senate Rule 11 (b), presented the following resolution which was ordered to be printed and referred:

**S.R. 1.** 2004 Operating Resolution.

(Prefiled January 14, 2004)

Patron--Norment

Referred to Committee on Rules

**IMMEDIATE CONSIDERATION**

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **S.R. 1** (one), the readings of the title be waived, and the resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**SENATE RESOLUTION NO. 1**

2004 operating resolution.

RESOLVED by the Senate of Virginia, That the Comptroller is directed to issue his warrants on the Treasurer, payable from the contingent fund of the Senate to accomplish the work of the Senate of Virginia as reported by the Clerk of the Senate to the Senate Rules Committee during the 2004 Session. Necessary payments to cover salaries of temporary employees and the pages/messengers, per diem of Legislative Assistants who establish a temporary residence, per diem for pages/messengers and certain employees designated by the Clerk and reported to the Chairman of the Senate Rules Committee, as well as other contingent and incidental expenses, will be certified by the Clerk of the Senate or her designee. Per diem for orientation will be paid as approved by the Clerk.

**S.R. 1**, on motion of Senator Norment, was ordered to be engrossed and was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates that the Senate was duly organized and ready to proceed to business.

**MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 146** (one hundred forty-six), as follows; in which it requested the concurrence of the Senate:

## HOUSE JOINT RESOLUTION NO. 146

Notifying the Governor of Organization.

RESOLVED by the House of Delegates, the Senate concurring, That a committee be appointed, composed of six on the part of the House of Delegates and four on the part of the Senate, to notify the Governor that the General Assembly is duly organized and ready to receive any communication he may desire to make.

**H.J.R. 146**, being of a purely procedural nature, was taken up for immediate consideration and agreed to.

Senator Norment was ordered to inform the House of Delegates thereof.

The President appointed Senators Chichester, Stosch, Quayle, and Saslaw, the committee on the part of the Senate to inform the Governor that the General Assembly was duly organized and ready to receive any communication he may desire to make.

Senator Chichester, from the committee to inform the Governor that the General Assembly was duly organized and ready to receive any communication he may desire to make, reported that the committee had performed that duty and that the Governor would be pleased to address a joint assembly of the legislature.

**COMMITTEE NOMINATIONS REPORT**

Senator Wampler presented the following report:

## 2004 COMMITTEE REPORT

## AGRICULTURE, CONSERVATION AND NATURAL RESOURCES

Hawkins, Chair; Chichester; Bolling; Ticer; Whipple; Hanger; Watkins; Reynolds; Puckett; Ruff; Blevins; Deeds; Cuccinelli; *Obenshain*; and *Locke*

## COMMERCE AND LABOR

Wampler, Chair; Colgan; Saslaw, Chichester; Miller; Norment; Stosch; Stolle; Potts; Edwards; Williams; Watkins; Wagner; *Newman*; and *Rerras*

## COURTS OF JUSTICE

Stolle, Chair; Saslaw; Marsh; Quayle; Norment; Howell; Lucas; Edwards; Reynolds; Mims; Puller; Rerras; Blevins; Cuccinelli; and *Obenshain*

## EDUCATION AND HEALTH

Potts, Chair; Saslaw; Lambert; Houck; Lucas; Howell; Quayle; Martin; Newman; Edwards; Bolling; Ruff; Whipple; Mims; and Blevins

## FINANCE

Chichester, Chair; Colgan; Lambert; Wampler; Stosch; Houck; Hawkins; Howell; Saslaw; Stolle; Quayle; Norment; Potts; *Hanger*; and *Watkins*

## GENERAL LAWS

Stosch, Chair; Colgan; Houck; Lambert; Wampler; Miller; Hawkins; Martin; Bolling; Ruff; Wagner; O'Brien; *Bell*; *Devolites*; and *Locke*

LOCAL GOVERNMENT

Quayle, Chair; Marsh; Lucas; Martin; Hanger; Newman; Ticer; Whipple; Reynolds; Mims; Puckett; Puller; Ruff; Cuccinelli; and *Obenshain*

PRIVILEGES AND ELECTIONS

*Martin*, Chair; Lambert; Hawkins; Bolling; Howell; Colgan; Potts; Stolle; Deeds; O'Brien; *Whipple*; *Reynolds*; *Bell*; *Devolites*; and *Obenshain*

REHABILITATION AND SOCIAL SERVICES

Hanger, Chair; Miller; Marsh; Lucas; Williams; Ticer; Puller; Rerras; Wagner; Cuccinelli; O'Brien; *Deeds*; *Bell*; *Devolites*; and *Locke*

TRANSPORTATION

Williams, Chair; Houck; Miller; Marsh; Newman; Watkins; Puckett; Mims; Rerras; Wagner; Blevins; Deeds; *O'Brien*; *Bell*; and *Devolites*

RULES

*Norment*, Chair; Colgan; Saslaw; Wampler; Chichester; Stosch; Quayle; Hawkins; Stolle; Hanger; Williams; Houck; Potts; Whipple; and *Martin*

/s/ Senator William C. Wampler, Jr. – Chair

/s/ Senator John H. Chichester

/s/ Senator Charles R. Hawkins

/s/ Senator Walter A. Stosch

/s/ Senator Kenneth W. Stolle

/s/ Senator Frederick M. Quayle

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator H. Russell Potts, Jr.

/s/ Senator Emmett W. Hanger, Jr.

/s/ Senator Jay O'Brien

On motion of Senator Wampler, the Committee Nominations Report was adopted.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**COMMUNICATIONS**

The following communications were received:

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

April 11, 2003

The Honorable Duncan M. Byrd, Jr.  
Chief Judge  
Twenty-fifth Judicial Circuit  
Alleghany Circuit Court  
P.O. Box 670  
266 West Main Street  
Covington, VA 24426

Dear Judge Byrd:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Twenty-fifth Judicial District. Such vacancy exists because of the impending retirement of Judge John B. Curry, II, effective April 30, 2003.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, Code of Virginia, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Twenty-fifth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

April 24, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Dear Ms. Schaar:

Re: Eighteenth Judicial Circuit

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on April 24, 2003 in the matter of the vacancy in the office of judge of the Eighteenth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ David B. Beach  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 24th day of April, 2003.

It being brought to the attention of the Court that a vacancy is expected to occur on July 1, 2003 in the office of judge of the Eighteenth Judicial Circuit by the retirement of Judge Alfred D. Swersky, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Eighteenth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

/s/ David B. Beach  
Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

April 22, 2003

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Eighteenth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Alfred D. Swersky, Judge of the Eighteenth Judicial Circuit, has given notice of his intent to retire on July 1, 2003, thereby creating a vacancy in the office of judge of that circuit.

The Eighteenth Judicial Circuit serves the City of Alexandria. The General Assembly has authorized three circuit court judgeships for that circuit. The 2002 population of the circuit was 137,500. The judges handled 1,680 commenced cases each in 2002. If the vacancy is not filled, the remaining two judges would handle 2,556 cases each year. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Swersky should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy R. Hassell, Sr.  
Chief Justice  
Supreme Court of Virginia

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

May 12, 2003

The Honorable Thomas V. Warren  
Chief Judge  
Eleventh Judicial Circuit  
Nottoway Circuit Court  
P.O. Box 25  
Nottoway, VA 23955

Dear Judge Warren:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the General District Court of the Eleventh Judicial District. Such vacancy exists because of the impending retirement of Judge G. Richard Beck, effective September 1, 2003.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, Code of Virginia, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the General District Court of the Eleventh Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

May 15, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Dear Ms. Schaar:

Re: Seventeenth Judicial Circuit

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on May 15, 2003 in the matter of the vacancy in the office of judge of the Seventeenth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ David B. Beach  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 15th day of May, 2003.

It being brought to the attention of the Court that a vacancy is expected to occur on July 1, 2003 in the office of judge of the Seventeenth Judicial Circuit by the retirement of Judge Paul D. Sheridan, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Seventeenth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

/s/ David B. Beach  
Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

May 12, 2003

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Seventeenth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the

Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Paul D. Sheridan, Judge of the Seventeenth Judicial Circuit, has given notice of his intent to retire on July 1, 2003, thereby creating a vacancy in the office of judge of that circuit.

The Seventeenth Judicial Circuit serves the localities of Arlington and Falls Church. The General Assembly has authorized four circuit court judgeships for that circuit. The 2002 population of the circuit was 205,400. The judges handled 1,276 commenced cases each in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Sheridan should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy R. Hassell, Sr.  
Chief Justice, Supreme Court of Virginia

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

August 29, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Re: Twenty-fifth Judicial Circuit

Dear Ms. Schaar:

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on August 29, 2003 in the matter of the vacancy in the office of judge of the Twenty-fifth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 29th day of August, 2003.

A vacancy having occurred in the office of judge of the Twenty-fifth Judicial Circuit by the death of Judge Duncan M. Byrd, Jr., and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of

Virginia and filed herewith, that the amount of business of the Twenty-fifth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,

Teste:

/s/ Patricia H. Krueger

Clerk

SUPREME COURT OF VIRGINIA

100 North Ninth Street

Richmond, Virginia 23219-2334

August 29, 2003

TO: The Honorable Mark R. Warner

Governor of Virginia

And

General Assembly of Virginia

IN RE: Twenty-fifth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Duncan M. Byrd, Jr., Judge of the Twenty-fifth Judicial Circuit, died on July 16, 2003, thereby creating a vacancy in the office of judge of that circuit.

The Twenty-fifth Judicial Circuit serves the localities of Alleghany, Augusta, Bath, Botetourt, Buena Vista, Covington, Craig, Highland, Lexington, Rockbridge, Staunton, and Waynesboro. The General Assembly has authorized four circuit court judgeships for that circuit. The 2002 population of the circuit was 209,800. The judges handled 1,948 commenced cases each in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the death of Judge Byrd should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy R. Hassell, Sr.

Chief Justice, Supreme Court of Virginia

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

November 17, 2003

The Honorable Ray W. Grubbs  
Chief Judge  
Twenty-seventh Judicial Circuit  
Montgomery Circuit Court  
1 East Main Street, Room 418  
P.O. Box 389  
Christiansburg, VA 24068

Dear Judge Grubbs:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the General District Court of the Twenty-seventh Judicial District. Such vacancy exists because of the impending retirement of Judge Daniel W. Bird, Jr., effective January 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, Code of Virginia, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the General District Court of the Twenty-seventh Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

November 17, 2003

The Honorable Lee A. Harris, Jr.  
Chief Judge  
Fourteenth Judicial Circuit  
Henrico Circuit Court  
P.O. Box 27032  
4301 East Parham Road  
Richmond, VA 23273

Dear Judge Harris:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Fourteenth Judicial District. Such vacancy exists because of the impending retirement of Judge William G. Boice effective January 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, Code of Virginia, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Fourteenth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

November 17, 2003

The Honorable Dennis L. Hupp  
Chief Judge  
Twenty-sixth Judicial Circuit  
Shenandoah Circuit Court  
112 South Main Street  
Woodstock, VA 22664

Dear Judge Hupp:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Twenty-sixth Judicial District. Such vacancy exists because of the impending retirement of Judge Carle F. Germelman, Jr., effective February 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, Code of Virginia, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Twenty-sixth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

November 18, 2003

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
700 Pavilion Center, Box 626  
Virginia Beach, VA 23451

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
P.O. Box 62244  
Virginia Beach, VA 23466

Dear Senator Stolle and Delegate McDonnell:

Section 16.1-69.10(d), Code of Virginia (1950), as amended, provides that the Committee on District Courts shall make a study and report to the General Assembly on the number of district court judges needed and the districts for which they should be authorized. Pursuant to that provision, the Committee on District Courts hereby recommends to the General Assembly that § 16.1-69.6:1 be amended by authorizing one additional new judgeship in each of the following judicial districts:

Fifteenth Judicial District	Juvenile and Domestic Relations District Court
Twenty-seventh Judicial District	Juvenile and Domestic Relations District Court

These recommendations are effective July 1, 2004. No further changes are recommended in any other districts.

These recommendations are based upon an investigation of the needs of all the districts and are supported by the statistical information included in the appendix to this report.

In addition, the provisions of Chapter 1042 of the 2003 Acts of Assembly (Appropriations Act) provide that the Committee on District Courts should provide the fiscal impact for the creation of such new judgeships. The cost for each district court judgeship is \$192,935 per year. Thus the total financial impact of this recommendation is \$385,870 per year.

Respectfully submitted,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

December 23, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Dear Ms. Schaar:

Re: Fourth Judicial Circuit

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on December 23, 2003 in the matter of the vacancy in the office of judge of the Fourth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger (SLK)  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 23rd day of December, 2003.

It being brought to the attention of the Court that a vacancy is expected to occur on January 31, 2004 in the office of judge of the Fourth Judicial Circuit by the retirement of Judge Marc Jacobson, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Fourth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

Patricia H. Krueger, Clerk

By: /s/ Sharon L. Kelly  
Deputy Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

December 23, 2003

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Fourth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Marc Jacobson, Judge of the Fourth Judicial Circuit, has given notice of his intent to retire on January 31, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Fourth Judicial Circuit serves the City of Norfolk. The General Assembly has authorized nine circuit court judgeships for that circuit. The 2002 population of the circuit was 234,100. Each judge in the circuit was assigned 1,859 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Jacobson should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.  
Chief Justice, Supreme Court of Virginia

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

December 23, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Dear Ms. Schaar:

Re: Fourteenth Judicial Circuit

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on December 23, 2003 in the matter of the vacancy in the office of judge of the Fourteenth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger (SLK)  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 23rd day of December, 2003.

It being brought to the attention of the Court that a vacancy is expected to occur on February 3, 2004 in the office of judge of the Fourteenth Judicial Circuit by the retirement of Judge George F. Tidey, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Fourteenth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

Patricia H. Krueger, Clerk

By: /s/ Sharon L. Kelly  
Deputy Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

December 23, 2003

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Fourteenth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable George F. Tidey, Judge of the Fourteenth Judicial Circuit, has given notice of his intent to retire on February 3, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Fourteenth Judicial Circuit serves the County of Henrico. The General Assembly has authorized four circuit court judgeships for that circuit. The 2002 population of the circuit was 271,700. Each judge in the circuit was assigned 2,390 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Tidey should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.

Chief Justice, Supreme Court of Virginia

SUPREME COURT OF VIRGINIA

Supreme Court Building

Richmond, Virginia 23219

December 23, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Dear Ms. Schaar:

Re: Twenty-eighth Judicial Circuit

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on December 23, 2003 in the matter of the vacancy in the office of judge of the Twenty-eighth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger (SLK)

Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 23rd day of December, 2003.

It being brought to the attention of the Court that a vacancy is expected to occur on January 31, 2004 in the office of judge of the Twenty-eighth Judicial Circuit by the retirement of Judge Charles B. Flannagan, II, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Twenty-eighth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

Patricia H. Krueger, Clerk

By: /s/ Sharon L. Kelly  
Deputy Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

December 23, 2003

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Twenty-eighth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Charles B. Flannagan, II, Judge of the Twenty-eighth Judicial Circuit, has given notice of his intent to retire on January 31, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Twenty-eighth Judicial Circuit serves the localities of Bristol, Smyth, and Washington. The General Assembly has authorized two circuit court judgeships for that circuit. The 2002 population of the circuit was 101,700. Each judge in the circuit was assigned 2,130 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Flannagan should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.  
Chief Justice, Supreme Court of Virginia

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

December 23, 2003

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Dear Ms. Schaar:

Re: Thirty-first Judicial Circuit

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on December 23, 2003 in the matter of the vacancy in the office of judge of the Thirty-first Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger (SLK)

Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 23rd day of December, 2003.

It being brought to the attention of the Court that a vacancy is expected to occur on August 1, 2004 in the office of judge of the Thirty-first Judicial Circuit by the retirement of Judge Herman A. Whisenant, Jr., and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Thirty-first Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,

Teste:

Patricia H. Krueger, Clerk

By: /s/ Sharon L. Kelly

Deputy Clerk

SUPREME COURT OF VIRGINIA

100 North Ninth Street

Richmond, Virginia 23219-2334

December 23, 2003

TO: The Honorable Mark R. Warner

Governor of Virginia

And

General Assembly of Virginia

IN RE: Thirty-first Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Herman A. Whisenant, Jr., Judge of the Thirty-first Judicial Circuit, has given notice of his intent to retire on August 1, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Thirty-first Judicial Circuit serves the localities of Manassas, Manassas Park, and Prince William. The General Assembly has authorized five circuit court judgeships for that circuit. The 2002 population of the circuit was 360,400. Each judge in the circuit was assigned 1,475 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Whisenant should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.

Chief Justice, Supreme Court of Virginia

On motion of Senator Norment, the reading of the communications was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The communications were referred to the Committee for Courts of Justice.

The following communication from the Executive Secretary of the Supreme Court of Virginia, listing the judicial positions to date for election at the 2004 Session of the General Assembly, was received by the Clerk:

CIRCUIT COURTS

Filling of Vacancies (Pro Tempore Appointments)

Circuit	Name	Reason for Vacancy	Term Expires
17	James F. Almand	Retirement of Paul F. Sheridan, effective 6/30/03	2/13/04

Filling of Vacancies (No Pro Tempore Appointments)

Circuit	Reason for Vacancy	Date Certified
4	Retirement of Marc Jacobson, 1/31/04	12/22/03
7	Retirement of Randolph T. West, 7/1/04	
14	Retirement of George F. Tidey, 2/3/04	12/22/03
18	Retirement of Alfred D. Swersky, 6/30/03	4/22/03
25	Death of Duncan M. Byrd, Jr., 7/16/03	8/29/03
28	Retirement of Charles B. Flannagan, II, 1/31/04	12/22/03
31	Retirement of Herman A. Whisenant, Jr., 7/31/04	12/22/03

For Re-Election

Circuit	Name	Term Expires
4	John C. Morrison, Jr.	03/31/04
4	Lydia Calvert Taylor	03/31/04
8	William Chapman Andrews, III	03/31/04
13	Randall G. Johnson	01/31/04
15	John Whittier Scott, Jr.	06/30/04
19	Michael P. McWeeny	02/29/04
19	Leslie M. Alden	07/31/04

New Judgeships Recommended by the Judicial Council

Circuit	Date
1	7/1/04
14	7/1/04
15	7/1/04
22	7/1/04
29	7/1/04

GENERAL DISTRICT COURTS  
 Filling of Vacancies (Pro Tempore Appointments)

District	Name	Reason for Vacancy	Term Expires
11	Lucretia A. Carrico	Retirement of G. Richard Beck, 8/31/03	2/13/04

Filling of Vacancies (No Pro Tempore Appointments)

Circuit	Reason for Vacancy	Date Certified
25	Retirement of Joseph E. Hess, 6/30/04	
27	Retirement of Daniel W. Bird, Jr., 12/31/03	11/14/03

For Re-Election

District	Name	Term Expires
2	Albert D. Alberi	06/30/04
3	Morton V. Whitlow	01/31/04
5	Robert B. Edwards	06/30/04
10	Joel C. Cunningham	04/15/04
10	Charles H. Warren	04/15/04
13	Thomas O. Jones	01/31/04
13	Joi Jeter Taylor	04/15/04
13	David Eugene Cheek, Sr.	06/30/04
18	Becky J. Moore	01/31/04
18	E. Robert Giammittorio	04/30/04
19	Richard T. Horan	01/31/04
19	Thomas E. Gallahue	03/31/04
20	Charles B. Foley	03/15/04
20	Julia Taylor Cannon	03/31/04
22	M. Lee Stilwell, Jr.	02/29/04
24	Harold A. Black	03/31/04
26	John A. Paul	01/31/04

27	Edward M. Turner, III	02/28/04
28	Joseph Scott Tate	08/31/04

JUVENILE AND DOMESTIC RELATIONS DISTRICT COURTS

Filling of Vacancies (Pro Tempore Appointments)

District	Name	Reason for Vacancy	Term Expires
25	Victor V. Ludwig	Retirement of John B. Curry, II, 4/30/03	2/13/04

Filling of Vacancies (No Pro Tempore Appointments)

District	Reason for Vacancy	Date Certified
10	Retirement of William S. Kerr, 2/29/04	
14	Retirement of William G. Boice, 12/31/03	11/14/03
18	Retirement of Stephen W. Rideout, 7/31/04	
26	Retirement of Carle F. Germelman, Jr., 1/31/04	11/14/03

For Re-Election

District	Name	Term Expires
2	Woodrow Lewis, Jr.	04/30/04
2	Ronald Harris Marks	06/30/04
3	William S. Moore, Jr.	01/31/04
4	Joseph P. Massey	01/31/04
4	William O. Hawkins	06/30/04
5	Alfreda Talton-Harris	04/15/04
6	Charles A. Perkinson, Jr.	06/30/04
7	Ronald Everett Bensten	01/31/04
8	Nelson T. Durden	01/31/04
9	George C. Fairbanks, IV	01/31/04
13	Anne B. Holton	06/30/04
14	Sharon B. Will	04/15/04
15	Larry E. Gilman	03/31/04

17	George D. Varoutsos	03/15/04
19	Teena D. Grodner	04/15/04
19	Michael J. Valentine	06/30/04
22	Dale M. Wiley	06/30/04
24	Lawrence Janow	01/31/04

New Judgeships Recommended by the Committee on District Courts

District	Date
15	7/1/04
27	7/1/04

The reading of the communication was waived.

The communication was referred to the Committee for Courts of Justice.

**INTRODUCTION OF LEGISLATION**

The following were prefiled on the dates indicated, ordered to be printed, and referred pursuant to § 30-19.3 of the Code of Virginia:

**S.B. 1.** A BILL to amend and reenact § 63.2-1527 of the Code of Virginia, relating to the Out-of-Family Investigations Advisory Committee.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup

Referred to Committee on Rehabilitation and Social Services

**S.B. 2.** A BILL to amend and reenact § 2.2-609 of the Code of Virginia, relating to state publications.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup

Referred to Committee on General Laws

**S.B. 3.** A BILL to amend and reenact §§ 2.2-2238, 2.2-2670, 10.1-1413.2, 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-291.2, 22.1-343, 23-38.19:4, 23-38.53:12, 23-38.53:16, 23-38.53:18, 23-38.53:19, 59.1-284.16 59.1-284.17, and 59.1-284.18 of the Code of Virginia and to repeal §§ 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-209.1:9, 22.1-209.1:10, and 22.1-291.2, Article 3 (§§ 23-38.19:3, 23-38.19:4, and 23-38.19:5) of Chapter 4.1 of Title 23, §§ 23-38.53:8, 23-38.53:9, and 23-38.53:10, Chapter 4.4:4 (§§ 23-38.53:12 through 23-38.53:20) of Title 23, § 36-139.8, Chapter 22.2 (§§ 59.1-284.7 through 59.1-284.12), Chapter 22.4 (§§ 59.1-284.16 through 59.1-284.19) of Title 59.1, and Article 4 (§§ 60.2-318 through 60.2-322) of Chapter 3 of Title 60.2 of the Code of Virginia, relating to certain dormant special funds and their associated programs.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup

Referred to Committee on Finance

**S.B. 4.** A BILL to amend and reenact §§ 15.2-2418, 36-155, 36-156, and 36-169 of the Code of Virginia and to repeal Chapter 24.1 (§§ 15.2-2414 through 15.2-2418) of Title 15.2 of the Code of Virginia and Chapter 10 (§§ 36-152 through 36-156) and Chapter 11 (§§ 36-157 through 36-170) of Title 36 of the Code of Virginia, relating to the Urban Public-Private Partnership Redevelopment Fund, the Virginia Removal or Rehabilitation of Derelict Structures Fund, and the Housing Revitalization Zoning Act.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on General Laws

**S.B. 5.** A BILL to repeal §§ 54.1-2922, 54.1-2923, and 54.1-3613 of the Code of Virginia, relating to the abolishment of psychological practices audit committees, medical practices audit committees, and medical complaint investigation committees.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on Education and Health

**S.B. 6.** A BILL to amend and reenact §§ 2.2-608, 2.2-2213, 2.2-2238, 2.2-2242, 2.2-2263, 2.2-2400, 2.2-2407, 2.2-2432, 2.2-2506, 3.1-22.4, 4.1-115, 10.1-1307, 10.1-1802, 10.1-2012, 22.1-171, 23-1.01, 23-30.36, 23-227, 23-253, 23-253.7, 30-34.4:1, 30-34.15, 32.1-14, 40.1-4.1, 46.2-1503.5, 54.1-114, 54.1-4421, 62.1-44.40, and 62.1-139 of the Code of Virginia and to repeal §§ 2.2-1126 and 2.2-1127 of the Code of Virginia, relating to the distribution of state reports.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on General Laws

**S.B. 7.** A BILL to amend the Code of Virginia by adding a section numbered 1-13.4:1, relating to the definition of a collegial body.

(Prefiled November 17, 2003)

Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on General Laws

**S.B. 8.** A BILL to repeal Article 13 (§§ 2.2-2640 and 2.2-2641) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Interagency Coordinating Council on Housing for the Disabled.

(Prefiled November 17, 2003)

Patrons--Ruff and Martin; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on General Laws

**S.B. 9.** A BILL to amend and reenact § 60.2-113 of the Code of Virginia, relating to the Virginia Employment Commission workforce plan for times of economic recession, natural disaster and military mobilization.

(Prefiled November 17, 2003)

Patrons--Ruff, Martin and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on Commerce and Labor

**S.B. 10.** A BILL to amend and reenact § 2.2-612 of the Code of Virginia and to repeal Article 3 (§§ 2.2-2506 and 2.2-2507) of Chapter 25 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Virginia Advisory Commission on Intergovernmental Relations.

(Prefiled November 17, 2003)

Patrons--Ruff, Martin and Whipple; Delegates: Amundson, Cox and Wardrup  
Referred to Committee on General Laws

- S.B. 11.** A BILL to amend and reenact § 2.2-603 of the Code of Virginia, relating to the elimination of agency reports on the cost of federal mandates.  
(Prefiled November 17, 2003)  
Patrons--Ruff, Martin and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on General Laws
- S.B. 12.** A BILL to amend and reenact §§ 2.2-2667 and 2.2-2668 of the Code of Virginia, relating to the Virginia Recycling Markets Development Council.  
(Prefiled November 17, 2003)  
Patrons--Whipple, Martin and Ruff; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on General Laws
- S.B. 13.** A BILL to designate a portion of U.S. Route 220 the "Sam Snead Memorial Highway."  
(Prefiled November 25, 2003)  
Patron--Deeds  
Referred to Committee on Transportation
- S.B. 14.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.  
(Prefiled November 25, 2003)  
Patron--Deeds  
Referred to Committee on Finance
- S.B. 15.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites.  
(Prefiled November 25, 2003)  
Patron--Edwards  
Referred to Committee for Courts of Justice
- S.B. 16.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of children with special needs; fees.  
(Prefiled December 1, 2003)  
Patron--Miller  
Referred to Committee on Transportation
- S.B. 17.** A BILL to provide for the submission to the voters of a proposed amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.  
(Prefiled December 1, 2003)  
Patron--Miller  
Referred to Committee on Privileges and Elections
- S.B. 18.** A BILL to provide for the submission to the voters of a proposed amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.  
(Prefiled December 4, 2003)  
Patron--O'Brien  
Referred to Committee on Privileges and Elections

**S.B. 19.** A BILL to amend and reenact § 37.1-137.4 of the Code of Virginia, relating to powers of a conservator.

(Prefiled December 9, 2003)

Patron--Puller

Referred to Committee for Courts of Justice

**S.B. 20.** A BILL to amend and reenact §§ 22.1-166.1 and 22.1-166.2 of the Code of Virginia, relating to the payment of grants by the Virginia Public School Authority to local school divisions for public school construction; the School Construction Grant Act of 2004.

(Prefiled December 9, 2003)

Patron--Puller

Referred to Committee on Education and Health

**S.B. 21.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; 200th anniversary of the Town of Occoquan.

(Prefiled December 9, 2003)

Patrons--Puller, Colgan and O'Brien; Delegates: Frederick, Lingamfelter, Marshall, R.G., McQuigg and Parrish

Referred to Committee on Transportation

**S.B. 22.** A BILL to amend and reenact § 40.1-28.10 of the Code of Virginia, relating to the state minimum wage.

(Prefiled December 9, 2003)

Patron--Miller

Referred to Committee on Commerce and Labor

**S.B. 23.** A BILL to amend and reenact § 19.2-254.1 of the Code of Virginia, relating to prepayment of traffic infractions.

(Prefiled December 12, 2003)

Patron--Marsh

Referred to Committee for Courts of Justice

**S.B. 24.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-67.5:01, relating to interpreters in mental commitment proceedings.

(Prefiled December 12, 2003)

Patron--Marsh

Referred to Committee for Courts of Justice

**S.B. 25.** A BILL to amend and reenact § 37.1-134.21 of the Code of Virginia, relating to temporary detention orders.

(Prefiled December 12, 2003)

Patron--Marsh

Referred to Committee for Courts of Justice

**S.B. 26.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to use of summons in juvenile court; littering.

(Prefiled December 12, 2003)

Patron--Marsh

Referred to Committee for Courts of Justice

- S.B. 27.** A BILL to amend and reenact §§ 40.1-28.1 through 40.1-28.5 of the Code of Virginia, relating to employee leave.  
(Prefiled December 15, 2003)  
Patron--Potts  
Referred to Committee on Education and Health
- S.B. 28.** A BILL to amend and reenact §§ 9.1-400 and 9.1-404 of the Code of Virginia, relating to the Line of Duty Act; eligibility for disability benefits.  
(Prefiled December 15, 2003)  
Patron--Potts  
Referred to Committee on Finance
- S.B. 29.** A Bill to amend and reenact Chapter 1042 of the Acts of Assembly of 2003, which appropriated the public revenue and provided a portion of such revenue for the two years ending, respectively, on the thirtieth day of June, 2003, and the thirtieth day of June, 2004.  
(Prefiled December 17, 2003)  
Patron--Chichester  
Referred to Committee on Finance
- S.B. 30.** A Bill for all proposed appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2005, and the thirtieth day of June, 2006, and to amend and reenact §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3840 and 58.1-3912 of the Code of Virginia, to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 through 32.1-367, to amend the Code of Virginia by adding §§ 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.2 and 58.1-395, and repealing §§ 58.1-390, 58.1-394, and 58.1-3831 of the Code of Virginia and repealing Chapter 289 of the 1989 Acts of Assembly.  
(Prefiled December 17, 2003)  
Patron--Chichester  
Referred to Committee on Finance
- S.B. 31.** A Bill to authorize the issuance of bonds to finance \$137,700,600 in previously authorized projects and \$117,616,000 in new projects for a total of up to \$255,316,600, plus financing costs, pursuant to Article X, Section 9(c) of the Constitution of Virginia, for paying costs of acquiring, constructing and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.  
(Prefiled December 17, 2003)  
Patron--Chichester  
Referred to Committee on Finance
- S.B. 32.** A Bill to authorize the issuance of bonds, in an amount up to \$5,700,000 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring a revenue-producing capital project to be administered by the Department of General Services, to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such

bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital project and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.

(Prefiled December 17, 2003)

Patron--Chichester

Referred to Committee on Finance

**S.B. 33.** A BILL to amend and reenact §§ 24.2-508, 24.2-509, 24.2-517, 24.2-526, and 24.2-528 of the Code of Virginia, relating to primary elections and requiring political parties to nominate their candidates for Governor, Lieutenant Governor, and Attorney General by primaries.

(Prefiled December 15, 2003)

Patron--Potts

Referred to Committee on Privileges and Elections

**S.B. 34.** A BILL to designate the U.S. Route 50 bridge over the Shenandoah River the "Jack and Carter Hardesty Shenandoah River Bridge."

(Prefiled December 15, 2003)

Patron--Potts

Referred to Committee on Transportation

**S.B. 35.** A BILL to amend the Code of Virginia by adding by adding in Chapter 9 of Title 63.2 a section numbered 63.2-913, relating to subsidized guardianship for children.

(Prefiled December 16, 2003)

Patron--Miller

Referred to Committee on Rehabilitation and Social Services

**S.B. 36.** A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

(Prefiled December 17, 2003)

Patron--Trumbo

Referred to Committee on Finance

**S.B. 37.** A BILL to provide for certain projects to be financed by the Virginia Public Building Authority and the Virginia College Building Authority.

(Prefiled December 17, 2003)

Patron--Chichester (By Request)

Referred to Committee on Finance

**S.B. 38.** A BILL to amend and reenact § 8.01-341 of the Code of Virginia, relating to jury service of certain legislative employees.

(Prefiled December 17, 2003)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 39.** A BILL to authorize the Virginia Public Building Authority to finance the undertaking, development, acquisition and construction of the State Agency Radio System (STARS), Phase I.

(Prefiled December 17, 2003)

Patron--Stolle

Referred to Committee on Finance

- S.B. 40.** A BILL to amend and reenact § 18.2-388 of the Code of Virginia, relating to profane swearing and intoxication in public; penalty.  
(Prefiled December 17, 2003)  
Patron--Howell  
Referred to Committee for Courts of Justice
- S.B. 41.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Canine Health Foundation; fees.  
(Prefiled December 17, 2003)  
Patron--Howell  
Referred to Committee on Transportation
- S.B. 42.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Washington D.C. United soccer team.  
(Prefiled December 17, 2003)  
Patron--Howell  
Referred to Committee on Transportation
- S.B. 43.** A BILL to amend and reenact § 53.1-155.1 of the Code of Virginia, relating to residential community programs.  
(Prefiled December 18, 2003)  
Patron--Miller  
Referred to Committee on Rehabilitation and Social Services
- S.B. 44.** A BILL to repeal the fifth enactment of Chapter 941 of the 1999 Acts of Assembly, relating to insurance coverage for biologically based mental illness.  
(Prefiled December 18, 2003)  
Patron--Martin  
Referred to Committee on Commerce and Labor
- S.B. 45.** A BILL to amend and reenact § 15.2-1508.3 of the Code of Virginia, relating to state and local health departments.  
(Prefiled December 18, 2003)  
Patron--Martin  
Referred to Committee on Local Government
- S.B. 46.** A BILL to amend and reenact § 9.1-400 of the Code of Virginia, relating to the Line of Duty Act; definitions.  
(Prefiled December 18, 2003)  
Patron--Martin  
Referred to Committee for Courts of Justice
- S.B. 47.** A BILL to establish a moratorium on prisoner executions.  
(Prefiled December 19, 2003)  
Patron--Marsh  
Referred to Committee for Courts of Justice

**S.B. 48.** A BILL to amend and reenact § 54.1-4200 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 18.2-308.2:4 and 54.1-4201.2, relating to firearm sales; criminal history record information checks; penalty.

(Prefiled December 19, 2003)

Patron--Marsh

Referred to Committee for Courts of Justice

**S.B. 49.** A BILL to amend and reenact § 8.01-690 of the Code of Virginia, relating to the Prisoner Litigation Reform Act; exception.

(Prefiled December 19, 2003)

Patron--Marsh

Referred to Committee for Courts of Justice

**S.B. 50.** A BILL to amend and reenact § 63.2-1528 of the Code of Virginia, relating to the duties of the Advisory Board on Child Abuse and Neglect.

(Prefiled December 22, 2003)

Patrons--Martin and Whipple; Delegates: Amundson, Miles and Wardrup

Referred to Committee on Rehabilitation and Social Services

**S.B. 51.** A BILL to amend and reenact § 20-107.3 of the Code of Virginia, relating to divorce; property distribution.

(Prefiled December 23, 2003)

Patron--Puller

Referred to Committee for Courts of Justice

**S.B. 52.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-749.43:1, and to repeal § 46.2-749.43 of the Code of Virginia, relating to special license plates bearing the POW/MIA logo.

(Prefiled December 23, 2003)

Patron--Puller

Referred to Committee on Transportation

**S.B. 53.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; barbershop quartet singing enthusiasts.

(Prefiled December 23, 2003)

Patron--Puller

Referred to Committee on Transportation

**S.B. 54.** A BILL to amend the Code of Virginia by adding a section numbered 29.1-527.1, relating to the feeding of migratory and nonmigratory waterfowl; penalty.

(Prefiled December 23, 2003)

Patron--Puller

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 55.** A BILL to amend and reenact § 24.2-604 of the Code of Virginia, relating to elections and activities at polling places.

(Prefiled December 23, 2003)

Patron--Puller

Referred to Committee on Privileges and Elections

- S.B. 56.** A BILL to amend and reenact §§ 65.2-101 and 65.2-603 of the Code of Virginia, relating to workers' compensation; choice of physician.  
(Prefiled December 24, 2003)  
Patron--Miller  
Referred to Committee on Commerce and Labor
- S.B. 57.** A BILL to amend and reenact § 33.1-252 of the Code of Virginia, relating to toll-free use of the Richmond Metropolitan Authority's toll facilities by quadriplegic drivers.  
(Prefiled December 24, 2003)  
Patron--Martin  
Referred to Committee on Transportation
- S.B. 58.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-370.2, relating to maintenance and repair of nonconforming signs.  
(Prefiled December 24, 2003)  
Patron--Martin  
Referred to Committee on Transportation
- S.B. 59.** A BILL to amend and reenact § 2.2-2455 of the Code of Virginia, relating to the Charitable Gaming Board; membership.  
(Prefiled December 24, 2003)  
Patron--Potts  
Referred to Committee on General Laws
- S.B. 60.** A BILL to amend and reenact § 51.1-1401 of the Code of Virginia, relating to health insurance; credits for retired teachers.  
(Prefiled December 24, 2003)  
Patron--Potts  
Referred to Committee on Finance
- S.B. 61.** A BILL to amend and reenact § 57-60 of the Code of Virginia, relating to exemption from registration requirements for certain charitable organizations.  
(Prefiled December 29, 2003)  
Patron--Edwards  
Referred to Committee on General Laws
- S.B. 62.** A BILL to amend and reenact §§ 63.2-1200 and 63.2-1222 of the Code of Virginia, relating to child-placing agencies outside the Commonwealth.  
(Prefiled December 29, 2003)  
Patrons--Edwards and Mims  
Referred to Committee on Rehabilitation and Social Services
- S.B. 63.** A BILL to amend and reenact § 22.1-208.01 of the Code of Virginia, relating to character education.  
(Prefiled December 29, 2003)  
Patron--Edwards  
Referred to Committee on Education and Health

**S.B. 64.** A BILL to amend and reenact §§ 59.1-280, 59.1-280.1, 59.1-282.1, and 59.1-282.3 of the Code of Virginia, relating to the Enterprise Zone Act.

(Prefiled December 29, 2003)

Patron--Martin

Referred to Committee on Commerce and Labor

**S.B. 65.** A BILL to amend and reenact § 59.1-280.1 of the Code of Virginia, relating to real property investment tax credits available under the Enterprise Zone Act.

(Prefiled December 29, 2003)

Patron--Martin

Referred to Committee on Commerce and Labor

**S.B. 66.** A BILL to amend and reenact § 63.2-1715 of the Code of Virginia, relating to exemptions from licensure as child day programs.

(Prefiled December 29, 2003)

Patron--Martin

Referred to Committee on Rehabilitation and Social Services

**S.B. 67.** A BILL to repeal the fifth enactment of Chapter 941 of the 1999 Acts of Assembly, relating to health insurance; state health care plan; mental health coverage.

(Prefiled December 29, 2003)

Patron--Martin

Referred to Committee on Commerce and Labor

**S.B. 68.** A BILL to amend and reenact § 38.2-401 of the Code of Virginia, relating to Fire Programs Fund; assessment on gross premium income of motor vehicle insurance companies.

(Prefiled December 30, 2003)

Patron--Puckett

Referred to Committee on Commerce and Labor

**S.B. 69.** A BILL to amend and reenact §§ 15.2-6701 and 15.2-6703 of the Code of Virginia, relating to the Buchanan County Tourist Train Development Authority.

(Prefiled December 30, 2003)

Patron--Puckett

Referred to Committee on Local Government

**S.B. 70.** A BILL to redesignate the Interstate Route 77 tunnel heretofore known as the East River Mountain Tunnel the "H. Edward Steele Memorial Tunnel."

(Prefiled December 30, 2003)

Patron--Puckett

Referred to Committee on Transportation

**S.B. 71.** A BILL to amend and reenact § 58.1-3814 of the Code of Virginia, relating to the local consumer utility tax.

(Prefiled December 30, 2003)

Patron--Puckett

Referred to Committee on Finance

- S.B. 72.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to civil immunity for certain officials.  
(Prefiled December 30, 2003)  
Patron--Puckett  
Referred to Committee for Courts of Justice
- S.B. 73.** A BILL to amend and reenact §§ 57-7.1 through 57-10, 57-16, 57-17, 57-32, 58.1-811, and 58.1-3606 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 57-7.01 and 57-7.02, relating to the incorporation of churches, transfers of property to and from incorporated churches, and taxes upon incorporated churches.  
(Prefiled January 5, 2004)  
Patron--Howell  
Referred to Committee on Finance
- S.B. 74.** A BILL to amend and reenact §§ 58.1-1001, 58.1-3830, and 58.1-3840 of the Code of Virginia, to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 and 32.1-367, and to repeal § 58.1-3831 of the Code of Virginia, relating to the state and local cigarette taxes.  
(Prefiled January 5, 2004)  
Patron--Howell  
Referred to Committee on Finance
- S.B. 75.** A BILL to amend the Code of Virginia by adding a section numbered 53.1-151.1, relating to eligibility for good conduct allowance; classification system; mandatory functional literacy requirement.  
(Prefiled January 6, 2004)  
Patron--Marsh  
Referred to Committee on Rehabilitation and Social Services
- S.B. 76.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Subtitle I of Title 15.2 a section numbered 15.2-109, relating to regulations on political campaign signs.  
(Prefiled January 5, 2004)  
Patron--Potts  
Referred to Committee on Local Government
- S.B. 77.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.  
(Prefiled January 5, 2004)  
Patron--Miller  
Referred to Committee on Local Government
- S.B. 78.** A BILL to amend and reenact §§ 63.2-100 and 63.2-900 of the Code of Virginia, relating to kinship care.  
(Prefiled January 5, 2004)  
Patron--Miller  
Referred to Committee on Rehabilitation and Social Services

**S.B. 79.** A BILL to amend and reenact § 46.2-301 of the Code of Virginia, relating to operation of mopeds by persons whose driver's licenses or privileges to operate a motor vehicle are suspended or revoked.

(Prefiled January 5, 2004)

Patron--Obenshain

Referred to Committee on Transportation

**S.B. 80.** A BILL to amend and reenact § 7 of Chapter 712 of the Acts of Assembly of 1952, which provided a charter for the City of Harrisonburg, relating to the mayor.

(Prefiled January 5, 2004)

Patron--Obenshain

Referred to Committee on Local Government

**S.B. 81.** A BILL to amend and reenact § 63.2-2004 of the Code of Virginia, relating to donations of professional services.

(Prefiled January 5, 2004)

Patron--Obenshain

Referred to Committee on Rehabilitation and Social Services

**S.B. 82.** A BILL to amend and reenact § 53.1-231.2 of the Code of Virginia, relating to restoration of civil right to be eligible to vote.

(Prefiled January 5, 2004)

Patron--Puller

Referred to Committee on Rehabilitation and Social Services

**S.B. 83.** A BILL to amend and reenact § 53.1-155.1 of the Code of Virginia, relating to residential community programs.

(Prefiled January 5, 2004)

Patron--Puller

Referred to Committee on Rehabilitation and Social Services

**S.B. 84.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-609.10.01, relating to retail sales and use tax exemptions; civic and community service organizations.

(Prefiled January 5, 2004)

Patron--Puller

Referred to Committee on Finance

**S.B. 85.** A BILL to amend and reenact § 58.1-322 of the Code of Virginia, relating to individual income taxes on certain distributions from qualified tuition programs under the Internal Revenue Code.

(Prefiled January 5, 2004)

Patron--Puller

Referred to Committee on Finance

**S.B. 86.** A BILL to amend and reenact § 32.1-102.3 of the Code of Virginia, relating to criteria for determining need; certificate of public need for medical care facilities.

(Prefiled January 5, 2004)

Patron--Puller

Referred to Committee on Education and Health

- S.B. 87.** A BILL to amend and reenact §§ 22.1-166.1 and 22.1-166.2 of the Code of Virginia, relating to payment of grants by the Virginia Public School Authority to local school divisions for public school construction.  
(Prefiled January 5, 2004)  
Patron--Puller  
Referred to Committee on Education and Health
- S.B. 88.** A BILL to amend and reenact § 46.2-1992.8 of the Code of Virginia, relating to trailer dealers; compliance with local zoning regulations; minimum display space.  
(Prefiled January 5, 2004)  
Patron--Howell  
Referred to Committee on Transportation
- S.B. 89.** A BILL to amend the Code of Virginia by adding a section numbered 53.1-151.1, relating to Reading for Good Time program.  
(Prefiled January 6, 2004)  
Patron--Marsh  
Referred to Committee on Rehabilitation and Social Services
- S.B. 90.** A BILL to amend and reenact § 15.2-1503.1 of the Code of Virginia, relating to criminal background checks.  
(Prefiled January 6, 2004)  
Patron--Marsh  
Referred to Committee on Local Government
- S.B. 91.** A BILL to amend and reenact § 58.1-610 of the Code of Virginia, relating to exclusion of certain contractors from payment of sales and use tax.  
(Prefiled January 6, 2004)  
Patron--Devolites  
Referred to Committee on Finance
- S.B. 92.** A BILL to amend and reenact § 46.2-833.01 of the Code of Virginia, relating to use of photo-monitoring systems to enforce traffic light signals.  
(Prefiled January 6, 2004)  
Patron--Devolites  
Referred to Committee on Transportation
- S.B. 93.** A BILL to amend and reenact §§ 37.1-183.3 and 37.1-197.2 of the Code of Virginia, relating to employee background checks at adult substance abuse treatment facilities.  
(Prefiled January 6, 2004)  
Patron--Devolites  
Referred to Committee on Education and Health
- S.B. 94.** A BILL to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.  
(Prefiled January 6, 2004)  
Patron--Devolites  
Referred to Committee on Privileges and Elections

**S.B. 95.** A BILL to amend and reenact §§ 2.2-4303 and 2.2-4304 of the Code of Virginia, relating to procurement; online auctions and the General Services Administration.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee on General Laws

**S.B. 96.** A BILL to amend and reenact § 16.1-296 of the Code of Virginia, relating to appeal bond in juvenile and domestic relations district court.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee for Courts of Justice

**S.B. 97.** A BILL to amend and reenact §§ 5.1 and 5.2, as amended, of Chapter 319 of the Acts of Assembly of 1966, which provided a charter for the City of Fairfax, relating to salaries.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee on Local Government

**S.B. 98.** A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee on Education and Health

**S.B. 99.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; retired law-enforcement officers.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee for Courts of Justice

**S.B. 100.** A BILL to amend and reenact § 9.1-108 of the Code of Virginia, relating to Criminal Justice Services Board; membership.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee on General Laws

**S.B. 101.** A BILL to amend and reenact §§ 46.2-923 and 46.2-924 of the Code of Virginia, relating to pedestrians crossing highways.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee on Transportation

**S.B. 102.** A BILL to amend and reenact § 24.2-629 of the Code of Virginia, relating to electronic voting systems.

(Prefiled January 6, 2004)

Patron--Devolites

Referred to Committee on Privileges and Elections

- S.B. 103.** A BILL to amend and reenact §§ 16.1-69.48:5 and 16.1-262 of the Code of Virginia, relating to petitions filed for custody and visitation of any and all children of the parties.  
(Prefiled January 6, 2004)  
Patron--Devolites  
Referred to Committee for Courts of Justice
- S.B. 104.** A BILL to amend and reenact § 10.1-2100 of the Code of Virginia, relating to the Chesapeake Bay Preservation Act.  
(Prefiled January 6, 2004)  
Patron--Devolites  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 105.** A BILL to amend and reenact §§ 2.2-2818 and 38.2-3407.13 of the Code of Virginia, relating to prohibition on insurers' refusal to accept assignments made to physicians.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Commerce and Labor
- S.B. 106.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-190.01, relating to limiting the performance of engineering functions by employees of the Virginia Department of Transportation.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 107.** A BILL to amend and reenact § 46.2-819 of the Code of Virginia, relating to use of toll facility without payment of toll; release of vehicle owner data by Department of Motor Vehicles to toll facilities operators.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 108.** A BILL to amend and reenact §§ 63.2-1230 and 63.2-1233 of the Code of Virginia, relating to parental placement adoption; how consent executed.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Rehabilitation and Social Services
- S.B. 109.** A BILL to amend and reenact §§ 28.2-1203 and 62.1-44.15:5 of the Code of Virginia, relating to issuance of a water protection permit.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 110.** A BILL to amend and reenact the second enactment of Chapter 227 of the Acts of Assembly of 2003, relating to effective date of water supply plan regulations.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Agriculture, Conservation and Natural Resources

- S.B. 111.** A BILL to amend and reenact § 58.1-807 of the Code of Virginia, relating to recordation taxes on leases.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Finance
- S.B. 112.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-1993.67:2, relating to the repurchase of motorcycles, parts, and equipment to franchised motorcycle dealers by manufacturers.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 113.** A BILL to amend and reenact § 33.1-44 of the Code of Virginia, relating to urban system highway construction projects.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 114.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abuse and neglect of infants; affirmative defense.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee for Courts of Justice
- S.B. 115.** A BILL to amend and reenact § 15.2-903 of the Code of Virginia, relating to automobile graveyards and junkyards.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Local Government
- S.B. 116.** A BILL to amend and reenact § 56-589 of the Code of Virginia, relating to electric utility restructuring; municipal and state aggregation.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee on Commerce and Labor
- S.B. 117.** A BILL to amend and reenact §§ 56-577 and 56-583 of the Code of Virginia, relating to electric utility restructuring; minimum stay requirements; wires charges.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee on Commerce and Labor
- S.B. 118.** A BILL to amend and reenact § 8.01-6 of the Code of Virginia, relating to amending pleadings; notice to agent.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee for Courts of Justice
- S.B. 119.** A BILL to amend and reenact §§ 8.1A-201, 8.2-103, 8.2-104, 8.2-310, 8.2-323, 8.2-401, 8.2-503, 8.2-505, 8.2-506, 8.2-509, 8.2-605, 8.2-705, 8.2A-103, 8.2A-514, 8.2A-526, 8.4-104, 8.4-208, 8.7-102, 8.7-103, 8.7-104, 8.7-202, 8.7-203, 8.7-204, 8.7-205, 8.7-206, 8.7-208, 8.7-209,

8.7-210, 8.7-301, 8.7-302, 8.7-303, 8.7-305, 8.7-307, 8.7-309, 8.7-401, 8.7-402, 8.7-403, 8.7-404, 8.7-501, 8.7-502, 8.7-503, 8.7-504, 8.7-505, 8.7-506, 8.7-507, 8.7-509, 8.7-601, 8.7-602, 8.7-603, 8.8A-103, 8.9A-102, 8.9A-203, 8.9A-207, 8.9A-208, 8.9A-301, 8.9A-310, 8.9A-312, 8.9A-313, 8.9A-314, 8.9A-317, 8.9A-338, and 8.9A-601 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 8.7-105.1 and 8.7-106, and to repeal § 8.7-105 of the Code of Virginia, relating to Article 7 of the Uniform Commercial Code - Documents of Title.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Commerce and Labor

**S.B. 120.** A BILL to amend and reenact § 58.1-2628 of the Code of Virginia, relating to filing annual reports by utilities.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Finance

**S.B. 121.** A BILL to amend and reenact § 58.1-2606 of the Code of Virginia, relating to local taxation of real and tangible personal property of public service corporations.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Finance

**S.B. 122.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Finance

**S.B. 123.** A BILL to amend the Code of Virginia by adding in Article 8 of Chapter 22 of Title 15.2 a section numbered 15.2-2328, relating to transportation impact fees.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Local Government

**S.B. 124.** A BILL to amend and reenact §§ 4.03 and 5.01 as amended of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding a section numbered 4.03.1, relating to the election, powers and responsibilities of the mayor, and the appointment and qualifications of the chief administrative officer.

(Prefiled January 7, 2004)

Patrons--Watkins and Lambert

Referred to Committee on Local Government

**S.B. 125.** A BILL to amend and reenact § 32.1-176.4 of the Code of Virginia, relating to regulation of private wells.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Education and Health

**S.B. 126.** A BILL to establish the Virginia-North Carolina Interstate High-Speed Rail Compact.

(Prefiled January 7, 2004)

Patron--Watkins

Referred to Committee on Privileges and Elections

- S.B. 127.** A BILL to amend and reenact § 46.2-698 of the Code of Virginia, relating to fees for registration of certain farm vehicles; vehicles used by plant nurseries or Christmas tree farms.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee on Transportation
- S.B. 128.** A BILL to amend and reenact § 60.2-604 of the Code of Virginia, relating to unemployment compensation offsets.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee on Commerce and Labor
- S.B. 129.** A BILL to amend and reenact § 60.2-500 of the Code of Virginia, relating to unemployment compensation; representation of Commonwealth.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee on Commerce and Labor
- S.B. 130.** A BILL to amend and reenact § 60.2-513 of the Code of Virginia, relating to unemployment compensation; employer penalties.  
(Prefiled January 7, 2004)  
Patron--Watkins  
Referred to Committee on Commerce and Labor
- S.B. 131.** A BILL to amend and reenact §§ 13.1-750 and 13.1-912 of the Code of Virginia, relating to corporations; articles of termination of corporate existence.  
(Prefiled January 8, 2004)  
Patron--Miller  
Referred to Committee on Commerce and Labor
- S.B. 132.** A BILL to amend and reenact § 46.2-833.01 of the Code of Virginia, relating to use of photo-monitoring systems to enforce traffic light signals.  
(Prefiled January 8, 2004)  
Patron--Edwards  
Referred to Committee on Transportation
- S.B. 133.** A BILL to amend Chapter 216 of the Acts of Assembly of 1952, which provided a charter for the City of Roanoke, by adding a section numbered 19.1, relating to advisory referenda.  
(Prefiled January 8, 2004)  
Patrons--Edwards; Delegates: Fralin and Ware, O.  
Referred to Committee on Local Government
- S.B. 134.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to notice of application for licensure to operate methadone clinics.  
(Prefiled January 8, 2004)  
Patrons--Edwards; Delegates: Fralin and Ware, O.  
Referred to Committee on Education and Health
- S.B. 135.** A BILL to amend and reenact § 15.2-1610 of the Code of Virginia, relating to sheriffs' vehicles.  
(Prefiled January 9, 2004)  
Patron--Lambert  
Referred to Committee on Local Government

- S.B. 136.** A BILL to amend and reenact § 40.1-8 of the Code of Virginia, relating to information provided to Commissioner of Department of Labor and Industry; confidentiality.  
(Prefiled January 9, 2004)  
Patron--Lambert  
Referred to Committee on Commerce and Labor
- S.B. 137.** A BILL to amend and reenact § 24.2-629 of the Code of Virginia, relating to electronic voting systems.  
(Prefiled January 12, 2004)  
Patrons--Cuccinelli; Delegate: Albo  
Referred to Committee on Privileges and Elections
- S.B. 138.** A BILL to repeal § 22.1-79.1 of the Code of Virginia, relating to opening of the school year; school calendar to begin after Labor Day.  
(Prefiled January 12, 2004)  
Patrons--Cuccinelli and Mims; Delegates: Amundson and Petersen  
Referred to Committee on Education and Health
- S.B. 139.** A BILL to require that any study by the Virginia Department of Transportation of possible improvements to a certain portion of Interstate Route 66 include consideration of High-Occupancy Toll (HOT) lanes.  
(Prefiled January 12, 2004)  
Patrons--Cuccinelli, Mims and O'Brien; Delegates: Albo and Amundson  
Referred to Committee on Transportation
- S.B. 140.** A BILL to amend and reenact § 58.1-3321 of the Code of Virginia and to amend the Code of Virginia by adding in Article 9 of Chapter 32 of Title 58.1 a section numbered 58.1-3322, relating to limits on the real property tax rates of counties, cities and towns.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee on Finance
- S.B. 141.** A BILL to amend and reenact § 8.01-380 of the Code of Virginia, relating to nonsuits.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee for Courts of Justice
- S.B. 142.** A BILL to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.  
(Prefiled January 12, 2004)  
Patrons--Cuccinelli and O'Brien; Delegates: Albo, Amundson and Petersen  
Referred to Committee on Privileges and Elections
- S.B. 143.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee for Courts of Justice

- S.B. 144.** A BILL to amend and reenact § 6.1-330.54 of the Code of Virginia, relating to judgment rate of interest.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee on Commerce and Labor
- S.B. 145.** A BILL to amend and reenact §§ 22.1-298, 22.1-309, 22.1-311, and 22.1-312 of the Code of Virginia, relating to hearings for teacher dismissal and licensure revocation.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee on Education and Health
- S.B. 146.** A BILL to amend and reenact § 32.1-123 of the Code of Virginia, relating to definition of hospital; certain clinics and facilities to be regulated as hospitals.  
(Prefiled January 12, 2004)  
Patrons--Cuccinelli, Mims and O'Brien; Delegate: Albo  
Referred to Committee on Education and Health
- S.B. 147.** A BILL to amend and reenact §§ 4.1-128, 15.2-5814 as it is effective and as it may become effective, 55-248.5, and 58.1-3840 of the Code of Virginia; to amend the Code of Virginia by adding in Article 9 of Chapter 32 of Title 58.1 a section numbered 58.1-3322; and to repeal §§ 58.1-3817, 58.1-3818 as it is effective and as it may become effective, Article 6 (§§ 58.1-3819 through 58.1-3823), Article 7 (§§ 58.1-3830, 58.1-3831 and 58.1-3832) and Article 7.1 (§§ 58.1-3833 and 58.1-3834) of Chapter 38 of Title 58.1 and 58.1-3842, relating to local government taxing authority.  
(Prefiled January 12, 2004)  
Patrons--Cuccinelli; Delegate: Albo  
Referred to Committee on Finance
- S.B. 148.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 33.1 a section numbered 33.1-252.2, relating to disclosure of certain information relating to use of toll facilities.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee on Transportation
- S.B. 149.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain client lists.  
(Prefiled January 12, 2004)  
Patron--Deeds  
Referred to Committee on General Laws
- S.B. 150.** A BILL to amend and reenact § 3.1-1075 of the Code of Virginia, relating to the Sheep Board.  
(Prefiled January 12, 2004)  
Patron--Deeds  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 151.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-4328.1, relating to the Public Procurement Act; preference for goods made in the United States.  
(Prefiled January 12, 2004)  
Patron--Deeds  
Referred to Committee on General Laws

- S.B. 152.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.  
(Prefiled January 12, 2004)  
Patron--Deeds  
Referred to Committee on Local Government
- S.B. 153.** A BILL to amend and reenact § 23-231.15 of the Code of Virginia, relating to the Board of Trustees of the Roanoke Higher Education Authority.  
(Prefiled January 12, 2004)  
Patron--Edwards  
Referred to Committee on Education and Health
- S.B. 154.** A BILL to amend and reenact § 38.2-401 of the Code of Virginia, relating to the Fire Programs Fund.  
(Prefiled January 12, 2004)  
Patron--Edwards  
Referred to Committee on Commerce and Labor
- S.B. 155.** A BILL to designate the Interstate Route 66 bridges over U.S. Route 29 in Fairfax County the "George Fortune, Jr., Memorial Bridges."  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee on Transportation
- S.B. 156.** A BILL to amend and reenact §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800, and 58.1-2501 of the Code of Virginia and to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 through 38.2-6113, relating to dental plan organizations.  
(Prefiled January 12, 2004)  
Patron--Potts  
Referred to Committee on Education and Health
- S.B. 157.** A BILL to amend the Code of Virginia by adding a section numbered 51.1-142.4, relating to Virginia Retirement System; purchase of prior service credit.  
(Prefiled January 12, 2004)  
Patron--Potts  
Referred to Committee on Finance
- S.B. 158.** A BILL to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to dissemination of Medicare pharmaceutical benefits information and certain training of senior citizen volunteers.  
(Prefiled January 12, 2004)  
Patron--Potts  
Referred to Committee on Education and Health
- S.B. 159.** A BILL to amend and reenact §§ 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 of the Code of Virginia, relating to regulation of athletic trainers.  
(Prefiled January 12, 2004)  
Patron--Potts  
Referred to Committee on General Laws

**S.B. 160.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-2962.2, relating to physician-patient relationships; establishment, effect of certain emergency room evaluations, termination.

(Prefiled January 12, 2004)

Patron--Potts

Referred to Committee on Education and Health

**S.B. 161.** A BILL to amend and reenact § 2.2-1124 of the Code of Virginia, relating to the Department of General Services; disposition of surplus computer equipment.

(Prefiled January 12, 2004)

Patron--Potts

Referred to Committee on General Laws

**S.B. 162.** A BILL to repeal § 19.2-42 of the Code of Virginia, relating to duties of the attorney for the Commonwealth; magistrates.

(Prefiled January 13, 2004)

Patron--Marsh

Referred to Committee for Courts of Justice

**S.B. 163.** A BILL to amend and reenact § 6.1-1.1 of the Code of Virginia, relating to confidentiality of information.

(Prefiled January 13, 2004)

Patron--Colgan

Referred to Committee on Commerce and Labor

**S.B. 164.** A BILL to amend and reenact § 51.1-212 of the Code of Virginia, relating to membership in the Virginia Law Officers' Retirement System.

(Prefiled January 13, 2004)

Patron--Colgan

Referred to Committee on Finance

**S.B. 165.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.

(Prefiled January 13, 2004)

Patron--Colgan

Referred to Committee on Finance

**S.B. 166.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.

(Prefiled January 13, 2004)

Patron--Colgan

Referred to Committee on Finance

**S.B. 167.** A BILL to amend and reenact § 59.1-369 of the Code of Virginia, relating to the Virginia Racing Commission; satellite facilities.

(Prefiled January 13, 2004)

Patron--Stolle

Referred to Committee on General Laws

- S.B. 168.** A BILL to amend and reenact § 17.1-507 of the Code of Virginia, relating to number of circuit court judges.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 169.** A BILL to amend and reenact § 16.1-69.6:1 of the Code of Virginia, relating to number of juvenile and domestic relations district court judges.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 170.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-1609.1:01, relating to number of jail deputies.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee on Local Government
- S.B. 171.** A BILL to amend and reenact § 56-484.17 of the Code of Virginia, relating to the Wireless E-911 Fund.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee on Commerce and Labor
- S.B. 172.** A BILL to amend and reenact § 8.01-676.1 of the Code of Virginia, relating to security for appeals.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 173.** A BILL to amend and reenact § 23-276.1 of the Code of Virginia, relating to regulation of certain private and out-of-state institutions of higher education.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee on Education and Health
- S.B. 174.** A BILL to amend and reenact § 51.1-303 of the Code of Virginia, relating to the Judicial Retirement System; technical correction.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 175.** A BILL to amend and reenact § 29.1-521 of the Code of Virginia, relating to hunting on Sunday.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 176.** A BILL to amend and reenact § 46.2-833.01 of the Code of Virginia, relating to use of photo-monitoring systems to enforce traffic light signals; penalty.

(Prefiled January 13, 2004)

Patron--Stolle

Referred to Committee on Transportation

**S.B. 177.** A BILL to amend and reenact § 19.2-163.7 of the Code of Virginia, relating to counsel in capital cases.

(Prefiled January 13, 2004)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 178.** A BILL to amend and reenact § 33.1-41.1 of the Code of Virginia, relating to payments by the Department of Transportation to the City of Chesapeake for maintenance and operation of drawbridges within its boundaries.

(Prefiled January 13, 2004)

Patron--Blevins

Referred to Committee on Transportation

**S.B. 179.** A BILL to amend and reenact § 60.2-528 of the Code of Virginia, relating to benefit charges.

(Prefiled January 13, 2004)

Patron--Blevins

Referred to Committee on Commerce and Labor

**S.B. 180.** A BILL to amend and reenact § 15.2-2308 of the Code of Virginia, relating to boards of zoning appeals.

(Prefiled January 13, 2004)

Patron--Blevins

Referred to Committee on Local Government

**S.B. 181.** A BILL to amend and reenact § 63.2-1732 of the Code of Virginia, relating to assisted living facilities; emergency electrical systems.

(Prefiled January 13, 2004)

Patron--Blevins

Referred to Committee on Rehabilitation and Social Services

**S.B. 182.** A BILL to amend and reenact §§ 2.2-3704 and 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; exclusions from chapter; certain portions of GIS systems.

(Prefiled January 13, 2004)

Patron--Blevins

Referred to Committee on General Laws

**S.B. 183.** A BILL to amend and reenact § 36-99.5:1 of the Code of Virginia, relating to the Uniform Statewide Building Code; certain housing facilities.

(Prefiled January 13, 2004)

Patron--Blevins

Referred to Committee on General Laws

- S.B. 184.** A BILL to amend and reenact § 24.2-303.2 of the Code of Virginia, relating to composition of certain Senatorial districts.  
(Prefiled January 13, 2004)  
Patron--Blevins  
Referred to Committee on Privileges and Elections
- S.B. 185.** A BILL to amend and reenact § 63.2-1515 of the Code of Virginia, relating to central registry of founded complaints; checks for certain volunteer organizations.  
(Prefiled January 5, 2004)  
Patron--Howell  
Referred to Committee on Rehabilitation and Social Services
- S.B. 186.** A BILL to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.  
(Prefiled January 13, 2004)  
Patron--Miller  
Referred to Committee on General Laws
- S.B. 187.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-2711.1, relating to Board of Dentistry regulations on dental amalgams containing mercury.  
(Prefiled January 13, 2004)  
Patron--Miller  
Referred to Committee on Education and Health
- S.B. 188.** A BILL to amend and reenact § 58.1-3203 of the Code of Virginia, relating to local property taxes on leasehold interests.  
(Prefiled January 13, 2004)  
Patron--Puller  
Referred to Committee on Finance
- S.B. 189.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.  
(Prefiled January 13, 2004)  
Patron--Reynolds (By Request)  
Referred to Committee on Transportation
- S.B. 190.** A BILL to amend and reenact § 15.2-2110 of the Code of Virginia, relating to mandatory water and sewage connections.  
(Prefiled January 13, 2004)  
Patron--Reynolds (By Request)  
Referred to Committee on Local Government
- S.B. 191.** A Bill for the relief of Larry and Virginia Mitchell.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Finance
- S.B. 192.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-112.1, relating to embezzlement by public official; penalty.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee for Courts of Justice

- S.B. 193.** A BILL to authorize the use of certain vehicles by certain disabled persons on certain property owned by the Commonwealth.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Transportation
- S.B. 194.** A BILL to amend and reenact § 60.2-612 of the Code of Virginia, relating to eligibility for unemployment compensation benefits.  
(Prefiled January 13, 2004)  
Patron--Reynolds (By Request)  
Referred to Committee on Commerce and Labor
- S.B. 195.** A BILL to amend and reenact § 32.1-325 of the Code of Virginia, relating to income eligibility for medical assistance services of aged and disabled individuals.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Education and Health
- S.B. 196.** A BILL to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 through 32.1-371, relating to the Virginia Health Access Plan.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Education and Health
- S.B. 197.** A BILL to amend and reenact § 32.1-102.1 of the Code of Virginia, relating to certificate of public need for intermediate care facilities for the mentally retarded.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Education and Health
- S.B. 198.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 29.1 an article numbered 4, consisting of sections numbered 29.1-359, 29.1-360, and 29.1-361, relating to establishment of a state bear damage stamp; penalty.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 199.** A BILL to amend and reenact §§ 29.1-352 and 29.1-355 of the Code of Virginia, relating to coverage for damages under the damage stamp program  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 200.** A BILL to amend and reenact § 3.1-610.26:1 of the Code of Virginia, relating to beekeeper assistance.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Agriculture, Conservation and Natural Resources

- S.B. 201.** A BILL to amend and reenact §§ 2.2-3000, 2.2-3003, and 2.2-3005 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-3005.1 and 2.2-3005.2, and by adding in Chapter 30 of Title 2.2 a section numbered 2.2-3008.1, relating to the state grievance procedure; penalty.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on General Laws
- S.B. 202.** A BILL to amend and reenact § 18.2-268.3 of the Code of Virginia, relating to refusal of DUI breath or blood tests; procedures.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee for Courts of Justice
- S.B. 203.** A BILL to amend Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, by adding a section numbered 5.02.1, and to repeal §§ 5.02, 5.04 and 8.02, §§ 8.03 and 8.07, as amended, §§ 8.09, 8.10 and 8.12, §§ 9.01 and 9.02, as amended, §§ 9.03 through 9.06, § 9.07, as amended, §§ 9.08 and 9.09, § 9.11, as amended, §§ 11.01 through 11.05 and § 12.01, § 12.02, as amended, §§ 12.03 through 12.06, § 12.07, as amended, §§ 12.08, 12.09 and 13.01 through 13.04, § 13.05, as amended, §§ 13.10, 14.01 and 14.02, § 14.03, as amended, §§ 14.04, 14.05 and 14.06, §§ 15.01 through 15.05, and §§ 16.01 through 16.04 of Chapter 323 of the Acts of Assembly of 1950, relating to personnel and city departments.  
(Prefiled January 13, 2004)  
Patrons--Whipple; Delegate: Scott, J.M.  
Referred to Committee on Local Government
- S.B. 204.** A BILL to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee on Local Government
- S.B. 205.** A BILL to amend and reenact § 42.1-15.1 of the Code of Virginia, relating to the State Library Board; qualifications for professional librarians.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee on General Laws
- S.B. 206.** A BILL to amend and reenact § 15.2-3201 of the Code of Virginia, relating to restrictions on the granting of city charters, the filing of annexation and immunity notices, and the institution of annexation and immunity proceedings.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee on Local Government
- S.B. 207.** A BILL to amend the Code of Virginia by adding a section numbered 43-3.1, relating to real estate appraisers; lien for performance of appraisal.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee for Courts of Justice

- S.B. 208.** A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee for Courts of Justice
- S.B. 209.** A BILL to amend and reenact § 15.2-2308 of the Code of Virginia, relating to boards of zoning appeals.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee on Local Government
- S.B. 210.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee on Local Government
- S.B. 211.** A BILL to amend and reenact § 12.04, as amended, of Chapter 155 of the Acts of Assembly of 1962, which provided a charter for the City of Franklin, relating to compensation of school board.  
(Prefiled January 13, 2004)  
Patron--Quayle  
Referred to Committee on Local Government
- S.B. 212.** A BILL to amend and reenact §§ 37.1-255, 37.1-256 and 37.1-256.1 of the Code of Virginia, and to repeal § 37.1-257 of the Code of Virginia, relating to the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services.  
(Prefiled January 13, 2004)  
Patron--Edwards  
Referred to Committee on Education and Health
- S.B. 213.** A BILL to amend and reenact § 58.1-3833 of the Code of Virginia, relating to food and beverage tax imposed without referendum; Giles County.  
(Prefiled January 12, 2004)  
Patrons--Edwards; Delegate: Keister  
Referred to Committee on Finance
- S.B. 214.** A BILL to amend and reenact § 53.1-120 of the Code of Virginia, relating to assessment for courthouse and courtroom security.  
(Prefiled January 12, 2004)  
Patrons--Edwards; Delegate: Keister  
Referred to Committee for Courts of Justice
- S.B. 215.** A BILL to amend and reenact §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230, and 24.2-234 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 1 of Title 24.2 a section numbered 24.2-109.1, relating to powers and duties of the State Board of Elections and local electoral boards; appointments, terms, and removal of certain public officials, including general registrars.  
(Prefiled January 13, 2004)  
Patrons--Martin and Lambert  
Referred to Committee on Privileges and Elections

- S.B. 216.** A BILL to amend and reenact § 8.01-581.15 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 8.01-581.15:1, relating to limitations on recovery in medical malpractice actions and limitations on noneconomic damages.  
(Prefiled January 12, 2004)  
Patrons--Potts and Hawkins  
Referred to Committee for Courts of Justice
- S.B. 217.** A BILL to amend and reenact §§ 5.1-88.1 and 5.1-88.2 of the Code of Virginia, relating to licensure of aircraft; proof of financial responsibility.  
(Prefiled January 13, 2004)  
Patron--Martin  
Referred to Committee on Transportation
- S.B. 218.** A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 19.3, consisting of sections numbered 19.2-327.10 through 19.2-327.14, relating to post-conviction relief.  
(Prefiled January 13, 2004)  
Patron--Marsh  
Referred to Committee for Courts of Justice
- S.B. 219.** A BILL to amend the Code of Virginia by adding a section numbered 23-2.3, relating to admissions policies of public institutions of higher education.  
(Prefiled January 13, 2004)  
Patron--Marsh  
Referred to Committee on Education and Health
- S.B. 220.** A BILL to amend the Code of Virginia by adding sections numbered 2.2-209.1 and 2.2-209.2, relating to the Equal Education Opportunity Plan; report.  
(Prefiled January 13, 2004)  
Patron--Marsh  
Referred to Committee on Education and Health
- S.B. 221.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-346.25, relating to the Dr. Martin Luther King, Jr. Commission Fund.  
(Prefiled January 13, 2004)  
Patron--Marsh  
Referred to Committee on Finance
- S.B. 222.** A BILL to amend and reenact § 23-215 of the Code of Virginia, and to amend the Code of Virginia by adding sections numbered 22.1-16.3, 22.1-86.2, and 23-1.02, relating to cultural diversity policies and equal education opportunity plans; report.  
(Prefiled January 13, 2004)  
Patron--Marsh  
Referred to Committee on Education and Health
- S.B. 223.** A BILL to amend and reenact §§ 32.1-262, 32.1-267, and 32.1-268 of the Code of Virginia, relating to reports of divorces and annulments, and adoption and marriage records.  
(Prefiled January 13, 2004)  
Patron--Marsh  
Referred to Committee on Education and Health

**S.B. 224.** A BILL to amend and reenact § 38.2-3405 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 54.1-2963.1 relating to physician disclosure of medical treatment options.

(Prefiled January 13, 2004)

Patron--Marsh

Referred to Committee on Education and Health

**S.B. 225.** A BILL to amend and reenact §§ 15.2-1704, 15.2-1722 and 52-4 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 8.01-226.2:1, and by adding in Title 52 a chapter numbered 6.1, consisting of sections numbered 52-30.1 and 52-30.2, relating to the Virginia Racial Profiling and Traffic Statistics Reporting Act. Report.

(Prefiled January 13, 2004)

Patron--Marsh

Referred to Committee on Transportation

**S.B. 226.** A BILL to amend and reenact § 2.2-3101 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 2.2-3100.1, and to amend the Code of Virginia by adding in Chapter 31 of Title 2.2 an article numbered 8, consisting of sections numbered 2.2-3128 through 2.2-3131, relating to the State and Local Government Conflict of Interests Act and orientation programs for public personnel.

(Prefiled January 13, 2004)

Patron--Bolling

Referred to Committee on General Laws

**S.B. 227.** A BILL to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to permits to sell or purchase pistols or revolvers in counties.

(Prefiled January 13, 2004)

Patron--Cuccinelli

Referred to Committee on Local Government

**S.B. 228.** A BILL to amend and reenact § 15.2-852 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 15.2-2287.1, relating to disclosures in land use proceedings; penalty.

(Prefiled January 13, 2004)

Patron--Cuccinelli

Referred to Committee on Local Government

**S.B. 229.** A BILL to amend the Code of Virginia by adding a section numbered 23-2.3, relating to admissions policies of public institutions of higher education.

(Prefiled January 13, 2004)

Patron--Cuccinelli

Referred to Committee on Education and Health

**S.B. 230.** A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, and by adding a section numbered 58.1-346.25, relating to the Brown v. Board of Education Scholarship Program and Fund.

(Prefiled January 13, 2004)

Patron--Lambert

Referred to Committee on Finance

- S.B. 231.** A BILL to amend and reenact § 58.1-439 of the Code of Virginia, relating to the major business facility job tax credit.  
(Prefiled January 13, 2004)  
Patron--Lambert  
Referred to Committee on Finance
- S.B. 232.** A BILL to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 51.1, consisting of sections numbered 2.2-5105 through 2.2-5108, relating to the Virginia Economic Development Incentive Fund Act.  
(Prefiled January 13, 2004)  
Patron--Lambert  
Referred to Committee on Finance
- S.B. 233.** A BILL to amend the Code of Virginia by adding a section numbered 36-22.1, relating to housing authorities; no trespass policy.  
(Prefiled January 13, 2004)  
Patron--Lambert  
Referred to Committee on General Laws
- S.B. 234.** A BILL for the relief of Julius Earl Ruffin.  
(Prefiled January 13, 2004)  
Patron--Lambert  
Referred to Committee on Finance
- S.B. 235.** A BILL to amend and reenact § 46.2-1094 of the Code of Virginia, relating to required motor vehicle safety belt system use; penalty.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee on Transportation
- S.B. 236.** A BILL to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 18.2-57.3, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault, and violation of provisions of protective orders; penalty.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee for Courts of Justice
- S.B. 237.** A BILL to amend and reenact §§ 16.1-69.48:1 and 20-15 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.1, relating to domestic violence; fund for prosecutions.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee for Courts of Justice
- S.B. 238.** A BILL to amend and reenact § 19.2-310 of the Code of Virginia, relating to transmission of conviction order by clerks to Department of Corrections.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee for Courts of Justice

- S.B. 239.** A BILL to amend and reenact § 56-580 of the Code of Virginia, relating to electrical generating facility certificates.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee on Commerce and Labor
- S.B. 240.** A BILL to amend and reenact §§ 59.1-69, 59.1-70, and 59.1-74 of the Code of Virginia, relating to business entities; fictitious names.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee on Commerce and Labor
- S.B. 241.** A BILL to amend and reenact § 17.1-279 of the Code of Virginia, relating to Technology Trust Fund Fee.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee for Courts of Justice
- S.B. 242.** A BILL to amend and reenact § 59.1-200 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 46, consisting of sections numbered 59.1-525 through 59.1-529, relating to price gouging.  
(Prefiled January 13, 2004)  
Patron--Norment  
Referred to Committee on Commerce and Labor
- S.B. 243.** A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to ballot forms and party designations of candidates on ballots.  
(Prefiled January 13, 2004)  
Patron--Cuccinelli  
Referred to Committee on Privileges and Elections
- S.B. 244.** A BILL to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.  
(Prefiled January 12, 2004)  
Patrons--Edwards; Delegate: Shuler  
Referred to Committee on Education and Health
- S.B. 245.** A BILL to amend and reenact § 18.2-433 of the Code of Virginia, relating to regulation of dance halls; penalty.  
(Prefiled January 12, 2004)  
Patrons--Edwards; Delegate: Shuler  
Referred to Committee for Courts of Justice
- S.B. 246.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-881.1, relating to speed limits within 500 feet of yard sales, auctions, and other special events to which the public is invited.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Transportation

- S.B. 247.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 32 of Title 58.1 a section numbered 58.1-3206, relating to tax credits for permanent easements.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Finance
- S.B. 248.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to restrictions and exemptions on deferral of taxes for certain elderly and handicapped persons.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Finance
- S.B. 249.** A BILL to repeal Chapter 334 of the Acts of Assembly of 1928, as amended, and Chapter 39 of the Acts of Assembly of 1942, as amended, relating to duck blinds in certain localities.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 250.** A BILL to amend and reenact § 19.2-62 of the Code of Virginia, relating to interception of wire, electronic or oral communications.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee for Courts of Justice
- S.B. 251.** A BILL to amend and reenact § 20-107.1 of the Code of Virginia, relating to spousal support.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee for Courts of Justice
- S.B. 252.** A BILL to amend and reenact §§ 46.2-838, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, and 46.2-1015 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Transportation
- S.B. 253.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-609.10.01, relating to retail sales and use tax exemptions; civic and community service organizations.  
(Prefiled January 14, 2004)  
Patrons--Puckett; Delegate: Stump  
Referred to Committee on Finance
- S.B. 254.** A BILL to amend and reenact § 51.1-124.3 of the Code of Virginia, relating to Virginia Retirement System membership; Breaks Interstate Park.  
(Prefiled January 14, 2004)  
Patrons--Puckett; Delegate: Stump  
Referred to Committee on Finance

- S.B. 255.** A BILL to amend and reenact §§ 2.2-2818 and 38.2-4319 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3418.15, relating to accident and sickness insurance; mandated treatment for infertility.  
(Prefiled January 14, 2004)  
Patron--Puckett  
Referred to Committee on Commerce and Labor
- S.B. 256.** A BILL for the relief of Marshall and Allison Lineberry.  
(Prefiled January 14, 2004)  
Patron--Puckett  
Referred to Committee on Finance
- S.B. 257.** A BILL to amend and reenact §§ 33.1-72.1 and 33.1-75.1 of the Code of Virginia, relating to taking certain streets into state secondary highway system.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegate: Marshall, D.W.  
Referred to Committee on Transportation
- S.B. 258.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates to encourage participation in the organ donor program.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegates: Dudley and Marshall, D.W.  
Referred to Committee on Transportation
- S.B. 259.** A BILL to amend and reenact §§ 46.2-711 and 46.2-715 of the Code of Virginia, relating to vehicle license plates.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegate: Marshall, D.W.  
Referred to Committee on Transportation
- S.B. 260.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to acceptance by the Virginia Department of Transportation of donations of landscaping materials, landscaping services, and funds to carry out landscaping.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegates: Dudley, Hurt and Marshall, D.W.  
Referred to Committee on Transportation
- S.B. 261.** A BILL to amend the Code of Virginia by adding a section numbered 29.1-508.1, relating to the use of drugs on vertebrate wildlife; penalty.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegate: Marshall, D.W.  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 262.** A BILL to amend and reenact §§ 2.2-204 and 3.1-426 of the Code of Virginia, relating to the Milk Commission.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegate: Marshall, D.W.  
Referred to Committee on Agriculture, Conservation and Natural Resources

- S.B. 263.** A BILL to amend and reenact § 58.1-322 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.11, relating to individual income tax deductions and credits for the cost of long-term care insurance premiums.  
(Prefiled January 14, 2004)  
Patrons--Lambert, Houck and Puller; Delegates: Athey, Brink, Hamilton and Morgan  
Referred to Committee on Finance
- S.B. 264.** A BILL to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to reporting of gun sales.  
(Prefiled January 14, 2004)  
Patron--Cuccinelli  
Referred to Committee on Local Government
- S.B. 265.** A BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.1, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections; penalties.  
(Prefiled January 14, 2004)  
Patron--Cuccinelli  
Referred to Committee on Privileges and Elections
- S.B. 266.** A BILL to amend and reenact § 32.1-325 of the Code of Virginia, relating to the development of a long-term care partnership plan.  
(Prefiled January 14, 2004)  
Patron--Edwards  
Referred to Committee on Education and Health
- S.B. 267.** A BILL to amend the Code of Virginia by adding in Title 62.1 a chapter numbered 5.6, consisting of sections numbered 62.1-69.45 through 62.1-69.53, relating to the Rivanna River Basin Commission; report.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Rules
- S.B. 268.** A BILL to amend the Code of Virginia by adding in Article 2 of Chapter 9 of Title 24.2 a section numbered 24.2-907.1 and to add in Article 5 of Chapter 9 of Title 24.2 a section numbered 24.2-931, relating to the Campaign Finance Disclosure Act; in-kind contributions and penalties.  
(Prefiled January 14, 2004)  
Patron--Potts  
Referred to Committee on Privileges and Elections
- S.B. 269.** A BILL to amend and reenact §§ 58.1-1001, 58.1-3830, 58.1-3831, and 58.1-3840 of the Code of Virginia, relating to state and local cigarette taxes.  
(Prefiled January 14, 2004)  
Patron--Potts  
Referred to Committee on Finance
- S.B. 270.** A BILL to amend and reenact §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270, and 22.1-271.2 of the Code of Virginia, relating to enrollment of certain children in public schools.  
(Prefiled January 14, 2004)  
Patron--Quayle  
Referred to Committee on Education and Health

- S.B. 271.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10 and 8.01-195.11, relating to compensation for wrongful incarceration for a felony conviction.  
(Prefiled January 14, 2004)  
Patron--Quayle  
Referred to Committee for Courts of Justice
- S.B. 272.** A BILL to amend and reenact § 54.1-3215 of the Code of Virginia, relating to causes for revocation or suspension of an optometrist's license or reprimand of an optometrist.  
(Prefiled January 14, 2004)  
Patron--Quayle  
Referred to Committee on Education and Health
- S.B. 273.** A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to regulation or prohibition by certain towns of parking of certain vehicles.  
(Prefiled January 14, 2004)  
Patron--Devolites  
Referred to Committee on Transportation
- S.B. 274.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons authorized to perform marriage rites.  
(Prefiled January 14, 2004)  
Patron--Devolites  
Referred to Committee for Courts of Justice
- S.B. 275.** A BILL to amend and reenact §§ 18.2-152.4 and 18.2-152.12 of the Code of Virginia, relating to computer crimes; penalty.  
(Prefiled January 14, 2004)  
Patron--Devolites  
Referred to Committee for Courts of Justice
- S.B. 276.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.4, relating to spousal abuse by active members of the Armed Forces.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee for Courts of Justice
- S.B. 277.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to maintenance of real property acquired by Virginia Department of Transportation.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Transportation
- S.B. 278.** A BILL to repeal § 32.1-19.1 of the Code of Virginia, relating to reporting of telemedicine initiatives.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Education and Health

- S.B. 279.** A BILL to amend and reenact § 51.1-138, as it will become effective, of the Code of Virginia, relating to Virginia Law Officers' Retirement System.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Finance
- S.B. 280.** A BILL to amend and reenact § 15.2-2108.11 of the Code of Virginia, relating to provision of cable television services by certain localities.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on General Laws
- S.B. 281.** A BILL to amend and reenact § 58.1-322 of the Code of Virginia, relating to taxation; personal exemption.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Finance
- S.B. 282.** A BILL to amend and reenact § 56-265.4:4 of the Code of Virginia, relating to telecommunications services provided by localities; cross-subsidizations; cost allocation manuals.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Commerce and Labor
- S.B. 283.** A BILL to amend and reenact § 23-7.4:2 of the Code of Virginia, relating to reduced tuition for certain students at the University of Virginia's College at Wise.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Education and Health
- S.B. 284.** A BILL to amend and reenact §§ 9.1-400 through 9.1-404, 27-40.1:1, and 51.1-815 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 4 of Title 9.1 a section numbered 9.1-407, and to repeal §§ 9.1-405 and 9.1-406 of the Code of Virginia, relating to the Line of Duty Act.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Finance
- S.B. 285.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 11 of Title 54.1 a section numbered 54.1-1117.1, relating to the Department of Professional and Occupational Regulation; Board for Contractors; cooperative agreements.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on General Laws
- S.B. 286.** A BILL to amend and reenact § 24.2-504 of the Code of Virginia, relating to persons entitled to have name printed on ballot.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Privileges and Elections

- S.B. 287.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; fees.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee for Courts of Justice
- S.B. 288.** A BILL to amend and reenact §§ 46.2-1700, 46.2-1701, 46.2-1702, 46.2-1703, 46.2-1705, and 46.2-1707 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-1701.2 and 46.2-1701.3, relating to driver training schools.  
(Prefiled January 14, 2004)  
Patrons--O'Brien; Delegate: Albo  
Referred to Committee on Transportation
- S.B. 289.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 11 of Title 2.2 a section numbered 2.2-1102.1, relating to the Department of General Services; State Asset Management Review Act.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on General Laws
- S.B. 290.** A BILL to require General Assembly approval of local "living wage" provisions.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Rules
- S.B. 291.** A BILL to amend and reenact § 38.2-3407.10 of the Code of Virginia, relating to insurance; reimbursement rates to health care providers.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Commerce and Labor
- S.B. 292.** A BILL to amend and reenact §§ 32.1-127 and 63.2-1732 of the Code of Virginia, relating to emergency electrical systems.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Education and Health
- S.B. 293.** A BILL to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to acceptance of foreign personal identification cards.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on General Laws
- S.B. 294.** A BILL to amend and reenact § 22.1-4.3 of the Code of Virginia, relating to the provision of full and complete information to noncustodial parents by public or private schools or day care centers.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Education and Health

- S.B. 295.** A BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512, 2.2-5513, and 2.2-5514, relating to government fees; disclosure.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on General Laws
- S.B. 296.** A BILL to amend and reenact §§ 43-32, 46.2-649.1, 46.2-1231, 46.2-1600, 46.2-1601, and 46.2-1607 of the Code of Virginia, relating to mechanics' liens; towing.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee for Courts of Justice
- S.B. 297.** A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; cell phone number of law-enforcement personnel.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on General Laws
- S.B. 298.** A BILL to amend and reenact § 19.2-12 of the Code of Virginia, relating to conservators of the peace.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee for Courts of Justice
- S.B. 299.** A BILL to amend and reenact § 22.1-215 of the Code of Virginia, relating to children with disabilities residing in state institutions operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Education and Health
- S.B. 300.** A BILL to amend the Code of Virginia by adding in Chapter 13.2 of Title 22.1 a section numbered 22.1-253.13:9, relating to calculation of the state and local share for providing educational programs meeting the Standards of Quality.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Education and Health
- S.B. 301.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 25.1 a section numbered 25.1-107, relating to eminent domain.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee for Courts of Justice
- S.B. 302.** A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on General Laws

**S.B. 303.** A BILL to amend and reenact §§ 54.1-2313, 54.1-2324 and 54.1-2333 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 57 a section numbered 57-27.3, relating to the Cemetery Board; reports; authorization for interment.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on General Laws

**S.B. 304.** A BILL to amend and reenact § 2.2-603 of the Code of Virginia, relating to authority of state agency directors; performance-based budgeting.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on General Laws

**S.B. 305.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of information; right of subject of tax records.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on Finance

**S.B. 306.** A BILL to amend and reenact § 46.2-334.01 of the Code of Virginia, relating to learner's permits and driver's licenses issued to persons less than 19 years old; restricted license for persons whose license or privilege to operate a motor vehicle has been suspended.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on Transportation

**S.B. 307.** A BILL to amend and reenact § 33.1-23.03:1 of the Code of Virginia, and to repeal §§ 33.1-23.03:4, 33.1-23.1:1, 33.1-221, 33.1-221.1:1, 33.1-221.1:3, 33.1-221.1:6 and 33.1-223 of the Code of Virginia, relating to the Transportation Trust Fund, the Toll Facilities Revolving Account, the Unpaved Secondary Road Fund, the Industrial and Airport Access Fund, the Industrial Rail Access Fund, the Recreational Access Roads and Bikeways Fund, the Northern Virginia Transportation District Program, and the Interstate 66 Economic Development Program Fund.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on Transportation

**S.B. 308.** A BILL to amend and reenact § 9.1-178 of the Code of Virginia, relating to community criminal justice boards.

(Prefiled January 14, 2004)

Patron--Blevins

Referred to Committee on Local Government

**S.B. 309.** A BILL to amend and reenact § 38.2-2801 of the Code of Virginia, relating to activation of medical malpractice joint underwriting association.

(Prefiled January 14, 2004)

Patrons--Hawkins; Delegate: Marshall, D.W.

Referred to Committee on Commerce and Labor

**S.B. 310.** A BILL to amend and reenact §§ 2.2-4343, 3.1-6.1, and 4.1-235 of the Code of Virginia, to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 42.1, consisting of sections numbered 3.1-1064.1 through 3.1-1064.8, and to repeal Chapter 42 (§§ 3.1-1057 through 3.1-1064)

of Title 3.1 of the Code of Virginia, relating to establishment of the Virginia Wine Board and the Virginia Wine Promotion Fund.

(Prefiled January 14, 2004)

Patrons--Hawkins; Delegates: Dudley and Marshall, D.W.

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 311.** A BILL to amend and reenact § 51.1-206 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to classifying certain service as service rendered in a hazardous position.

(Prefiled January 14, 2004)

Patrons--Hawkins; Delegates: Hurt and Marshall, D.W.

Referred to Committee on Finance

**S.B. 312.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the rehabilitation of drug addicts.

(Prefiled January 14, 2004)

Patron--Bell

Referred to Committee on Education and Health

**S.B. 313.** A BILL to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.

(Prefiled January 14, 2004)

Patron--Howell

Referred to Committee on Privileges and Elections

**S.B. 314.** A BILL to amend and reenact § 63.2-1509 of the Code of Virginia, relating to mandatory reporting of child abuse and neglect by ministers of religion; civil penalty.

(Prefiled January 14, 2004)

Patrons--Howell and O'Brien

Referred to Committee on Rehabilitation and Social Services

**S.B. 315.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-212.1:2, relating to education programs to promote waste reduction and resource efficiency; green schools program.

(Prefiled January 14, 2004)

Patrons--Howell; Delegates: Plum and Rust

Referred to Committee on Education and Health

**S.B. 316.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

(Prefiled January 14, 2004)

Patrons--Howell; Delegate: Rust

Referred to Committee on Finance

**S.B. 317.** A BILL to amend and reenact §§ 15.2-1718 and 52-32 of the Code of Virginia, relating to missing child reports.

(Prefiled January 14, 2004)

Patron--Howell

Referred to Committee for Courts of Justice

**S.B. 318.** A BILL to amend and reenact §§ 2.2-3705, 2.2-3711, 2.2-4002, 32.1-279, 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 63.2-1606.1 and 63.2-1607.1, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

(Prefiled January 14, 2004)

Patrons--Howell and Puller

Referred to Committee on Rehabilitation and Social Services

**S.B. 319.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing an unborn child; penalty.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee on Education and Health

**S.B. 320.** A BILL to amend and reenact §§ 2.2-511, 6.1-375, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 321.** A BILL to amend and reenact §§ 18.2-46.1, 18.2-46.3 and 18.2-460 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; penalties.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 322.** A BILL to amend and reenact § 2.2-510 of the Code of Virginia, relating to the recovery of damages to natural resources.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 323.** A BILL to amend and reenact § 65.2-801 of the Code of Virginia, relating to workers' compensation insurance; self-insurers.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee on Commerce and Labor

**S.B. 324.** A BILL to amend and reenact §§ 59.1-198 and 59.1-204 of the Code of Virginia, relating to cure offers for consumer disputes involving motor vehicle purchases.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee on Commerce and Labor

- S.B. 325.** A BILL to amend and reenact § 54.1-3401 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-3455.1, relating to counterfeit drugs; the Drug Control Act; penalty.  
(Prefiled January 14, 2004)  
Patron--Stolle  
Referred to Committee on Education and Health
- S.B. 326.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.  
(Prefiled January 14, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 327.** A BILL to amend and reenact § 16.1-69.33 of the Code of Virginia, relating to Committee on District Courts.  
(Prefiled January 14, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 328.** A BILL to amend and reenact §§ 16.1-69.9:3 and 17.1-511 of the Code of Virginia, relating to notice of retirement.  
(Prefiled January 14, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 329.** A BILL to amend and reenact §§ 19.2-120, 19.2-390, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to admission to bail.  
(Prefiled January 14, 2004)  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 330.** A BILL to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01, 19.2-163.02, 19.2-163.03, 19.2-163.04 and 19.20163.4:1, and to repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.  
(Prefiled January 14, 2004)  
Patrons--Stolle, Howell and Norment; Delegates: Albo, Kilgore, McDonnell and Moran  
Referred to Committee for Courts of Justice
- S.B. 331.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-106.1, relating to assault and battery in the commission of a larceny; penalty.  
(Prefiled January 14, 2004)  
Patrons--Stolle and Norment; Delegates: Albo and Kilgore  
Referred to Committee for Courts of Justice

**S.B. 332.** A BILL to amend and reenact §§ 51.1-138, as it is currently effective and as it shall become effective, 51.1-202, as it is currently effective, 51.1-205, as it is currently effective, 51.1-206, as it is currently effective and as it shall become effective, 51.1-207, 51.1-208 and 51.1-217 of the Code of Virginia, relating to the State Police Officers' Retirement System.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee on Finance

**S.B. 333.** A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 19.3, consisting of sections numbered 19.2-327.10 through 19.2-327.14, relating to post-conviction relief.

(Prefiled January 14, 2004)

Patrons--Stolle, Howell and Norment; Delegates: Albo, Kilgore, McDonnell and Moran

Referred to Committee for Courts of Justice

**S.B. 334.** A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 11, consisting of sections numbered 9.1-185 through 9.1-199, relating to regulation of bail enforcement agents; penalties.

(Prefiled January 14, 2004)

Patrons--Stolle, Howell and Norment; Delegates: Albo, Kilgore, McDonnell, Moran and Scott, J.M.

Referred to Committee for Courts of Justice

**S.B. 335.** A BILL to amend and reenact §§ 8.01-293, 16.1-264 and 17.1-272 of the Code of Virginia, relating to service of process on teacher or other school personnel; restrictions; fees.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 336.** A BILL to amend and reenact §§ 17.1-913 and 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; confidentiality.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 337.** A BILL to amend and reenact §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; access to health records; compliance with federal Health Insurance Portability and Accountability Act regulations.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee on Commerce and Labor

**S.B. 338.** A BILL to amend and reenact § 23-9.6:1 of the Code of Virginia, relating to responsibilities of the State Council of Higher Education.

(Prefiled January 14, 2004)

Patron--Edwards

Referred to Committee on Education and Health

**S.B. 339.** A BILL to amend and reenact § 16.1-278.8 of the Code of Virginia, relating to dispositions for delinquent juveniles.

(Prefiled January 14, 2004)

Patron--Edwards

Referred to Committee for Courts of Justice

- S.B. 340.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Blue Ridge Parkway Foundation; fees.  
(Prefiled January 14, 2004)  
Patrons--Edwards and Reynolds; Delegate: Abbitt  
Referred to Committee on Transportation
- S.B. 341.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; reciprocity for law-enforcement officers.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee for Courts of Justice
- S.B. 342.** A BILL to amend and reenact §§ 46.2-700 and 46.2-1500 of the Code of Virginia, relating to registration of motor vehicles; motor vehicle dealers; self-propelled cranes weighing more than 47,000 pounds.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 343.** A BILL to amend and reenact § 8.01-216.3 of the Code of Virginia, relating to Virginia Fraud Against Taxpayers Act.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee for Courts of Justice
- S.B. 344.** A BILL to amend and reenact §§ 59.1-510, 59.1-511, 59.1-513, and 59.1-514 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-513.1, relating to the Virginia Telephone Privacy Protection Act.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee on Commerce and Labor
- S.B. 345.** A BILL to amend and reenact § 46.2-341.16:1 of the Code of Virginia, relating to endorsement authorizing driver to transport hazardous materials; fees; emergency.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 346.** A BILL to amend and reenact §§ 2.2-1508 and 2.2-1509 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-1509.01, relating to the Budget Reform Act of 2004.  
(Prefiled January 14, 2004)  
Patron--Cuccinelli  
Referred to Committee on Finance
- S.B. 347.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for textbooks and other educational materials for free distribution.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on Finance

- S.B. 348.** A BILL to amend and reenact § 55-510.1 of the Code of Virginia, relating to Property Owners Association Act; board of directors; access to committee and subcommittee meetings.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on General Laws
- S.B. 349.** A BILL to amend and reenact § 58.1-3506 of the Code of Virginia, relating to taxation; special classification of certain motor vehicles for local taxation.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on Finance
- S.B. 350.** A BILL to amend and reenact § 46.2-752 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to local motor vehicle taxes and fees.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on Transportation
- S.B. 351.** A BILL to amend and reenact § 15.2-2242 of the Code of Virginia, relating to providing drinking water supplies.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on Local Government
- S.B. 352.** A BILL to amend and reenact §§ 2.2-3703, 2.2-3711, 2.2-3714, 2.2-3806, 22.1-279.8, 23-50.16:32, 32.1-283.1, 32.1-283.2, 44-146.18, 44-146.22, 52-8.3, 54.1-2517, 54.1-2523, and 56-575.4, of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 2.2-3705.1, 2.2-3705.2, 2.2-3705.3, 2.2-3705.4, 2.2-3705.5, 2.2-3705.6, 2.2-3705.7, and 2.2-3705.8, and to repeal § 2.2-3705 of the Code of Virginia, relating to the Virginia Freedom of Information Act; reorganization of current record exemptions.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on General Laws
- S.B. 353.** A BILL to amend and reenact § 15.2-2223 of the Code of Virginia, relating to the comprehensive plan.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on Local Government
- S.B. 354.** A BILL to amend and reenact §§ 2.2-3703, 2.2-3705, and 2.2-3711 of the Code of Virginia, relating to the Freedom of Information Act; applicability; sexually violent predator commitment review committee.  
(Prefiled January 14, 2004)  
Patron--Houck  
Referred to Committee on General Laws
- S.B. 355.** A BILL to amend and reenact § 38.2-1230 of the Code of Virginia, relating to insurance reciprocals.  
(Prefiled January 14, 2004)  
Patron--Colgan  
Referred to Committee on Commerce and Labor

**S.B. 356.** A BILL to amend and reenact §§ 58.1-2402 and 58.1-2425 of the Code of Virginia, to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 48.3, consisting of sections numbered 15.2-4850 through 15.2-4862, and to repeal Chapter 48.2 (§ 15.2-4829 et seq.) of Title 15.2, relating to the creation of a transportation authority for each of the nine construction districts and dedicating revenues from increases in the motor vehicle sales and use tax for funding of such transportation authorities, and empowering such transportation authorities to plan and provide for the transportation needs of the counties and cities embraced by each transportation authority.

(Prefiled January 14, 2004)

Patron--Colgan

Referred to Committee on Finance

**S.B. 357.** A BILL to amend and reenact §§ 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, and 58.1-2706 of the Code of Virginia, to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 48.3, consisting of sections numbered 15.2-4850 through 15.2-4862, and to repeal Chapter 48.2 (§ 15.2-4829 et seq.) of Title 15.2, relating to the creation of a transportation authority for each of the nine construction districts and dedicating revenues from increases in taxes on fuels for funding of such transportation authorities, and empowering such transportation authorities to plan and provide for the transportation needs of the counties and cities embraced by each transportation authority.

(Prefiled January 14, 2004)

Patrons--Colgan; Delegate: Parrish

Referred to Committee on Finance

**S.B. 358.** A BILL for the relief of Henry Ridge.

(Prefiled January 14, 2004)

Patron--Colgan

Referred to Committee on Finance

**S.B. 359.** A BILL to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.

(Prefiled January 14, 2004)

Patrons--Colgan and Puller; Delegates: Marshall, R.G., McQuigg and Parrish

Referred to Committee on Privileges and Elections

**S.B. 360.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; 275th anniversary of the County of Prince William.

(Prefiled January 14, 2004)

Patrons--Colgan and Puller; Delegates: Lingamfelter, Marshall, R.G., McQuigg and Parrish

Referred to Committee on Transportation

**S.B. 361.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.

(Prefiled January 14, 2004)

Patrons--Colgan and Puller; Delegates: Lingamfelter, Marshall, R.G., McQuigg and Parrish

Referred to Committee on Finance

- S.B. 362.** A BILL to amend and reenact §§ 46.2-731 and 46.2-1241 of the Code of Virginia, relating to issuance of disabled parking license plates and placards to the parents or legal guardians of persons with physical disabilities that limit or impair their ability to walk.  
(Prefiled January 14, 2004)  
Patrons--Colgan and Puller; Delegates: Lingamfelter, Marshall, R.G., McQuigg and Parrish  
Referred to Committee on Transportation
- S.B. 363.** A BILL to amend and reenact §§ 2.2-2407, 40.1-6 and 60.2-113 of the Code of Virginia, relating to the Migrant and Seasonal Farmworkers Board and the Interagency Migrant Worker Policy Committee.  
(Prefiled January 14, 2004)  
Patron--Watkins  
Referred to Committee on General Laws
- S.B. 364.** A BILL to amend and reenact § 33.1-12 of the Code of Virginia, relating to use of design-build contracts by the Director of the Department of Rail and Public Transportation.  
(Prefiled January 14, 2004)  
Patron--Watkins  
Referred to Committee on Transportation
- S.B. 365.** A BILL to amend and reenact §§ 2.2-4006, 10.1-1322, 10.1-1402, 10.1-1402.1, and 62.1-44.15:6 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 62.1-44.15:6.1, relating to environmental permit fees.  
(Prefiled January 14, 2004)  
Patron--Watkins  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 366.** A BILL to amend and reenact § 58.1-2606 of the Code of Virginia, relating to local taxation of real and tangible personal property of public service corporations and other persons.  
(Prefiled January 14, 2004)  
Patron--Watkins  
Referred to Committee on Finance
- S.B. 367.** A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in certain counties and cities.  
(Prefiled January 14, 2004)  
Patron--Watkins  
Referred to Committee on Finance
- S.B. 368.** A BILL to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.  
(Prefiled January 14, 2004)  
Patron--Watkins  
Referred to Committee on Local Government
- S.B. 369.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-2109.2, relating to utility mutual aid agreements.  
(Prefiled January 14, 2004)  
Patrons--Watkins; Delegate: O'Bannon  
Referred to Committee on Local Government

- S.B. 370.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 3.1, consisting of sections numbered 2.2-304 through 2.2-310, relating to the State Inspector General Act of 2004.  
(Prefiled January 14, 2004)  
Patron--Cuccinelli  
Referred to Committee on Finance
- S.B. 371.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-73.1 relating to abortion performed after first trimester.  
(Prefiled January 14, 2004)  
Patron--Cuccinelli  
Referred to Committee on Education and Health
- S.B. 372.** A BILL to amend and reenact §§ 38.2-4300, 38.2-4301, and 38.2-4302 of the Code of Virginia, relating to health maintenance organizations.  
(Prefiled January 14, 2004)  
Patron--Miller  
Referred to Committee on Commerce and Labor
- S.B. 373.** A BILL to amend and reenact § 33.1-221 of the Code of Virginia, relating to use of industrial access road funds in connection with construction of a certain road in Nelson County.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Transportation
- S.B. 374.** A BILL to amend and reenact § 58.1-3818 of the Code of Virginia, as it shall become effective and as it may become effective, relating to admissions tax; Nelson County.  
(Prefiled January 14, 2004)  
Patron--Deeds (By Request)  
Referred to Committee on Finance
- S.B. 375.** A BILL to amend and reenact § 58.1-3819 of the Code of Virginia, relating to transient occupancy tax; Nelson County.  
(Prefiled January 14, 2004)  
Patron--Deeds (By Request)  
Referred to Committee on Finance
- S.B. 376.** A BILL to amend the Code of Virginia by adding a section numbered 38.2-401.2, relating to an additional assessment on motor vehicle insurance policies with the moneys collected therefrom paid to the credit of the State Police Training and Retention Fund.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Commerce and Labor
- S.B. 377.** A BILL to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 through 32.1-372, relating to the Virginia Prescription Drug Payment Assistance Program; funding from proceeds of the Master Tobacco Settlement Agreement.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Education and Health

- S.B. 378.** A BILL to amend and reenact § 58.1-902 of the Code of Virginia, relating to the Virginia estate tax.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee on Finance
- S.B. 379.** A BILL to amend and reenact § 20-15 of the Code of Virginia, relating to the tax on marriage licenses.  
(Prefiled January 14, 2004)  
Patron--Deeds  
Referred to Committee for Courts of Justice
- S.B. 380.** A BILL to amend and reenact § 46.2-411 of the Code of Virginia, relating to fee for reinstatement of suspended or revoked license or other privilege to operate or register a motor vehicle.  
(Prefiled January 14, 2004)  
Patron--Puller  
Referred to Committee on Transportation
- S.B. 381.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.  
(Prefiled January 14, 2004)  
Patron--Puller  
Referred to Committee on Rules
- S.B. 382.** A BILL to amend and reenact §§ 2.2-700 and 2.2-703 of the Code of Virginia, relating to the Department for the Aging; powers and duties of the Commissioner and the Department.  
(Prefiled January 14, 2004)  
Patrons--Puller, Colgan, Deeds, Edwards, Houck, Lambert, Lucas, Mims, Puckett, Reynolds, Saslaw, Ticer and Whipple; Delegates: Brink, Hamilton, Morgan and Scott, J.M.  
Referred to Committee on General Laws
- S.B. 383.** A BILL to amend and reenact § 56-1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-235.5:1, relating to telecommunications services; basic services regulation.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee on Commerce and Labor
- S.B. 384.** A BILL to amend and reenact §§ 18.2-270, 19.2-120 and 19.2-294.1 of the Code of Virginia, relating to punishment and bail on charge of third DUI; joint prosecution of DUI and reckless driving.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee for Courts of Justice
- S.B. 385.** A BILL to amend and reenact § 8.01-581.17 of the Code of Virginia, relating to peer review entities; privileged communications.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee for Courts of Justice

- S.B. 386.** A BILL to amend and reenact § 10.1-1322.3 of the Code of Virginia, relating to the air emissions trading program.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 387.** A BILL to amend and reenact §§ 46.2-700 and 46.2-1500 of the Code of Virginia, relating to registration of motor vehicles; motor vehicle dealers; self-propelled cranes weighing more than 47,000 pounds.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee on Transportation
- S.B. 388.** A BILL to amend and reenact Chapter 912 of the 2000 Acts of the Assembly, relating to amendment of certain certificate of public need.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee on Education and Health
- S.B. 389.** A BILL to amend and reenact § 53.1-116 of the Code of Virginia, relating to good conduct credits in jails.  
(Prefiled January 14, 2004)  
Patrons--Norment, Howell and Stolle; Delegates: Albo, Griffith, Kilgore, McDonnell and Moran  
Referred to Committee on Rehabilitation and Social Services
- S.B. 390.** A BILL to amend and reenact § 19.2-13 of the Code of Virginia, relating to special conservators of the peace.  
(Prefiled January 14, 2004)  
Patrons--Norment, Howell and Stolle; Delegates: Albo, Griffith, Kilgore, McDonnell and Moran  
Referred to Committee for Courts of Justice
- S.B. 391.** A BILL to amend and reenact §§ 24.2-701 and 24.2-706 of the Code of Virginia, relating to absentee ballot applications.  
(Prefiled January 14, 2004)  
Patrons--Norment, Colgan, Devolites, Hanger, Howell, Lambert, Mims, O'Brien, Potts, Quayle, Stolle and Whipple; Delegates: Albo, Brink, Hall, Hamilton, Hogan, Hurt, Landes, Marshall, D.W., May, Petersen and Plum  
Referred to Committee on Privileges and Elections
- S.B. 392.** A BILL to amend and reenact § 58.1-901 of the Code of Virginia, relating to estate taxes.  
(Prefiled January 14, 2004)  
Patrons--Norment, Blevins, Cuccinelli, Hanger, Hawkins, Martin, Newman, O'Brien, Potts, Quayle, Rerras, Ruff, Watkins and Williams  
Referred to Committee on Finance
- S.B. 393.** A BILL to amend the Code of Virginia by adding sections numbered 15.2-2230.2, 15.2-2242.1, 22.1-18.2 and 22.1-79.4, relating to adequate levels of service for educational facilities.  
(Prefiled January 14, 2004)  
Patrons--Quayle and Blevins; Delegate: Barlow  
Referred to Committee on Local Government

- S.B. 394.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; economic development.  
(Prefiled January 14, 2004)  
Patrons--Norment; Delegates: Hamilton and Rapp  
Referred to Committee on General Laws
- S.B. 395.** A BILL to amend and reenact § 15.2-904 of the Code of Virginia, relating to inoperable motor vehicles.  
(Prefiled January 14, 2004)  
Patrons--Norment; Delegates: Hamilton and Rapp  
Referred to Committee on Local Government
- S.B. 396.** A BILL to amend and reenact § 9, as amended, § 10, §§ 22.1 and 22.3, as amended, of Chapter 393 of the Acts of Assembly of 1932, which provided a charter for the City of Williamsburg, relating to utilities, school board, and oaths for board and commissions.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee on Local Government
- S.B. 397.** A BILL to amend and reenact § 23-41 of the Code of Virginia, relating to the board of visitors of the College of William and Mary.  
(Prefiled January 14, 2004)  
Patrons--Norment; Delegate: Rapp  
Referred to Committee on Education and Health
- S.B. 398.** A BILL to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to the entitlement of sales tax revenues generated from transactions in certain public facilities.  
(Prefiled January 14, 2004)  
Patrons--Norment; Delegates: Hamilton and Oder  
Referred to Committee on Finance
- S.B. 399.** A BILL to amend and reenact § 58.1-807 of the Code of Virginia, relating to recordation taxes on leases.  
(Prefiled January 14, 2004)  
Patrons--Norment; Delegates: Hamilton and Oder  
Referred to Committee on Finance
- S.B. 400.** A BILL to amend and reenact § 15.2-923 of the Code of Virginia, relating to local water-saving ordinances.  
(Prefiled January 14, 2004)  
Patrons--Norment; Delegates: Hamilton and Rapp  
Referred to Committee on Local Government
- S.B. 401.** A BILL to amend and reenact §§ 38.2-2800, 38.2-2801, 38.2-2804, 38.2-2806, 38.2-2812, and 38.2-2814 of the Code of Virginia and to repeal §§ 38.2-2802 and 38.2-2807 of the Code of Virginia, relating to the Virginia Medical Malpractice Joint Underwriting Association.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Commerce and Labor

- S.B. 402.** A BILL to amend and reenact §§ 46.2-311 and 46.2-330 of the Code of Virginia, relating to vision examinations of certain persons prior to issuance or renewal of driver's licenses or learner's permits.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Transportation
- S.B. 403.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.  
(Prefiled January 14, 2004)  
Patron--Colgan  
Referred to Committee on Finance
- S.B. 404.** A BILL to amend and reenact §§ 22.1-254 and 22.1-254.2 of the Code of Virginia, relating to excusals from compulsory school attendance requirements.  
(Prefiled January 14, 2004)  
Patrons--Reynolds and Puckett; Delegate: Armstrong  
Referred to Committee on Education and Health
- S.B. 405.** A BILL to amend and reenact § 3.1-796.118 of the Code of Virginia, relating to compensation for livestock and poultry killed by dogs.  
(Prefiled January 14, 2004)  
Patron--Quayle  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 406.** A BILL to amend and reenact § 62.1-69.34 of the Code of Virginia, relating to membership of the Virginia Roanoke River Basin Advisory Committee.  
(Prefiled January 14, 2004)  
Patron--Ruff  
Referred to Committee on Rules
- S.B. 407.** A BILL to establish the Center for Rural Virginia.  
(Prefiled January 14, 2004)  
Patrons--Ruff; Delegate: Landes  
Referred to Committee on Rules
- S.B. 408.** A BILL to amend and reenact § 46.2-878 of the Code of Virginia, relating to authority of the Commonwealth Transportation Commissioner to change speed limits.  
(Prefiled January 14, 2004)  
Patron--Ruff  
Referred to Committee on Transportation
- S.B. 409.** A BILL to amend and reenact § 63.2-1503 of the Code of Virginia, relating to child protective services; notification of parent.  
(Prefiled January 14, 2004)  
Patron--Ruff  
Referred to Committee on Rehabilitation and Social Services
- S.B. 410.** A BILL for the relief of Sharon Dalton.  
(Prefiled January 14, 2004)  
Patron--Ruff  
Referred to Committee on Finance

**S.B. 411.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 58.1 an article numbered 20.2, consisting of sections numbered 58.1-514 through 58.1-520, relating to the Virginia Tiered Incentive Program.

(Prefiled January 14, 2004)

Patrons--Ruff; Delegate: Landes

Referred to Committee on Finance

**S.B. 412.** A BILL to amend and reenact §§ 2.2-2000, 2.2-2452, 2.2-2681 and 2.2-2715 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 20 of Title 2.2 a section numbered 2.2-2004.1, relating to veterans services.

(Prefiled January 14, 2004)

Patrons--Edwards and Martin; Delegates: Cole, Cox and Watts

Referred to Committee on General Laws

**S.B. 413.** A BILL to amend and reenact the second enactment of Chapter 1041 of the Acts of Assembly of 2003, relating to the Rail Transportation Development Authority.

(Prefiled January 14, 2004)

Patrons--Edwards, Blevins, Deeds, Houck, Howell, Locke, Lucas, Newman, Puckett, Reynolds, Ruff, Wampler and Watkins; Delegates: Brink, Bryant, Carrico, Landes, Nutter, Oder, Plum, Purkey, Saxman, Stump and Van Yahres

Referred to Committee on Local Government

**S.B. 414.** A BILL to amend and reenact § 8.01-383.1 of the Code of Virginia, relating to appeal when verdict reduced and accepted under protest; new trial for inadequate damages.

(Prefiled January 14, 2004)

Patron--Stolle

Referred to Committee for Courts of Justice

**S.B. 415.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-581.15:1, relating to medical malpractice; attorney fees.

(Prefiled January 14, 2004)

Patrons--Newman; Delegate: Bryant

Referred to Committee for Courts of Justice

**S.B. 416.** A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to expeditious and efficient reporting of standards of learning test results to schools and school divisions.

(Prefiled January 14, 2004)

Patrons--Newman; Delegate: Bryant

Referred to Committee on Education and Health

**S.B. 417.** A BILL to amend and reenact § 63.2-1716 of the Code of Virginia, relating to child day centers; religious exemption from licensure.

(Prefiled January 14, 2004)

Patron--Newman

Referred to Committee on Rehabilitation and Social Services

**S.B. 418.** A BILL to amend and reenact § 46.2-1209 of the Code of Virginia, relating to unattended or immobile vehicles, generally; disposition of recovered stolen vehicles.

(Prefiled January 14, 2004)

Patron--Wagner

Referred to Committee on Transportation

- S.B. 419.** A BILL to repeal the second enactment of Chapter 326 of the Acts of Assembly of 2003, relating to motor vehicle taxes and license fees imposed by counties, cities, and towns; delinquent parking citations.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Transportation
- S.B. 420.** A BILL authorizing the Virginia Marine Resources Commission to convey an easement in the bed of the Mattaponi River to the City of Newport News.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee for Courts of Justice
- S.B. 421.** A BILL to amend and reenact § 46.2-833 of the Code of Virginia, relating to traffic light signals; penalty.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Transportation
- S.B. 422.** A BILL to amend and reenact § 51.1-124.3 of the Code of Virginia, relating to including in creditable compensation the overtime compensation of law-enforcement officers employed full time at an airport.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Finance
- S.B. 423.** A BILL to amend and reenact §§ 18.2-63, 18.2-64.1 and 18.2-370.1 of the Code of Virginia, relating to sex crimes against children.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee for Courts of Justice
- S.B. 424.** A BILL to amend and reenact § 58.1-3714 of the Code of Virginia, relating to local license taxes on contractors primarily engaged in the business of storing, maintaining, or repairing vessels for use on water.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee on Finance
- S.B. 425.** A BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to high school diplomas.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Education and Health
- S.B. 426.** A BILL to amend and reenact § 15.2-2114 of the Code of Virginia, relating to regulation of stormwater.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Local Government

- S.B. 427.** A BILL to amend and reenact §§ 10.1-2100, 10.1-2101, 10.1-2102, 10.1-2109, 10.1-2110, 28.2-1103, and 62.1-195.1 of the Code of Virginia, relating to the Chesapeake Bay Preservation Act.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 428.** A BILL to amend and reenact § 40.1-28.10 of the Code of Virginia, relating to the minimum wage.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Commerce and Labor
- S.B. 429.** A BILL to amend and reenact §§ 63.2-105 and 63.2-1503 of the Code of Virginia, relating to child abuse and neglect; multidisciplinary investigation teams.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Rehabilitation and Social Services
- S.B. 430.** A BILL to amend the Code of Virginia by adding a section numbered 23-7.1:03, relating to ratios of in-state and out-of-state students at public four-year institutions of higher education.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Education and Health
- S.B. 431.** A BILL to amend and reenact § 51.1-142.2 of the Code of Virginia, relating to crediting certain state employees with retirement service credit for fiscal years for which there is no general salary increase.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Finance
- S.B. 432.** A BILL to amend and reenact § 28.2-1205 of the Code of Virginia, relating to applications for state-owned bottomlands permits.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 433.** A BILL to amend and reenact §§ 38.2-2108 and 38.2-2701 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-2108.1, relating to windstorm and windstorm and hail insurance coverage.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Commerce and Labor
- S.B. 434.** A BILL to amend and reenact § 30-73.4 of the Code of Virginia and to repeal the second enactment clause of Chapter 677 of the Acts of Assembly of 2002, relating to the Joint Commission on Administrative Rules, the continuation of the Commission, and staffing and assistance for the Commission.  
(Prefiled January 14, 2004)  
Patrons--Wagner, Marsh and Stosch; Delegates: Bland, Gear, Griffith, McQuigg, Saxman and Suit  
Referred to Committee on Rules

- S.B. 435.** A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support guideline.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee for Courts of Justice
- S.B. 436.** A BILL to amend and reenact §§ 63.2-2002 and 63.2-2006 of the Code of Virginia, relating to Neighborhood Assistance Act; sunset extension and tax credit increase.  
(Prefiled January 14, 2004)  
Patrons--Locke; Delegate: BaCote  
Referred to Committee on Rehabilitation and Social Services
- S.B. 437.** A BILL to amend and reenact § 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.  
(Prefiled January 14, 2004)  
Patrons--Locke and Saslaw; Delegate: BaCote  
Referred to Committee on Local Government
- S.B. 438.** A BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to notification of parents of certain students.  
(Prefiled January 14, 2004)  
Patrons--Locke and Saslaw; Delegate: BaCote  
Referred to Committee on Education and Health
- S.B. 439.** A BILL to amend and reenact §§ 58.1-638 and 58.1-1410 of the Code of Virginia, relating to retail sales and use tax revenues and watercraft sales and use tax revenues generated in the City of Hampton.  
(Prefiled January 14, 2004)  
Patrons--Locke and Saslaw; Delegate: BaCote  
Referred to Committee on Finance
- S.B. 440.** A BILL to amend the Code of Virginia by adding in Title 63.2 a chapter numbered 23, consisting of sections numbered 63.2-2300 and 63.2-2301, relating to creation of the Virginia Targeted Jobs Grant Program.  
(Prefiled January 14, 2004)  
Patrons--Locke and Saslaw; Delegate: BaCote  
Referred to Committee on Rehabilitation and Social Services
- S.B. 441.** A BILL to amend and reenact §§ 53.1-2, 53.1-4, and 53.1-6 of the Code of Virginia, relating to State Board of Corrections; composition.  
(Prefiled January 14, 2004)  
Patron--Locke  
Referred to Committee on Rehabilitation and Social Services
- S.B. 442.** A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to admission to bail.  
(Prefiled January 14, 2004)  
Patrons--Rerras, Blevins, Norment, Quayle and Stolle  
Referred to Committee for Courts of Justice

- S.B. 443.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated.  
(Prefiled January 14, 2004)  
Patrons--Rerras, Norment, Quayle and Stolle  
Referred to Committee for Courts of Justice
- S.B. 444.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the National Law-Enforcement Officers Memorial.  
(Prefiled January 14, 2004)  
Patrons--Rerras and Quayle  
Referred to Committee on Transportation
- S.B. 445.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of Virginia agriculture; fees.  
(Prefiled January 14, 2004)  
Patrons--Rerras and Quayle  
Referred to Committee on Transportation
- S.B. 446.** A BILL to amend and reenact § 58.1-322 of the Code of Virginia, relating to deductions from Virginia income taxes for personal exemptions.  
(Prefiled January 14, 2004)  
Patron--Rerras  
Referred to Committee on Finance
- S.B. 447.** A BILL to amend and reenact § 57-3 of the Code of Virginia, relating to appropriation of glebe lands and church property.  
(Prefiled January 14, 2004)  
Patron--Rerras  
Referred to Committee on General Laws
- S.B. 448.** A BILL to amend and reenact §§ 53.1-172 and 53.1-174 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 4 of Title 53.1 an article numbered 6, consisting of sections numbered 53.1-176.1, 53.1-176.2, and 53.1-176.3, relating to the Interstate Compact for the Supervision of Adult Offenders.  
(Prefiled January 14, 2004)  
Patrons--Rerras, Hanger and Stolle; Delegates: Hamilton, Kilgore and Sherwood  
Referred to Committee on Privileges and Elections
- S.B. 449.** A BILL to amend and reenact §§ 55-79.97 and 55-512 of the Code of Virginia, relating to the Virginia Property Owners' Association and Condominium Acts; fees related to providing statements of assurance, resale certificates or disclosure packets.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on General Laws
- S.B. 450.** A BILL to amend and reenact § 19.2-163.2 of the Code of Virginia, relating to establishing a public defender office in the County of Arlington and the City of Falls Church.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee for Courts of Justice

- S.B. 451.** A BILL to amend and reenact §§ 46.2-923 and 46.2-924 of the Code of Virginia, relating to pedestrians crossing highways.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Transportation
- S.B. 452.** A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Education and Health
- S.B. 453.** A BILL to amend and reenact §§ 4.1-128, 15.2-204, 15.2-1200, 15.2-5814, as it is currently effective and as it may become effective, 55-248.5, and 58.1-3840 of the Code of Virginia; and to repeal §§ 58.1-3817, 58.1-3818, as it is currently effective and as it may become effective, 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3830 through 58.1-3834, and 58.1-3842 of the Code of Virginia, relating to local government taxing authority.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Finance
- S.B. 454.** A BILL to amend the Code of Virginia by adding a section numbered 10.1-1316.1 and by adding in Title 10.1 a chapter numbered 21.2, consisting of sections numbered 10.1-2135, 10.1-2136 and 10.1-2137, relating to enforcement for severe ozone nonattainment areas and the deposit of emission fees in the Virginia Natural and Historic Resources Fund.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 455.** A BILL to amend and reenact §§ 58.1-1000 through 58.1-1010, 58.1-1012 through 58.1-1015, 58.1-1017, 58.1-1018, 58.1-1019, and 58.1-1021 of the Code of Virginia, relating to taxation; cigarettes and tobacco products.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Finance
- S.B. 456.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-72.1, relating to contraception not to constitute abortion.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Education and Health
- S.B. 457.** A BILL to amend and reenact § 24.2-629 of the Code of Virginia, relating to electronic voting systems.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Privileges and Elections

**S.B. 458.** A BILL to amend and reenact § 58.1-1720 of the Code of Virginia, relating to the sales tax on fuels in certain transportation districts.

(Prefiled January 14, 2004)

Patron--Whipple

Referred to Committee on Finance

**S.B. 459.** A BILL to amend and reenact § 22.1-253.13:3 of the Code of Virginia, relating to the validity and reliability of Standards of Learning assessments.

(Prefiled January 14, 2004)

Patron--Whipple

Referred to Committee on Education and Health

**S.B. 460.** A BILL to amend and reenact § 2.2-2670 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 4.1, consisting of sections numbered 2.2-435.1, 2.2-435.2, and 2.2-435.3, relating to workforce training programs; special advisor.

(Prefiled January 14, 2004)

Patron--Whipple

Referred to Committee on General Laws

**S.B. 461.** A BILL to amend and reenact §§ 15.2-710, 15.2-720.1 and 15.2-726 of the Code of Virginia, relating to the county manager plan of government; budget, constitutional officers and easements.

(Prefiled January 14, 2004)

Patron--Whipple

Referred to Committee on Local Government

**S.B. 462.** A BILL to amend and reenact §§ 24.2-405, 24.2-406, 24.2-419, 24.2-441, 24.2-442, 24.2-443.2, 24.2-443.3, 24.2-643, 24.2-653, 24.2-668, 24.2-701, 24.2-703, 24.2-706, and 24.2-802 of the Code of Virginia, relating to changes in election laws and procedures for implementation of the Help America Vote Act; voter registration, identification and provisional voting; absentee voting for military and overseas voters; and recounts.

(Prefiled January 14, 2004)

Patron--Whipple

Referred to Committee on Privileges and Elections

**S.B. 463.** A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.

(Prefiled January 14, 2004)

Patron--Whipple

Referred to Committee on General Laws

**S.B. 464.** A BILL to amend and reenact §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91-35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43, and 23-91.44 of the Code of Virginia, relating to the University of Mary Washington.

(Prefiled January 14, 2004)

Patrons--Chichester, Colgan, Potts, Puller and Saslaw

Referred to Committee on Education and Health

- S.B. 465.** A BILL to amend and reenact §§ 58.1-1001, 58.1-3830, and 58.1-3840 of the Code of Virginia; to amend the Code of Virginia by adding in Chapter 10 of Title 58.1 an article numbered 2.1, consisting of sections numbered 58.1-1021.01 through 58.1-1021.04; and to repeal § 58.1-3831 of the Code of Virginia, relating to state and local taxation of cigarettes and tobacco products.  
(Prefiled January 14, 2004)  
Patron--Chichester  
Referred to Committee on Finance
- S.B. 466.** A BILL to amend and reenact § 58.1-301 of the Code of Virginia, relating to Commonwealth's system of taxation.  
(Prefiled January 14, 2004)  
Patron--Chichester  
Referred to Committee on Finance
- S.B. 467.** A BILL to amend and reenact §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840, and 58.1-3912 of the Code of Virginia, to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 and 32.1-367, and to amend the Code of Virginia by adding sections numbered 58.1-390.1, 58.1-390.2, and 58.1-393.1, and by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2 and 58.1-395, and to repeal §§ 58.1-390, 58.1-394, and 58.1-3831 of the Code of Virginia, relating to the Commonwealth of Opportunity Plan for tax fairness, education, health and the fiscal integrity of Virginia; penalty.  
(Prefiled January 14, 2004)  
Patron--Chichester  
Referred to Committee on Finance
- S.B. 468.** A BILL to amend and reenact § 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on General Laws
- S.B. 469.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to filing of petition by juvenile.  
(Prefiled January 14, 2004)  
Patrons--Ticer; Delegates: Ebbin and Van Landingham  
Referred to Committee for Courts of Justice
- S.B. 470.** A BILL to amend the Code of Virginia by adding a section numbered 24.2-919.1, relating to campaign finance disclosure; reports of large contributions received by candidates for and incumbents in local offices.  
(Prefiled January 14, 2004)  
Patron--Ticer  
Referred to Committee on Privileges and Elections
- S.B. 471.** A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to parking in certain counties.  
(Prefiled January 14, 2004)  
Patrons--Ticer and Puller; Delegates: Amundson, Dillard, Ebbin, Rust and Van Landingham  
Referred to Committee on Transportation

- S.B. 472.** A BILL to amend and reenact §§ 2.04.2, 2.06, 3.02, 9.12, 9.12.1 and 9.23, as amended, of Chapter 536 of the Acts of Assembly of 1950, which provided a charter for the City of Alexandria, relating to employee housing, enforcement of ordinances, compensation of the council, and zoning procedures.  
(Prefiled January 14, 2004)  
Patrons--Ticer, Puller and Saslaw; Delegates: Amundson, Ebbin, Scott, J.M. and Van Ledingham  
Referred to Committee on Local Government
- S.B. 473.** A BILL to amend and reenact §§ 8.01-42.1, 18.2-57, 18.2-121 and 52-8.5 of the Code of Virginia, relating to hate crimes; penalty.  
(Prefiled January 14, 2004)  
Patrons--Ticer, Howell and Puller; Delegates: Amundson, Dillard, Plum and Scott, J.M.  
Referred to Committee for Courts of Justice
- S.B. 474.** A BILL to amend and reenact § 53.1-159 of the Code of Virginia, relating to mandatory release on parole.  
(Prefiled January 14, 2004)  
Patron--Ticer  
Referred to Committee on Rehabilitation and Social Services
- S.B. 475.** A BILL to amend the Code of Virginia by adding a section numbered 40.1-28.7:2, relating to employment discrimination; persons convicted of crimes.  
(Prefiled January 14, 2004)  
Patron--Ticer  
Referred to Committee on Commerce and Labor
- S.B. 476.** A BILL to amend and reenact § 51.1-142.2 of the Code of Virginia, relating to the purchase of retirement credit for prior service.  
(Prefiled January 14, 2004)  
Patrons--Ticer, Mims and Puller; Delegates: Amundson, Dillard, Ebbin, Petersen, Plum, Rust and Van Ledingham  
Referred to Committee on Finance
- S.B. 477.** A BILL to amend and reenact § 18.2-361 of the Code of Virginia, relating to crimes against nature.  
(Prefiled January 14, 2004)  
Patron--Ticer  
Referred to Committee for Courts of Justice
- S.B. 478.** A BILL to amend and reenact § 2.02, as amended, of Chapter 617 of the Acts of Assembly of 1986, which provided a charter for the County of Roanoke, relating to taxing powers.  
(Prefiled January 14, 2004)  
Patron--Edwards  
Referred to Committee on Local Government
- S.B. 479.** A BILL to amend and reenact §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6, and 22.1-292.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-200.01 and 22.1-202.1, relating to the Standards of Quality.  
(Prefiled January 14, 2004)  
Patron--Potts  
Referred to Committee on Education and Health

- S.B. 480.** A BILL to amend and reenact § 15.2-6011 of the Code of Virginia, relating to the Virginia Coalfield Economic Development Authority.  
(Prefiled January 14, 2004)  
Patron--Wampler  
Referred to Committee on Local Government
- S.B. 481.** A BILL to amend and reenact § 8.01-397 of the Code of Virginia, relating to evidence receivable when one party incapable of testifying.  
(Prefiled January 14, 2004)  
Patron--Obenshain  
Referred to Committee for Courts of Justice
- S.B. 482.** A BILL to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 3.4, consisting of sections numbered 3.1-18.13 through 3.1-18.27, relating to the Agricultural Enterprise Zone Act; penalty.  
(Prefiled January 14, 2004)  
Patron--Obenshain  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 483.** A BILL to amend and reenact § 42.1-36.1 of the Code of Virginia, relating to required technology protection measures in libraries.  
(Prefiled January 14, 2004)  
Patron--Obenshain  
Referred to Committee on General Laws
- S.B. 484.** A BILL to amend the Code of Virginia by adding in Chapter 8 of Title 17.1 a section numbered 17.1-807, relating to modification of sentencing guidelines for methamphetamine.  
(Prefiled January 14, 2004)  
Patrons--Obenshain; Delegate: Weatherholtz  
Referred to Committee for Courts of Justice
- S.B. 485.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying a concealed weapon.  
(Prefiled January 14, 2004)  
Patrons--Obenshain; Delegate: Weatherholtz  
Referred to Committee for Courts of Justice
- S.B. 486.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.  
(Prefiled January 14, 2004)  
Patrons--Obenshain; Delegate: Weatherholtz  
Referred to Committee for Courts of Justice
- S.B. 487.** A BILL to amend and reenact §§ 46.2-320, 46.2-334 and 46.2-335 of the Code of Virginia, relating to driver eligibility certificates for students.  
(Prefiled January 14, 2004)  
Patrons--Obenshain; Delegate: Weatherholtz  
Referred to Committee on Transportation

- S.B. 488.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee for Courts of Justice
- S.B. 489.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to mandatory minimum jail term for DUI based on blood alcohol content.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee for Courts of Justice
- S.B. 490.** A BILL to amend and reenact §§ 18.2-268.4 and 18.2-270 of the Code of Virginia, relating to penalties for driving while intoxicated.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee for Courts of Justice
- S.B. 491.** A BILL to amend and reenact § 19.2-294.1 of the Code of Virginia, relating to dismissal of one of dual charges for driving while intoxicated and reckless driving upon conviction of other charge.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegates: Black and Petersen  
Referred to Committee for Courts of Justice
- S.B. 492.** A BILL to amend and reenact §§ 19.2-120 and 19.2-299 of the Code of Virginia, relating to gang crimes; presumption against bail; presentence report.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee for Courts of Justice
- S.B. 493.** A BILL to amend and reenact §§ 19.2-74, 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens and unidentified people.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee for Courts of Justice
- S.B. 494.** A BILL to amend and reenact § 18.2-127 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.6, relating to trespass to cemeteries; injury to cemetery property.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee for Courts of Justice
- S.B. 495.** A BILL to amend and reenact §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265 of the Code of Virginia, relating to attorney-issued summons.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegates: Albo and Petersen  
Referred to Committee for Courts of Justice

- S.B. 496.** A BILL to amend the Code of Virginia by adding a section numbered 19.2-303.5, relating to deferral of criminal conviction.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegate: Albo  
Referred to Committee for Courts of Justice
- S.B. 497.** A BILL to amend and reenact §§ 16.1-278.18, 20-74, 20-108, 20-108.1, 20-112 and 63.2-1916 of the Code of Virginia, relating to child support petitions.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegates: Albo, Black and Petersen  
Referred to Committee for Courts of Justice
- S.B. 498.** A BILL to amend and reenact § 54.1-2910.1 of the Code of Virginia, relating to podiatric specialty board certification.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegate: May  
Referred to Committee on Education and Health
- S.B. 499.** A BILL to amend and reenact § 46.2-393 of the Code of Virginia, relating to suspension of license for reckless driving.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegates: Black and Landes  
Referred to Committee on Transportation
- S.B. 500.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-609.10.01, relating to retail sales and use tax exemptions; nonprofit civic and community service organizations.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegates: Black, May and Rust  
Referred to Committee on Finance
- S.B. 501.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-609.10.01, relating to retail sales and use tax exemptions; miscellaneous exemptions.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegate: Black  
Referred to Committee on Finance
- S.B. 502.** A BILL to amend and reenact § 58.1-3506 of the Code of Virginia, relating to personal property taxes on motor homes.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee on Finance
- S.B. 503.** A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Virginia Condominium Act and the Virginia Property Owners Association Act; foreclosure on liens.  
(Prefiled January 14, 2004)  
Patron--Mims  
Referred to Committee on General Laws

**S.B. 504.** A BILL to amend and reenact § 55-60 of the Code of Virginia, relating to purchase money trusts.

(Prefiled January 14, 2004)

Patron--Mims

Referred to Committee for Courts of Justice

**S.B. 505.** A BILL to amend and reenact § 55-66.3 of the Code of Virginia, relating to release of deed of trust or other lien.

(Prefiled January 14, 2004)

Patrons--Mims; Delegate: Janis

Referred to Committee for Courts of Justice

**S.B. 506.** A BILL to amend the Code of Virginia by adding in Title 55 a chapter numbered 31, consisting of sections numbered 55-541 through 55-632, relating to the Uniform Trust Code.

(Prefiled January 14, 2004)

Patron--Mims

Referred to Committee for Courts of Justice

**S.B. 507.** A BILL to amend and reenact § 37.1-134.21 of the Code of Virginia, relating to judicial authorization of treatment and detention of certain persons.

(Prefiled January 14, 2004)

Patron--Mims

Referred to Committee for Courts of Justice

**S.B. 508.** A BILL to amend and reenact § 33.1-46.2 of the Code of Virginia, as it is currently effective and as it may become effective, relating to high-occupancy vehicle lanes; penalties.

(Prefiled January 14, 2004)

Patron--Mims

Referred to Committee on Transportation

**S.B. 509.** A BILL to amend and reenact §§ 6.1-2.25 and 6.1-2.27 of the Code of Virginia, relating to summonses and subpoenas; orders have force and effect of circuit court decrees.

(Prefiled January 14, 2004)

Patrons--Mims; Delegate: Reese

Referred to Committee for Courts of Justice

**S.B. 510.** A BILL to amend and reenact §§ 20-146.13 and 20-146.14 of the Code of Virginia, relating to the Uniform Child Custody Jurisdiction and Enforcement Act.

(Prefiled January 14, 2004)

Patrons--Mims (By Request); Delegate: Reese (By Request)

Referred to Committee for Courts of Justice

**S.B. 511.** A BILL to amend and reenact § 46.2-2000 of the Code of Virginia, relating to the definition of "minibus."

(Prefiled January 14, 2004)

Patrons--Mims; Delegate: Black

Referred to Committee on Transportation

- S.B. 512.** A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in Fairfax County.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegate: Hugo  
Referred to Committee on Finance
- S.B. 513.** A BILL to amend and reenact § 8.01-356 of the Code of Virginia, relating to penalty for failure of juror to appear.  
(Prefiled January 14, 2004)  
Patrons--Mims; Delegates: Black and Reese  
Referred to Committee for Courts of Justice
- S.B. 514.** A BILL to amend and reenact §§ 58.1-600 through 58.1-604, 58.1-605, 58.1-606, 58.1-609.3, 58.1-609.5, 58.1-609.10, as it shall become effective, 58.1-609.13, 58.1-610, as it shall become effective, 58.1-610.1, 58.1-611.1, 58.1-612 through 58.1-615, 58.1-618, 58.1-621, 58.1-622, 58.1-623, 58.1-626, 58.1-635, 58.1-3833, and 58.1-3840 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 58.1-606.1, 58.1-606.2, 58.1-628.2, 58.1-635.1, 58.1-635.2, and by adding in Chapter 6 of Title 58.1 a section numbered 58.1-639.1, and to repeal §§ 58.1-627 and 58.1-628 of the Code of Virginia, relating to the Virginia Streamlined Retail Sales and Use Tax Act.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 515.** A BILL to amend and reenact § 58.1-322 of the Code of Virginia, relating to an individual income tax subtraction for the salaries of certain local public school board employees.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 516.** A BILL to authorize the Governor to convey former Staunton Correctional Center to the Staunton Industrial Authority.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee for Courts of Justice
- S.B. 517.** A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to authorizing an additional transient occupancy tax in Rockbridge County and the Cities of Lexington and Buena Vista with the revenues from such tax dedicated for certain promissory notes signed or executed by the Virginia Horse Center Foundation or the Virginia Equine Center Foundation.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 518.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-98.2, relating to certain school board agreements.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Education and Health

**S.B. 519.** A BILL to amend and reenact §§ 42.1-3.1 and 42.1-15.1 of the Code of Virginia, relating to the State Library Board; qualifications for library directors; certification.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on General Laws

**S.B. 520.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-296.01, relating to written contracts for school board employees.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on Education and Health

**S.B. 521.** A BILL to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to acceptance of foreign personal identification cards.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on General Laws

**S.B. 522.** A BILL to amend and reenact § 7 of Chapter 662 of the Acts of Assembly of 1966, which provided a charter for the City of Lexington, relating to council vacancies.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on Local Government

**S.B. 523.** A BILL to amend and reenact § 10.1-2124 of the Code of Virginia, relating to the cooperative nonpoint source pollution program.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 524.** A BILL to amend and reenact §§ 20-60.3 and 63.2-1916 of the Code of Virginia, relating to contents of child support orders; paternity establishment.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee for Courts of Justice

**S.B. 525.** A BILL to amend and reenact §§ 2.2-4303 and 2.2-4308 of the Code of Virginia, relating to the Virginia Public Procurement Act; design-build construction management contracts.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on General Laws

**S.B. 526.** A BILL to amend and reenact § 58.1-301 of the Code of Virginia, relating to Commonwealth's system of taxation.

(Prefiled January 14, 2004)

Patron--Hanger

Referred to Committee on Finance

- S.B. 527.** A BILL to amend and reenact §§ 10.1-1020 and 10.1-2128 of the Code of Virginia and to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.2, consisting of sections numbered 10.1-2135 through 10.1-2138, relating to establishment of the Land and Water Conservation Trust Fund.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 528.** A BILL to amend and reenact § 24.2-603.1 of the Code of Virginia, relating to postponement of certain elections; emergency situations.  
(Prefiled January 14, 2004)  
Patrons--Hanger; Delegate: Bell  
Referred to Committee on Privileges and Elections
- S.B. 529.** A BILL to amend and reenact § 15.2-904 of the Code of Virginia, relating to inoperable motor vehicles.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Local Government
- S.B. 530.** A BILL to amend and reenact §§ 3.1-1111, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-339.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3833, and 58.1-3840 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, by adding a section numbered 58.1-628.2, and by adding in Article 1 of Chapter 10 of Title 58.1 a section numbered 58.1-1017.1; and to repeal §§ 58.1-611.1, 58.1-627, 58.1-628, and 58.1-3536, and Article 7 (§§ 58.1-3830, 58.1-3831 and 58.1-3832) of Chapter 38 of Title 58.1 of the Code of Virginia; relating to the revenues of the Commonwealth.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 531.** A BILL to prohibit the issuance of bonds by the Treasury Board under Chapters 854 and 884 of the Acts of Assembly of 2002 for a period of one year.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 532.** A BILL to prohibit the issuance of bonds by the Treasury Board under Chapters 827 and 859 of the Acts of Assembly of 2002 for a period of one year.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 533.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to media-related sales and use tax exemptions.  
(Prefiled January 14, 2004)  
Patrons--Stosch, Bolling, Hanger and Rerras; Delegates: O'Bannon and Ware, R.L.  
Referred to Committee on Finance

- S.B. 534.** A BILL to amend and reenact § 15.2-2317 of the Code of Virginia, relating to road impact fees.  
(Prefiled January 14, 2004)  
Patrons--Stosch, Lambert and Watkins; Delegates: Jones, D.C., Miles, O'Bannon and Reid  
Referred to Committee on Local Government
- S.B. 535.** A BILL to amend the Code of Virginia by adding a section numbered 38.2-3100.2, relating to insurance; funding agreements.  
(Prefiled January 14, 2004)  
Patrons--Stosch; Delegates: Bryant and O'Bannon  
Referred to Committee on Commerce and Labor
- S.B. 536.** A BILL to amend and reenact § 8.9A-318 of the Code of Virginia and to amend the Code of Virginia by adding in Title 6.1 a chapter numbered 19, consisting of sections numbered 6.1-472 and 6.1-473, relating to Asset-Backed Securities Facilitation Act.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee on Commerce and Labor
- S.B. 537.** A BILL to amend the Code of Virginia by adding in Article 13 of Chapter 3 of Title 58.1 a section numbered 58.1-439.12:01, relating to a credit against corporate income taxes for cigarettes manufactured and exported.  
(Prefiled January 14, 2004)  
Patrons--Stosch; Delegate: O'Bannon  
Referred to Committee on Finance
- S.B. 538.** A BILL to amend and reenact §§ 13.1-754, 13.1-916, 13.1-1008, 13.1-1009, 13.1-1019, 13.1-1022, 13.1-1023.1, 13.1-1024, 13.1-1048, 13.1-1050.1, 13.1-1059, 13.1-1064, 13.1-1070, 13.1-1239, 13.1-1254, 50-73.69, 50-73.83, 50-73.132, 50-73.124 and 50-73.137:1 of the Code of Virginia; to amend the Code of Virginia by adding in Article 7 of Chapter 12 of Title 13.1 a section numbered 13.1-1041.1, by adding sections numbered 13.1-1049.1 and 50-73.46:1, by adding in Article 8 of Chapter 2.1 of Title 50 a section numbered 50-73.52:1, and by adding a section numbered 50-73.137:2; and to repeal §§ 13.1-1041 and 50-73.46 of the Code of Virginia, relating to business entities.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee on Commerce and Labor
- S.B. 539.** A BILL to amend and reenact §§ 54.1-4400, 54.1-4402, 54.1-4403, 54.1-4407, 54.1-4409, 54.1-4410, 54.1-4412, 54.1-4413, and 54.1-4414 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 54.1-4405.1 and 54.1-4413.1, relating to the Board of Accountancy.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee on General Laws
- S.B. 540.** A BILL to amend and reenact § 51.1-126.5 of the Code of Virginia, relating to the Virginia Retirement System; defined contribution plan.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee on Finance

- S.B. 541.** A BILL to amend and reenact § 51.1-139 of the Code of Virginia, relating to the Virginia Retirement System; employer in default.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee on Finance
- S.B. 542.** A BILL to amend and reenact §§ 6.1-32.3, 6.1-32.11, 6.1-32.19, and 6.1-32.20 of the Code of Virginia, relating to subsidiary trust companies and trust company holding companies.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee for Courts of Justice
- S.B. 543.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegate: Landes  
Referred to Committee on General Laws
- S.B. 544.** A BILL to designate a certain bridge on the US Route 19/460 bypass around the Town of Tazewell the "George F. Barnes Bridge."  
(Prefiled January 14, 2004)  
Patron--Puckett  
Referred to Committee on Transportation
- S.B. 545.** A BILL to designate a certain bridge on the U.S. Route 19/460 bypass around the Town of Tazewell the "C. Don Dunford Bridge."  
(Prefiled January 14, 2004)  
Patron--Puckett  
Referred to Committee on Transportation
- S.B. 546.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.  
(Prefiled January 14, 2004)  
Patrons--Puckett and Edwards  
Referred to Committee on Local Government
- S.B. 547.** A BILL to amend and reenact §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512 of the Code of Virginia, relating to eligibility for workers' compensation.  
(Prefiled January 14, 2004)  
Patron--Puckett  
Referred to Committee on Commerce and Labor
- S.B. 548.** A BILL to amend and reenact §§ 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-332.1, and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.  
(Prefiled January 14, 2004)  
Patrons--Puckett; Delegate: Stump  
Referred to Committee for Courts of Justice

**S.B. 549.** A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

(Prefiled January 14, 2004)

Patrons--Puckett; Delegate: Stump

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 550.** A BILL to amend and reenact §§ 9.1-102, 19.2-81.3 and 19.2-81.4 of the Code of Virginia, relating to arrest without warrant for family abuse, etc.

(Prefiled January 14, 2004)

Patrons--Howell, Norment and Stolle; Delegates: Albo, Kilgore, McDonnell and Moran

Referred to Committee for Courts of Justice

**S.B. 551.** A BILL to amend and reenact § 16.1-237 of the Code of Virginia, relating to duties of probation and parole; distribution of information on protective orders.

(Prefiled January 14, 2004)

Patrons--Howell, Norment and Stolle; Delegates: Albo, Kilgore, McDonnell and Moran

Referred to Committee for Courts of Justice

**S.B. 552.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 7 of Title 18.2 a section numbered 18.2-287.5, relating to loaded firearms in restaurants.

(Prefiled January 14, 2004)

Patron--Howell

Referred to Committee for Courts of Justice

**S.B. 553.** A BILL to amend and reenact § 22.1-26 of the Code of Virginia, relating to joint and regional schools.

(Prefiled January 14, 2004)

Patron--Lucas

Referred to Committee on Education and Health

**S.B. 554.** A BILL to amend and reenact § 29.1-700 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-735.01, relating to personal flotation devices; civil penalty.

(Prefiled January 14, 2004)

Patron--Lucas

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 555.** A BILL to amend and reenact § 54.1-2972 of the Code of Virginia, relating to pronouncements of death under certain circumstances by physician assistants.

(Prefiled January 14, 2004)

Patron--Lucas

Referred to Committee on Education and Health

**S.B. 556.** A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to placement of committed persons.

(Prefiled January 14, 2004)

Patron--Marsh

Referred to Committee on Education and Health

- S.B. 557.** BILL to amend and reenact § 8.01-324 of the Code of Virginia, relating to newspapers used for legal notices.  
(Prefiled January 14, 2004)  
Patron--Devolites  
Referred to Committee for Courts of Justice
- S.B. 558.** A BILL to amend and reenact §§ 65.2-309 through 65.2-311 of the Code of Virginia, relating to perfection of employer's subrogation rights.  
(Prefiled January 14, 2004)  
Patron--Norment  
Referred to Committee on Commerce and Labor
- S.B. 559.** A BILL to amend and reenact § 2.2-1202 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-1509.3, relating to annual salary increases for state police officers.  
(Prefiled January 14, 2004)  
Patron--Potts  
Referred to Committee on Finance
- S.B. 560.** A BILL to designate the Lynchburg Bypass bridge across the James River between Amherst County and the City of Lynchburg the "Monacan Nation Bridge."  
(Prefiled January 14, 2004)  
Patron--Newman  
Referred to Committee on Transportation
- S.J.R. 1.** Establishing a joint subcommittee to study the Virginia Public Records Act, electronic records, and their effect on the state depository system. Report.  
(Prefiled November 17, 2003)  
Patrons--Martin, Ruff and Whipple; Delegates: Amundson, Cox, Miles and Wardrup  
Referred to Committee on Rules
- S.J.R. 3.** Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to districts for the House of Representatives and General Assembly, criteria for redistricting, and the establishment of the Virginia Redistricting Commission.  
(Prefiled November 25, 2003)  
Patron--Deeds  
Referred to Committee on Privileges and Elections
- S.J.R. 4.** Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.  
(Prefiled December 1, 2003)  
Patron--Miller  
Referred to Committee on Privileges and Elections
- S.J.R. 6.** Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.  
(Prefiled December 4, 2003)  
Patron--O'Brien  
Referred to Committee on Privileges and Elections

- S.J.R. 17.** Proposing an amendment to Section 6 of Article X of the Constitution of Virginia, relating to property exempt from taxation.  
(Prefiled December 29, 2003)  
Patron--Edwards  
Referred to Committee on Privileges and Elections
- S.J.R. 18.** Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to special funds for highway and transportation purposes.  
(Prefiled January 5, 2004)  
Patron--Howell  
Referred to Committee on Privileges and Elections
- S.J.R. 19.** Requesting James Madison University to study the status, impact, and utilization of community health workers. Report.  
(Prefiled January 5, 2004)  
Patron--Howell  
Referred to Committee on Rules
- S.J.R. 22.** Directing the Joint Legislative Audit and Review Commission to study the need for and efficacy of establishing a formal kinship care program in the Commonwealth. Report.  
(Prefiled January 5, 2004)  
Patron--Miller  
Referred to Committee on Rules
- S.J.R. 24.** Establishing a joint subcommittee to study access to and the costs of oral health care. Report.  
(Prefiled January 6, 2004)  
Patron--Marsh  
Referred to Committee on Rules
- S.J.R. 25.** Directing the Joint Commission on Health Care to study the mental health needs and treatment of young minority adults in the Commonwealth. Report.  
(Prefiled January 6, 2004)  
Patron--Marsh  
Referred to Committee on Rules
- S.J.R. 27.** Establishing a joint subcommittee to study the redistricting process. Report.  
(Prefiled January 7, 2004)  
Patron--Williams  
Referred to Committee on Rules
- S.J.R. 28.** Establishing a joint subcommittee to review the feasibility and appropriateness of implementing the educational technology funding options recommended by the Joint Legislative and Audit Review Commission.  
(Prefiled January 8, 2004)  
Patron--Puller  
Referred to Committee on Rules
- S.J.R. 29.** Requesting the Department of Veterans Services to study the need for and cost of additional veterans care centers. Report.  
(Prefiled January 8, 2004)  
Patron--Puller  
Referred to Committee on Rules

- S.J.R. 33.** Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to limits on appropriations.  
(Prefiled January 12, 2004)  
Patron--Cuccinelli  
Referred to Committee on Privileges and Elections
- S.J.R. 37.** Requesting the State Veterinarian to study means to address the issue of overpopulation of companion animals and the associated high rate of euthanasia. Report.  
(Prefiled January 12, 2004)  
Patron--Potts  
Referred to Committee on Rules
- S.J.R. 38.** Requesting the Department of Game and Inland Fisheries to study local firearms hunting ordinances. Report.  
(Prefiled January 13, 2004)  
Patron--Stolle  
Referred to Committee on Rules
- S.J.R. 39.** Requesting the Department of Rail and Public Transportation to study the feasibility of various light rail transit options in the U.S. Route 1 corridor between the Springfield Metrorail station and Fort Belvoir. Report.  
(Prefiled January 13, 2004)  
Patron--Puller  
Referred to Committee on Rules
- S.J.R. 40.** Memorializing 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.  
(Prefiled January 13, 2004)  
Patron--Reynolds  
Referred to Committee on Rules
- S.J.R. 41.** Establishing a joint subcommittee to study the appointment, responsibilities, and oversight of the Commonwealth's general registrars. Report.  
(Prefiled January 13, 2004)  
Patron--Martin  
Referred to Committee on Rules
- S.J.R. 42.** Prohibiting amendments to certain tax-related bills introduced at the 2004 Regular Session of the General Assembly.  
(Prefiled January 13, 2004)  
Patron--Cuccinelli  
Referred to Committee on Rules
- S.J.R. 43.** Continuing the Joint Subcommittee Studying Lead-Poisoning Prevention. Report.  
(Prefiled January 13, 2004)  
Patrons--Lambert; Delegate: Ingram  
Referred to Committee on Rules

**S.J.R. 45.** Requesting the Secretary of Health and Human Resources to establish a task force to examine 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. Report.

(Prefiled January 13, 2004)

Patrons--Lambert; Delegate: Ingram

Referred to Committee on Rules

**S.J.R. 46.** Requesting the Division of Consolidated Laboratory Services and the Secretary of Health and Human Resources to establish a taskforce to facilitate communication and cooperation on blood-lead testing issues. Report.

(Prefiled January 13, 2004)

Patrons--Lambert; Delegate: Ingram

Referred to Committee on Rules

**S.J.R. 48.** Reestablishing the Joint Commission on Management of the Commonwealth's Workforce.

(Prefiled January 13, 2004)

Patron--Lambert

Referred to Committee on Rules

**S.J.R. 49.** Endorsing the establishment of a school of pharmacy in Buchanan County.

(Prefiled January 14, 2004)

Patrons--Puckett; Delegate: Stump

Referred to Committee on Rules

**S.J.R. 50.** Requesting the Department of Medical Assistance Services to study the feasibility of Public-Private Long Term Care Insurance Partnership Programs for Virginia. Report.

(Prefiled January 14, 2004)

Patron--Edwards

Referred to Committee on Rules

**S.J.R. 53.** Establishing a joint subcommittee to study the impact of collecting remote sales taxes on the economy of the Commonwealth. Report.

(Prefiled January 14, 2004)

Patron--Devolites

Referred to Committee on Rules

**S.J.R. 54.** Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to the Transportation Trust Fund.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on Privileges and Elections

**S.J.R. 55.** Encouraging 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.

(Prefiled January 14, 2004)

Patron--O'Brien

Referred to Committee on Rules

- S.J.R. 56.** Directing the Joint Legislative Audit and Review Commission to study outsourcing opportunities for noninstructional services in public school divisions in the Commonwealth. Report.  
(Prefiled January 14, 2004)  
Patron--O'Brien  
Referred to Committee on Rules
- S.J.R. 57.** Requesting the Department of Agriculture and Consumer Services to study ways to enhance the economic development of Virginia's horse industry. Report.  
(Prefiled January 14, 2004)  
Patrons--Hawkins; Delegates: Dudley and Marshall, D.W.  
Referred to Committee on Rules
- S.J.R. 58.** Directing 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. Report.  
(Prefiled January 14, 2004)  
Patron--Bell  
Referred to Committee on Rules
- S.J.R. 59.** Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to districts for the House of Representatives and General Assembly, criteria for redistricting, and the establishment of the Virginia Redistricting Commission.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Privileges and Elections
- S.J.R. 60.** Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to the Transportation Trust Fund.  
(Prefiled January 14, 2004)  
Patron--Williams  
Referred to Committee on Privileges and Elections
- S.J.R. 63.** Requesting the Board of Education to study the feasibility and appropriateness of granting public school teachers and administrators state employee status. Report.  
(Prefiled January 14, 2004)  
Patron--Ruff  
Referred to Committee on Rules
- S.J.R. 64.** Establishing a joint subcommittee to study manufacturing needs and the future of manufacturing in Virginia. Report.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Rules
- S.J.R. 65.** Designating October 27th, in 2004 and in each succeeding year, as Colonial Founders Day in Virginia.  
(Prefiled January 14, 2004)  
Patron--Wagner  
Referred to Committee on Rules

- S.J.R. 69.** Memorializing the Congress of the United States to undertake a new commitment to meet the funding needs of the Washington Metropolitan Area Transit Authority.  
(Prefiled January 14, 2004)  
Patron--Whipple  
Referred to Committee on Rules
- S.J.R. 71.** Directing the Dr. Martin Luther King, Jr. Memorial Commission to consider in its deliberations the status of and the educational needs of African-American students in Virginia.  
Report.  
(Prefiled January 14, 2004)  
Patron--Marsh  
Referred to Committee on Rules
- S.J.R. 73.** Designating January 15, 2004, through December 2005, as *Brown v. Board of Education* Year in Virginia.  
(Prefiled January 14, 2004)  
Patron--Marsh  
Referred to Committee on Rules
- S.J.R. 74.** Establishing a joint subcommittee to study public funding of higher education in Virginia.  
Report.  
(Prefiled January 14, 2004)  
Patron--Stosch  
Referred to Committee on Rules
- S.J.R. 75.** Requesting the Virginia Board of Forestry to study the provision of incentives to private landowners to hold and preserve their forestland. Report.  
(Prefiled January 14, 2004)  
Patrons--Ticer, Mims, Puller and Saslaw; Delegates: Amundson, Dillard, Ebbin, Moran, Plum, Rust, Scott, J.M. and Van Landingham  
Referred to Committee on Rules
- S.J.R. 77.** Memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states such as Virginia that have successfully increased student achievement through their own standards and accountability reforms.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Rules
- S.J.R. 78.** Establishing a joint subcommittee to study Virginia's transportation maintenance and construction program and its funding. Report.  
(Prefiled January 14, 2004)  
Patron--Hanger  
Referred to Committee on Rules
- S.J.R. 79.** Memorializing the Congress of the United States to enact legislation that would allow states to regulate and impose a fee upon municipal solid waste imported from other states.  
(Prefiled January 14, 2004)  
Patron--Obenshain  
Referred to Committee on Rules

**S.J.R. 80.** Directing the Joint Legislative Audit and Review Commission to study the impact of certain child-care regulations on providers, parents and children, and requesting a moratorium on proposed child-care regulations. Report.  
(Prefiled January 14, 2004)  
Patron--Newman  
Referred to Committee on Rules

The following, by leave, were prefiled, presented, and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 2.** On the death of Judge Duncan M. Byrd, Jr.  
(Prefiled November 25, 2003)  
Patron--Deeds

**S.J.R. 5.** Commending Charles Jenkins.  
(Prefiled December 1, 2003)  
Patron--Potts

**S.J.R. 7.** Celebrating the life of Sylvia A. Stephenson.  
(Prefiled December 18, 2003)  
Patron--Miller

**S.J.R. 8.** Celebrating the life of Rosa Mae Alexander.  
(Prefiled December 18, 2003)  
Patron--Miller

**S.J.R. 9.** Celebrating the life of Dr. Vernon Lee Clark.  
(Prefiled December 18, 2003)  
Patron--Miller

**S.J.R. 10.** Celebrating the life of Dr. Thelma D. Curl.  
(Prefiled December 23, 2003)  
Patron--Miller

**S.J.R. 11.** Celebrating the life of Josie Cotton Bessent.  
(Prefiled December 23, 2003)  
Patron--Miller

**S.J.R. 12.** Celebrating the life of Lena Whitley.  
(Prefiled December 23, 2003)  
Patron--Miller

**S.J.R. 13.** Celebrating the life of Chester F. Lewis.  
(Prefiled December 23, 2003)  
Patron--Miller

**S.J.R. 14.** Celebrating the life of Dr. Evelyn M. Hellinger.  
(Prefiled December 23, 2003)  
Patron--Miller

**S.J.R. 15.** Commending Melvin P. Decker.

(Prefiled December 23, 2003)

Patron--Miller

**S.J.R. 16.** Commending the Virginia Beach Youth Intervention Team.

(Prefiled December 23, 2003)

Patron--Miller

**S.J.R. 20.** On the death of Carter Meade Conley Hardesty.

(Prefiled January 5, 2004)

Patron--Potts

**S.J.R. 21.** On the death of Marine Lance Corporal David E. Owens, Jr.

(Prefiled January 5, 2004)

Patron--Potts

**S.J.R. 23.** Celebrating the life of Ruby Grant Martin, former Secretary of Administration.

(Prefiled January 6, 2004)

Patron--Marsh

**S.J.R. 26.** Commending the *Brown v. Board of Education* 50th Anniversary Commission on leading the national commemoration of the 50th anniversary of the desegregation of public schools in the United States.

(Prefiled January 6, 2004)

Patron--Marsh

**S.J.R. 30.** Commending the Highland Springs High School boys' basketball team.

(Prefiled January 9, 2004)

Patron--Lambert

**S.J.R. 31.** On the death of Robert J. Macbeth, Jr.

(Prefiled January 9, 2004)

Patron--Lambert

**S.J.R. 32.** Commending the Maggie Walker Governor's School for Government and International Studies We the People team.

(Prefiled January 9, 2004)

Patron--Lambert

**S.J.R. 34.** On the death of James E. Corell.

(Prefiled January 12, 2004)

Patron--Deeds

**S.J.R. 35.** On the death of Otis Payne.

(Prefiled January 12, 2004)

Patron--Deeds

**S.J.R. 36.** Commending the Loudoun County High School girls' tennis team.

(Prefiled January 12, 2004)

Patron--Potts

- S.J.R. 44.** Celebrating the life of Archie Warren Henderson, Jr.  
(Prefiled January 13, 2004)  
Patron--Lambert
- S.J.R. 47.** Commending the Optimist Acorns Youth Rifle Team.  
(Prefiled January 13, 2004)  
Patron--Cuccinelli
- S.J.R. 51.** On the death of James Robert Butler.  
(Prefiled January 14, 2004)  
Patrons--Deeds; Delegates: Bell, Landes and Van Yahres
- S.J.R. 52.** On the death of Sylvia McDowell Reynolds.  
(Prefiled January 14, 2004)  
Patrons--Deeds; Delegate: Cline
- S.J.R. 61.** Commending Ronald T. Knight.  
(Prefiled January 14, 2004)  
Patron--Houck
- S.J.R. 62.** Commending the 71st Infantry Division Association.  
(Prefiled January 14, 2004)  
Patrons--Colgan and Puller; Delegates: Lingamfelter, Marshall, R.G., McQuigg and Parrish
- S.J.R. 66.** Commending the Brunswick Senior High School boys' basketball team.  
(Prefiled January 14, 2004)  
Patron--Lucas
- S.J.R. 67.** Commending Valerie Harding Brown.  
(Prefiled January 14, 2004)  
Patron--Lucas
- S.J.R. 68.** Celebrating the life of Marian E. Ford.  
(Prefiled January 14, 2004)  
Patron--Lucas
- S.J.R. 70.** Celebrating the life of Ann Rohrke Netherton.  
(Prefiled January 14, 2004)  
Patron--Whipple
- S.J.R. 72.** Commemorating the 40th Anniversary of the "I Have A Dream" speech by Dr. Martin Luther King, Jr.  
(Prefiled January 14, 2004)  
Patron--Marsh
- S.J.R. 76.** Commending Barbara Gernat.  
(Prefiled January 14, 2004)  
Patrons--O'Brien; Delegate: Hugo

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

**S.B. 561.** A BILL to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.

Patrons--Lambert, Marsh, Stosch and Watkins; Delegates: Baskerville, Jones, D.C., Miles and O'Bannon

Referred to Committee on Local Government

**S.B. 562.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; investigations of local auditors.

Patrons--Lambert, Marsh, Stosch and Watkins; Delegates: Baskerville, Hall, Jones, D.C., Miles and O'Bannon

Referred to Committee on General Laws

**S.B. 563.** A BILL to amend and reenact §§ 33.1-23.5:1 and 33.1-41.1 of the Code of Virginia, relating to payments to cities and certain towns for maintenance of certain highways; payments to counties that elect to withdraw from the secondary system of state highways.

Patron--Stosch

Referred to Committee on Transportation

**S.B. 564.** A BILL to amend and reenact §§ 2.2-3101, 2.2-4508, 6.1-32.11, 6.1-194.2, 6.1-302, 12.1-20, 13.1-561.1, 13.1-775.1, 13.1-936.1, 19.2-215.1, 30-101, 30-103, 38.2-6016, 55-79.90, 55-79.97, 55-374.1, 55-482, 55-512, 56-71, 56-231.43, 58.1-2030, 59.1-92.20, 59.1-95.1, 59.1-199, 59.1-263, 59.1-321, and 63.2-1931 of the Code of Virginia, to amend the Code of Virginia by adding in Title 13.1 a chapter numbered 5.1, consisting of sections numbered 13.1-527.4 through 13.1-527.56, and to repeal Chapter 5 (§§ 13.1-501 through 13.1-527.3) of Title 13.1 of the Code of Virginia, relating to the Uniform Securities Act.

Patron--Stosch

Referred to Committee on Commerce and Labor

**S.B. 565.** A BILL to amend the Code of Virginia by adding in Chapter 20.1 of Title 2.2 an article numbered 7, consisting of a section numbered 2.2-2033, relating to the establishment of the Virginia Health and Human Services Metadata Clearinghouse.

Patron--Lambert

Referred to Committee on General Laws

**S.B. 566.** A BILL to amend the Code of Virginia by adding sections numbered 1-13.13:1 and 1-13.25:1, relating to the meaning of terms used in the appointment process.

Patrons--Martin and Norment

Referred to Committee on Rules

**S.B. 567.** A BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.1, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections; penalties.

Patrons--Martin and Bolling

Referred to Committee on Privileges and Elections

**S.B. 568.** A BILL for the relief of Sean and Jennie Barrett.

Patron--Bolling

Referred to Committee on Finance

- S.B. 569.** A BILL to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.2, consisting of sections numbered 10.1-2135 through 10.1-2138, relating to the establishment of the Virginia Natural and Historic Resources Fund; report.  
Patron--Deeds  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 570.** A BILL to amend and reenact § 23-231.20 of the Code of Virginia, relating to the Institute of Advanced Learning and Research.  
Patron--Reynolds  
Referred to Committee on Education and Health
- S.B. 571.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for film, video, audio in Virginia.  
Patron--Lambert  
Referred to Committee on Finance
- S.B. 572.** A BILL for the relief of Beverly Anne Monroe.  
Patron--Lambert  
Referred to Committee on Finance
- S.J.R. 81.** Encouraging the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide nonfinancial assistance in developing demonstration projects designed to divert individuals with mental illness, substance abuse, and co-occurring disorders from jail or secure detention.  
Patrons--Mims, Lambert and Puller; Delegates: Brink, Bryant, Hamilton and Morgan  
Referred to Committee on Rules
- S.J.R. 82.** Requesting the Senate Committee on Finance and the House Committee on Finance to continue reviewing the state tax code and tax policy issues.  
Patron--Hanger  
Referred to Committee on Rules
- S.J.R. 84.** Proposing amendments to Sections 4 and 6 of Article X of the Constitution of Virginia, relating to property taxation and the exemption from taxation of certain motor vehicles.  
Patron--Hanger  
Referred to Committee on Privileges and Elections
- S.J.R. 85.** Proposing an amendment to Section 2 of Article X of the Constitution of Virginia, relating to assessments of real estate.  
Patron--Hanger  
Referred to Committee on Privileges and Elections
- S.J.R. 86.** Requesting 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. Report.  
Patron--Reynolds  
Referred to Committee on Rules
- S.J.R. 87.** Establishing a joint subcommittee to study the future of Virginia's public Institutions of higher education.  
Patrons--Mims, Cuccinelli, Howell, Lambert, O'Brien, Puller, Saslaw and Ticer; Delegates: Rust, Albo, Amundson, Black, Bryant, Dillard, Hull, Jones, S.C., May, Morgan, Petersen, Plum and Scott, J.M.  
Referred to Committee on Rules

**S.J.R. 88.** Encouraging the Department of Corrections and the Department of Juvenile Justice to include an evaluation and reporting component in any new mental health or substance abuse treatment initiative undertaken for offenders in their custody.

Patrons--Martin, Houck, Lambert and Puller; Delegates: Brink, Bryant, Hamilton and Morgan  
Referred to Committee on Rules

**S.J.R. 89.** Establishing a joint subcommittee to study the issues attendant to the incorporation of churches in Virginia. Report.

Patron--Mims  
Referred to Committee on Rules

**S.J.R. 90.** Establishing a joint subcommittee to study the administrative and financial relationships between the Commonwealth and its institutions of higher education. Report.

Patron--Chichester  
Referred to Committee on Rules

**S.J.R. 91.** Virginia Resolution Federal Marriage Amendment

Patron--Cuccinelli  
Referred to Committee on Rules

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 83.** On the death of Frank Robbins Pancake.

Patron--Hanger

#### MESSAGE FROM THE HOUSE IMMEDIATE CONSIDERATION

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 1** (one); in which it requested the concurrence of the Senate:

**H.J.R. 1.** Providing for a Joint Assembly, establishing a schedule for the conduct of business coming before the 2004 Regular Session of the General Assembly of Virginia, and providing for legislative continuity between the 2004 and 2005 Regular Sessions of the General Assembly.

The joint resolution was taken up, read by title the first time, and referred to the Committee on Rules.

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 1** (one), the readings of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

## HOUSE JOINT RESOLUTION NO. 1

Providing for a Joint Assembly, establishing a schedule for the conduct of business coming before the 2004 Regular Session of the General Assembly of Virginia, and providing for legislative continuity between the 2004 and 2005 Regular Sessions of the General Assembly.

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall meet in joint session in the Hall of the House of Delegates on Wednesday, January 14, 2004, at such time as specified by the Speaker of the House of Delegates, to receive the Governor of Virginia, and such address as he may desire to make, and that the rules for the government of the House of Delegates and the Senate, when convened in joint session for such purpose, shall be as follows:

Rule I. At the hour fixed for the meeting of the Joint Assembly, the Senators, accompanied by the President and the Clerk of the Senate, shall proceed to the Hall of the House of Delegates and shall be received by the Delegates standing. Appropriate seats shall be assigned to the Senators by the Sergeant at Arms of the House. The Speaker of the House of Delegates shall assign an appropriate seat for the President of the Senate.

Rule II. The Speaker of the House of Delegates shall be President of the Joint Assembly. In case it shall be necessary for the Speaker to vacate the Chair, the President of the Senate shall serve as the presiding officer.

Rule III. The Clerk of the House of Delegates shall be Clerk of the Joint Assembly and shall be assisted by the Clerk of the Senate. The Clerk of the Joint Assembly shall enter the proceedings of the Joint Assembly in the Journal of the House and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same in the Journal of the Senate.

Rule IV. The Sergeant at Arms and Doorkeepers of the House shall act as such for the Joint Assembly.

Rule V. The Rules of the House of Delegates, as far as applicable, shall be the rules of the Joint Assembly.

Rule VI. In calling the roll of the Joint Assembly, the names of the Senators shall be called in alphabetical order, then the names of the Delegates in like order, except that the name of the Speaker of the House shall be called last.

Rule VII. If, when the Joint Assembly meets, it shall be ascertained that a majority of each house is not present, the Joint Assembly may take measures to secure the attendance of absentees, or adjourn to a succeeding day, as a majority of those present may determine.

Rule VIII. When the Joint Assembly adjourns, the Senators, accompanied by the President and the Clerk of the Senate, shall return to their chamber, and the business of the House shall be continued in the same order as at the time of the entrance of the Senators; and, be it

RESOLVED FURTHER, That notwithstanding any other provision of this resolution and in accordance with the practices of each house, a request to be added or removed as a co-patron must be received prior to the first vote on the passage of a bill or agreement to a joint resolution or, if the bill or joint resolution is not reported from committee, then prior to the last action on such legislation; and, be it

RESOLVED FURTHER, That any joint resolution creating or continuing a study shall require a vote of two-thirds of the members voting in each house and any resolution creating or continuing a study shall require a vote of two-thirds of the members voting in the respective house; and, be it

RESOLVED FURTHER, That for purposes of the procedural deadlines established herein for the 2004 Regular Session of the General Assembly:

“Adult/juvenile correctional impact bill” shall mean, in accordance with § 30-19.1:4, any bill that would result in a net increase in periods of imprisonment in state adult correctional facilities or periods of commitment to the custody of the Department of Juvenile Justice. The first-day introduction deadline shall not apply to any adult/juvenile correctional impact bill whose only impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor.

“Appropriation bill” shall mean any bill, except the general appropriation bill (Budget Bill), that authorizes or directs the expenditure of state funds.

“Budget Bill” shall mean the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2002, through June 30, 2004, or July 1, 2004, through June 30, 2006.

“Debt bill” shall mean any bill that authorizes the issuance of debt.

“Legislative day” shall mean the period of time that begins with the call to order by the presiding officer and ends when declared adjourned by the presiding officer. Unless another time is specified, any deadline established in this resolution shall expire at the end of the legislative day.

“Local fiscal impact bill” shall mean, in accordance with §§ 30-19.03:1 and 30-19.03:1.1, any bill that mandates a county, city, or town to incur an additional net expenditure or a net reduction of revenues. The first-day introduction deadline shall not apply to any local fiscal impact bill whose only impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor.

“Prefiled legislation” shall mean any bill or joint resolution requested from the Division of Legislative Services no later than 5:00 p.m., Monday, December 8, 2003, and prefiled no later than 10:00 a.m., Wednesday, January 14, 2004, and any bill or joint resolution not requested from the Division of Legislative Services and prefiled no later than 10:00 a.m., Wednesday, January 14, 2004.

“Revenue bill” shall mean any bill, except the Budget Bill(s), that increases or decreases the total revenues available for appropriation, including any sales tax exemption bill.

“Unanimous consent” shall mean the affirmation of all the members present in the house of origin. Any legislation intended to be offered for introduction with unanimous consent or with the written request of the Governor shall not require the consent of the house in order for the member to request the Division of Legislative Services to draft such legislation. The Division of Legislative Services shall return such legislation after the original introduction deadline.

“Virginia Retirement System bill” shall mean, in accordance with § 30-19.1:7, any bill that amends, repeals, or modifies any provision of any retirement system established in Title 51.1 of the Code of Virginia.

Each adult/juvenile correctional impact, appropriation, budget, debt, local fiscal impact, revenue, and Virginia Retirement System bill shall have its appropriate designation stamped upon its cover. Each adult/juvenile correctional impact or local fiscal impact bill whose only fiscal impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor shall state this opinion in the summary appearing on the bill’s cover; and, be it

RESOLVED FINALLY, That the 2004 Regular Session of the General Assembly shall be governed by the following procedural rules, which establish introduction limits and time limitations for elections and for all legislation prefiled and introduced for the 2004 Regular Session except:

House and Senate resolutions;

bills and joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees;

bills and joint resolutions introduced with unanimous consent and, when applicable, introduced with unanimous consent to exceed the introduction limits established in Rule 5;

joint resolutions confirming appointments subject to the confirmation of the General Assembly;

joint commending and memorial resolutions, except for the time limitations established in Rules 20 and 22;

bills and joint resolutions regarding elections held by the General Assembly during the 2004 Regular Session; or

bills and joint resolutions requested in writing by the Governor, if the member offering such legislation has not exceeded the introduction limits established in Rule 5.

Rule 1. Requests for drafts of any bill or joint resolution to be prefiled shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Monday, December 8, 2003, and such drafts shall be returned for review no later than midnight, Friday, January 2, 2004.

Rule 2. Requests for the drafting, redrafting, or correction of any bill or joint resolution creating or continuing a study shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 9, 2004.

Rule 3. Requests for redrafts and corrections of any draft prepared for prefilng shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 9, 2004. The Division shall make available the covered legislation for prefilng no later than noon, Tuesday, January 13, 2004.

Rule 4. Requests for the drafting, redrafting, or correction of any bill required to be introduced by the first day of the session shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Tuesday, January 13, 2004.

Rule 5. Bills and joint resolutions offered for prefilng shall be prefiled in either house no later than 10:00 a.m., Wednesday, January 14, 2004. After the deadline for filing prefiled legislation under this resolution, no member of the House of Delegates shall introduce more than a combined total of five bills and joint resolutions and no member of the Senate shall introduce more than a combined total of eight bills and joint resolutions.

Rule 6. No retail sales and use tax exemption bill as defined in § 30-19.1:3 or any bill extending or delaying the effective date of a sales and use tax exemption shall be offered in either house after the adjournment of that house on Wednesday, January 14, 2004.

Rule 7. No bill or joint resolution creating or continuing a study shall be offered in either house after adjournment of that house on Wednesday, January 14, 2004.

Rule 8. Except for bills and joint resolutions required to be requested earlier, requests for the drafting, redrafting, or correction of any bill or joint resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 16, 2004.

Rule 9. No later than Monday, January 19, 2004, each house shall begin its consideration of any election to fill a seat (i) due to the expiration of a term of a justice or judge, (ii) currently held by a justice or judge serving under a pro tempore appointment of the Governor pursuant to Section 7 of Article VI of the Constitution of Virginia, (iii) currently held by a judge serving under a pro tempore appointment of a circuit court pursuant to § 16.1-69.9:2 of the Code of Virginia, and (iv) currently held by a member of the Virginia Workers' Compensation Commission and the Judicial Inquiry and Review Commission. In the event that the houses cannot agree on any such election before Tuesday, January 20, 2004, such election shall become the subject of a special and continuing joint order in each house at the time such house completes its morning hour, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement on such election or agree to hold it at another specific time. The Rules of each house, as far as applicable, shall be the rules governing any such election.

Rule 10. No later than Wednesday, January 21, 2004, each house shall begin its consideration of an election to fill a vacancy on the State Corporation Commission due to the retirement of a commissioner. In the event that the houses cannot agree on any such election before Thursday, January 22, 2004, such election shall become the subject of a special and continuing joint order in each house at the time such house completes its morning hour, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement on such election or agree to hold it at another specific time. The Rules of each house, as far as applicable, shall be the rules governing any such election.

Rule 11. Except for bills required to be filed earlier, no bill or joint resolution shall be offered in either house after 5:00 p.m., Friday, January 23, 2004.

Rule 12. No later than Thursday, January 29, 2004, the Board of Trustees of the Virginia Retirement System shall submit, in accordance with § 30-19.1:7, impact statements for all Virginia Retirement System bills filed by the first day of session. For any Virginia Retirement System bill filed later than the first day of session, the Board of Trustees shall use due diligence in preparing the impact statement in time for review by the standing committees.

Rule 13. The committees responsible for the consideration of appropriation, debt, revenue, and Virginia Retirement System bills in the houses of introduction shall complete their work on such bills no later than midnight, Tuesday, February 17, 2004.

Rule 14. Except for the Budget Bill(s), and appropriation, debt, revenue, and Virginia Retirement System bills, beginning Wednesday, February 18, 2004, the House of Delegates shall consider only Senate bills, Senate joint resolutions, House bills with Senate amendments, and House joint resolutions with Senate amendments; the Senate shall consider only House bills, House joint resolutions, Senate bills with House amendments, and Senate joint resolutions with House amendments; each house may consider conference reports and other privileged matters to the end that the work of each house may be disposed of by the other.

Rule 15. The houses of introduction shall complete their consideration of all appropriation, debt, revenue, and Virginia Retirement System bills, except for conference reports and other privileged matters relating thereto, no later than Friday, February 20, 2004.

Rule 16. The committees responsible for the consideration of the Budget Bill(s) in the houses of introduction shall complete their work on such bill(s) no later than midnight, Sunday, February 22, 2004, and any amendments proposed by such committees shall be made available to their respective houses no later than noon, Tuesday, February 24, 2004.

Rule 17. The houses of introduction shall complete their consideration of the Budget Bill(s), except for conference reports and other privileged matters relating thereto, no later than Thursday, February 26, 2004.

Rule 18. The committees responsible for consideration of revenue bills of the other house shall complete their consideration of such bills no later than midnight, Tuesday, March 2, 2004.

Rule 19. No later than midnight, Wednesday, March 3, 2004, each house shall complete consideration of the Budget Bill(s) and all revenue bills of the other house, except for conference reports and other privileged matters relating thereto, and the appointing authority shall appoint the conferees to such bills.

Rule 20. Requests for the drafting, redrafting, or correction of any joint commending or memorial resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, March 5, 2004.

Rule 21. The first conference on any revenue bills shall complete its deliberations no later than midnight, Saturday, March 6, 2004, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Monday, March 8, 2004.

Rule 22. No joint commending or memorial resolution shall be offered in either house after the adjournment of that house on Monday, March 8, 2004.

Rule 23. Beginning Tuesday, March 9, 2004, neither house shall receive from any committee any bill or joint resolution acted on by any committee later than midnight, Monday, March 8, 2004.

Rule 24. No later than Tuesday, March 9, 2004, each house shall begin consideration of joint resolutions to fill any existing or pending vacancy on (i) the Supreme Court of Virginia, (ii) the Court of Appeals of Virginia, (iii) any circuit or district court of the Commonwealth, (iv) the State Corporation Commission, (v) the Virginia Workers' Compensation Commission, and (vi) the Judicial Inquiry and Review Commission. In the event that the houses cannot agree on the filling of any such vacancy before Wednesday, March 10, 2004, such vacancy shall become the subject of a special and continuing joint order in each house at the time such house completes its morning hour, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement or either house votes to suspend or discharge the order. The Rules of each house, as far as applicable, shall be the rules governing the filling of any such vacancy.

Rule 25. The first conference on the Budget Bill(s) shall complete its deliberations no later than midnight, Tuesday, March 9, 2004, and the report of such conference shall be made available to all members of the General Assembly no later than noon, Thursday, March 11, 2004. No engrossment of the Budget Bill(s) shall be required in either house, and any conference on the Budget Bill(s) shall consider, as the basis of its deliberations, the Budget Bill(s) as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house.

Rule 26. Except for joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, beginning Friday, March 12, 2004, the House shall consider only Senate joint resolutions and House joint resolutions with Senate amendments; the Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments; and each house may consider

conference reports or joint resolutions and other privileged matters relating thereto, to the end that the work of each house may be disposed of by the other.

Rule 27. This session of the General Assembly shall adjourn sine die no later than the legislative day of Saturday, March 13, 2004.

Rule 28. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly shall reconvene Wednesday, April 21, 2004, for the purpose of considering bills which may have been returned by the Governor with recommendations for their amendment and bills and items of appropriation bills, including the general appropriation act, which may have been returned by the Governor with his objections.

Rule 29. Pursuant to Section 7 of Article IV of the Constitution of Virginia, legislative continuity is hereby provided for between sessions occurring during the terms for which members of the House of Delegates are elected, in conformity with the Rules of the House of Delegates and the Rules of the Senate.

Rule 30. The conduct of the business of any subcommittee of any House committee, any joint subcommittee of House and Senate committees, and any interim study commission created pursuant to a House measure shall be governed by the Rules of the House of Delegates; the conduct of the business of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees, and any interim study commission created pursuant to a Senate measure shall be governed by the Rules of the Senate. If a House measure and a Senate measure create the same study, the conduct of business of the study shall be governed by the rules of the house of the chairman of the study, or in the case of co-chairmen, the rules of the house as agreed upon by the co-chairmen.

Rule 31. Any staff member assigned to work for, and support the efforts of, any committee of the House or Senate, any subcommittee of any such committee, any joint subcommittee of House and Senate committees, or any interim study commission shall work under the direction of the chairman of such committee, subcommittee, joint subcommittee, or interim study commission.

Rule 32. The standing committees of the General Assembly shall complete their consideration of all legislation continued by them from the 2004 Regular Session no later than midnight, Friday, December 10, 2004.

**H.J.R. 1**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates thereof.

**MESSAGE FROM THE HOUSE  
IMMEDIATE CONSIDERATION**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 2** (two); in which it requested the concurrence of the Senate:

**H.J.R. 2.** Providing for the conduct of business through the first day of the 2005 Regular Session of the General Assembly of Virginia.

The joint resolution was taken up, read by title the first time, and referred to the Committee on Rules.

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 2** (two), the readings of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE JOINT RESOLUTION NO. 2**

Providing for the conduct of business through the first day of the 2005 Regular Session of the General Assembly of Virginia.

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly shall meet in joint session in the Hall of the House of Delegates on Wednesday, January 12, 2005, at such time as specified by the Speaker of the House of Delegates, to receive the Governor of Virginia, and such address as he may desire to make, and that the rules for the government of the House of Delegates and the Senate, when convened in joint session for such purpose, shall be as follows:

Rule I. At the hour fixed for the meeting of the Joint Assembly, the Senators, accompanied by the President and the Clerk of the Senate, shall proceed to the Hall of the House of Delegates and shall be received by the Delegates standing. Appropriate seats shall be assigned to the Senators by the Sergeant at Arms of the House. The Speaker of the House of Delegates shall assign an appropriate seat for the President of the Senate.

Rule II. The Speaker of the House of Delegates shall be President of the Joint Assembly. In case it shall be necessary for the Speaker to vacate the Chair, the President of the Senate shall serve as the presiding officer.

Rule III. The Clerk of the House of Delegates shall be Clerk of the Joint Assembly and shall be assisted by the Clerk of the Senate. The Clerk of the Joint Assembly shall enter the proceedings of the Joint Assembly in the Journal of the House and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same in the Journal of the Senate.

Rule IV. The Sergeant at Arms and Doorkeepers of the House shall act as such for the Joint Assembly.

Rule V. The Rules of the House of Delegates, as far as applicable, shall be the rules of the Joint Assembly.

Rule VI. In calling the roll of the Joint Assembly, the names of the Senators shall be called in alphabetical order, then the names of the Delegates in like order, except that the name of the Speaker of the House shall be called last.

Rule VII. If, when the Joint Assembly meets, it shall be ascertained that a majority of each house is not present, the Joint Assembly may take measures to secure the attendance of absentees, or adjourn to a succeeding day, as a majority of those present may determine.

Rule VIII. When the Joint Assembly adjourns, the Senators, accompanied by the President and the Clerk of the Senate, shall return to their chamber, and the business of the House shall be continued in the same order as at the time of the entrance of the Senators; and, be it

RESOLVED FURTHER, That notwithstanding any other provision of this resolution and in accordance with the practices of each house, a request to be added or removed as a co-patron must be received prior to the first vote on the passage of a bill or agreement to a joint resolution or, if the bill or joint resolution is not reported from committee, then prior to the last action on such legislation; and, be it

RESOLVED FURTHER, That any joint resolution creating or continuing a study shall require a vote of two-thirds of the members voting in each house and any resolution creating or continuing a study shall require a vote of two-thirds of the members voting in the respective house; and, be it

RESOLVED FURTHER, That for purposes of the procedural deadlines established herein through the first day of the 2005 Regular Session of the General Assembly:

“Adult/juvenile correctional impact bill” shall mean, in accordance with § 30-19.1:4, any bill that would result in a net increase in periods of imprisonment in state adult correctional facilities or periods of commitment to the custody of the Department of Juvenile Justice. The first-day introduction deadline shall not apply to any adult/juvenile correctional impact bill whose only impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor.

“Appropriation bill” shall mean any bill, except the general appropriation bill (Budget Bill), that authorizes or directs the expenditure of state funds.

“Budget Bill” shall mean the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2004, through June 30, 2006.

“Debt bill” shall mean any bill that authorizes the issuance of debt.

“Legislative day” shall mean the period of time that begins with the call to order by the presiding officer and ends when declared adjourned by the presiding officer. Unless another time is specified, any deadline established in this resolution shall expire at the end of the legislative day.

“Local fiscal impact bill” shall mean, in accordance with §§ 30-19.03:1 and 30-19.03:1.1, any bill that mandates a county, city, or town to incur an additional net expenditure or a net reduction of revenues. The first-day introduction deadline shall not apply to any local fiscal impact bill whose only impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor.

“Prefiled legislation” shall mean any bill or joint resolution requested from the Division of Legislative Services no later than 5:00 p.m., Monday, December 13, 2004, and prefiled no later than 10:00 a.m., Wednesday, January 12, 2005, and any bill or joint resolution not requested from the Division of Legislative Services and prefiled no later than 10:00 a.m., Wednesday, January 12, 2005.

“Revenue bill” shall mean any bill, except the Budget Bill, that increases or decreases the total revenues available for appropriation, including any sales tax exemption bill.

“Unanimous consent” shall mean the affirmation of all the members present in the house of origin. Any legislation intended to be offered for introduction with unanimous consent or with the written request of the Governor shall not require the consent of the house in order for the member to request the Division of Legislative Services to draft such legislation. The Division of Legislative Services shall return such legislation after the original introduction deadline.

“Virginia Retirement System bill” shall mean, in accordance with § 30-19.1:7, any bill that amends, repeals, or modifies any provision of any retirement system established in Title 51.1 of the Code of Virginia.

Each adult/juvenile correctional impact, appropriation, budget, debt, local fiscal impact, revenue, and Virginia Retirement System bill shall have its appropriate designation stamped upon its cover. Each adult/juvenile correctional impact or local fiscal impact bill whose only fiscal impact is to create a misdemeanor or increase or decrease a penalty to a misdemeanor shall state this opinion in the summary appearing on the bill’s cover; and, be it

RESOLVED FURTHER, That pursuant to the 2004 procedural resolution, neither house of the General Assembly shall receive from any committee any bill or joint resolution that was continued on the agenda of such committee and acted upon later than midnight, Friday, December 10, 2004. For purposes of this rule, a motion to refer a measure to another committee shall be treated as an action by a committee; and, be it

RESOLVED FINALLY, That the 2005 Regular Session of the General Assembly through the first day of session shall be governed by the following procedural rules, which establish introduction limits and time limitations for all legislation prefiled and introduced for or continued to the 2005 Regular Session except:

House and Senate resolutions;

bills and joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees;

bills or joint resolutions introduced with unanimous consent and, when applicable, introduced with unanimous consent to exceed the introduction limits established in Rule 5;

joint resolutions confirming appointments subject to the confirmation of the General Assembly;

joint commending and memorial resolutions, except for any time limitations established;

bills and joint resolutions regarding elections held by the General Assembly during the 2005 Regular Session; or

bills and joint resolutions requested in writing by the Governor, if the member offering such legislation has not exceeded the introduction limits established in Rule 5.

Rule 1. Requests for drafts of any bill or joint resolution to be prefiled shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Monday, December 13, 2004, and such drafts shall be returned for review no later than midnight, Friday, December 31, 2004.

Rule 2. Requests for the drafting, redrafting, or correction of any bill or joint resolution creating or continuing a study shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 7, 2005.

Rule 3. Requests for redrafts and corrections of any draft prepared for prefiling shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 7, 2005. The Division shall make available the covered legislation for prefiling no later than noon, Tuesday, January 11, 2005.

Rule 4. Requests for the drafting, redrafting, or correction of any bill required to be introduced by the first day of the session shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Tuesday, January 11, 2005.

Rule 5. Bills and joint resolutions offered for prefiling shall be prefiled in either house no later than 10:00 a.m., Wednesday, January 12, 2005. After the deadline for filing prefiled legislation under this resolution, no member of the House of Delegates shall introduce more than a combined total of five bills and joint resolutions and no member of the Senate shall introduce more than a combined total of eight bills and joint resolutions.

Rule 6. No retail sales and use tax exemption bill as defined in § 30-19.1:3 or any bill extending or delaying the effective date of a sales and use tax exemption shall be offered in either house after the adjournment of that house on Wednesday, January 12, 2005.

Rule 7. No bill or joint resolution creating or continuing a study shall be offered in either house after adjournment of that house on Wednesday, January 12, 2005.

**H.J.R. 2**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates thereof.

**COMMENDING RESOLUTION  
IMMEDIATE CONSIDERATION**

On motion of Senator Marsh, the Rules were suspended and **S.J.R. 26** (twenty-six), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 26**, on motion of Senator Marsh, was ordered to be engrossed and was agreed to.

Senator Marsh was ordered to inform the House of Delegates thereof.

### MESSAGE FROM THE HOUSE IMMEDIATE CONSIDERATION

A message was received from the House of Delegates by Delegate Bryant, who informed the Senate that the House had agreed to the following joint resolution; in which it requested the concurrence of the Senate:

**H.J.R. 78.** Commending the *Brown v. Board of Education* 50th Anniversary Commission on leading the national commemoration of the 50th anniversary of the desegregation of public schools in the United States.

**H.J.R. 78** was laid on the Clerk's Desk under Senate Rule 26 (g).

On motion of Senator Marsh, the Rules were suspended and **H.J.R. 78** (seventy-eight), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.J.R. 78**, on motion of Senator Marsh, was agreed to.

Senator Marsh was ordered to inform the House of Delegates thereof.

### MESSAGES FROM THE HOUSE

A message was received from the House of Delegates by Delegate Shuler, who informed the Senate that the House had agreed to the following joint resolution; in which it requested the concurrence of the Senate:

**H.J.R. 43.** Commending Dr. Peter Eyre.

**H.J.R. 43** was laid on the Clerk's Desk under Senate Rule 26 (g).

A message was received from the House of Delegates by Delegate Bryant, who informed the Senate that the House had agreed to **S.J.R. 26** (twenty-six).

At 3:00 p.m., Senator Norment moved that the Senate recess until 6:35 p.m.

The motion was agreed to.

The hour of 6:35 p.m. having arrived, the Chair was resumed.

### JOINT ASSEMBLY

The President requested that the Senators, accompanied by the President of the Senate and the Clerk of the Senate, proceed to the Hall of the House of Delegates for a Joint Assembly to receive the Governor.

### THE JOINT ASSEMBLY

The hour of 6:45 p.m. having arrived, being the time designated by the Speaker of the House of Delegates to receive the Governor of Virginia, Mark R. Warner, the Senators, preceded by the President of the Senate, Timothy M. Kaine, the President pro tempore of the Senate, John H. Chichester, and the Clerk of the Senate, Susan Clarke Schaar, entered the Hall of the House of Delegates and were received by the Delegates standing.

The roll of the Senate was called, and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

There were 39 Senators present.

The roll of the House of Delegates was called, and the following Delegates answered to their names:

Abbitt, Albo, Alexander, Amundson, Armstrong, Athey, BaCote, Barlow, Baskerville, Bell, Black, Bland, Brink, Bryant, Byron, Callahan, Carrico, Cline, Cole, Cosgrove, Councill, Cox, Dillard, Drake, Dudley, Ebbin, Eisenberg, Fralin, Frederick, Gear, Griffith, Hall, Hamilton, Hargrove, Hogan, Howell, A.T., Hugo, Hull, Hurt, Ingram, Janis, Joannou, Johnson, Jones, D.C., Jones, S.C., Keister, Kilgore, Landes, Lewis, Lingamfelter, Louderback, Marrs, Marshall, D.W., May, McDonnell, McDougale, McQuigg, Melvin, Miles, Moran, Morgan, Nixon, Nutter, O'Bannon, Oder, Orrock, Parrish, Petersen, Phillips, Plum, Pollard, Purkey, Putney, Rapp, Reese, Reid, Rust, Saxman, Scott, E.T., Scott, J.M., Shannon, Sherwood, Shuler, Sickles, Spruill, Stump, Suit, Tata, Van Landingham, Van Yahres, Ward, Wardrup, Ware, O., Ware, R.L., Watts, Weatherholtz, Welch, Wright, Mr. Speaker.

There were 99 Delegates present.

A majority of each house being present, the President of the Joint Assembly, William J. Howell, declared the Joint Assembly duly organized and ready to proceed to business.

The gentleman from Salem, Mr. Griffith, offered the following resolution:

## RESOLUTION OF THE JOINT ASSEMBLY

Notifying the Governor of Organization.

RESOLVED, That the president of the Joint Assembly appoint a committee of ten, composed of six Delegates and four Senators, to notify the Governor that the Joint Assembly is duly organized and would be pleased to receive him and any communication he may desire to make.

The resolution was agreed to.

The President of the Joint Assembly appointed Delegates Hargrove, Parrish, Tata, Purkey, Van Yahres, and Plum and Senators Chichester, Stosch, Quayle, and Saslaw, the Committee.

The President of the Joint Assembly presented the following distinguished guests, who were received by the members of the Joint Assembly:

Members of the First Family of the Commonwealth:

Lisa Collis  
Madison Warner  
Gillian Warner  
Eliza Warner

The Governor's Cabinet:

William H. Leighty, Chief of Staff  
Sandra D. Bowen, Secretary of Administration  
Michael J. Schewel, Secretary of Commerce and Trade  
Anita A. Rimler, Secretary of the Commonwealth  
Belle S. Wheelan, Secretary of Education  
John M. Bennett, Secretary of Finance  
Jane H. Woods, Secretary of Health and Human Resources  
W. Tayloe Murphy, Jr., Secretary of Natural Resources  
John W. Marshall, Secretary of Public Safety  
George Newstrom, Secretary of Technology  
Whittington W. Clement, Secretary of Transportation

Maurice Jones, Deputy Chief of Staff  
Robert M. Blue, Counselor to the Governor

The State Corporation Commission:

Hullihen Williams Moore  
Theodore V. Morrison, Jr.

The Supreme Court of Virginia:

Chief Justice Leroy Rountree Hassell, Sr.  
Justice Elizabeth B. Lacy  
Justice Barbara Milano Keenan  
Justice Lawrence L. Koontz, Jr.  
Justice Cynthia D. Kinser  
Justice Donald W. Lemons  
Justice G. Steven Agee

Jerry W. Kilgore, Attorney General

The Committee subsequently presented the Governor, Mark R. Warner, who was formally received by the Joint Assembly.

The Governor addressed the Joint Assembly.

On motion of the Senator from Hampton, Senator Locke, one thousand copies of the Governor's address were ordered to be printed as Senate Document No. 1.

On motion of the Senator from Harrisonburg, Senator Obenshain, the Joint Assembly adjourned sine die, whereupon the Senate returned to its chamber.

I hereby certify that the foregoing is a true copy of the Journal of the House of Delegates in relation to the address of the Governor to the Joint Assembly, January 14, 2004.

/s/ Bruce F. Jamerson

Clerk of the House of Delegates  
and Clerk of the Joint Assembly

Upon the Senators' return to the Senate Chamber, the Chair was resumed.

On motion of Senator Wampler, the Senate adjourned until tomorrow at 1:00 p.m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, JANUARY 15, 2004

The Senate met at 1:00 p.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Roscoe D. Cooper III, Rising Mt. Zion Baptist Church, Richmond, Virginia, offered the following prayer:

Almighty God, who is our creator and sustainer, we invoke Thy presence in this place as the business of this Commonwealth is conducted. We thank You almighty God for the many blessings that You have already bestowed upon us, and we wait and work with a sense of expectation and deliberation for the numerous blessings that You will bestow upon us in the days to come. We thank You, and we say, Amen.

The roll was called and the following Senators answered to their names:

Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Locke, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--0.

RULE 36--0.

**COMMITTEE REPORTS**

Senator Stolle, from the Committee for Courts of Justice, presented the following reports:

## SENATE OF VIRGINIA

January 14, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified for the respective circuit court judgeships, as follows:

The Honorable John C. Morrison, Jr., of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Lydia C. Taylor, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable William C. Andrews, III, of Hampton, as a judge of the Eighth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Randall G. Johnson, of Richmond, as a judge of the Thirteenth Judicial Circuit for a term of eight years commencing February 1, 2004.

The Honorable John W. Scott, Jr., of Stafford, as a judge of the Fifteenth Judicial Circuit for a term of eight years commencing July 1, 2004.

The Honorable James F. Almand, of Arlington, as a judge of the Seventeenth Judicial Circuit for a term of eight years commencing February 1, 2004.

The Honorable Leslie M. Alden, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2004.

The Honorable Michael P. McWeeny, of Fairfax County, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2004.

The Honorable J. Gregory Mooney, of Alleghany, as a judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing February 1, 2004.

The Honorable Malfourd W. Trumbo, of Botetourt, as a judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing February 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

SENATE OF VIRGINIA

January 14, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified for the respective general district court judgeships, as follows:

The Honorable Albert D. Alberi, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2004.

The Honorable Morton V. Whitlow, of Portsmouth, as a judge of the Third Judicial District for a term of six years commencing February 1, 2004.

The Honorable Robert B. Edwards, of Isle of Wight, as a judge of the Fifth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Joel C. Cunningham, of Halifax, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Charles H. Warren, of Mecklenburg, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Lucretia A. Carrico, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing February 1, 2004.

The Honorable D. Eugene Cheek, Sr., of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Thomas O. Jones, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Joi J. Taylor, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable E. Robert Giammittorio, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing May 1, 2004.

The Honorable Becky J. Moore, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Thomas E. Gallahue, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing April 1, 2004.

The Honorable Richard T. Horan, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Julia T. Cannon, of Loudoun, as a judge of the Twentieth Judicial District for a term of six years commencing April 1, 2004.

The Honorable Charles B. Foley, of Fauquier, as a judge of the Twentieth Judicial District for a term of six years commencing March 16, 2004.

The Honorable M. Lee Stilwell, Jr., of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing March 1, 2004.

The Honorable Harold A. Black, of Bedford County, as a judge of the Twenty-fourth Judicial District for a term of six years commencing April 1, 2004.

The Honorable John A. Paul, of Harrisonburg, as a judge of the Twenty-sixth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Edward M. Turner, III, of Carroll, as a judge of the Twenty-seventh Judicial District for a term of six years commencing March 1, 2004.

The Honorable Joseph S. Tate, of Smyth, as a judge of the Twenty-eighth Judicial District for a term of six years commencing September 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

SENATE OF VIRGINIA

January 14, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified for the respective juvenile and domestic relations district court judgeships, as follows:

The Honorable Woodrow Lewis, Jr., of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing May 1, 2004.

The Honorable Ronald H. Marks, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2004.

The Honorable William S. Moore, Jr., of Portsmouth, as a judge of the Third Judicial District for a term of six years commencing February 1, 2004.

The Honorable William O. Hawkins, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Joseph P. Massey, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Alfreda Talton Harris, of Franklin, as a judge of the Fifth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Charles A. Perkinson, Jr., of Brunswick, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Ronald E. Bensten, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing February 1, 2004.

The Honorable Nelson T. Durden, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing February 1, 2004.

The Honorable George C. Fairbanks, IV, of Williamsburg, as a judge of the Ninth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Anne B. Holton, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Sharon B. Will, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Larry E. Gilman, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing April 1, 2004.

The Honorable George D. Varoutsos, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing March 16, 2004.

The Honorable Teena D. Grodner, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Michael J. Valentine, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Dale M. Wiley, of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing July 1, 2004.

The Honorable Lawrence Janow, of Amherst, as a judge of the Twenty-fourth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Victor V. Ludwig, of Staunton, as a judge of the Twenty-fifth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

SENATE OF VIRGINIA

January 14, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified as members of the Judicial Inquiry and Review Commission, as follows:

Bevin R. Alexander, Jr., Esquire, of Lynchburg, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004.

William I. Fitzgerald, of Halifax, as a member of the Judicial Inquiry and Review Commission for a term commencing February 14, 2004, and ending June 30, 2004.

William I. Fitzgerald, of Halifax, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

- S.B. 15** (fifteen) with amendment.
- S.B. 23** (twenty-three).
- S.B. 24** (twenty-four) with amendments.
- S.B. 25** (twenty-five).
- S.B. 26** (twenty-six) with amendment.
- S.B. 38** (thirty-eight) with substitute.
- S.B. 118** (one hundred eighteen) with amendments.

The following bills, having been considered by the committee in session, were reported by Senator Quayle for Senator Potts from the Committee on Education and Health:

**S.B. 5** (five).

**S.B. 63** (sixty-three).

**S.B. 125** (one hundred twenty-five).

**S.B. 153** (one hundred fifty-three).

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

**S.B. 2** (two).

**S.B. 6** (six).

**S.B. 7** (seven).

**S.B. 8** (eight).

**S.B. 10** (ten).

**S.B. 11** (eleven).

**S.B. 186** (one hundred eighty-six).

#### INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

**S.B. 573.** A BILL to amend and reenact the third enactment of Chapter 998 of the Acts of Assembly of 2003, relating to the Department of Professional and Occupational Regulation and the Department of Health Professions; continuing education for certain professional licensees.

Patron--Bolling

Referred to Committee on General Laws

**S.B. 574.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-1213.1, relating to election of the county chairman; Page County.

Patron--Obenshain

Referred to Committee on Privileges and Elections

**S.B. 575.** A BILL to amend and reenact § 9.1-902 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.

Patrons--Obenshain; Delegate: Weatherholtz

Referred to Committee for Courts of Justice

**S.B. 576.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.

Patrons--Obenshain; Delegate: Weatherholtz

Referred to Committee on Education and Health

**S.B. 577.** A BILL to amend and reenact §§ 16.1-247 and 16.1-249 of the Code of Virginia, relating to custody and confinement for juvenile offenses.

Patron--Colgan

Referred to Committee for Courts of Justice

**S.B. 578.** A BILL to amend and reenact § 16.1-266 of the Code of Virginia, relating to duty to inform of right to counsel in certain juvenile court proceedings.

Patron--Colgan

Referred to Committee for Courts of Justice

**S.B. 579.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handguns; alcohol consumption.

Patron--Cuccinelli

Referred to Committee for Courts of Justice

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 92.** On the death of Lawrence E. Blanchard, Jr.

Patrons--Lambert and Marsh

**S.J.R. 93.** On the death of Rudolph Harmon, Sr.

Patrons--Lambert and Ruff

#### COMMENDING RESOLUTION IMMEDIATE CONSIDERATION

On motion of Senator Edwards, the Rules were suspended and **H.J.R. 43** (forty-three), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**H.J.R. 43**, on motion of Senator Edwards, was agreed to.

Senator Edwards was ordered to inform the House of Delegates thereof.

#### MESSAGE FROM THE HOUSE IMMEDIATE CONSIDERATION

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 229** (two hundred twenty-nine), as follows; in which it requested the concurrence of the Senate:

#### HOUSE JOINT RESOLUTION NO. 229

Williamsburg Session

RESOLVED by the House of Delegates, the Senate concurring, That the invitation of Colonial Williamsburg to use the Colonial Capitol in the City of Williamsburg be accepted, and that the sessions of the Senate and the House of Delegates on February 7, 2004, be held in the Reconstructed Capitol at Williamsburg.

The joint resolution was taken up, read by title the first time, and referred to the Committee on Rules.

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 229** (two hundred twenty-nine), the readings of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**H.J.R. 229**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates thereof.

#### GUESTS PRESENTED

On motion of Senator Marsh, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

Senator Marsh presented members of the *Brown v. Board of Education* 50th Anniversary Commission to the Senate.

## OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Shuler had been added as a co-patron of **S.B. 13** (thirteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Shuler had been added as a co-patron of **S.B. 14** (fourteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Edwards had been added as a co-patron of **S.B. 126** (one hundred twenty-six).

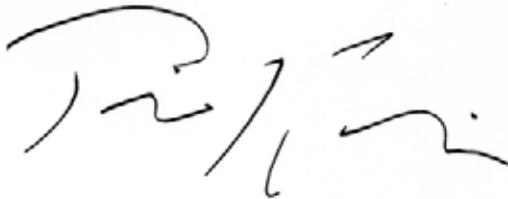
Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Puckett had been added as a co-patron of **S.B. 214** (two hundred fourteen).

On motion of Senator Ruff, a leave of absence for the day was granted Senator Blevins on account of attending a funeral.

On motion of Senator Whipple, a leave of absence for the day was granted Senator Lucas on account of attending a funeral.

On motion of Senator Quayle, a leave of absence for the day was granted Senator Potts on account of personal business.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 10:00 a.m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, JANUARY 16, 2004

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. Anthony B. Rodgers, Sr., First Baptist Church Crestwood, Chesapeake, Virginia, offered the following prayer:

Heavenly Father, as we enter this General Assembly session, let us bring Your presence within this place. We speak Your peace, we speak Your grace, we speak Your mercy, and we speak Your perfect order into this session.

May the works done here bring faith, joy, and a smile to all that come into this place and those listening to this session let the peace of Your love fall upon us.

Oh God, we acknowledge Your power over all that will be spoken, thought, decided, and done within these walls.

Lord, we thank You for these blessed officials of this great State of Virginia. They have been invested with earthly powers and are committed to using their power in Your honor in representing Your people.

Father, if someone doesn't comprehend the decisions made here today, guide him or her in their understanding.

Oh God, give them a fresh supply of strength to do their jobs well. When they feel weary, energize them and when they feel burned out, infuse them with the light of Your almighty power.

Oh God, quicken their bodies, minds, projects, and ideas so that even the smallest accomplishments in this session may bring them contentment.

Oh God, when we leave this place, bless every heart, every marriage, every family, every child, every baby, minds, body and soul. Bless our home, jobs, cities, counties, and this great country of the United States of America.

Oh God, grant us traveling mercies on the roadways, railways, highways, boatways, and airways, that we may arrive to our final destinations safely.

We thank You for everything You've done, we thank You for everything You're doing, and we thank You for everything You're going to do in this General Assembly session today.

Hear our prayer Oh God, my Lord and redeemer the creator of every thing; for we know, You are the only source of our very being. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Marsh notified the Clerk of his presence.

On motion of Senator Puller, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hanger from the Committee on Rehabilitation and Social Services:

**S.B. 1** (one).

**S.B. 50** (fifty).

**S.B. 62** (sixty-two) with amendment.

**S.B. 81** (eighty-one).

**S.B. 82** (eighty-two).

**S.B. 185** (one hundred eighty-five).

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

**S.B. 13** (thirteen).

**S.B. 57** (fifty-seven).

### INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

**S.B. 580.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-2286.1, relating to permitted provisions in certain zoning ordinances.

Patrons--Ticer, Edwards, Lucas, Puller and Whipple; Delegates: Ebbin and Van Landingham  
Referred to Committee on Local Government

**S.B. 581.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 8 of Title 46.2 a section numbered 46.2-819.3, relating to use of certain wireless communication devices by drivers while vehicle is in motion.

Patrons--Ticer, Howell, Puller and Whipple; Delegates: Ebbin, Scott, J.M. and Van Landingham  
Referred to Committee on Transportation

**S.B. 582.** A BILL to amend and reenact § 65.2-402 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability.

Patrons--Colgan, Deeds, Puckett, Puller and Reynolds  
Referred to Committee on Commerce and Labor

**S.B. 583.** A BILL to amend and reenact § 23-30.28 of the Code of Virginia, relating to the Virginia College Building Authority.

Patrons--Saslaw, Hanger, Houck, Howell, Stolle, Ticer and Whipple  
Referred to Committee on Education and Health

**S.B. 584.** A BILL to amend and reenact §§ 63.2-1502 and 63.2-1516.1 of the Code of Virginia, relating to child protective services; training and investigation procedures.

Patron--Bolling

Referred to Committee on Rehabilitation and Social Services

**S.J.R. 94.** Ratifying the Equal Rights Amendment to the United States Constitution.

Patrons--Ticer, Deeds, Edwards, Howell, Locke, Lucas, Marsh, Miller, Puller and Whipple;  
Delegates: Dillard, Ebbin, Plum, Scott, J.M. and Van Landingham

Referred to Committee on Privileges and Elections

## CALENDAR

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 2** (two).

**S.B. 5** (five).

**S.B. 6** (six).

**S.B. 7** (seven).

**S.B. 8** (eight).

**S.B. 10** (ten).

**S.B. 11** (eleven).

**S.B. 15** (fifteen).

**S.B. 23** (twenty-three).

**S.B. 24** (twenty-four).

**S.B. 25** (twenty-five).

**S.B. 26** (twenty-six).

**S.B. 38** (thirty-eight).

**S.B. 63** (sixty-three).

**S.B. 118** (one hundred eighteen).

**S.B. 153** (one hundred fifty-three).

**S.B. 186** (one hundred eighty-six).

**S.B. 125** (one hundred twenty-five).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 2** (two).

**S.B. 5** (five).

**S.B. 6** (six).  
**S.B. 7** (seven).  
**S.B. 8** (eight).  
**S.B. 10** (ten).  
**S.B. 11** (eleven).  
**S.B. 15** (fifteen).  
**S.B. 23** (twenty-three).  
**S.B. 24** (twenty-four).  
**S.B. 25** (twenty-five).  
**S.B. 26** (twenty-six).  
**S.B. 38** (thirty-eight).  
**S.B. 63** (sixty-three).  
**S.B. 118** (one hundred eighteen).  
**S.B. 153** (one hundred fifty-three).  
**S.B. 186** (one hundred eighty-six).  
**S.B. 125** (one hundred twenty-five).

#### HONORARY ADJOURNMENT

Senator Lambert addressed the Senate in memory of the Reverend Dr. Martin Luther King, Jr.

Senator Lambert requested that when the Senate adjourns today, it adjourn in memory of the Reverend Dr. Martin Luther King, Jr.

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 2** (two).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 3** (three).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 4** (four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 5** (five).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 6** (six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 7** (seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 8** (eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 9** (nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 10** (ten).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 11** (eleven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 12** (twelve).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Barlow had been added as a co-patron of **S.B. 394** (three hundred ninety-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Barlow had been added as a co-patron of **S.B. 395** (three hundred ninety-five).

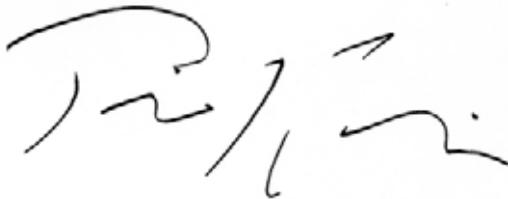
Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Barlow had been added as a co-patron of **S.B. 396** (three hundred ninety-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Barlow had been added as a co-patron of **S.B. 397** (three hundred ninety-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Barlow had been added as a co-patron of **S.B. 400** (four hundred).

On motion of Senator Quayle, a leave of absence for the day was granted Senator Potts on account of personal business.

On motion of Senator Chichester, the Senate, in memory of the Reverend Dr. Martin Luther King, Jr., adjourned until Monday, January 19, 2004, at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, JANUARY 19, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Charles W. Wormley, Mt. Zion Baptist Church, Fredericksburg, Virginia, offered the following prayer:

Our Heavenly Father, we humbly come before Your presence today in divine appreciation of Your authority in our lives. We seek Your guidance this day and throughout our lives as we deliberate on the various issues and situations that will affect our lives now and in the days and years to come. We pray for our governments at the Federal, State and Local levels, and for the men and women duly elected and appointed to these varied and demanding positions. Today, we especially pray for the Senate of the Commonwealth of Virginia.

We pray that each member will seek Your face for guidance and direction in their deliberations so that this great country and state of ours can continue to be great, and we will continue to be a people recognized as one nation under God. We ask that You hear our prayer and grant unto us the desire of our hearts in the name of Your precious Son. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams.

A quorum was present.

After the roll call, Senator Mims notified the Clerk of his presence.

On motion of Senator Ticer, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
January 16, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 10.** On the death of Meredith Lee Mills.

**H.J.R. 11.** On the death of James J. Pandapas.

**H.J.R. 12.** Commending M. Dallas Helems, Jr.

**H.J.R. 14.** On the death of Edward G. Menaker.

**H.J.R. 15.** On the death of B. K. Lockridge.

**H.J.R. 16.** Commending Ellen Maddox.

**H.J.R. 18.** On the death of Otis Payne.

**H.J.R. 19.** Commending Allie Pettigrew.

**H.J.R. 22.** Celebrating the life of Captain John Robert Teal.

**H.J.R. 23.** Commending the Oak Knoll Middle School Odyssey of the Mind team.

**H.J.R. 24.** Commending the Atlee High School girls' basketball team.

**H.J.R. 25.** Commending the Rural Point Elementary School Odyssey of the Mind team.

**H.J.R. 26.** Commending Randall Vorous.

**H.J.R. 27.** Commending the Garden Club of Virginia.

**H.J.R. 28.** On the death of James E. Corell.

**H.J.R. 29.** Commending the J. J. Kelly High School golf team.

**H.J.R. 30.** Commending the Rye Cove High School girls' volleyball team.

**H.J.R. 31.** Commending the Rye Cove High School girls' volleyball team.

**H.J.R. 32.** Commending the Gate City High School girls' tennis team.

**H.J.R. 33.** Commending Slash Christian Church Disciples of Christ.

**H.J.R. 35.** On the death of Priscilla Whiting.

**H.J.R. 36.** On the death of Judge E. Gerald Tremblay.

**H.J.R. 37.** On the death of Ora Ann Maupin.

**H.J.R. 38.** Commending the Society of St. Andrew.

**H.J.R. 40.** Commending Lynn C. Armentrout.

**H.J.R. 44.** On the death of Charles Alfred Goodykoontz, Jr.

**H.J.R. 45.** On the death of Ruby Grant Martin.

- H.J.R. 46.** Commending Jessica Story.
- H.J.R. 47.** Commending Jo Anne Cole.
- H.J.R. 48.** Commending Nan L. Miller.
- H.J.R. 49.** Commending the Most Rev. Walter F. Sullivan.
- H.J.R. 50.** Commending Alabama Power Company.
- H.J.R. 51.** Commending Tampa Electric Company.
- H.J.R. 52.** Commending Progress Energy, Inc.
- H.J.R. 53.** Commending Savannah Electric Company.
- H.J.R. 54.** Commending Southern Company.
- H.J.R. 55.** Commending SCANA Corporation.
- H.J.R. 56.** Commending OGE Energy Corporation.
- H.J.R. 57.** Commending NSTAR.
- H.J.R. 58.** Commending Entergy Corporation.
- H.J.R. 59.** Commending Florida Power & Light Company.
- H.J.R. 60.** Commending Georgia Power Company.
- H.J.R. 61.** Commending Hydro-Québec.
- H.J.R. 62.** Commending Duke Power Company.
- H.J.R. 63.** Commending Duquesne Light.
- H.J.R. 64.** Commending Detroit Edison.
- H.J.R. 65.** Commending American Electric Power.
- H.J.R. 66.** Commending Allegheny Power.
- H.J.R. 67.** Commending Cleco Corporation.
- H.J.R. 68.** Commending CenterPoint Energy.
- H.J.R. 69.** Commending Central Hudson Gas & Electric Corporation.
- H.J.R. 70.** Commending Consumers Energy.
- H.J.R. 74.** Commending the Town of Occoquan on the occasion of its bicentennial.

**H.J.R. 77.** Commending Alicia Rasin.

**H.J.R. 88.** Commending Melvin C. Snodgrass.

**H.J.R. 89.** Commending the Washington County Service Authority.

**H.J.R. 95.** On the death of Staige D. Blackford, Jr.

**H.J.R. 96.** On the death of Robert D. Cross.

**H.J.R. 97.** On the death of Dr. Wyndham Bolling Blanton, Jr.

**H.J.R. 98.** Commending Dr. Robert M. Carey.

**H.J.R. 99.** Commending Alex Gulotta.

**H.J.R. 100.** Commending Professor Edward L. Ayers.

**H.J.R. 101.** Commending John M. De Noyer.

**H.J.R. 106.** Celebrating the life of Captain James Adamouski.

**H.J.R. 107.** Commending George E. Broman.

**H.J.R. 113.** On the death of James Patrick Burke.

**H.J.R. 137.** Celebrating the life of Geraldine Jackson Evans.

**H.J.R. 138.** On the death of L. Harold Hutchinson.

**H.J.R. 139.** Commending Prince Edward County on the occasion of its 250th anniversary.

**H.J.R. 140.** Commending the Floyd County High School girls' cross country team.

**H.J.R. 141.** Commending A. Jack Georgalas.

**H.J.R. 207.** Celebrating the life of Dr. Samuel K. Moak.

**H.J.R. 208.** On the death of Eugene B. Sydnor, Jr.

**H.J.R. 209.** Celebrating the life of Chief Captain O. Nelson.

**H.J.R. 210.** Celebrating the life of Mary B. Wade.

**H.J.R. 211.** Celebrating the life of Chief Webster Custalow.

**H.J.R. 212.** On the death of Frederick E. Doggett, Sr.

**H.J.R. 213.** On the death of April Marie Hart.

**H.J.R. 214.** Commending Action in Community through Service of Prince William County.

**H.J.R. 215.** Commending Clifton A. Woodrum.

**H.J.R. 216.** Commending the Hanover County Sheriff's Office.

**H.J.R. 217.** Commending Jane R. Bell.

**H.J.R. 218.** Commending Sean Burch.

**H.J.R. 219.** Commending the Westfield High School football team.

**H.J.R. 220.** Commending the Honorable Hullihen Williams Moore.

**H.J.R. 221.** Commending the Fort Defiance High School boys' cross country team.

**H.J.R. 222.** Commending William G. O'Brien.

**H.J.R. 223.** Commending the Gretna High School football team.

**H.J.R. 224.** Commending Richard C. Grizzard.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 10, H.J.R. 11, H.J.R. 12, H.J.R. 14, H.J.R. 15, H.J.R. 16, H.J.R. 18, H.J.R. 19, H.J.R. 22, H.J.R. 23, H.J.R. 24, H.J.R. 25, H.J.R. 26, H.J.R. 27, H.J.R. 28, H.J.R. 29, H.J.R. 30, H.J.R. 31, H.J.R. 32, H.J.R. 33, H.J.R. 35, H.J.R. 36, H.J.R. 37, H.J.R. 38, H.J.R. 40, H.J.R. 44, H.J.R. 45, H.J.R. 46, H.J.R. 47, H.J.R. 48, H.J.R. 49, H.J.R. 50, H.J.R. 51, H.J.R. 52, H.J.R. 53, H.J.R. 54, H.J.R. 55, H.J.R. 56, H.J.R. 57, H.J.R. 58, H.J.R. 59, H.J.R. 60, H.J.R. 61, H.J.R. 62, H.J.R. 63, H.J.R. 64, H.J.R. 65, H.J.R. 66, H.J.R. 67, H.J.R. 68, H.J.R. 69, H.J.R. 70, H.J.R. 74, H.J.R. 77, H.J.R. 88, H.J.R. 89, H.J.R. 95, H.J.R. 96, H.J.R. 97, H.J.R. 98, H.J.R. 99, H.J.R. 100, H.J.R. 101, H.J.R. 106, H.J.R. 107, H.J.R. 113, H.J.R. 137, H.J.R. 138, H.J.R. 139, H.J.R. 140, H.J.R. 141, H.J.R. 207, H.J.R. 208, H.J.R. 209, H.J.R. 210, H.J.R. 211, H.J.R. 212, H.J.R. 213, H.J.R. 214, H.J.R. 215, H.J.R. 216, H.J.R. 217, H.J.R. 218, H.J.R. 219, H.J.R. 220, H.J.R. 221, H.J.R. 222, H.J.R. 223, and H.J.R. 224.**

COMMUNICATIONS

The following communications were received:

SUPREME COURT OF VIRGINIA  
Supreme Court Building  
Richmond, Virginia 23219

January 15, 2004

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Re: Seventh Judicial Circuit

Dear Ms. Schaar:

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on January 15, 2004 in the matter of the vacancy in the office of judge of the Seventh Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 15th day of January, 2004.

It being brought to the attention of the Court that a vacancy is expected to occur on July 1, 2004 in the office of judge of the Seventh Judicial Circuit by the retirement of Judge Randolph T. West, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Seventh Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

/s/ Patricia H. Krueger  
Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

January 15, 2004

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Seventh Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Randolph T. West, Judge of the Seventh Judicial Circuit, has given notice of his intent to retire on July 1, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Seventh Judicial Circuit serves the City of Newport News. The General Assembly has authorized five circuit court judgeships for that circuit. The 2002 population of the circuit was 179,500. Each judge in the circuit was assigned 1,858 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge West should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.  
Chief Justice, Supreme Court of Virginia

The reading of the communications was waived.

The communications were referred to the Committee for Courts of Justice.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

**S.B. 54** (fifty-four) with substitute.

**S.B. 150** (one hundred fifty).

Senator Wampler, from the Committee on Commerce and Labor, presented the following reports:

#### SENATE OF VIRGINIA

January 19, 2004

TO THE SENATE OF VIRGINIA:

The Committee on Commerce and Labor hereby certifies that each of the following persons is qualified as a member of the State Corporation Commission, as follows:

Mark C. Christie, Esquire, of Hanover, as a member of the State Corporation Commission for a term of six years commencing February 1, 2004.

Richard L. Fisher, of Fauquier, as a member of the State Corporation Commission for a term of six years commencing February 1, 2004.

Judith W. Jagdmann, Esquire, of Henrico, as a member of the State Corporation Commission for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ William C. Wampler, Jr.  
Chairman

SENATE OF VIRGINIA

January 19, 2004

TO THE SENATE OF VIRGINIA:

The Committee on Commerce and Labor hereby certifies that the following person is qualified as a member of the Virginia Workers' Compensation Commission, as follows:

William L. Dudley, Jr., of Virginia Beach, as a member of the Virginia Workers' Compensation Commission for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ William C. Wampler, Jr.  
Chairman

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Lucas requested and was granted unanimous consent to introduce a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 95.** Establishing a joint subcommittee to study the impact of absentee landlords on older urban communities. Report.

Patron--Lucas

Referred to Committee on Rules

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Colgan requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 585.** A BILL to amend and reenact §§ 58.1-3, 58.1-609.10, as it shall become effective, and 58.1-609.11 of the Code of Virginia, relating to sales and use tax exemptions for certain nonprofit entities.

Patrons--Colgan, Hawkins, Newman, Puckett and Reynolds

Referred to Committee on Finance

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

- S.B. 586.** A BILL to amend and reenact § 29.1-103 of the Code of Virginia, relating to the powers of the Board of Game and Inland Fisheries.  
Patron--Puckett  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 587.** A BILL to amend and reenact § 17.1-223 of the Code of Virginia, relating to duty of clerk to record writings; title insurance.  
Patron--Deeds  
Referred to Committee for Courts of Justice
- S.B. 588.** A BILL to amend and reenact § 10.1-1703 of the Code of Virginia, relating to open-space easements.  
Patron--Deeds  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 589.** A BILL to amend and reenact §§ 58.1-302, 58.1-320, 58.1-322, 58.1-391, 58.1-392, 58.1-400, 58.1-402, 58.1-415, 58.1-441, 58.1-602, 58.1-603, and 58.1-609.10, as it shall become effective; to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 58.1 a section numbered 58.1-339.11, sections numbered 58.1-390.1, 58.1-390.2, and 58.1-393.1, and by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2 and 58.1-395; and to repeal §§ 58.1-339.8, 58.1-390, 58.1-394, and 58.1-611.1 of the Code of Virginia, relating to various changes to the state tax code.  
Patron--Lucas  
Referred to Committee on Finance
- S.B. 590.** A BILL to require the Virginia Department of Transportation to assert the property rights of the Commonwealth with respect to Woodlawn Road in Fairfax County and Fort Belvoir.  
Patron--Puller  
Referred to Committee on Transportation
- S.B. 591.** A BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership Authority; membership of the board of directors.  
Patrons--Wampler and Puckett; Delegates: Carrico, Johnson, Kilgore, Phillips and Stump  
Referred to Committee on Commerce and Labor
- S.B. 592.** A BILL to amend and reenact § 15.2-1610 of the Code of Virginia, relating to sheriffs' vehicles.  
Patron--Quayle  
Referred to Committee on Local Government
- S.J.R. 96.** Designating the month of April, in 2004 and in each succeeding year, as Confederate History and Heritage Month in Virginia.  
Patron--Hawkins  
Referred to Committee on Rules
- S.J.R. 97.** Memorializing the Congress of the United States to ensure the reopening of Woodlawn Road through Fort Belvoir in Fairfax County.  
Patron--Puller  
Referred to Committee on Rules

**S.J.R. 99.** Confirming appointments by the Governor of certain agency heads and personnel.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 100.** Confirming appointments by the Governor related to the Secretariat of Administration.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 101.** Confirming appointments by the Governor related to commerce and trade.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 102.** Confirming appointments by the Governor related to education.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 103.** Confirming appointments by the Governor related to finance.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 104.** Confirming appointments by the Governor related to health and human resources.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 105.** Confirming appointments by the Governor related to natural resources.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 106.** Confirming appointments by the Governor related to public safety.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 107.** Confirming appointments by the Governor related to technology.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 108.** Confirming appointments by the Governor related to transportation.

Patron--Martin

Referred to Committee on Privileges and Elections

**S.J.R. 109.** Confirming appointments by the Governor to miscellaneous positions.

Patron--Martin

Referred to Committee on Privileges and Elections

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 98.** On the death of John Fielder Knowles.

Patrons--Puller; Delegate: Amundson

#### **COMMITTEE NOMINATIONS REPORT**

Senator Wampler presented the following report:

## 2004 COMMITTEE REPORT

## PRIVILEGES AND ELECTIONS

Martin, Chair; Lambert; Hawkins; Bolling; Howell; Potts; Stolle; Deeds; O'Brien; Whipple; Reynolds; Bell; Devolites; Obenshain; and *Puckett*

## RULES

Norment, Chair; Colgan; Saslaw; Wampler; Chichester; Stosch; Quayle; Hawkins; Stolle; Hanger; Williams; Houck; Potts; Whipple; Martin; and *Mims*

/s/ Senator William C. Wampler, Jr. – Chair  
/s/ Senator John H. Chichester  
/s/ Senator Charles R. Hawkins  
/s/ Senator Walter A. Stosch  
/s/ Senator Kenneth W. Stolle  
/s/ Senator Frederick M. Quayle  
/s/ Senator Thomas K. Norment, Jr.  
/s/ Senator H. Russell Potts, Jr.  
/s/ Senator Emmett W. Hanger, Jr.  
/s/ Senator Jay O'Brien

On motion of Senator Wampler, the Committee Nominations Report was adopted.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

## CALENDAR

## SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 2** (two).

**S.B. 5** (five).

**S.B. 6** (six).

**S.B. 7** (seven).

**S.B. 8** (eight).

**S.B. 10** (ten).

**S.B. 11** (eleven).

- S.B. 15 (fifteen).
- S.B. 23 (twenty-three).
- S.B. 24 (twenty-four).
- S.B. 25 (twenty-five).
- S.B. 26 (twenty-six).
- S.B. 38 (thirty-eight).
- S.B. 63 (sixty-three).
- S.B. 118 (one hundred eighteen).
- S.B. 153 (one hundred fifty-three).
- S.B. 186 (one hundred eighty-six).

The motion was agreed to.

S.B. 15 (fifteen) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 22, introduced, after line 21  
insert  
2. That an emergency exists and this act is in force from its passage.

The reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

S.B. 24 (twenty-four) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 15, introduced, after *mentally ill or*  
insert  
*is*
2. Line 15, introduced, after *witness*  
strike  
*to*  
insert  
*in*
3. Line 16, introduced, after *judge*  
insert  
*, or in the case of § 37.1-67.1, a magistrate*

The reading of the amendments was waived.

On motion of Senator Marsh, the amendments were agreed to.

S.B. 26 (twenty-six) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 141, introduced, after *littering*

strike  
in violation of § 18.2-324  
insert  
violations

The reading of the amendment was waived.

On motion of Senator Marsh, the amendment was agreed to.

**S.B. 38** (thirty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 8.01-341.1 of the Code of Virginia, relating to exemptions from jury service upon request.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**S.B. 118** (one hundred eighteen) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 19, introduced, after action,  
insert  
(iii)
2. Line 20, introduced, after ~~he~~  
insert  
(iv)

The reading of the amendments was waived.

On motion of Senator Watkins, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

- S.B. 2** (two).
- S.B. 5** (five).
- S.B. 6** (six).
- S.B. 7** (seven).
- S.B. 8** (eight).
- S.B. 10** (ten).
- S.B. 11** (eleven).
- S.B. 15** (fifteen) as amended.
- S.B. 23** (twenty-three).
- S.B. 24** (twenty-four) as amended.
- S.B. 25** (twenty-five).
- S.B. 26** (twenty-six) as amended.

- S.B. 38 (thirty-eight) as amended.
- S.B. 63 (sixty-three).
- S.B. 118 (one hundred eighteen) as amended.
- S.B. 153 (one hundred fifty-three).
- S.B. 186 (one hundred eighty-six).

S.B. 125 (one hundred twenty-five) was read by title the second time and, on motion of Senator Watkins, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 1 (one).
- S.B. 13 (thirteen).
- S.B. 50 (fifty).
- S.B. 57 (fifty-seven).
- S.B. 62 (sixty-two).
- S.B. 81 (eighty-one).
- S.B. 185 (one hundred eighty-five).
- S.B. 82 (eighty-two).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 1 (one).
- S.B. 13 (thirteen).
- S.B. 50 (fifty).
- S.B. 57 (fifty-seven).
- S.B. 62 (sixty-two).
- S.B. 81 (eighty-one).
- S.B. 185 (one hundred eighty-five).
- S.B. 82 (eighty-two).

#### HONORARY ADJOURNMENT

Senator Chichester addressed the Senate in memory of General Robert E. Lee.

Senator Chichester requested that when the Senate adjourns today, it adjourn in memory of General Robert E. Lee.

## OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Mims had been added as a co-patron of **S.B. 123** (one hundred twenty-three).

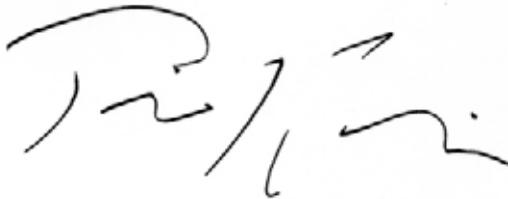
Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Reynolds had been added as a co-patron of **S.B. 128** (one hundred twenty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bell and Delegates Baskerville, Keister, Nutter, and Van Yahres had been added as co-patrons of **S.B. 244** (two hundred forty-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Reynolds and Delegates Cox and Phillips had been added as co-patrons of **S.B. 391** (three hundred ninety-one).

On motion of Senator Edwards, a leave of absence for the day was granted Senator Whipple.

On motion of Senator Chichester, the Senate, in memory of General Robert E. Lee, adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, JANUARY 20, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Philip Waltz, Wesley Memorial United Methodist Church, Martinsville, Virginia, offered the following prayer:

Dear God, we thank You for Your love that embraces, uplifts, and offers us ultimate security. We praise You for Your spirit that grants us wisdom, peace, and resiliency. We are grateful for Your grace that offers us strength, endurance, and encouragement.

As we gather during the week the nation remembers the Reverend Dr. Martin Luther King, Jr., let us as a people give thanks for those who have sacrificed greatly for the cause of racial equality and truly live Dr. King's call to look beyond the color of one's skin to the content of each person's character.

Be with each Senator that they may think clearly without confusion, speak honestly without animosity, and decide with courage. Let each submit to Your guidance, commit their work to You, and receive Your assurance they have acted justly. Grant each Your grace to deal with each issue as patriots who love You and count it a privilege to serve as leaders of this Commonwealth.

Bless, O God, each Senator, their families, their staff, our Governor, the Lieutenant Governor, and all those who are elected and appointed to lead. And may God bless the Commonwealth of Virginia. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams.

A quorum was present.

On motion of Senator Miller, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

**S.B. 44** (forty-four).

**S.B. 119** (one hundred nineteen).

**S.B. 130** (one hundred thirty).

**S.B. 131** (one hundred thirty-one).

**S.B. 163** (one hundred sixty-three).

**S.B. 171** (one hundred seventy-one).

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Commerce and Labor pursuant to Senate Rule 20 (j):

**S.B. 64** (sixty-four) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 65** (sixty-five) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 71** (seventy-one) with substitute.

**S.B. 165** (one hundred sixty-five).

**S.B. 166** (one hundred sixty-six).

**S.B. 221** (two hundred twenty-one).

**S.B. 403** (four hundred three).

**S.B. 64** and **S.B. 65** were rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

**S.B. 593.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to juvenile intake; notification of school superintendent.

Patron--Colgan

Referred to Committee for Courts of Justice

**S.B. 594.** A BILL to amend and reenact § 38.2-3407.5:1 of the Code of Virginia, relating to prescription contraceptives.

Patron--Howell

Referred to Committee on Commerce and Labor

**S.B. 595.** A BILL to amend and reenact § 63.2-219 of the Code of Virginia, relating to grievance procedures of state and local social services employees.

Patron--Howell

Referred to Committee on Rehabilitation and Social Services

**S.B. 596.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.

Patron--Ruff

Referred to Committee on Local Government

**S.B. 597.** A BILL to amend and reenact § 65.2-201 of the Code of Virginia, relating to Workers' Compensation Commission.

Patron--Wagner

Referred to Committee on Commerce and Labor

**S.B. 598.** A BILL to amend and reenact §§ 2.2-4310 and 2.2-4343 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-965.1, relating to participation of small, women- and minority-owned businesses in government procurement.

Patron--Williams

Referred to Committee on General Laws

**S.B. 600.** A BILL to amend and reenact §§ 15.2-2110 and 15.2-2118 of the Code of Virginia, relating to local water and sewage systems.

Patrons--Hawkins; Delegate: Dudley

Referred to Committee on Local Government

**S.R. 3.** Nominating persons to be elected to circuit court judgeships.

Patron--Stolle

Referred to Committee for Courts of Justice

**S.R. 4.** Nominating persons to be elected to general district court judgeships.

Patron--Stolle

Referred to Committee for Courts of Justice

**S.R. 5.** Nominating persons to be elected to juvenile and domestic relations district court judgeships.

Patron--Stolle

Referred to Committee for Courts of Justice

**S.R. 6.** Nominating persons to be elected to the Judicial Inquiry and Review Commission.

Patron--Stolle

Referred to Committee for Courts of Justice

**S.R. 7.** Nominating person to be elected to the Virginia Workers' Compensation Commission.

Patron--Wampler

Referred to Committee on Commerce and Labor

The following, by leave, was presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 110.** On the death of Omer Lee Hirst.

Patrons--Saslaw, Bell, Chichester, Colgan, Cuccinelli, Edwards, Hanger, Houck, Howell, Lambert, Marsh, Miller, Mims, Newman, Norment, O'Brien, Puller, Rerras, Stolle, Ticer, Wampler, Whipple and Williams; Delegates: Amundson, Brink, Dillard, Ebbin, Eisenberg, Hull, Moran, Petersen, Plum, Reese, Rust, Scott, J.M., Shannon, Sickles, Van Landingham and Watts

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Lambert requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 599.** A BILL to amend and reenact §§ 51.1-1000 through and 51.1-1003 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 10 of Title 51.1 a section numbered 51.1-1004, relating to the Virginia Retirement System and local retirement systems; communication to members through electronic media.

Patron--Lambert

Referred to Committee on Finance

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Puckett requested and was granted unanimous consent to introduce a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 111.** Establishing a joint subcommittee to study measures to improve and enhance economic development in the Southwest region of the Commonwealth. Report.

Patrons--Puckett, Reynolds and Wampler

Referred to Committee on Rules

**JUDICIAL NOMINATION FORMS RECEIVED**

Pursuant to Senate Rule 18 (c), the following judicial nomination forms were filed with the Clerk:

**JUDICIAL NOMINATION FORM  
CIRCUIT COURT**

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

John C. Morrison, Jr., of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ D. Nick Rerras

**JUDICIAL NOMINATION FORM  
CIRCUIT COURT**

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Lydia C. Taylor, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ D. Nick Rerras

**JUDICIAL NOMINATION FORM  
CIRCUIT COURT**

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirteenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Randall G. Johnson, of Richmond, as a judge of the Thirteenth Judicial Circuit for a term of eight years commencing February 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III  
/s/ Walter A. Stosch  
/s/ Henry L. Marsh III  
/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fifteenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

John W. Scott, Jr., of Stafford, as a judge of the Fifteenth Judicial Circuit for a term of eight years commencing July 1, 2004.

Respectfully submitted,

/s/ John H. Chichester  
/s/ R. Edward Houck  
/s/ Bill Bolling

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Seventeenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

James F. Almand, of Arlington, as a judge of the Seventeenth Judicial Circuit for a term of eight years commencing February 1, 2004.

Respectfully submitted,

/s/ Patricia S. Ticer  
/s/ Mary Margaret Whipple

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Nineteenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Leslie M. Alden, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw  
/s/ Janet D. Howell  
/s/ Patricia S. Ticer  
/s/ Mary Margaret Whipple  
/s/ William C. Mims  
/s/ Linda T. Puller  
/s/ Kenneth T. Cuccinelli II  
/s/ Jay O'Brien  
/s/ Jeannemarie Devolites

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Nineteenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Michael P. McWeeny, of Fairfax County, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw  
/s/ Janet D. Howell  
/s/ Patricia S. Ticer  
/s/ Mary Margaret Whipple  
/s/ William C. Mims  
/s/ Linda T. Puller  
/s/ Kenneth T. Cuccinelli II  
/s/ Jay O'Brien  
/s/ Jeannemarie Devolites

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Second Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Albert D. Alberi, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller  
/s/ Kenneth W. Stolle  
/s/ D. Nick Rerras  
/s/ Frank W. Wagner  
/s/ Harry B. Blevins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Third Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Morton V. Whitlow, of Portsmouth, as a judge of the Third Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ Frederick M. Quayle

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fifth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Robert B. Edwards, of Isle of Wight, as a judge of the Fifth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ Frederick M. Quayle

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Tenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Joel C. Cunningham, of Halifax, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ John C. Watkins

/s/ Frank M. Ruff

/s/ R. Creigh Deeds

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Tenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Charles H. Warren, of Mecklenburg, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ John C. Watkins

/s/ Frank M. Ruff

/s/ R. Creigh Deeds

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Eleventh Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Lucretia A. Carrico, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Henry L. Marsh III

/s/ L. Louise Lucas

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

D. Eugene Cheek, Sr., of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Walter A. Stosch

/s/ Henry L. Marsh III

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Thomas O. Jones, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Walter A. Stosch

/s/ Henry L. Marsh III

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Joi J. Taylor, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing April 16, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Walter A. Stosch

/s/ Henry L. Marsh III

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Eighteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

E. Robert Giammittorio, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw

/s/ Patricia S. Ticer

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Eighteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Becky J. Moore, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw

/s/ Patricia S. Ticer

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Nineteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Thomas E. Gallahue, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing April 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw

/s/ Janet D. Howell

/s/ Patricia S. Ticer

/s/ Mary Margaret Whipple

/s/ William C. Mims

/s/ Linda T. Puller

/s/ Kenneth T. Cuccinelli II

/s/ Jay O'Brien

/s/ Jeannemarie Devolites

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twentieth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Julia T. Cannon, of Loudoun, as a judge of the Twentieth Judicial District for a term of six years commencing April 1, 2004.

Respectfully submitted,

/s/ John H. Chichester  
/s/ H. Russell Potts, Jr.  
/s/ William C. Mims  
/s/ Mark D. Obenshain

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twentieth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Charles B. Foley, of Fauquier, as a judge of the Twentieth Judicial District for a term of six years commencing March 16, 2004.

Respectfully submitted,

/s/ John H. Chichester  
/s/ H. Russell Potts, Jr.  
/s/ William C. Mims  
/s/ Mark D. Obenshain

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senator representing the Twenty-second Judicial District hereby nominates, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

M. Lee Stilwell, Jr., of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing March 1, 2004.

Respectfully submitted,

/s/ Charles R. Hawkins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-fourth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Harold A. Black, of Bedford County, as a judge of the Twenty-fourth Judicial District for a term of six years commencing April 1, 2004.

Respectfully submitted,

/s/ Charles R. Hawkins  
/s/ Stephen D. Newman  
/s/ Frank M. Ruff  
/s/ R. Creigh Deeds

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-sixth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

John A. Paul, of Harrisonburg, as a judge of the Twenty-sixth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ H. Russell Potts, Jr.  
/s/ Emmett W. Hanger, Jr.  
/s/ Mark D. Obenshain

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-seventh Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Edward M. Turner III, of Carroll, as a judge of the Twenty-seventh Judicial District for a term of six years commencing March 1, 2004.

Respectfully submitted,

/s/ William C. Wampler, Jr.  
/s/ John S. Edwards  
/s/ W. Roscoe Reynolds  
/s/ Phillip P. Puckett  
/s/ J. Brandon Bell

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-eighth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Joseph S. Tate, of Smyth, as a judge of the Twenty-eighth Judicial District for a term of six years commencing September 1, 2004.

Respectfully submitted,

/s/ William C. Wampler, Jr.

/s/ Phillip P. Puckett

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Second Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Ronald H. Marks, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ Kenneth W. Stolle

/s/ D. Nick Rerras

/s/ Frank W. Wagner

/s/ Harry B. Blevins

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Third Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

William S. Moore, Jr., of Portsmouth, as a judge of the Third Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ Frederick M. Quayle

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

William O. Hawkins, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ D. Nick Rerras

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Joseph P. Massey, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ D. Nick Rerras

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fifth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Alfreda Talton Harris, of Franklin, as a judge of the Fifth Judicial District for a term of six years commencing April 16, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ Frederick M. Quayle

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Sixth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Charles A. Perkinson, Jr., of Brunswick, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Henry L. Marsh III

/s/ L. Louise Lucas

/s/ Frederick M. Quayle

/s/ Frank M. Ruff

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Seventh Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Ronald E. Bensten, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Thomas K. Norment, Jr.

/s/ Martin E. Williams

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Eighth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Nelson T. Durden, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Martin E. Williams

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Ninth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

George C. Fairbanks IV, of Williamsburg, as a judge of the Ninth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Thomas K. Norment, Jr.

/s/ Bill Bolling

/s/ Martin E. Williams

/s/ Nick Rerras

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Anne B. Holton, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Walter A. Stosch

/s/ Henry L. Marsh III

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Sharon B. Will, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing April 16, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Walter A. Stosch

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fifteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Larry E. Gilman, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing April 1, 2004.

Respectfully submitted,

/s/ John H. Chichester

/s/ R. Edward Houck

/s/ Bill Bolling

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Seventeenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

George D. Varoutsos, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing March 16, 2004.

Respectfully submitted,

/s/ Patricia S. Ticer

/s/ Mary Margaret Whipple

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Nineteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Teena D. Grodner, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing April 16, 2004.

Respectfully submitted,

- /s/ Richard L. Saslaw
- /s/ Janet D. Howell
- /s/ Patricia S. Ticer
- /s/ Mary Margaret Whipple
- /s/ William C. Mims
- /s/ Linda T. Puller
- /s/ Kenneth T. Cuccinelli II
- /s/ Jay O'Brien
- /s/ Jeannemarie Devolites

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Nineteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Michael J. Valentine, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

- /s/ Richard L. Saslaw
- /s/ Janet D. Howell
- /s/ Patricia S. Ticer
- /s/ Mary Margaret Whipple
- /s/ William C. Mims
- /s/ Linda T. Puller
- /s/ Kenneth T. Cuccinelli II
- /s/ Jay O'Brien
- /s/ Jeannemarie Devolites

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senator representing the Twenty-second Judicial District hereby nominates, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Dale M. Wiley, of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Charles R. Hawkins

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-fourth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Lawrence Janow, of Amherst, as a judge of the Twenty-fourth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Charles R. Hawkins

/s/ Stephen D. Newman

/s/ Frank M. Ruff

/s/ R. Creigh Deeds

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-fifth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Victor V. Ludwig, of Staunton, as a judge of the Twenty-fifth Judicial District for a term of six years commencing February 1, 2004.

Respectfully submitted,

/s/ Emmett W. Hanger, Jr.

/s/ John S. Edwards

/s/ R. Creigh Deeds

/s/ J. Brandon Bell

**MESSAGE FROM THE HOUSE**  
**IMMEDIATE CONSIDERATION**

A message was received from the House of Delegates by Delegate Kilgore, who informed the Senate that the House had agreed to **H.J.R. 255** (two hundred fifty-five), as follows; in which it requested the concurrence of the Senate:

## HOUSE JOINT RESOLUTION NO. 255

Election of Circuit Court Judges, General District Court Judges, Juvenile and Domestic Relations District Court Judges, members of the Judicial Inquiry and Review Commission, and a member of the Virginia Workers' Compensation Commission.

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly, in accordance with the provisions of House Joint Resolution No. 1, shall proceed this day at the conclusion of each house's morning hour

To the election of Circuit Court judges for a term of eight years commencing as follows:

- One judge for the Fourth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Fourth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Thirteenth Judicial Circuit, term commencing February 1, 2004.
- One judge for the Fifteenth Judicial Circuit, term commencing July 1, 2004.
- One judge for the Seventeenth Judicial Circuit, term commencing February 1, 2004.
- One judge for the Nineteenth Judicial Circuit, term commencing August 1, 2004.
- One judge for the Nineteenth Judicial Circuit, term commencing March 1, 2004.
- One judge for the Twenty-fifth Judicial Circuit, term commencing February 1, 2004.

To the election of General District Court judges for a term of six years commencing as follows:

- One judge for the Second Judicial District, term commencing July 1, 2004.
- One judge for the Third Judicial District, term commencing February 1, 2004.
- One judge for the Fifth Judicial District, term commencing July 1, 2004.
- One judge for the Tenth Judicial District, term commencing April 16, 2004.
- One judge for the Tenth Judicial District, term commencing April 16, 2004.
- One judge for the Eleventh Judicial District, term commencing February 1, 2004.
- One judge for the Thirteenth Judicial District, term commencing July 1, 2004.
- One judge for the Thirteenth Judicial District, term commencing February 1, 2004.
- One judge for the Thirteenth Judicial District, term commencing April 16, 2004.
- One judge for the Eighteenth Judicial District, term commencing May 1, 2004.
- One judge for the Eighteenth Judicial District, term commencing February 1, 2004.
- One judge for the Nineteenth Judicial District, term commencing April 1, 2004.
- One judge for the Twentieth Judicial District, term commencing April 1, 2004.
- One judge for the Twentieth Judicial District, term commencing March 16, 2004.
- One judge for the Twenty-second Judicial District, term commencing March 1, 2004.
- One judge for the Twenty-fourth Judicial District, term commencing April 1, 2004.
- One judge for the Twenty-sixth Judicial District, term commencing February 1, 2004.
- One judge for the Twenty-seventh Judicial District, term commencing March 1, 2004.
- One judge for the Twenty-eighth Judicial District, term commencing September 1, 2004.

To the election of Juvenile and Domestic Relations District Court judges for a term of six years commencing as follows:

- One judge for the Second Judicial District, term commencing July 1, 2004.
- One judge for the Third Judicial District, term commencing February 1, 2004.
- One judge for the Fourth Judicial District, term commencing July 1, 2004.
- One judge for the Fourth Judicial District, term commencing February 1, 2004.
- One judge for the Fifth Judicial District, term commencing April 16, 2004.
- One judge for the Sixth Judicial District, term commencing July 1, 2004.

One judge for the Seventh Judicial District, term commencing February 1, 2004.  
One judge for the Eighth Judicial District, term commencing February 1, 2004.  
One judge for the Ninth Judicial District, term commencing February 1, 2004.  
One judge for the Thirteenth Judicial District, term commencing July 1, 2004.  
One judge for the Fourteenth Judicial District, term commencing April 16, 2004.  
One judge for the Fifteenth Judicial District, term commencing April 1, 2004.  
One judge for the Seventeenth Judicial District, term commencing March 16, 2004.  
One judge for the Nineteenth Judicial District, term commencing April 16, 2004.  
One judge for the Nineteenth Judicial District, term commencing July 1, 2004.  
One judge for the Twenty-second Judicial District, term commencing July 1, 2004.  
One judge for the Twenty-fourth Judicial District, term commencing February 1, 2004.  
One judge for the Twenty-fifth Judicial District, term commencing February 1, 2004.

To the election of a member of the Judicial Inquiry and Review Commission for a term commencing February 14, 2004, and ending June 30, 2004.

To the election of two members of the Judicial Inquiry and Review Commission for terms of four years commencing as follows:

One member, term commencing July 1, 2004.  
One member, term commencing July 1, 2004.

To the election of a member of the Virginia Workers' Compensation Commission for a term of six years commencing February 1, 2004.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of four, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

On motion of Senator Stolle, the Rules were suspended and **H.J.R. 255** was taken up for immediate consideration.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.  
NAYS--0.  
RULE 36--0.

On motion of Senator Stolle, the reading of the joint resolution was waived.

**H.J.R. 255**, on motion of Senator Stolle, was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

Senator Stolle was ordered to inform the House of Delegates thereof.

### JOINT ORDER FOR ELECTIONS

The morning hour of each house having been concluded, the President stated that the Senate on its part was ready to proceed, pursuant to House Joint Resolution No. 255, with the execution of the Joint Order to the election of certain judges and other officers of the Commonwealth.

The President stated that nominations were in order for judges of the respective circuit courts.

On motion of Senator Stolle, the Rules were suspended and **S.R. 3** (three) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

### SENATE RESOLUTION NO. 3

Nominating persons to be elected to circuit court judgeships.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable John C. Morrison, Jr., of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Lydia C. Taylor, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Randall G. Johnson, of Richmond, as a judge of the Thirteenth Judicial Circuit for a term of eight years commencing February 1, 2004.

The Honorable John W. Scott, Jr., of Stafford, as a judge of the Fifteenth Judicial Circuit for a term of eight years commencing July 1, 2004.

The Honorable James F. Almand, of Arlington, as a judge of the Seventeenth Judicial Circuit for a term of eight years commencing February 1, 2004.

The Honorable Leslie M. Alden, of Fairfax, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2004.

The Honorable Michael P. McWeeny, of Fairfax County, as a judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2004.

Senator Stolle offered the following amendment:

1. Line 18, introduced, after line 17

insert

The Honorable Malfourd W. Trumbo, of Botetourt, as a judge of the Twenty-Fifth Judicial Circuit for a term of eight years commencing February 1, 2004.

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

**S.R. 3**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

The President stated that nominations were in order for judges of the respective general district courts.

On motion of Senator Stolle, the Rules were suspended and **S.R. 4** (four) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 4

Nominating persons to be elected to general district court judgeships.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

The Honorable Albert D. Alberi, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2004.

The Honorable Morton V. Whitlow, of Portsmouth, as a judge of the Third Judicial District for a term of six years commencing February 1, 2004.

The Honorable Robert B. Edwards, of Isle of Wight, as a judge of the Fifth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Joel C. Cunningham, of Halifax, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Charles H. Warren, of Mecklenburg, as a judge of the Tenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Lucretia A. Carrico, of Powhatan, as a judge of the Eleventh Judicial District for a term of six years commencing February 1, 2004.

The Honorable D. Eugene Cheek, Sr., of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Thomas O. Jones, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Joi J. Taylor, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable E. Robert Giammittorio, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing May 1, 2004.

The Honorable Becky J. Moore, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Thomas E. Gallahue, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing April 1, 2004.

The Honorable Julia T. Cannon, of Loudoun, as a judge of the Twentieth Judicial District for a term of six years commencing April 1, 2004.

The Honorable Charles B. Foley, of Fauquier, as a judge of the Twentieth Judicial District for a term of six years commencing March 16, 2004.

The Honorable M. Lee Stilwell, Jr., of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing March 1, 2004.

The Honorable Harold A. Black, of Bedford County, as a judge of the Twenty-fourth Judicial District for a term of six years commencing April 1, 2004.

The Honorable John A. Paul, of Harrisonburg, as a judge of the Twenty-sixth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Edward M. Turner, III, of Carroll, as a judge of the Twenty-seventh Judicial District for a term of six years commencing March 1, 2004.

The Honorable Joseph S. Tate, of Smyth, as a judge of the Twenty-eighth Judicial District for a term of six years commencing September 1, 2004.

**S.R. 4**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

The President stated that nominations were in order for judges of the respective juvenile and domestic relations district courts.

On motion of Senator Stolle, the Rules were suspended and **S.R. 5** (five) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 5

Nominating persons to be elected to juvenile and domestic relations district court judgeships.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the respective juvenile and domestic relations district court judgeships as follows:

The Honorable Ronald H. Marks, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing July 1, 2004.

The Honorable William S. Moore, Jr., of Portsmouth, as a judge of the Third Judicial District for a term of six years commencing February 1, 2004.

The Honorable William O. Hawkins, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Joseph P. Massey, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Alfreda Talton Harris, of Franklin, as a judge of the Fifth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Charles A. Perkinson, Jr., of Brunswick, as a judge of the Sixth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Ronald E. Bensten, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing February 1, 2004.

The Honorable Nelson T. Durden, of Hampton, as a judge of the Eighth Judicial District for a term of six years commencing February 1, 2004.

The Honorable George C. Fairbanks, IV, of Williamsburg, as a judge of the Ninth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Anne B. Holton, of Richmond, as a judge of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Sharon B. Will, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Larry E. Gilman, of Hanover, as a judge of the Fifteenth Judicial District for a term of six years commencing April 1, 2004.

The Honorable George D. Varoutsos, of Arlington, as a judge of the Seventeenth Judicial District for a term of six years commencing March 16, 2004.

The Honorable Teena D. Grodner, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing April 16, 2004.

The Honorable Michael J. Valentine, of Fairfax, as a judge of the Nineteenth Judicial District for a term of six years commencing July 1, 2004.

The Honorable Dale M. Wiley, of Danville, as a judge of the Twenty-second Judicial District for a term of six years commencing July 1, 2004.

The Honorable Lawrence Janow, of Amherst, as a judge of the Twenty-fourth Judicial District for a term of six years commencing February 1, 2004.

The Honorable Victor V. Ludwig, of Staunton, as a judge of the Twenty-fifth Judicial District for a term of six years commencing February 1, 2004.

**S.R. 5**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

The President stated that nominations were in order for members of the Judicial Inquiry and Review Commission.

On motion of Senator Stolle, the Rules were suspended and **S.R. 6** (six) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 6

Nominating persons to be elected to the Judicial Inquiry and Review Commission.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the Judicial Inquiry and Review Commission as follows:

Bevin R. Alexander, Jr., Esquire, of Lynchburg, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004.

William I. Fitzgerald, of Halifax, as a member of the Judicial Inquiry and Review Commission for a term commencing February 14, 2004, and ending June 30, 2004.

William I. Fitzgerald, of Halifax, as a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004.

**S.R. 6**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

The President stated that nominations were in order for a member of the Virginia Workers' Compensation Commission.

On motion of Senator Wampler, the Rules were suspended and **S.R. 7** (seven) was taken up for immediate consideration, discharging the Committee on Commerce and Labor from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 7

Nominating person to be elected to the Virginia Workers' Compensation Commission.

RESOLVED by the Senate, That the following person is hereby nominated to be elected to the Virginia Workers' Compensation Commission as follows:

William L. Dudley, Jr., of Virginia Beach, as a member of the Virginia Workers' Compensation Commission for a term of six years commencing February 1, 2004.

**S.R. 7**, on motion of Senator Wampler, was ordered to be engrossed and was agreed to.

Senator Stolle was ordered to inform the House of Delegates of the nominations made by the Senate.

Under the provisions of the Joint Order, the Senate proceeded with the Calendar.

#### CALENDAR

#### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 2** (two).  
**S.B. 5** (five).  
**S.B. 6** (six).  
**S.B. 7** (seven).  
**S.B. 8** (eight).  
**S.B. 10** (ten).  
**S.B. 11** (eleven).  
**S.B. 15** (fifteen).  
**S.B. 23** (twenty-three).  
**S.B. 24** (twenty-four).  
**S.B. 25** (twenty-five).  
**S.B. 26** (twenty-six).  
**S.B. 38** (thirty-eight).  
**S.B. 63** (sixty-three).  
**S.B. 118** (one hundred eighteen).  
**S.B. 153** (one hundred fifty-three).  
**S.B. 186** (one hundred eighty-six).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 2** (two).  
**S.B. 5** (five).  
**S.B. 6** (six).  
**S.B. 7** (seven).  
**S.B. 8** (eight).  
**S.B. 10** (ten).  
**S.B. 11** (eleven).  
**S.B. 15** (fifteen).  
**S.B. 23** (twenty-three).  
**S.B. 24** (twenty-four).  
**S.B. 25** (twenty-five).  
**S.B. 26** (twenty-six).  
**S.B. 38** (thirty-eight).  
**S.B. 63** (sixty-three).  
**S.B. 118** (one hundred eighteen).  
**S.B. 153** (one hundred fifty-three).  
**S.B. 186** (one hundred eighty-six).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 125** (one hundred twenty-five) was read by title the third time and, on motion of Senator Watkins, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--38.

NAYS--Ruff--1.

RULE 36--0.

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 1** (one).

**S.B. 13** (thirteen).

**S.B. 50** (fifty).

**S.B. 57** (fifty-seven).

**S.B. 62** (sixty-two).

**S.B. 81** (eighty-one).

**S.B. 185** (one hundred eighty-five).

The motion was agreed to.

**S.B. 57** (fifty-seven) was taken up.

Senator Martin offered the following amendment:

1. Line 95, introduced, after *Richmond Metropolitan Authority*  
insert  
*, pursuant to the requirements of subsection B1 (1 through 4) of this Section*

On motion of Senator Martin, the reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 1** (one).

**S.B. 13** (thirteen).

**S.B. 50** (fifty).

**S.B. 57** (fifty-seven) as amended.

**S.B. 81** (eighty-one).

**S.B. 185** (one hundred eighty-five).

**S.B. 62** (sixty-two) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 52, introduced, after *such*  
strike  
*procedures*  
insert  
*requirements*

The reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

**S.B. 62**, on motion of Senator Edwards, was passed by for the day.

**S.B. 82** (eighty-two) was read by title the second time and, on motion of Senator Puller, was ordered to be engrossed and read by title the third time.

#### **SENATE BILLS ON FIRST READING**

**S.B. 150** (one hundred fifty) was read by title the first time.

**S.B. 54** (fifty-four) was read by title the first time.

#### **JOINT ORDER FOR ELECTIONS RESUMED**

The Joint Order under House Joint Resolution No. 255 was resumed.

A message was received from the House of Delegates by Delegate Kilgore, who informed the Senate that the following nominations had been made by the House:

For judges of the respective circuit courts:

John C. Morrison, Jr., Fourth Judicial Circuit.

Lydia C. Taylor, Fourth Judicial Circuit.

Randall G. Johnson, Thirteenth Judicial Circuit.

John W. Scott, Jr., Fifteenth Judicial Circuit.

James F. Almand, Seventeenth Judicial Circuit.

Leslie M. Alden, Nineteenth Judicial Circuit.

Michael P. McWeeny, Nineteenth Judicial Circuit.

Malfourd W. Trumbo, Twenty-fifth Judicial Circuit.

For judges of the respective general district courts:

Albert D. Alberi, Second Judicial District.

Morton V. Whitlow, Third Judicial District.

Robert B. Edwards, Fifth Judicial District.

Joel C. Cunningham, Tenth Judicial District.  
Charles H. Warren, Tenth Judicial District.  
Lucretia A. Carrico, Eleventh Judicial District.  
D. Eugene Cheek, Sr., Thirteenth Judicial District.  
Thomas O. Jones, Thirteenth Judicial District.  
Joi J. Taylor, Thirteenth Judicial District.  
E. Robert Giammittorio, Eighteenth Judicial District.  
Becky J. Moore, Eighteenth Judicial District.  
Thomas E. Gallahue, Nineteenth Judicial District.  
Julia T. Cannon, Twentieth Judicial District.  
Charles B. Foley, Twentieth Judicial District.  
M. Lee Stilwell, Jr., Twenty-second Judicial District.  
Harold A. Black, Twenty-fourth Judicial District.  
John A. Paul, Twenty-sixth Judicial District.  
Edward M. Turner, III, Twenty-seventh Judicial District.  
Joseph S. Tate, Twenty-eighth Judicial District.

For judges of the respective juvenile and domestic relations district courts:

Ronald H. Marks, Second Judicial District.  
William S. Moore, Jr., Third Judicial District.  
William O. Hawkins, Fourth Judicial District.  
Joseph P. Massey, Fourth Judicial District.  
Alfreda Talton Harris, Fifth Judicial District.  
Charles A. Perkinson, Jr., Sixth Judicial District.  
Ronald E. Bensten, Seventh Judicial District.  
Nelson T. Durden, Eighth Judicial District.  
George C. Fairbanks, IV, Ninth Judicial District.  
Anne B. Holton, Thirteenth Judicial District.  
Sharon B. Will, Fourteenth Judicial District.  
Larry E. Gilman, Fifteenth Judicial District.  
George D. Varoutsos, Seventeenth Judicial District.  
Teena D. Grodner, Nineteenth Judicial District.  
Michael J. Valentine, Nineteenth Judicial District.  
Dale M. Wiley, Twenty-second Judicial District.  
Lawrence Janow, Twenty-fourth Judicial District.  
Victor V. Ludwig, Twenty-fifth Judicial District.

For members of the Judicial Inquiry and Review Commission:

Bevin R. Alexander, Jr.  
William I. Fitzgerald.

For a member of the Virginia Workers' Compensation Commission:

William L. Dudley, Jr.

The roll was called with the following results:

For judges of the respective circuit courts for the terms set forth:

The nominees by Senate Resolution No. 3 received an affirmative vote of 39.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

For judges of the respective general district courts for the terms set forth:

The nominees by Senate Resolution No. 4 received an affirmative vote of 39.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

For judges of the respective juvenile and domestic relations district courts for the terms set forth:

The nominees by Senate Resolution No. 5 received an affirmative vote of 38.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--38.

NAYS--0.

RULE 36--O'Brien--1.

For members of the Judicial Inquiry and Review Commission for the terms set forth:

The nominees by Senate Resolution No. 6 received an affirmative vote of 39.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

For a member of the Virginia Workers' Compensation Commission for the term set forth:

The nominee by Senate Resolution No. 7 received an affirmative vote of 39.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

The President appointed Senators Blevins, Cuccinelli, Obenshain, and Locke, the committee on the part of the Senate to count and report the vote of each house in each case.

The committee to count and report the vote in the execution of the Joint Order reported as follows:

Whole number of votes necessary to elect:

In the House of Delegates.....51

In the Senate.....21

For judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004:

John C. Morrison, Jr. received:

In the House.....97

In the Senate.....39

For judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004:

Lydia C. Taylor received:

In the House.....97

In the Senate.....39

For judge of the Thirteenth Judicial Circuit for a term of eight years commencing February 1, 2004:

Randall G. Johnson received:

In the House.....98

In the Senate.....39

For judge of the Fifteenth Judicial Circuit for a term of eight years commencing July 1, 2004:

John W. Scott, Jr. received:

In the House.....98

In the Senate.....39

For judge of the Seventeenth Judicial Circuit for a term of eight years commencing February 1, 2004:

James F. Almand received:

In the House.....97  
In the Senate.....39

For judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2004:

Leslie M. Alden received:

In the House.....99  
In the Senate.....39

For judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2004:

Michael P. McWeeny received:

In the House.....97  
In the Senate.....39

For judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing February 1, 2004:

Malfourd W. Trumbo received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Second Judicial District for a term of six years commencing July 1, 2004:

Albert D. Alberi received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Third Judicial District for a term of six years commencing February 1, 2004:

Morton V. Whitlow received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Fifth Judicial District for a term of six years commencing July 1, 2004:

Robert B. Edwards received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Tenth Judicial District for a term of six years commencing April 16, 2004:

Joel C. Cunningham received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Tenth Judicial District for a term of six years commencing April 16, 2004:

Charles H. Warren received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Eleventh Judicial District for a term of six years commencing February 1, 2004:

Lucretia A. Carrico received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Thirteenth Judicial District for a term of six years commencing July 1, 2004:

D. Eugene Cheek, Sr. received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Thirteenth Judicial District for a term of six years commencing February 1, 2004:

Thomas O. Jones received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Thirteenth Judicial District for a term of six years commencing April 16, 2004:

Joi J. Taylor received:

In the House.....99  
In the Senate.....39

For judge of the General District Court of the Eighteenth Judicial District for a term of six years commencing May 1, 2004:

E. Robert Giammittorio received:

In the House.....96  
In the Senate.....39

For judge of the General District Court of the Eighteenth Judicial District for a term of six years commencing February 1, 2004:

Becky J. Moore received:

In the House.....95  
In the Senate.....39

For judge of the General District Court of the Nineteenth Judicial District for a term of six years commencing April 1, 2004:

Thomas E. Gallahue received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Twentieth Judicial District for a term of six years commencing April 1, 2004:

Julia T. Cannon received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Twentieth Judicial District for a term of six years commencing March 16, 2004:

Charles B. Foley received:

In the House.....97  
In the Senate.....39

For judge of the General District Court of the Twenty-second Judicial District for a term of six years commencing March 1, 2004:

M. Lee Stilwell, Jr. received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Twenty-fourth Judicial District for a term of six years commencing April 1, 2004:

Harold A. Black received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Twenty-sixth Judicial District for a term of six years commencing February 1, 2004:

John A. Paul received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Twenty-seventh Judicial District for a term of six years commencing March 1, 2004:

Edward M. Turner, III received:

In the House.....98  
In the Senate.....39

For judge of the General District Court of the Twenty-eighth Judicial District for a term of six years commencing September 1, 2004:

Joseph S. Tate received:

In the House.....98  
In the Senate.....39

For judge of the Juvenile and Domestic Relations District Court of the Second Judicial District for a term of six years commencing July 1, 2004:

Ronald H. Marks received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Third Judicial District for a term of six years commencing February 1, 2004:

William S. Moore, Jr. received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Fourth Judicial District for a term of six years commencing July 1, 2004:

William O. Hawkins received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Fourth Judicial District for a term of six years commencing February 1, 2004:

Joseph P. Massey received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Fifth Judicial District for a term of six years commencing April 16, 2004:

Alfreda Talton Harris received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Sixth Judicial District for a term of six years commencing July 1, 2004:

Charles A. Perkinson, Jr. received:

In the House.....97  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Seventh Judicial District for a term of six years commencing February 1, 2004:

Ronald E. Bensten received:

In the House.....98  
In the Senate.....38

For judge of Juvenile and Domestic Relations District Court of the Eighth Judicial District for a term of six years commencing February 1, 2004:

Nelson T. Durden received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Ninth Judicial District for a term of six years commencing February 1, 2004:

George C. Fairbanks, IV received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Thirteenth Judicial District for a term of six years commencing July 1, 2004:

Anne B. Holton received:

In the House.....94  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Fourteenth Judicial District for a term of six years commencing April 16, 2004:

Sharon B. Will received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Fifteenth Judicial District for a term of six years commencing April 1, 2004:

Larry E. Gilman received:

In the House.....97  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Seventeenth Judicial District for a term of six years commencing March 16, 2004:

George D. Varoutsos received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Nineteenth Judicial District for a term of six years commencing April 16, 2004:

Teena D. Grodner received:

In the House.....96  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Nineteenth Judicial District for a term of six years commencing July 1, 2004:

Michael J. Valentine received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Twenty-second Judicial District for a term of six years commencing July 1, 2004:

Dale M. Wiley received:

In the House.....99  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Twenty-fourth Judicial District for a term of six years commencing February 1, 2004:

Lawrence Janow received:

In the House.....98  
In the Senate.....38

For judge of the Juvenile and Domestic Relations District Court of the Twenty-fifth Judicial District for a term of six years commencing February 1, 2004:

Victor V. Ludwig received:

In the House.....97  
In the Senate.....38

For a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004:

Bevin R. Alexander, Jr. received:

In the House.....98  
In the Senate.....39

For a member of the Judicial Inquiry and Review Commission for a term commencing February 14, 2004, and ending June 30, 2004:

William I. Fitzgerald received:

In the House.....99  
In the Senate.....39

For a member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004:

William I. Fitzgerald received:

In the House.....99  
In the Senate.....39

For a member of the Virginia Workers' Compensation Commission for a term of six years commencing February 1, 2004:

William L. Dudley, Jr. received:

In the House.....98  
In the Senate.....39

On motion of Senator Stolle, the reading of the report was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain,

O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--38.

NAYS--0.

RULE 36--0.

The nominees, having received the vote of a majority of the members elected to each house of the General Assembly, were declared by the President duly elected judges of the respective circuit courts, general district courts, and juvenile and domestic relations district courts; members of the Judicial Inquiry and Review Commission; and a member of the Virginia Workers' Compensation Commission, as follows:

John C. Morrison, Jr., judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

Lydia C. Taylor, judge of the Fourth Judicial Circuit for a term of eight years commencing April 1, 2004.

Randall G. Johnson, judge of the Thirteenth Judicial Circuit for a term of eight years commencing February 1, 2004.

John W. Scott, Jr., judge of the Fifteenth Judicial Circuit for a term of eight years commencing July 1, 2004.

James F. Almand, judge of the Seventeenth Judicial Circuit for a term of eight years commencing February 1, 2004.

Leslie M. Alden, judge of the Nineteenth Judicial Circuit for a term of eight years commencing August 1, 2004.

Michael P. McWeeny, judge of the Nineteenth Judicial Circuit for a term of eight years commencing March 1, 2004.

Malfourd W. Trumbo, judge of the Twenty-Fifth Judicial Circuit for a term of eight years commencing February 1, 2004.

Albert D. Alberi, judge of the General District Court of the Second Judicial District for a term of six years commencing July 1, 2004.

Morton V. Whitlow, judge of the General District Court of the Third Judicial District for a term of six years commencing February 1, 2004.

Robert B. Edwards, judge of the General District Court of the Fifth Judicial District for a term of six years commencing July 1, 2004.

Joel C. Cunningham, judge of the General District Court of the Tenth Judicial District for a term of six years commencing April 16, 2004.

Charles H. Warren, judge of the General District Court of the Tenth Judicial District for a term of six years commencing April 16, 2004.

Lucretia A. Carrico, judge of the General District Court of the Eleventh Judicial District for a term of six years commencing February 1, 2004.

D. Eugene Cheek, Sr., judge of the General District Court of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

Thomas O. Jones, judge of the General District Court of the Thirteenth Judicial District for a term of six years commencing February 1, 2004.

Joi J. Taylor, judge of the General District Court of the Thirteenth Judicial District for a term of six years commencing April 16, 2004.

E. Robert Giammittorio, judge of the General District Court of the Eighteenth Judicial District for a term of six years commencing May 1, 2004.

Becky J. Moore, judge of the General District Court of the Eighteenth Judicial District for a term of six years commencing February 1, 2004.

Thomas E. Gallahue, judge of the General District Court of the Nineteenth Judicial District for a term of six years commencing April 1, 2004.

Julia T. Cannon, judge of the General District Court of the Twentieth Judicial District for a term of six years commencing April 1, 2004.

Charles B. Foley, judge of the General District Court of the Twentieth Judicial District for a term of six years commencing March 16, 2004.

M. Lee Stilwell, Jr., judge of the General District Court of the Twenty-second Judicial District for a term of six years commencing March 1, 2004.

Harold A. Black, judge of the General District Court of the Twenty-fourth Judicial District for a term of six years commencing April 1, 2004.

John A. Paul, judge of the General District Court of the Twenty-sixth Judicial District for a term of six years commencing February 1, 2004.

Edward M. Turner, III, judge of the General District Court of the Twenty-seventh Judicial District for a term of six years commencing March 1, 2004.

Joseph S. Tate, judge of the General District Court of the Twenty-eighth Judicial District for a term of six years commencing September 1, 2004.

Ronald H. Marks, judge of the Juvenile and Domestic Relations District Court of the Second Judicial District for a term of six years commencing July 1, 2004.

William S. Moore, Jr., judge of the Juvenile and Domestic Relations District Court of the Third Judicial District for a term of six years commencing February 1, 2004.

William O. Hawkins, judge of the Juvenile and Domestic Relations District Court of the Fourth Judicial District for a term of six years commencing July 1, 2004.

Joseph P. Massey, judge of the Juvenile and Domestic Relations District Court of the Fourth Judicial District for a term of six years commencing February 1, 2004.

Alfreda Talton Harris, judge of the Juvenile and Domestic Relations District Court of the Fifth Judicial District for a term of six years commencing April 16, 2004.

Charles A. Perkinson, Jr., judge of the Juvenile and Domestic Relations District Court of the Sixth Judicial District for a term of six years commencing July 1, 2004.

Ronald E. Bensten, judge of the Juvenile and Domestic Relations District Court of the Seventh Judicial District for a term of six years commencing February 1, 2004.

Nelson T. Durden, judge of the Juvenile and Domestic Relations District Court of the Eighth Judicial District for a term of six years commencing February 1, 2004.

George C. Fairbanks, IV, judge of the Juvenile and Domestic Relations District Court of the Ninth Judicial District for a term of six years commencing February 1, 2004.

Anne B. Holton, judge of the Juvenile and Domestic Relations District Court of the Thirteenth Judicial District for a term of six years commencing July 1, 2004.

Sharon B. Will, judge of the Juvenile and Domestic Relations District Court of the Fourteenth Judicial District for a term of six years commencing April 16, 2004.

Larry E. Gilman, judge of the Juvenile and Domestic Relations District Court of the Fifteenth Judicial District for a term of six years commencing April 1, 2004.

George D. Varoutsos, judge of the Juvenile and Domestic Relations District Court of the Seventeenth Judicial District for a term of six years commencing March 16, 2004.

Teena D. Grodner, judge of the Juvenile and Domestic Relations District Court of the Nineteenth Judicial District for a term of six years commencing April 16, 2004.

Michael J. Valentine, judge of the Juvenile and Domestic Relations District Court of the Nineteenth Judicial District for a term of six years commencing July 1, 2004.

Dale M. Wiley, judge of the Juvenile and Domestic Relations District Court of the Twenty-second Judicial District for a term of six years commencing July 1, 2004.

Lawrence Janow, judge of the Juvenile and Domestic Relations District Court of the Twenty-fourth Judicial District for a term of six years commencing February 1, 2004.

Victor V. Ludwig, judge of the Juvenile and Domestic Relations District Court of the Twenty-fifth Judicial District for a term of six years commencing February 1, 2004.

Bevin R. Alexander, Jr., member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004.

William I. Fitzgerald, member of the Judicial Inquiry and Review Commission for a term commencing February 14, 2004, and ending June 30, 2004.

William I. Fitzgerald, member of the Judicial Inquiry and Review Commission for a term of four years commencing July 1, 2004.

William L. Dudley, Jr., member of the Virginia Workers' Compensation Commission for a term of six years commencing February 1, 2004.

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Whipple and Delegates Griffith, Landes, Reid, and Ware, O., had been added as co-patrons of **S.B. 244** (two hundred forty-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bell had been added as a co-patron of **S.B. 340** (three hundred forty).

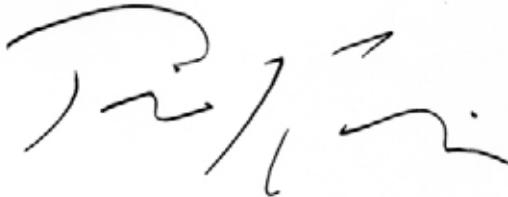
Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Puller had been added as a co-patron of **S.B. 388** (three hundred eighty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Deeds had been added as a co-patron of **S.B. 391** (three hundred ninety-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Houck had been added as a co-patron of **S.B. 393** (three hundred ninety-three).

On motion of Senator Edwards, a leave of absence for the day was granted Senator Whipple.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, JANUARY 21, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. Raymond L. Spence, Jr., Second Baptist Church, Richmond, Virginia, offered the following prayer:

Father, You have taught that it is in the numbering of each day that we ultimately find fulfillment for our lives. I would ask, on behalf of this entire body, that You would bless each of them in the beginning of this particular session this day, remembering those "back home" who have entrusted us and empowered us, the Commonwealth of Virginia, who look to us, but for Your Kingdom of holiness and righteousness, You have given the talents to be and to act.

Now, Lord, bless each here assembled and all of those who support them. We pray this day for our nation and those who represent us in difficult places, for those from this Commonwealth who go in harm's way, for families whose lives have been torn asunder by the sacrifice that their young people have made.

Grant to us Your peace that passes all understanding as we give You thanks this day. In the name of holiness and rightness do we pray. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Potts and Quayle notified the Clerk of their presence.

On motion of Senator Lambert, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Quayle from the Committee on Local Government:

**S.B. 45** (forty-five).

**S.B. 69** (sixty-nine).

**S.B. 80** (eighty).

**S.B. 90** (ninety).

**S.B. 97** (ninety-seven).

- S.B. 152 (one hundred fifty-two) with substitute.
- S.B. 190 (one hundred ninety).
- S.B. 203 (two hundred three).
- S.B. 206 (two hundred six).
- S.B. 211 (two hundred eleven).
- S.B. 308 (three hundred eight).
- S.B. 592 (five hundred ninety-two).

The following bills and joint resolutions, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

- S.B. 17 (seventeen).
- S.B. 18 (eighteen).
- S.B. 55 (fifty-five).

S.B. 126 (one hundred twenty-six) with amendments with the recommendation that it be rereferred to the Committee on Transportation.

- S.B. 184 (one hundred eighty-four).
- S.B. 286 (two hundred eighty-six).
- S.B. 448 (four hundred forty-eight).
- S.B. 470 (four hundred seventy) with substitute.
- S.B. 528 (five hundred twenty-eight).
- S.B. 574 (five hundred seventy-four).
- S.J.R. 4 (four).
- S.J.R. 6 (six).

S.B. 126 was rereferred to the Committee on Transportation.

### INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

- S.B. 601.** A BILL to amend the Code of Virginia by adding sections numbered 8.01-581.15:1, 8.01-581.15:2 and 8.01-581.15:3, relating to medical malpractice.  
Patrons--Newman and Cuccinelli; Delegate: Bryant  
Referred to Committee for Courts of Justice
- S.B. 602.** A BILL to amend and reenact § 1 of Chapter 809 of the Acts of Assembly of 1998, relating to the extension of the lease and use provisions of a facility located at Fort Monroe.  
Patron--Williams  
Referred to Committee for Courts of Justice
- S.B. 603.** A BILL to amend and reenact § 62.1-44.15 of the Code of Virginia, relating to Virginia Pollutant Discharge Elimination System permits.  
Patron--Bolling  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 604.** A BILL to amend and reenact §§ 37.1-67.01, 37.1-67.1 and 37.1-71 of the Code of Virginia, relating to transportation under emergency custody and temporary detention orders.  
Patron--Bolling  
Referred to Committee on Education and Health

- S.B. 605.** A BILL to amend the Code of Virginia by adding in Title 28.2 a chapter numbered 16, consisting of articles numbered 1, 2 and 3, containing sections numbered 28.2-1600 through 28.2-1622, relating to water column leases for aquaculture.  
Patrons--Bolling and Hanger; Delegate: Pollard  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 606.** A BILL to amend and reenact §§ 28.2-1205, 28.2-1206, 28.2-1208, and 28.2-1306 of the Code of Virginia, relating to royalties for use of state-owned bottomland.  
Patron--Bolling  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 607.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the rehabilitation of drug addicts.  
Patrons--Wampler; Delegates: Johnson and Kilgore  
Referred to Committee on Education and Health
- S.B. 608.** A BILL to grant the Secretary of Public Safety the authority to implement the Statewide Agencies Radio System.  
Patron--Stolle  
Referred to Committee on General Laws
- S.B. 609.** A BILL to repeal Chapter 1017 of the Acts of Assembly of 2003, relating to final judgments in circuit court; modification and appeal.  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 610.** A BILL to amend and reenact § 17.1-300 of the Code of Virginia, relating to composition of Supreme Court.  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 611.** A BILL to amend and reenact § 32.1-102.6 of the Code of Virginia, relating to medical care facilities certificate of public need; parties to the case.  
Patron--Stolle  
Referred to Committee on Education and Health
- S.B. 612.** A BILL to amend and reenact § 63.2-1721 of the Code of Virginia, relating to criminal background checks; foster parents.  
Patrons--Ticer, Hanger, Houck, Lambert, Lucas, Marsh, Puller and Whipple  
Referred to Committee on Rehabilitation and Social Services
- S.B. 613.** A BILL to amend and reenact §§ 53.1-27, 53.1-115.2 and 53.1-127.1 of the Code of Virginia, relating to establishment of stores in correctional facilities; use of profits.  
Patrons--Ticer, Deeds, Edwards, Lambert, Locke, Lucas, Marsh, Puckett and Whipple  
Referred to Committee on Rehabilitation and Social Services
- S.B. 614.** A BILL to amend and reenact § 6 of Chapter 809 of the 2002 Acts of Assembly, relating to authorizing the Department of Conservation and Recreation to amend a lease by and between the Secretary of the Army, Lessor, and the Commonwealth of Virginia, Department of Conservation and Recreation, Lessee, for Oconeechee State Park in Mecklenburg County.  
Patron--Ruff  
Referred to Committee for Courts of Justice

- S.B. 615.** A BILL to amend and reenact §§ 53.1-27, 53.1-115.2 and 53.1-127.1 of the Code of Virginia, relating to establishment of stores in correctional facilities; use of profits.  
Patrons--Bell and Deeds  
Referred to Committee on Rehabilitation and Social Services
- S.B. 616.** A BILL to amend and reenact §§ 63.2-1202, 63.2-1226 and 63.2-1230 of the Code of Virginia, relating to parental placement adoptions.  
Patron--O'Brien  
Referred to Committee on Rehabilitation and Social Services
- S.B. 617.** A BILL to amend and reenact § 16.1-330.1 of the Code of Virginia, relating to qualification for Serious or Habitual Offender Comprehensive Action Program.  
Patron--O'Brien  
Referred to Committee for Courts of Justice
- S.B. 618.** A BILL to amend and reenact §§ 38.2-3407.10 and 38.2-5803 of the Code of Virginia, relating to health insurance provider panels.  
Patron--Wagner  
Referred to Committee on Commerce and Labor
- S.B. 619.** A BILL to amend and reenact §§ 8.01-293, 8.01-499, 15.2-1609.3, and 17.1-272 of the Code of Virginia, relating to sheriffs' fees.  
Patron--Blevins  
Referred to Committee for Courts of Justice
- S.B. 620.** A BILL to amend and reenact §§ 8.01-499 and 17.1-272 of the Code of Virginia, relating to sheriff's fees.  
Patron--Blevins  
Referred to Committee for Courts of Justice
- S.B. 621.** A BILL to amend and reenact § 60.2-602 of the Code of Virginia, relating to unemployment compensation benefits; minimum qualifying two-quarter earnings.  
Patron--Wagner  
Referred to Committee on Commerce and Labor
- S.B. 622.** A BILL to amend and reenact § 4.1-225 of the Code of Virginia, relating to the Alcoholic Beverage Control Board; summary suspension of licenses.  
Patron--Stolle  
Referred to Committee on Rehabilitation and Social Services
- S.J.R. 114.** Commemorating the 250th anniversary of the beginning of the French and Indian War.  
Patrons--Ticer, Deeds, Edwards, Hanger, Houck, Lambert, Lucas, Marsh, Puckett, Puller, Reynolds and Whipple  
Referred to Committee on Rules
- S.J.R. 115.** Recognizing and supporting members of the National Guard and Reserve by conducting awareness programs and by holding Military Appreciation Day and other ceremonies.  
Patrons--O'Brien and Wampler  
Referred to Committee on Rules

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 112.** Commemorating the 100th Anniversary of the “Souls of Black Folk” by Dr. William Edward Burghardt Du Bois.  
Patron--Marsh

**S.J.R. 113.** Celebrating the life of Sam Lacy.  
Patron--Marsh

**S.J.R. 116.** Commending the Westfield High School football team.  
Patron--Cuccinelli

## CALENDAR

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 1** (one).
- S.B. 13** (thirteen).
- S.B. 50** (fifty).
- S.B. 57** (fifty-seven).
- S.B. 81** (eighty-one).
- S.B. 185** (one hundred eighty-five).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 1** (one).
- S.B. 13** (thirteen).
- S.B. 50** (fifty).
- S.B. 57** (fifty-seven).
- S.B. 185** (one hundred eighty-five).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 81** (eighty-one), on motion of Senator Obenshain, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Locke--1.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 81** (eighty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Devolites, Obenshain--2.

RULE 36--0.

**S.B. 81**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 82** (eighty-two) was read by title the third time.

Senator Puller moved that the bill be passed with its title.

Senator Stolle moved, as a substitute motion, that **S.B. 82** be rereferred to the Committee for Courts of Justice.

The substitute motion was agreed to.

### SENATE BILLS ON SECOND READING

**S.B. 62** (sixty-two) was taken up, the committee amendment having been agreed to on January 20, 2004.

## RECONSIDERATION

Senator Edwards moved to reconsider the vote by which the committee amendment to **S.B. 62** (sixty-two) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Edwards moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Edwards offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 63.2-903, 63.2-1200, 63.2-1221, 63.2-1222 and 63.2-1817 of the Code of Virginia, relating to child-placing agencies outside the Commonwealth.

On motion of Senator Edwards, the reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

**S.B. 150** (one hundred fifty) was read by title the second time.

Senator Deeds offered the following amendments:

1. Line 39, introduced, after years  
strike  
remainder of line 39, all of line 40, and through *terms* on line 41
2. Line 42, introduced, after memberships  
strike  
may be filled in the same manner as the original appointment  
insert  
*shall be filled pursuant to this section*
3. Line 53, introduced, after line 52

insert

2. That this act shall not be construed to affect existing appointments for which the terms have not expired. However, any new appointments made after the effective date of this act shall be made in accordance with the provisions of this act.

On motion of Senator Deeds, the reading of the amendments was waived.

On motion of Senator Deeds, the amendments were agreed to.

On motion of Senator Deeds, the bill was ordered to be engrossed and read by title the third time.

**S.B. 54** (fifty-four) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 29.1-527.1, relating to the feeding of migratory and nonmigratory waterfowl; penalty.

The reading of the substitute was waived.

On motion of Senator Puller, the substitute was agreed to.

Senator Hanger offered the following amendment to the substitute:

1. Line 17, substitute, after *ordinance*

strike

*is a Class 4 misdemeanor*

insert

*shall be a civil fine not to exceed \$50.00*

On motion of Senator Puller, the reading of the amendment was waived.

On motion of Senator Hanger, the amendment was agreed to.

On motion of Senator Puller, the bill was ordered to be engrossed and read by title the third time.

#### **GUESTS PRESENTED**

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senators Potts and Chichester presented to the Senate the recipients of the 2004 Outstanding Faculty Awards, as follows: Anna Marie Baker, Associate Professor of Early Childhood Development at Tidewater Community College; Rita B. Dandridge, Professor of English at Norfolk State University; Della D. Fenster, Associate Professor of Mathematics at the University of Richmond; John E. Graves, Professor of Fisheries Science at the College of William and Mary; Joann Hess Grayson, Professor of Psychology at James Madison University; Jonathan Haidt, Associate Professor of Psychology at the University of Virginia; Chi-Kwong Li, Professor of Mathematics at the College of William and Mary; John S. O'Connor, Associate Professor of English and Interdisciplinary Studies at George Mason University; James Conrad Squire, Assistant Professor of Electrical Engineering at Virginia Military Institute; Gregory L. Weiss, Professor of Sociology at Roanoke College; and Charles Edgar Wilson, Jr., Associate Professor of English at Old Dominion University.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 44** (forty-four).
- S.B. 119** (one hundred nineteen).
- S.B. 131** (one hundred thirty-one).
- S.B. 163** (one hundred sixty-three).
- S.B. 165** (one hundred sixty-five).
- S.B. 166** (one hundred sixty-six).
- S.B. 221** (two hundred twenty-one).
- S.B. 403** (four hundred three).
- S.B. 71** (seventy-one).
- S.B. 130** (one hundred thirty).
- S.B. 171** (one hundred seventy-one).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 44** (forty-four).
- S.B. 119** (one hundred nineteen).
- S.B. 131** (one hundred thirty-one).
- S.B. 163** (one hundred sixty-three).
- S.B. 165** (one hundred sixty-five).
- S.B. 166** (one hundred sixty-six).
- S.B. 221** (two hundred twenty-one).
- S.B. 403** (four hundred three).
- S.B. 71** (seventy-one).

**S.B. 130** (one hundred thirty).

**S.B. 171** (one hundred seventy-one).

#### HONORARY ADJOURNMENT

Senator Deeds addressed the Senate in memory of General Thomas J. "Stonewall" Jackson.

Senator Deeds requested that when the Senate adjourns today, it adjourn in memory of General Thomas J. "Stonewall" Jackson.

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Petersen had been added as a co-patron of **S.B. 97** (ninety-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate O'Bannon had been added as a co-patron of **S.B. 124** (one hundred twenty-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Abbitt had been added as a co-patron of **S.B. 149** (one hundred forty-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ruff had been added as a co-patron of **S.B. 197** (one hundred ninety-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bell had been added as a co-patron of **S.B. 204** (two hundred four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Spruill had been added as a co-patron of **S.B. 234** (two hundred thirty-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate McDougale had been added as a co-patron of **S.B. 311** (three hundred eleven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Baskerville had been added as a co-patron of **S.B. 312** (three hundred twelve).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Baskerville had been added as a co-patron of **S.B. 339** (three hundred thirty-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Landes had been added as a co-patron of **S.B. 340** (three hundred forty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator O'Brien had been added as a co-patron of **S.B. 360** (three hundred sixty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator O'Brien had been added as a co-patron of **S.B. 361** (three hundred sixty-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate O'Bannon had been added as a co-patron of **S.B. 367** (three hundred sixty-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate O'Bannon had been added as a co-patron of **S.B. 368** (three hundred sixty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Baskerville had been added as a co-patron of **S.B. 377** (three hundred seventy-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Devolites had been added as a co-patron of **S.B. 388** (three hundred eighty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Saslaw and Delegates Reese and Sickles had been added as co-patrons of **S.B. 391** (three hundred ninety-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Wright had been added as a co-patron of **S.B. 406** (four hundred six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Keister had been added as a co-patron of **S.B. 546** (five hundred forty-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Devolites had been added as a co-patron of **S.B. 554** (five hundred fifty-four).

On motion of Senator Chichester, the Senate, in memory of General Thomas J. "Stonewall" Jackson, adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, JANUARY 22, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Karl Jacobson, Christ the King Lutheran Church, Richmond, Virginia, offered the following prayer:

Gracious God, Maker of Heaven and Earth, we come before You now, in prayer, mindful that all good things, every blessing, every gift, every right and responsibility, come from You alone. We pray for these good things on behalf of Your servants here, to guide them in their work and to inspire them in their service.

Grant these men and women the wisdom of Solomon—whose vision and insight were clear and sound; grant them the patience of Job—who suffered much and endured; the courage of Esther—who stood before king and counselors for her people; the integrity of Abraham—who held unyielding for the one righteous person ... grant the servants of this Commonwealth here gathered such strength of character in their leadership and work.

We pray as well, Lord God, that they would have the integrity to stand firm upon their principles in the face of temptation or expedience—that they would have the courage to face their failures, own their mis-steps, and still boldly stride forward—that they would have the patience to bear what is often the harsh or undue criticism of those whom they serve—and that they would have the wisdom to discern right from wrong, service from self-interest, what is needed from what is popular.

By the power of Your Holy Spirit bear these women and men up in their work this day, and in Your boundless grace forgive them their sins. This we pray, trusting in Your mercy. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Mims notified the Clerk of his presence.

On motion of Senator Houck, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates

January 21, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 6.** A BILL to amend and reenact § 2.2-609 of the Code of Virginia, relating to state publications.
- H.B. 7.** A BILL to amend and reenact § 54.1-3510 of the Code of Virginia and to repeal §§ 54.1-3511 and 54.1-3512 of the Code of Virginia, relating to the abolishment of the Advisory Board on Rehabilitation Providers.
- H.B. 8.** A BILL to amend and reenact §§ 54.1-3600 and 54.1-3605 of the Code of Virginia and to repeal §§ 54.1-3609 and 54.1-3610 of the Code of Virginia, relating to the abolishment of the Advisory Committee on Certified Practices.
- H.B. 9.** A BILL to amend and reenact § 2.2-2101, as it is currently effective and as it may become effective, and to repeal §§ 2.2-209 and 2.2-210 and Article 1 (§§ 2.2-2600 through 2.2-2602) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Advisory Council on the Virginia Business-Education Partnership Program and the Virginia Business-Education Partnership Program.
- H.B. 10.** A BILL to repeal Chapter 45 (§§ 3.1-1104 and 3.1-1105) of Title 3.1 of the Code of Virginia, relating to the abolishment of the Virginia Charity Food Assistance Advisory Board.
- H.B. 11.** A BILL to amend and reenact §§ 44-14 and 44-114 of the Code of Virginia and to repeal § 44-12 of the Code of Virginia, relating to the abolishment of the Board of Military Affairs.
- H.B. 12.** A BILL to amend and reenact § 51.5-72 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 51.5-72.1, relating to consolidation of the Advisory Boards for the Virginia Industries for the Blind of Charlottesville and Richmond.
- H.B. 15.** A BILL to amend and reenact § 2.2-2664 of the Code of Virginia and to repeal § 2.2-5302 of the Code of Virginia, relating to the abolishment of the Early Intervention Agencies Committee.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

- H.J.R. 126.** Recognizing the leadership and contributions of the local career and technical education advisory councils to the quality of career and technical education in Virginia.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 6, H.B. 8, H.B. 9, H.B. 10, H.B. 11, H.B. 12, and H.B. 15** were referred to the Committee on General Laws.

**H.B. 7** was referred to the Committee on Education and Health.

The House joint resolution, communicated as agreed to by the House of Delegates, the first reading of its title having been waived, was referred as follows:

**H.J.R. 126** was referred to the Committee on Rules.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 19** (nineteen).

**S.B. 48** (forty-eight) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 51** (fifty-one) with amendment.

**S.B. 72** (seventy-two) with amendment.

**S.B. 99** (ninety-nine) with substitute.

**S.B. 103** (one hundred three) with substitute.

**S.B. 162** (one hundred sixty-two).

**S.B. 174** (one hundred seventy-four).

**S.B. 177** (one hundred seventy-seven) with amendments.

**S.B. 192** (one hundred ninety-two) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 274** (two hundred seventy-four) with amendments.

**S.B. 420** (four hundred twenty) with substitute.

**S.B. 484** (four hundred eighty-four) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 509** (five hundred nine) with amendment.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee for Courts of Justice pursuant to Senate Rule 20 (j):

**S.B. 168** (one hundred sixty-eight) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 169** (one hundred sixty-nine) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 507** (five hundred seven) with the recommendation that it be rereferred to the Committee on Education and Health.

**S.B. 542** (five hundred forty-two) with the recommendation that it be rereferred to the Committee on Commerce and Labor.

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

**S.B. 93** (ninety-three) with substitute.

**S.B. 158** (one hundred fifty-eight) with amendments.

**S.B. 173** (one hundred seventy-three) with substitute.

**S.B. 195** (one hundred ninety-five) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 196** (one hundred ninety-six) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 223** (two hundred twenty-three).

**S.B. 224** (two hundred twenty-four).

**S.B. 278** (two hundred seventy-eight).

**S.B. 283** (two hundred eighty-three).

**S.B. 315** (three hundred fifteen).

**S.B. 325** (three hundred twenty-five) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**S.B. 338** (three hundred thirty-eight) with amendment.

**S.B. 377** (three hundred seventy-seven) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 438** (four hundred thirty-eight).

**S.B. 464** (four hundred sixty-four).

**S.B. 498** (four hundred ninety-eight).

**S.B. 520** (five hundred twenty).

**S.B. 553** (five hundred fifty-three).

**S.B. 555** (five hundred fifty-five).

**S.B. 570** (five hundred seventy).

**S.B. 583** (five hundred eighty-three) with the recommendation that it be rereferred to the Committee on Finance.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Education and Health pursuant to Senate Rule 20 (j):

**S.B. 319** (three hundred nineteen) with the recommendation that it be rereferred to the Committee for Courts of Justice.

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

**S.B. 12** (twelve).

**S.B. 61** (sixty-one).

**S.B. 159** (one hundred fifty-nine) with the recommendation that it be rereferred to the Committee on Education and Health.

**S.B. 161** (one hundred sixty-one).

**S.B. 233** (two hundred thirty-three).

**S.B. 280** (two hundred eighty) with amendment.

**S.B. 295** (two hundred ninety-five) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 363** (three hundred sixty-three).

**S.B. 382** (three hundred eighty-two) with amendment.

**S.B. 412** (four hundred twelve).

**S.B. 447** (four hundred forty-seven).

**S.B. 483** (four hundred eighty-three) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 503** (five hundred three) with substitute.

**S.B. 543** (five hundred forty-three) with amendment.

**S.B. 573** (five hundred seventy-three).

**S.B. 48, S.B. 192, S.B. 195, S.B. 196, S.B. 295, S.B. 377, S.B. 483, S.B. 484, and S.B. 583** were rereferred to the Committee on Finance.

**S.B. 159** was rereferred to the Committee on Education and Health.

**S.B. 168** and **S.B. 169** were rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

**S.B. 319** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

**S.B. 325** was rereferred to the Committee for Courts of Justice.

**S.B. 507** was rereferred to the Committee on Education and Health pursuant to Senate Rule 20 (j).

**S.B. 542** was rereferred to the Committee on Commerce and Labor pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

**S.B. 623.** A BILL to award a service handgun to the widow of Trooper Anthony Daryl Campbell.

Patron--Rerras

Referred to Committee for Courts of Justice

**S.B. 624.** A BILL to amend and reenact § 54.1-703 of the Code of Virginia, as it is currently effective and as it shall become effective, and to amend the Code of Virginia by adding a section numbered 54.1-703:01, relating to the Department of Professional and Occupational Regulation, Board for Barbers and Cosmetology; designation of shop or salon.

Patron--O'Brien

Referred to Committee on General Laws

**S.B. 625.** A BILL to amend and reenact § 32.1-162.5 of the Code of Virginia, relating to hospice licensure.

Patron--Houck

Referred to Committee on Education and Health

**S.B. 626.** A BILL to amend and reenact § 3.1-796.96 of the Code of Virginia, relating to county or city pounds.

Patron--Quayle

Referred to Committee on Agriculture, Conservation and Natural Resources

- S.B. 627.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.  
Patron--Devolites  
Referred to Committee on Finance
- S.B. 628.** A BILL to amend and reenact § 51.1-1103 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.  
Patron--Devolites  
Referred to Committee on Finance
- S.B. 629.** A BILL to amend and reenact § 62.1-44.15:5 of the Code of Virginia, relating to wetlands mitigation banks.  
Patrons--Mims; Delegate: Black  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 630.** A BILL to amend and reenact §§ 16.1-88.03 and 55-246.1 of the Code of Virginia, relating to pleadings and other papers and recovery of rent or possession by parties not represented by attorneys.  
Patron--Quayle  
Referred to Committee for Courts of Justice
- S.B. 631.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 11 of Title 2.2 a section numbered 2.2-1161.2, relating to preservation of monuments and memorials.  
Patron--Quayle  
Referred to Committee on General Laws
- S.B. 632.** A BILL to amend and reenact § 58.1-609.5 of the Code of Virginia, relating to sales and use tax exemption for electronic transmissions of software, data, content and other information services.  
Patron--Devolites  
Referred to Committee on Finance
- S.B. 633.** A BILL to amend and reenact § 19.2-83.1 of the Code of Virginia, relating to report of arrest of adult school students to school superintendent for certain offenses.  
Patrons--Saslaw, Howell, Newman, Stolle and Williams  
Referred to Committee for Courts of Justice
- S.B. 634.** A BILL to amend the Code of Virginia by adding in Chapter 10 of Title 52 a section numbered 52-46, relating to applicant fingerprint database; maintenance; dissemination; penalty.  
Patrons--Saslaw, Colgan, Howell, Lambert, Newman, Puller, Stolle, Ticer, Whipple and Williams;  
Delegates: Ebbin, Eisenberg, Moran, Petersen, Plum, Sickles and Watts  
Referred to Committee on Transportation
- S.B. 635.** A BILL to amend and reenact §§ 10.1-1020, 10.1-2128, 10.1-2133, 30-133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-269, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-901, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2401, 58.1-2402, 58.1-2405, 58.1-2425, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3533, 58.1-3833, and 58.1-3912 of the Code of Virginia; to amend and reenact the third enactment of Chapter 12 of the Acts of Assembly of the 1986 Special Session, to amend the Code of Virginia by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article

9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, by adding in Chapter 8 of Title 58.1 a section numbered 58.1-817, by adding in Chapter 22 of Title 58.1 an article number 8.1, consisting of a section numbered 58.1-2288.1, by adding sections numbered 58.1-2425.1 and 58.1-2510.1; and to repeal §§ 58.1-3527, 58.1-3529, 58.1-3536, and 58.1-3916.01 of the Code of Virginia, to repeal the second enactment of Chapter 12 of the Acts of Assembly of the 1986 Special Session, and to repeal the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000, relating to the revenues of the Commonwealth.

Patrons--Chichester, Blevins, Colgan, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins and Whipple

Referred to Committee on Finance

**S.J.R. 117.** Designating March 25, 2004, as Greek Independence Day in Virginia.

Patrons--Rerras; Delegate: Joannou

Referred to Committee on Rules

**S.J.R. 120.** Designating February 9-15, 2004, as National Courtesy Week in Virginia.

Patron--Houck

Referred to Committee on Rules

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 118.** Commending the John Handley High School boys' tennis team.

Patrons--Potts, Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

**S.J.R. 119.** On the death of Brooks Russell Leavitt.

Patron--Reynolds

Senator Wampler, by leave, under Senate Rule 11 (b) presented the following resolution which was ordered to be printed and referred:

**S.R. 8.** Nominating a person to be elected to the State Corporation Commission.

Patron--Wampler

Referred to Committee on Commerce and Labor

#### MESSAGE FROM THE HOUSE IMMEDIATE CONSIDERATION

A message was received from the House of Delegates by Delegate Putney, who informed the Senate that the House had agreed to **H.J.R. 273** (two hundred seventy-three) as follows; in which it requested the concurrence of the Senate:

#### HOUSE JOINT RESOLUTION NO. 273

Election of a member of the State Corporation Commission.

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly, in accordance with the provisions of House Joint Resolution No. 1, shall proceed this day at the conclusion of each house's morning hour

To the election of a member of the State Corporation Commission for a term of six years commencing February 1, 2004.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of four, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

On motion of Senator Wampler, the Rules were suspended and **H.J.R. 273** was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Wampler, the reading of the joint resolution was waived.

**H.J.R. 273**, on motion of Senator Wampler, was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Wampler was ordered to inform the House of Delegates thereof.

### JOINT ORDER FOR ELECTIONS

The morning hour of each house having been concluded, the President stated that the Senate on its part was ready to proceed, pursuant to House Joint Resolution No. 273, with the execution of the Joint Order to the election of a member of the State Corporation Commission.

The President stated that nominations were in order for a member of the State Corporation Commission.

On motion of Senator Wampler, the Rules were suspended and **S.R. 8** (eight) was taken up for immediate consideration, discharging the Committee on Commerce and Labor from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 8

Nominating a person to be elected to the State Corporation Commission.

RESOLVED by the Senate, That the following person is hereby nominated to be elected to the State Corporation Commission as follows:

Mark C. Christie, Esquire, of Hanover, as a member of the State Corporation Commission for a term of six years commencing February 1, 2004.

**S.R. 8**, on motion of Senator Wampler, was ordered to be engrossed and was agreed to.

Senator Wampler was ordered to inform the House of Delegates of the nomination made by the Senate.

### CALENDAR

#### SENATE BILLS ON THIRD READING

**S.B. 62** (sixty-two) was read by title the third time and, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 150** (one hundred fifty) was read by title the third time and, on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 54** (fifty-four) was read by title the third time and, on motion of Senator Puller, was passed with its title.

The recorded vote is as follows:

YEAS--34. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Whipple, Williams--34.

NAYS--Bolling, Martin, Mims, Obenshain, Wampler, Watkins--6.

RULE 36--0.

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 44** (forty-four).

**S.B. 119** (one hundred nineteen).

**S.B. 131** (one hundred thirty-one).

**S.B. 163** (one hundred sixty-three).

**S.B. 165** (one hundred sixty-five).

**S.B. 166** (one hundred sixty-six).

**S.B. 221** (two hundred twenty-one).

**S.B. 403** (four hundred three).

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time.

**S.B. 44** (forty-four).

**S.B. 119** (one hundred nineteen).

**S.B. 131** (one hundred thirty-one).

**S.B. 163** (one hundred sixty-three).

**S.B. 165** (one hundred sixty-five).

**S.B. 166** (one hundred sixty-six).

**S.B. 221** (two hundred twenty-one).

**S.B. 403** (four hundred three).

**S.B. 71** (seventy-one) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-3814 and 58.1-3816.2 of the Code of Virginia, relating to local consumer utility taxes.

The reading of the substitute was waived.

On motion of Senator Puckett, the substitute was agreed to.

On motion of Senator Puckett, the bill was ordered to be engrossed and read by title the third time.

**S.B. 130** (one hundred thirty) was read by title the second time and, on motion of Senator Watkins, was ordered to be engrossed and read by title the third time.

**S.B. 171** (one hundred seventy-one) was read by title the second time and, on motion of Senator Stolle, was ordered to be engrossed and read by title the third time.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 18** (eighteen).
- S.B. 45** (forty-five).
- S.B. 55** (fifty-five).
- S.B. 69** (sixty-nine).
- S.B. 80** (eighty).
- S.B. 90** (ninety).
- S.B. 97** (ninety-seven).
- S.B. 152** (one hundred fifty-two).
- S.B. 184** (one hundred eighty-four).
- S.B. 203** (two hundred three).
- S.B. 211** (two hundred eleven).
- S.B. 308** (three hundred eight).
- S.B. 448** (four hundred forty-eight).
- S.B. 470** (four hundred seventy).
- S.B. 528** (five hundred twenty-eight).
- S.B. 574** (five hundred seventy-four).
- S.B. 592** (five hundred ninety-two).
- S.B. 17** (seventeen).
- S.B. 190** (one hundred ninety).
- S.B. 206** (two hundred six).
- S.B. 286** (two hundred eighty-six).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 18** (eighteen).  
**S.B. 45** (forty-five).  
**S.B. 55** (fifty-five).  
**S.B. 69** (sixty-nine).  
**S.B. 80** (eighty).  
**S.B. 90** (ninety).  
**S.B. 97** (ninety-seven).  
**S.B. 152** (one hundred fifty-two).  
**S.B. 184** (one hundred eighty-four).  
**S.B. 203** (two hundred three).  
**S.B. 211** (two hundred eleven).  
**S.B. 308** (three hundred eight).  
**S.B. 448** (four hundred forty-eight).  
**S.B. 470** (four hundred seventy).  
**S.B. 528** (five hundred twenty-eight).  
**S.B. 574** (five hundred seventy-four).  
**S.B. 592** (five hundred ninety-two).  
**S.B. 17** (seventeen).  
**S.B. 190** (one hundred ninety).  
**S.B. 206** (two hundred six).  
**S.B. 286** (two hundred eighty-six).

**SENATE JOINT RESOLUTIONS ON FIRST READING**

**S.J.R. 6** (six) was read by title the first time.

**S.J.R. 4** (four) was read by title the first time.

**MEMORIAL RESOLUTIONS**

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 10** (ten).  
**H.J.R. 11** (eleven).  
**H.J.R. 14** (fourteen).  
**H.J.R. 15** (fifteen).  
**H.J.R. 18** (eighteen).  
**H.J.R. 22** (twenty-two).  
**H.J.R. 28** (twenty-eight).  
**H.J.R. 35** (thirty-five).  
**H.J.R. 36** (thirty-six).  
**H.J.R. 37** (thirty-seven).  
**H.J.R. 44** (forty-four).  
**H.J.R. 45** (forty-five).  
**H.J.R. 95** (ninety-five).  
**H.J.R. 96** (ninety-six).  
**H.J.R. 97** (ninety-seven).  
**H.J.R. 106** (one hundred six).

**H.J.R. 113** (one hundred thirteen).

**H.J.R. 137** (one hundred thirty-seven).

**H.J.R. 138** (one hundred thirty-eight).

**H.J.R. 207** (two hundred seven).

**H.J.R. 209** (two hundred nine).

**H.J.R. 210** (two hundred ten).

**H.J.R. 211** (two hundred eleven).

**H.J.R. 212** (two hundred twelve).

**H.J.R. 213** (two hundred thirteen).

**H.J.R. 208** (two hundred eight) was taken up, as follows:

HOUSE JOINT RESOLUTION NO. 208

On the death of Eugene B. Sydnor, Jr.

WHEREAS, Eugene B. Sydnor, Jr., of Richmond, a former member of the House of Delegates and the Senate of Virginia who was noted for his support of higher education, died on September 9, 2003; and

WHEREAS, a native of Richmond, Eugene Sydnor was a Phi Beta Kappa graduate of Princeton University who also earned a master of business administration degree from Harvard University; and

WHEREAS, Eugene Sydnor served his country for four years during World War II in the United States Navy, rising to the rank of first lieutenant; and

WHEREAS, Eugene Sydnor served in the House of Delegates from 1953 to 1955 and in the Senate of Virginia from 1955 to 1959; and

WHEREAS, in 1956, Eugene Sydnor sponsored the legislation that created the State Council for Higher Education in Virginia, and he later served as the first chairman of the State Technical Education Board and the first chairman of the State Board for Community Colleges; and

WHEREAS, in recognition of his significant contributions to technical and vocational education in the Commonwealth, Eugene Sydnor was honored by the Rufus W. Beamer Foundation at Virginia Tech; and

WHEREAS, Eugene Sydnor also served on the Virginia Commission on Constitutional Government and was a former director of the Virginia Division of Industrial Development and Planning; and

WHEREAS, a successful businessman in Richmond, Williamsburg, and the Northern Neck, Eugene Sydnor held leadership positions with the National and Virginia Retail Merchants Associations, the U.S. and Richmond Chambers of Commerce, and the Better Business Bureau of Richmond; and

WHEREAS, among his numerous community service activities, Eugene Sydnor was a trustee of the former Richmond Area Community Chest and a vice president of the Richmond Chapter of the American Red Cross; and

WHEREAS, Eugene Sydnor led a life of significant achievement in several fields, and his contributions to his community, the Commonwealth, and the nation were numerous and lasting; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of a distinguished Virginian, Eugene B. Sydnor, Jr.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Eugene B. Sydnor, Jr., as an expression of the esteem in which his memory is held by the members of the General Assembly and the citizens of Virginia.

**H.J.R. 208**, on motion of Senator Lambert, was agreed to by a unanimous standing vote.

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

**S.J.R. 2** (two).

**S.J.R. 7** (seven).

**S.J.R. 8** (eight).

**S.J.R. 9** (nine).

**S.J.R. 10** (ten).

**S.J.R. 11** (eleven).

**S.J.R. 12** (twelve).

**S.J.R. 13** (thirteen).

**S.J.R. 14** (fourteen).

**S.J.R. 20** (twenty).

**S.J.R. 21** (twenty-one).

**S.J.R. 31** (thirty-one).

**S.J.R. 34** (thirty-four).

**S.J.R. 35** (thirty-five).

**S.J.R. 44** (forty-four).

**S.J.R. 51** (fifty-one).

**S.J.R. 52** (fifty-two).

**S.J.R. 68** (sixty-eight).

**S.J.R. 70** (seventy).

**S.J.R. 83** (eighty-three).

**S.J.R. 92** (ninety-two).

**S.J.R. 93** (ninety-three).

**S.J.R. 98** (ninety-eight).

**S.J.R. 23** (twenty-three), on motion of Senator Marsh, was ordered to be engrossed and was agreed to by a unanimous standing vote.

**S.J.R. 110** (one hundred ten) was taken up, as follows:

SENATE JOINT RESOLUTION NO. 110

On the death of Omer Lee Hirst.

WHEREAS, Omer Lee Hirst of McLean, a former member of the House of Delegates and the Senate of Virginia who served in the General Assembly for 22 years, died on July 29, 2003; and

WHEREAS, a native of Annandale, Omer Lee Hirst was a 1930 graduate of Lee-Jackson High School in Alexandria and a Phi Beta Kappa graduate of Washington and Lee University; and

WHEREAS, Omer Lee Hirst, who served during World War II in the United States Marine Corps, returned to Fairfax County after the war and joined in the effort to transform the county's rural form of government to a county executive system; and

WHEREAS, Omer Lee Hirst represented Fairfax and Falls Church in the House of Delegates from 1953 to 1959, and in 1955 he courageously announced his opposition to the "massive resistance" movement against the desegregation of Virginia's public schools; and

WHEREAS, elected to the Senate of Virginia in 1964, Omer Lee Hirst became the dean of the Northern Virginia delegation to the General Assembly and was third in seniority in the Senate at the time of his retirement from politics in 1980; and

WHEREAS, Omer Lee Hirst was influential in the construction of Interstate Route 66 between the Capital Beltway and Washington and the construction and financing of the Dulles Toll Road, which was later named for him and his former colleague, Senator Adelard Brault; and

WHEREAS, Omer Lee Hirst chaired the Senate Committee on Privileges and Elections, the Senate Committee on Welfare, and the Commission on Mental, Indigent and Geriatric Patients; and

WHEREAS, the commission, under the leadership of Omer Lee Hirst, recommended far-reaching reforms of Virginia's mental health system, most of which were adopted by the 1970 General Assembly; and

WHEREAS, long a supporter of higher education, Omer Lee Hirst was a prime benefactor of George Mason University, playing a major role in the growth of the university and the establishment of its law school and serving as trustee emeritus; and

WHEREAS, throughout his distinguished career in the General Assembly, Omer Lee Hirst used his formidable intelligence, reserved demeanor, and dedication to the people of the Commonwealth to establish a lasting and enviable legacy of public service; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of a distinguished Virginian, Omer Lee Hirst; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of Omer Lee Hirst as an expression of the esteem in which his memory is held by the members of the General Assembly and the citizens of Virginia.

**S.J.R. 110**, on motion of Senator Saslaw, was ordered to be engrossed and was agreed to by a unanimous standing vote.

#### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

**H.J.R. 12** (twelve).  
**H.J.R. 16** (sixteen).  
**H.J.R. 19** (nineteen).  
**H.J.R. 23** (twenty-three).  
**H.J.R. 24** (twenty-four).  
**H.J.R. 25** (twenty-five).  
**H.J.R. 26** (twenty-six).  
**H.J.R. 27** (twenty-seven).  
**H.J.R. 29** (twenty-nine).  
**H.J.R. 30** (thirty).  
**H.J.R. 31** (thirty-one).  
**H.J.R. 32** (thirty-two).  
**H.J.R. 33** (thirty-three).  
**H.J.R. 38** (thirty-eight).  
**H.J.R. 40** (forty).  
**H.J.R. 46** (forty-six).  
**H.J.R. 47** (forty-seven).  
**H.J.R. 48** (forty-eight).  
**H.J.R. 49** (forty-nine).  
**H.J.R. 50** (fifty).  
**H.J.R. 51** (fifty-one).  
**H.J.R. 52** (fifty-two).  
**H.J.R. 53** (fifty-three).  
**H.J.R. 54** (fifty-four).  
**H.J.R. 55** (fifty-five).  
**H.J.R. 56** (fifty-six).  
**H.J.R. 57** (fifty-seven).  
**H.J.R. 58** (fifty-eight).  
**H.J.R. 59** (fifty-nine).  
**H.J.R. 60** (sixty).  
**H.J.R. 61** (sixty-one).  
**H.J.R. 62** (sixty-two).  
**H.J.R. 63** (sixty-three).  
**H.J.R. 64** (sixty-four).  
**H.J.R. 65** (sixty-five).  
**H.J.R. 66** (sixty-six).  
**H.J.R. 67** (sixty-seven).  
**H.J.R. 68** (sixty-eight).  
**H.J.R. 69** (sixty-nine).  
**H.J.R. 70** (seventy).  
**H.J.R. 74** (seventy-four).  
**H.J.R. 77** (seventy-seven).  
**H.J.R. 88** (eighty-eight).  
**H.J.R. 89** (eighty-nine).  
**H.J.R. 98** (ninety-eight).  
**H.J.R. 99** (ninety-nine).  
**H.J.R. 100** (one hundred).  
**H.J.R. 101** (one hundred one).  
**H.J.R. 107** (one hundred seven).  
**H.J.R. 139** (one hundred thirty-nine).  
**H.J.R. 140** (one hundred forty).  
**H.J.R. 141** (one hundred forty-one).

**H.J.R. 214** (two hundred fourteen).  
**H.J.R. 215** (two hundred fifteen).  
**H.J.R. 216** (two hundred sixteen).  
**H.J.R. 217** (two hundred seventeen).  
**H.J.R. 218** (two hundred eighteen).  
**H.J.R. 219** (two hundred nineteen).  
**H.J.R. 220** (two hundred twenty).  
**H.J.R. 221** (two hundred twenty-one).  
**H.J.R. 222** (two hundred twenty-two).  
**H.J.R. 223** (two hundred twenty-three).  
**H.J.R. 224** (two hundred twenty-four).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

**S.J.R. 5** (five).  
**S.J.R. 15** (fifteen).  
**S.J.R. 16** (sixteen).  
**S.J.R. 30** (thirty).  
**S.J.R. 32** (thirty-two).  
**S.J.R. 36** (thirty-six).  
**S.J.R. 47** (forty-seven).  
**S.J.R. 61** (sixty-one).  
**S.J.R. 62** (sixty-two).  
**S.J.R. 66** (sixty-six).  
**S.J.R. 67** (sixty-seven).  
**S.J.R. 72** (seventy-two).  
**S.J.R. 76** (seventy-six).

#### **MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Putney, who informed the Senate that the following nomination had been made by the House:

For a member of the State Corporation Commission:

Mark C. Christie.

#### **JOINT ORDER FOR ELECTIONS RESUMED**

The Joint Order under House Joint Resolution No. 273 was resumed.

The roll was called with the following results:

For a member of the State Corporation Commission for the term set forth:

The nominee by Senate Resolution No. 8 received an affirmative vote of 39.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Marsh moved to reconsider the vote by which the nominee by Senate Resolution No. 8 for a member of the State Corporation Commission for the term set forth received an affirmative vote of 39.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

For a member of the State Corporation Commission for the term set forth:

The nominee by Senate Resolution No. 8 received an affirmative vote of 40.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The President appointed Senators Newman, Rerras, Wagner, and Edwards, the committee on the part of the Senate to count and report the vote of each house in each case.

Subsequently, the committee reported as follows:

Whole number of votes necessary to elect:

In the House of Delegates.....51

In the Senate.....21

For a member of the State Corporation Commission for a term of six years commencing February 1, 2004:

Mark C. Christie received:

In the House.....97

In the Senate.....40

On motion of Senator Wampler, the reading of the report was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The nominee, having received the vote of a majority of the members elected to each house of the General Assembly, was declared by the President duly elected a member of the State Corporation Commission, as follows:

Mark C. Christie, as a member of the State Corporation Commission for a term of six years commencing February 1, 2004.

**OTHER BUSINESS**

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 139** (one hundred thirty-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 140** (one hundred forty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ruff had been added as a co-patron of **S.B. 146** (one hundred forty-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ruff had been added as a co-patron of **S.B. 243** (two hundred forty-three).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Bolling and Ruff had been added as co-patrons of **S.B. 265** (two hundred sixty-five).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Hanger and Ruff and Delegates Abbitt, Scott, E.T., and Van Yahres had been added as co-patrons of **S.B. 267** (two hundred sixty-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 290** (two hundred ninety).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 295** (two hundred ninety-five).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Quayle had been added as a co-patron of **S.B. 318** (three hundred eighteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 346** (three hundred forty-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 392** (three hundred ninety-two).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Locke had been added as a co-patron of **S.B. 398** (three hundred ninety-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 415** (four hundred fifteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Nixon had been added as a co-patron of **S.B. 428** (four hundred twenty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Lewis had been added as a co-patron of **S.B. 447** (four hundred forty-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.B. 567** (five hundred sixty-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Martin had been added as a co-patron of **S.J.R. 29** (twenty-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.J.R. 54** (fifty-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.J.R. 80** (eighty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bolling had been added as a co-patron of **S.J.R. 91** (ninety-one).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 10:00 a.m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

FRIDAY, JANUARY 23, 2004

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. Robert D. Marston, St. Andrews Episcopal Church, Newport News, Virginia, offered the following prayer:

Almighty and Eternal God, who has brought us in safety to this new day, we commend this Commonwealth to Your merciful care. Give us a zeal for justice and the strength of forbearance, that we may use our liberty in accordance with Your will. Send down upon our state Senate here assembled the spirit of wisdom, charity, and justice. Grant us wisdom and strength to know and to do Your will. Fill us with the love of truth and righteousness, and further us with Your continual help. Grant us, in all our doubts and uncertainties, the grace to ask what You would have us to do, that the spirit of wisdom may save us from all false choices, and that in Your light we may see light, and in Your straight path may not stumble, to the glory of Your name. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Lucas, Marsh, Martin, and Saslaw notified the Clerk of their presence.

On motion of Senator Hanger, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

#### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
January 22, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 47.** A BILL to amend and reenact § 16.1-77 of the Code of Virginia, relating to actions of unlawful entry or detainer in general district courts.

- H.B. 64.** A BILL to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.
- H.B. 70.** A BILL to amend and reenact §§ 17.1-302 and 17.1-401 of the Code of Virginia, relating to senior justices and judges.
- H.B. 82.** A BILL to amend and reenact § 23-7.4:2 of the Code of Virginia, relating to reduced tuition for certain students at the University of Virginia's College at Wise.
- H.B. 125.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to juvenile intake; notification of school superintendent.
- H.B. 220.** A BILL to amend and reenact § 43-32 of the Code of Virginia, relating to mechanic's lien for keeper of garage or marina.
- H.B. 275.** A BILL to amend and reenact § 55-210.21 of the Code of Virginia, relating to the State Treasurer; interest on property claims.
- H.B. 276.** A BILL to amend and reenact § 55-210.12 of the Code of Virginia, relating to electronically filing unclaimed property reports.
- H.B. 332.** A BILL to amend and reenact § 17.1-227 of the Code of Virginia, relating to recordation of powers of attorney.
- H.B. 710.** A BILL to amend and reenact § 23-31 of the Code of Virginia, relating to unfunded scholarships.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 47, H.B. 70, H.B. 125, H.B. 220, H.B. 275, H.B. 276, and H.B. 332** were referred to the Committee for Courts of Justice.

**H.B. 64, H.B. 82, and H.B. 710** were referred to the Committee on Education and Health.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hanger from the Committee on Rehabilitation and Social Services:

- S.B. 78** (seventy-eight) with amendments.
- S.B. 314** (three hundred fourteen) with amendment.
- S.B. 409** (four hundred nine) with amendments.
- S.B. 417** (four hundred seventeen) with amendment.
- S.B. 595** (five hundred ninety-five) with amendment.

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

- S.B. 58** (fifty-eight).
- S.B. 92** (ninety-two) with amendments.
- S.B. 127** (one hundred twenty-seven) with substitute.
- S.B. 132** (one hundred thirty-two) with amendment.
- S.B. 139** (one hundred thirty-nine) with amendments.
- S.B. 155** (one hundred fifty-five).
- S.B. 176** (one hundred seventy-six) with amendments.
- S.B. 189** (one hundred eighty-nine) with amendments.
- S.B. 306** (three hundred six).
- S.B. 364** (three hundred sixty-four).
- S.B. 419** (four hundred nineteen).
- S.B. 421** (four hundred twenty-one).
- S.B. 451** (four hundred fifty-one) with amendments.
- S.B. 499** (four hundred ninety-nine).
- S.B. 511** (five hundred eleven).
- S.B. 560** (five hundred sixty) with amendments.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Transportation pursuant to Senate Rule 20 (j):

**S.B. 193** (one hundred ninety-three) with the recommendation that it be rereferred to the Committee on Agriculture, Conservation and Natural Resources.

**S.B. 380** (three hundred eighty) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**S.B. 193** was rereferred to the Committee on Agriculture, Conservation and Natural Resources pursuant to Senate Rule 20 (j).

**S.B. 380** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

The following, by leave, were presented, ordered to be printed, and referred under Senate Rule 11 (b):

**S.B. 636.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.

Patron--Lucas

Referred to Committee for Courts of Justice

**S.B. 637.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to use of local and regional jail inmates in highway maintenance and construction projects.

Patron--Norment

Referred to Committee on Transportation

**S.B. 638.** A BILL to amend and reenact §§ 2.2-3101, 2.2-4343, 8.01-195.2, 13.1-543, 13.1-1102, 23-1.01, 23-1.1, 23-2, 23-2.1, 23-2.1:1, 23-3, 23-4.1, 23-4.2, 23-4.3, 23-4.4, 23-7.1:02, 23-7.4, 23-7.4:1, 23-7.4:2, 23-7.4:3, 23-7.5, 23-8.2:1, 23-9.1, 23-9.1:1, 23-9.2, 23-9.2:3, 23-9.2:3.1, 23-9.2:3.2, 23-9.2:3.3, 23-9.2:3.4, 23-9.2:4, 23-14, 23-30.23, 23-30.40, 23-38.10:2, 23-38.19:1, 23-38.19:3, 23-38.45, 23-38.53:1, 23-38.53:4, 23-38.53:11, 23-38.53:12, 23-38.55, 23-38.70, 23-38.72, 23-38.75, 23-232, 25.1-100, and 30-133 of the Code of Virginia, and to amend the Code of Virginia by adding sections numbered 23-9.3:01 and 23-31.01, by adding in Title 23 a chapter numbered 4.10, consisting of articles numbered 1 through 6 and sections numbered 23-38.88 through 23-38.126, and by adding sections numbered 58.1-100.1, 58.1-2020.1, and 58.1-3000.1, relating to Commonwealth Chartered Universities and Colleges.

Patron--Norment

Referred to Committee on Education and Health

**S.B. 639.** A BILL to amend the Code of Virginia by adding a section numbered 62.1-44.15:02, relating to nitrogen and phosphorus loading allocations.

Patron--Whipple

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 640.** A BILL to amend and reenact §§ 19.2-169.6, 19.2-176 and 19.2-177.1 of the Code of Virginia, relating to mentally ill defendants.

Patron--Edwards

Referred to Committee for Courts of Justice

**S.B. 641.** A BILL to amend and reenact §§ 2.2-2818, 32.1-325 and 38.2-4319 of the Code of Virginia, as it is currently effective and as it shall become effective, and to amend the Code of Virginia by adding a section numbered 38.2-3418.15, relating to health insurance; coverage for hearing aids for minor children; Medicaid.

Patrons--Ticer, Colgan, Edwards, Houck, Lambert, Lucas, Marsh, Mims, Puller and Whipple

Referred to Committee on Commerce and Labor

**S.B. 642.** A BILL to amend and reenact §§ 58.1-3713 and 58.1-3713.01 of the Code of Virginia, relating to distribution of local coal and gas road improvement tax revenues for certain projects.

Patron--Puckett

Referred to Committee on Finance

**S.B. 643.** A BILL to amend and reenact §§ 4.1-128, 15.2-5814, as it is currently effective and as it may become effective, 55-248.5, 58.1-3840, and 58.1-3842 of the Code of Virginia; and to repeal Article 5 (§§ 58.1-3817 and 58.1-3818, as it is currently effective, as it shall become effective, and as it may become effective), Article 6 (§§ 58.1-3819 through 58.1-3823), Article 7 (§§ 58.1-3830, 58.1-3831

and 58.1-3832) and Article 7.1 (§§ 58.1-3833 and 58.1-3834) of Chapter 38 of Title 58.1, relating to local government taxing authority.

Patron--Saslaw

Referred to Committee on Finance

**S.B. 644.** A BILL to amend and reenact § 22.1-32 of the Code of Virginia, relating to salaries of certain school boards.

Patrons--Colgan; Delegate: Parrish

Referred to Committee on Education and Health

**S.B. 645.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-3916.02, relating to real estate taxes; alternative payment schedules.

Patrons--Colgan; Delegate: Parrish

Referred to Committee on Finance

**S.B. 646.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 22 of Title 2.2 a section numbered 2.2-2233.2, relating to the Biotechnology Commercialization Loan Fund.

Patron--Howell

Referred to Committee on General Laws

**S.B. 647.** A BILL to amend and reenact §§ 2.2-3003, 2.2-3005, and 2.2-3006 of the Code of Virginia, relating to the State Grievance Procedure; decisions.

Patron--Reynolds

Referred to Committee on General Laws

**S.B. 648.** A BILL to amend the Code of Virginia by adding in Title 9.1 a chapter numbered 10, consisting of a section numbered 9.1-1000, relating to retired law-enforcement officers.

Patron--Houck

Referred to Committee for Courts of Justice

**S.B. 649.** A BILL to amend and reenact § 3.1-336.2 of the Code of Virginia, relating to the Master Settlement Agreement; escrow funds.

Patron--Puckett

Referred to Committee on Agriculture, Conservation and Natural Resources

**S.B. 650.** A BILL to amend the Code of Virginia by adding a section numbered 38.2-3407.5:2, relating to accident and sickness insurance; exclusions from coverage for services related to genetic predisposition.

Patron--Deeds

Referred to Committee on Commerce and Labor

**S.B. 651.** A BILL to amend and reenact §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-589, and 56-594 of the Code of Virginia, relating to the Electric Utility Restructuring Act.

Patron--Norment

Referred to Committee on Commerce and Labor

**S.B. 652.** A BILL to amend and reenact § 58.1-3823 of the Code of Virginia, relating to transient occupancy tax.

Patron--Norment

Referred to Committee on Finance

- S.B. 653.** A BILL to amend and reenact § 23-4.01 of the Code of Virginia, relating to certain easements by the College of William and Mary.  
Patron--Norment  
Referred to Committee for Courts of Justice
- S.B. 654.** A BILL to amend and reenact §§ 1 and 2, as amended, §§ 3 through 6, § 10, as amended, §§ 11, 13, 22 and 32, § 45, as amended, and §§ 48 and 49 of Chapter 66 of the Acts of Assembly of 1960, relating to the Hampton Roads Sanitation District.  
Patron--Norment  
Referred to Committee on Education and Health
- S.B. 655.** A BILL to amend the Code of Virginia by adding in Chapter 37 of Title 58.1 a section numbered 58.1-3736, and to repeal §§ 58.1-3700 through 58.1-3735 of the Code of Virginia, relating to business license tax phase-out.  
Patron--Norment  
Referred to Committee on Finance
- S.B. 656.** A BILL to amend and reenact § 30-168.4 of the Code of Virginia, relating to the Joint Commission on Health Care.  
Patron--Martin  
Referred to Committee on Rules
- S.B. 657.** A BILL to amend and reenact §§ 29.1-100, 29.1-519, and 29.1-528 of the Code of Virginia, relating to firearms.  
Patron--Quayle  
Referred to Committee on Agriculture, Conservation and Natural Resources
- S.B. 658.** A BILL to amend and reenact § 53.1-159 of the Code of Virginia, relating to mandatory release on parole.  
Patron--Quayle  
Referred to Committee on Rehabilitation and Social Services
- S.B. 659.** A BILL to repeal §§ 18.2-341, 18.2-342, 18.2-343, and 40.1-28.5 of the Code of Virginia, relating to Sunday closing laws.  
Patron--Quayle  
Referred to Committee for Courts of Justice
- S.B. 660.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.  
Patron--Stolle  
Referred to Committee for Courts of Justice
- S.B. 661.** A BILL to clarify municipal or recreational purpose restrictions on real property acquired by the Commonwealth or any locality.  
Patron--Blevins  
Referred to Committee on Local Government
- S.B. 662.** A BILL to amend and reenact § 2.2-2503 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-3419.2, relating to mandated health insurance benefits.  
Patrons--Martin, Bolling, Hawkins, Newman, Ruff and Wagner  
Referred to Committee on Commerce and Labor

- S.B. 663.** A BILL to amend the Code of Virginia by adding a section numbered 56-49.01, relating to natural gas companies' right of entry upon property.  
Patron--Wagner  
Referred to Committee on Commerce and Labor
- S.B. 664.** A BILL to amend the Code of Virginia by adding a section numbered 30-19.03:1.2, relating to unemployment compensation; legislation affecting revenues.  
Patron--Wagner  
Referred to Committee on Rules
- S.B. 665.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-400.3 and by adding in Article 1 of Chapter 16 of Title 19.2 a section numbered 19.2-271.4, relating to certain communications with victims of domestic violence or sexual assault.  
Patrons--Mims, Cuccinelli, Howell, Ticer and Whipple  
Referred to Committee for Courts of Justice
- S.B. 666.** A BILL to amend the Code of Virginia by adding in Chapter 13.2 of Title 22.1 a section numbered 22.1-253.13:9, relating to apportionment of the state and local share for the costs of providing certain educational programs.  
Patrons--Mims, Blevins, Bolling, Hanger, Potts and Quayle  
Referred to Committee on Education and Health
- S.B. 667.** A BILL to amend and reenact § 58.1-9 of the Code of Virginia, relating to filing tax returns or payment of taxes by mail or otherwise.  
Patrons--Mims and Potts  
Referred to Committee on Finance
- S.B. 668.** A BILL to amend the Code of Virginia by adding sections numbered 8.01-184.1 and 58.1-607.1, relating to constitutional nexus for imposition of sales and use tax; declaratory judgment.  
Patrons--Mims and Devolites  
Referred to Committee on Finance
- S.B. 669.** A BILL to amend and reenact § 19.2-37 of the Code of Virginia, relating to who may be appointed as a magistrate.  
Patron--Obenshain  
Referred to Committee for Courts of Justice
- S.B. 670.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to construction of a U.S. Route 29 bypass around cities in certain counties.  
Patrons--Newman and Hawkins; Delegate: Byron  
Referred to Committee on Transportation
- S.B. 671.** A BILL to amend and reenact Chapter 460 of the Acts of Assembly of 2003, relating to medical assistance services; consumer-directed care; cash and counseling project waiver.  
Patrons--Newman and Potts  
Referred to Committee on Education and Health

- S.B. 672.** A BILL to amend and reenact §§ 32.1-127 of the Code of Virginia, relating to establishment of Board of Health regulations; guidelines for staffing of nursing homes.  
Patrons--Edwards, Lucas and Whipple  
Referred to Committee on Education and Health
- S.B. 673.** A BILL to amend and reenact §§ 56-1 and 58.1-3812 of the Code of Virginia, relating to regulation of Voice-over-Internet Protocol (VoIP).  
Patrons--Cuccinelli, Devolites and Mims  
Referred to Committee on Commerce and Labor
- S.B. 674.** A BILL to amend and reenact § 54.1-3900 of the Code of Virginia, relating to practice of law; third-year students.  
Patron--Cuccinelli  
Referred to Committee for Courts of Justice
- S.B. 675.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-1001.1, relating to a fee on cigarettes sold or distributed by nonparticipating manufacturers.  
Patron--Puckett  
Referred to Committee on Finance
- S.B. 676.** A BILL to amend and reenact §§ 58.1-2402, 58.1-2425, 62.1-198, 62.1-199, and 62.1-203 of the Code of Virginia, and to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 51.1, consisting of sections numbered 2.2-5105 through 2.2-5116, relating to the Virginia Resources Authority for financing of cultural facilities and economic development projects; the creation of the Virginia Cultural Economic Development Revolving Fund and funding for it by an increase in the state vehicle rental tax.  
Patron--Wampler  
Referred to Committee on Finance
- S.B. 678.** A BILL to amend and reenact §§ 58.1-512 and 58.1-513 of the Code of Virginia, relating to tax credits for land conveyed to a conservation agency for conservation or preservation purposes.  
Patron--Hanger  
Referred to Committee on Finance
- S.B. 679.** BILL to amend and reenact § 38.2-4319 and 38.2-4214 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 34 of Title 38.2 an article numbered 2.1, consisting of sections numbered 38.2-3419.2 through 38.2-3419.8, relating to state-mandated health benefits.  
Patrons--Martin, Bolling, Hawkins, Newman, O'Brien, Ruff, Wagner and Williams  
Referred to Committee on Commerce and Labor
- S.B. 680.** A BILL to amend and reenact § 20-109.1 of the Code of Virginia, relating to divorce decrees.  
Patron--Deeds  
Referred to Committee for Courts of Justice
- S.B. 681.** A BILL to amend and reenact §§ 58.1-2628 and 58.1-2674.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 58.1-400.3, relating to a minimum tax on certain electric suppliers.  
Patron--Watkins  
Referred to Committee on Finance

- S.B. 682.** A BILL to amend and reenact § 58.1-609.3 of the Code of Virginia, relating to commercial and industrial sales and use tax exemptions.  
Patron--Watkins  
Referred to Committee on Finance
- S.B. 683.** A BILL to amend and reenact §§ 58.1-302 and 58.1-402 of the Code of Virginia, relating to Virginia corporate income tax.  
Patron--Watkins  
Referred to Committee on Finance
- S.B. 684.** A BILL to amend and reenact §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842 of the Code of Virginia, relating to transient occupancy taxes and food and beverage taxes.  
Patron--Watkins  
Referred to Committee on Finance
- S.B. 685.** A BILL to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation.  
Patron--Howell  
Referred to Committee on Education and Health
- S.B. 686.** A BILL to establish the ownership and management relationship of the United States documented sailing vessel Virginia between the Commonwealth and the Virginia Maritime Heritage Foundation.  
Patron--Rerras  
Referred to Committee for Courts of Justice
- S.B. 687.** A BILL to amend and reenact §§ 38.2-5009, 38.2-5020, and 38.2-5021 of the Code of Virginia, relating to Virginia Birth-Related Neurological Injury Compensation Act.  
Patron--Devolites  
Referred to Committee on Commerce and Labor
- S.B. 688.** A BILL to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.  
Patron--Edwards  
Referred to Committee on Education and Health
- S.J.R. 122.** Requesting the Department of Medical Assistance Services to seek reimbursement for translation and interpretation services provided Medicaid-eligible persons with limited English proficiency. Report.  
Patron--Lucas  
Referred to Committee on Rules
- S.J.R. 123.** Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to special funds established by the General Assembly.  
Patron--Norment  
Referred to Committee on Privileges and Elections

**S.J.R. 130.** Encouraging the Supreme Court of Virginia to amend the Rules of Court on electronic filing.  
Patron--Devolites  
Referred to Committee on Rules

The following, by leave, were presented and laid on the Clerk's Desk under Senate Rule 26 (g):

**S.J.R. 121.** Commending Michael M. Foreman.

Patrons--Potts, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

**S.J.R. 124.** Commending Rabbi Israel Zoberman.

Patron--Wagner

**S.J.R. 125.** Commending Dale Gardner.

Patrons--Potts, Bell, Blevins, Bolling, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

**S.J.R. 126.** Celebrating the life of Lieutenant Jeffrey J. Kaylor.

Patron--Watkins

**S.J.R. 127.** On the death of Officer Ryan Eugene Cappelletty.

Patron--Watkins

**S.J.R. 128.** Commending Jennie Marie Hatcher Shaw.

Patron--Lambert

**S.J.R. 129.** On the death of Johnnie Mae Barley.

Patron--Lambert

## CALENDAR

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 44** (forty-four).

**S.B. 119** (one hundred nineteen).

**S.B. 131** (one hundred thirty-one).

**S.B. 163** (one hundred sixty-three).

**S.B. 165** (one hundred sixty-five).

**S.B. 166** (one hundred sixty-six).

**S.B. 221** (two hundred twenty-one).

**S.B. 403** (four hundred three).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 44** (forty-four).

**S.B. 119** (one hundred nineteen).

**S.B. 131** (one hundred thirty-one).

**S.B. 163** (one hundred sixty-three).

**S.B. 221** (two hundred twenty-one).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 165** (one hundred sixty-five), on motion of Senator Colgan, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 166** (one hundred sixty-six), on motion of Senator Colgan, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 403** (four hundred three), on motion of Senator Colgan, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 403** (four hundred three) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 403**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 71** (seventy-one) was read by title the third time and, on motion of Senator Puckett, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Lambert--1.

**S.B. 130** (one hundred thirty) was read by title the third time and, on motion of Senator Watkins, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Bell, Edwards, Lambert--3.

RULE 36--0.

**S.B. 171** (one hundred seventy-one) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Potts--1.

#### SENATE BILLS ON SECOND READING

**S.B. 152** (one hundred fifty-two), on motion of Senator Norment, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 18** (eighteen).

**S.B. 45** (forty-five).

**S.B. 55** (fifty-five).

**S.B. 69** (sixty-nine).

**S.B. 80** (eighty).

**S.B. 90** (ninety).

**S.B. 97** (ninety-seven).

**S.B. 184** (one hundred eighty-four).

**S.B. 203** (two hundred three).

**S.B. 211** (two hundred eleven).

**S.B. 308** (three hundred eight).

**S.B. 448** (four hundred forty-eight).

**S.B. 470** (four hundred seventy).

**S.B. 528** (five hundred twenty-eight).

**S.B. 574** (five hundred seventy-four).

**S.B. 592** (five hundred ninety-two).

The motion was agreed to.

**S.B. 470** (four hundred seventy) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 24.2-919.1, relating to campaign finance disclosure; reports of large contributions received by members of county boards of supervisors and city and town councils.

The reading of the substitute was waived.

On motion of Senator Ticer, the substitute was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 18** (eighteen).

**S.B. 45** (forty-five).

**S.B. 55** (fifty-five).

**S.B. 69** (sixty-nine).

**S.B. 80** (eighty).

**S.B. 90** (ninety).

**S.B. 97** (ninety-seven).

**S.B. 184** (one hundred eighty-four).

**S.B. 203** (two hundred three).

**S.B. 211** (two hundred eleven).

**S.B. 308** (three hundred eight).

**S.B. 448** (four hundred forty-eight).

**S.B. 470** (four hundred seventy) as amended.

**S.B. 528** (five hundred twenty-eight).

**S.B. 574** (five hundred seventy-four).

**S.B. 592** (five hundred ninety-two).

**S.B. 17** (seventeen) was read by title the second time and, on motion of Senator Miller, was ordered to be engrossed and read by title the third time.

**S.B. 190** (one hundred ninety) was read by title the second time and, on motion of Senator Reynolds, was ordered to be engrossed and read by title the third time.

**S.B. 206** (two hundred six) was read by title the second time and, on motion of Senator Quayle, was ordered to be engrossed and read by title the third time.

**S.B. 286** (two hundred eighty-six) was read by title the second time and, on motion of Senator O'Brien, was ordered to be engrossed and read by title the third time.

## SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 12** (twelve).  
**S.B. 19** (nineteen).  
**S.B. 51** (fifty-one).  
**S.B. 61** (sixty-one).  
**S.B. 72** (seventy-two).  
**S.B. 93** (ninety-three).  
**S.B. 99** (ninety-nine).  
**S.B. 158** (one hundred fifty-eight).  
**S.B. 161** (one hundred sixty-one).  
**S.B. 162** (one hundred sixty-two).  
**S.B. 173** (one hundred seventy-three).  
**S.B. 174** (one hundred seventy-four).  
**S.B. 177** (one hundred seventy-seven).  
**S.B. 223** (two hundred twenty-three).  
**S.B. 224** (two hundred twenty-four).  
**S.B. 233** (two hundred thirty-three).  
**S.B. 274** (two hundred seventy-four).  
**S.B. 278** (two hundred seventy-eight).  
**S.B. 280** (two hundred eighty).  
**S.B. 283** (two hundred eighty-three).  
**S.B. 315** (three hundred fifteen).  
**S.B. 338** (three hundred thirty-eight).  
**S.B. 363** (three hundred sixty-three).  
**S.B. 382** (three hundred eighty-two).  
**S.B. 412** (four hundred twelve).  
**S.B. 438** (four hundred thirty-eight).  
**S.B. 447** (four hundred forty-seven).  
**S.B. 498** (four hundred ninety-eight).  
**S.B. 503** (five hundred three).  
**S.B. 509** (five hundred nine).  
**S.B. 543** (five hundred forty-three).  
**S.B. 553** (five hundred fifty-three).  
**S.B. 555** (five hundred fifty-five).  
**S.B. 570** (five hundred seventy).  
**S.B. 573** (five hundred seventy-three).  
**S.B. 103** (one hundred three).  
**S.B. 420** (four hundred twenty).  
**S.B. 464** (four hundred sixty-four).  
**S.B. 520** (five hundred twenty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain,

O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 12 (twelve).
- S.B. 19 (nineteen).
- S.B. 51 (fifty-one).
- S.B. 61 (sixty-one).
- S.B. 72 (seventy-two).
- S.B. 93 (ninety-three).
- S.B. 99 (ninety-nine).
- S.B. 158 (one hundred fifty-eight).
- S.B. 161 (one hundred sixty-one).
- S.B. 162 (one hundred sixty-two).
- S.B. 173 (one hundred seventy-three).
- S.B. 174 (one hundred seventy-four).
- S.B. 177 (one hundred seventy-seven).
- S.B. 223 (two hundred twenty-three).
- S.B. 224 (two hundred twenty-four).
- S.B. 233 (two hundred thirty-three).
- S.B. 274 (two hundred seventy-four).
- S.B. 278 (two hundred seventy-eight).
- S.B. 280 (two hundred eighty).
- S.B. 283 (two hundred eighty-three).
- S.B. 315 (three hundred fifteen).
- S.B. 338 (three hundred thirty-eight).
- S.B. 363 (three hundred sixty-three).
- S.B. 382 (three hundred eighty-two).
- S.B. 412 (four hundred twelve).
- S.B. 438 (four hundred thirty-eight).
- S.B. 447 (four hundred forty-seven).
- S.B. 498 (four hundred ninety-eight).
- S.B. 503 (five hundred three).
- S.B. 509 (five hundred nine).
- S.B. 543 (five hundred forty-three).
- S.B. 553 (five hundred fifty-three).
- S.B. 555 (five hundred fifty-five).
- S.B. 570 (five hundred seventy).
- S.B. 573 (five hundred seventy-three).
- S.B. 103 (one hundred three).
- S.B. 420 (four hundred twenty).
- S.B. 464 (four hundred sixty-four).
- S.B. 520 (five hundred twenty).

#### SENATE JOINT RESOLUTIONS ON SECOND READING

S.J.R. 6 (six) was read by title the second time and, on motion of Senator O'Brien, was ordered to be engrossed and read by title the third time.

**S.J.R. 4** (four) was read by title the second time and, on motion of Senator Miller, was ordered to be engrossed and read by title the third time.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Rerras requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 677.** A BILL to amend and reenact § 18.2-57 of the Code of Virginia, relating to assault and battery of volunteer firefighters; penalty.

Patron--Rerras

Referred to Committee for Courts of Justice

### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Whipple had been added as a co-patron of **S.B. 47** (forty-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Reynolds had been added as a co-patron of **S.B. 170** (one hundred seventy).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Cline had been added as a co-patron of **S.B. 199** (one hundred ninety-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Deeds, Hanger, and Potts and Delegates Albo, Barlow, Bell, Dillard, Hull, Landes, Lewis, Phillips, and Saxman had been added as co-patrons of **S.B. 310** (three hundred ten).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Hanger and Puckett and Delegates Armstrong, Bell, Carrico, Cline, Dudley, Hurt, Johnson, Kilgore, Marshall, D.W., Nutter, Saxman, and Stump had been added as co-patrons of **S.B. 407** (four hundred seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bell had been added as a co-patron of **S.B. 607** (six hundred seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Moran had been added as a co-patron of **S.J.R. 86** (eighty-six).

On motion of Senator Wampler, a leave of absence for the day was granted Senator Chichester on account of personal business.

Senator Wampler moved that the Senate adjourn until Monday, January 26, 2004, at 12 m. and that the Rules be suspended and, pursuant to the provisions of House Joint Resolution No. 1, the Clerk be directed to accept legislation to be introduced until 5:00 p.m. on Friday, January 23, 2004.

The motion was agreed to.

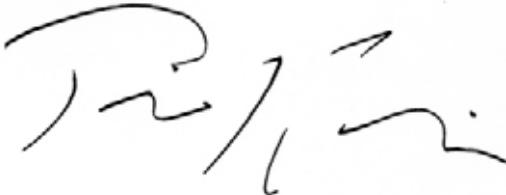
The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

A handwritten signature in black ink, appearing to read 'Timothy M. Kaine', written in a cursive style.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read 'Susan Clarke Schaar', written in a cursive style.

Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, JANUARY 26, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

John McE. Garrett, Deputy Clerk of the Senate and Elder at St. James Presbyterian Church, King William, Virginia, offered the following prayer:

Bless, O God, these servants of the peoples of this Commonwealth. As citizens, we ask that You, O God, respond to their prayers and supplications for guidance as they do the business of the people. Amen.

The roll was called and the following Senators answered to their names:

Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Stosch, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
January 23, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 14.** A BILL to amend and reenact §§ 2.2-216, 2.2-2634, 10.1-200, 10.1-1118, 10.1-1155, 23-31, and 51.5-75 of the Code of Virginia and to repeal §§ 2.2-2820.1, 3.1-362 and 22.1-289.1 of the Code of Virginia, the fifth enactment clause of Chapters 755 and 914 of the 1996 Acts of Assembly, and the third enactment clause of Chapter 891 of the 1998 Acts of Assembly, relating to the elimination of obsolete agency reporting requirements.

**H.B. 119.** A BILL to amend and reenact § 18.2-46 of the Code of Virginia, relating to criminal venue in mob crime cases.

**H.B. 159.** A BILL to amend and reenact § 32.1-263 of the Code of Virginia, relating to vital records; filing of death certificates.

**H.B. 203.** A BILL to amend and reenact § 2.2-612 of the Code of Virginia and to repeal Article 3 (§§ 2.2-2506 and 2.2-2507) of Chapter 25 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Virginia Advisory Commission on Intergovernmental Relations.

**H.B. 234.** A BILL to amend the Code of Virginia by adding a section numbered 66-3.2, relating to the Department of Juvenile Justice; additional duties of the Director.

**H.B. 235.** A BILL to require the State Compensation Board to perform certain duties relating to the Local Inmate Data System.

**H.B. 324.** A BILL to amend and reenact § 18.2-254 of the Code of Virginia, relating to escape from a drug treatment facility.

**H.B. 487.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; owner/operators of private aircraft.

**H.B. 494.** A BILL to amend and reenact § 37.1-134.17 of the Code of Virginia, relating to standby guardianship.

**H.B. 538.** A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; cell phone number of law-enforcement personnel.

**H.B. 605.** A BILL to change the name of the York County Circuit Court.

**H.B. 650.** A BILL to amend and reenact § 19.2-62 of the Code of Virginia, relating to the interception, disclosure of wire, electronic or oral communications; penalty.

**H.B. 776.** A BILL to amend and reenact § 19.2-310.2:1 of the Code of Virginia, relating to DNA sampling for certain attempted felonies.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 179.** Encouraging the United States Supreme Court to uphold a public school district policy that requires teachers to lead willing students in reciting the Pledge of Allegiance.

**H.J.R. 187.** Memorializing the Congress of the United States to propose a constitutional amendment to protect the fundamental institution of marriage as a union between a man and a woman.

**H.J.R. 192.** Memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states such as Virginia that have successfully increased student achievement through their own standards and accountability reforms.

**H.J.R. 228.** Recognizing and supporting the need for Adjusted Gross Revenue insurance for farmers.

**H.J.R. 230.** On the death of William A. Beeton, Jr.

**H.J.R. 231.** Commending George B. Baggarly.

**H.J.R. 232.** Commending Joe Higgs.

- H.J.R. 233.** Commending William A. Hall.
- H.J.R. 234.** Commending Stuart L. Rudacille.
- H.J.R. 235.** Commending Doris D. Miller.
- H.J.R. 236.** Commending New Kent County on the occasion of its 350th anniversary.
- H.J.R. 237.** On the death of Lloyd C. Weatherford.
- H.J.R. 238.** Celebrating the life of Columbus Augustus Austin, Jr.
- H.J.R. 239.** On the death of Wesley A. B. Hockaday.
- H.J.R. 240.** Celebrating the life of Reverend Leroy P. Watson.
- H.J.R. 241.** Celebrating the life of India Anna Taylor Johnson.
- H.J.R. 242.** Commending the Cave Spring High School girls' volleyball team.
- H.J.R. 243.** Commending Talbot Park Baptist Church.
- H.J.R. 244.** Commending Thelma Harrison.
- H.J.R. 245.** Commending Reverend Geoffrey V. Guns.
- H.J.R. 249.** On the death of Lawrence H. Hamlar.
- H.J.R. 250.** On the death of Joseph E. Brooks.
- H.J.R. 251.** Commending Robert C. Sledd and C. Michael Gray.
- H.J.R. 252.** Commending Joe Higgs.
- H.J.R. 253.** Commending Larry L. Weeks.
- H.J.R. 254.** Commending Joe Winkelmann.
- H.J.R. 256.** Celebrating the life of Lieutenant Joshua Charles Hurley.
- H.J.R. 257.** Commending Jake Grove.
- H.J.R. 258.** Commending Officer Robert M. Testa, Jr.
- H.J.R. 262.** On the death of Olga R. Trollinger.
- H.J.R. 263.** On the death of Arthur Rosenwasser.
- H.J.R. 264.** On the death of Nancy F. Sprague.
- H.J.R. 265.** Celebrating the life of Ann Rohrke Netherton.

**H.J.R. 266.** On the death of James Mott.

**H.J.R. 267.** On the death of Petty Officer Second Class Mario G. Maestas, U.S. Navy.

**H.J.R. 268.** On the death of Petty Officer First Class Thomas E. Retzer, U.S. Navy.

**H.J.R. 269.** On the death of Petty Officer First Class David Martin Tapper, U.S. Navy.

**H.J.R. 270.** Commending St. Paul's Episcopal Church of Hanover Courthouse.

**H.J.R. 271.** Commending the Gate City High School football team.

**H.J.R. 272.** Commending Sharon Grove McCamy.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 14, H.B. 203, H.B. 234, H.B. 487, and H.B. 538** were referred to the Committee on General Laws.

**H.B. 119, H.B. 324, H.B. 605, H.B. 650, and H.B. 776** were referred to the Committee for Courts of Justice.

**H.B. 159 and H.B. 494** were referred to the Committee on Education and Health.

**H.B. 235** was referred to the Committee on Finance.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 179, H.J.R. 187, H.J.R. 192, and H.J.R. 228** were referred to the Committee on Rules.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

H.J.R. 230, H.J.R. 231, H.J.R. 232, H.J.R. 233, H.J.R. 234, H.J.R. 235, H.J.R. 236, H.J.R. 237, H.J.R. 238, H.J.R. 239, H.J.R. 240, H.J.R. 241, H.J.R. 242, H.J.R. 243, H.J.R. 244, H.J.R. 245, H.J.R. 249, H.J.R. 250, H.J.R. 251, H.J.R. 252, H.J.R. 253, H.J.R. 254, H.J.R. 256, H.J.R. 257, H.J.R. 258, H.J.R. 262, H.J.R. 263, H.J.R. 264, H.J.R. 265, H.J.R. 266, H.J.R. 267, H.J.R. 268, H.J.R. 269, H.J.R. 270, H.J.R. 271, and H.J.R. 272.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 200** (two hundred).

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

**S.B. 310** (three hundred ten) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 386** (three hundred eighty-six) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 454** (four hundred fifty-four) with substitute.

**S.B. 482** (four hundred eighty-two) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 523** (five hundred twenty-three) with amendments.

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 214** (two hundred fourteen) with amendments.

**S.B. 320** (three hundred twenty) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 321** (three hundred twenty-one) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 325** (three hundred twenty-five) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 339** (three hundred thirty-nine) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 310, S.B. 320, S.B. 321, S.B. 325, S.B. 339, S.B. 386, and S.B. 482** were rereferred to the Committee on Finance.

#### GUEST PRESENTED

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain,

O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

Senator Bolling presented United States Senator George Allen to the Senate.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Wampler requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 689.** A BILL to amend the Code of Virginia by adding a section numbered 30-9.1, relating to the use of television or other electronic signals generated by the Senate of Virginia for political or commercial purpose; penalty.

Patron--Wampler

Referred to Committee on Rules

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Watkins requested and was granted unanimous consent to introduce a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 131.** Requesting the Department of Health to study the statewide response to sexual assault victims and the prevention of sexual assault. Report.

Patron--Watkins

Referred to Committee on Rules

### CALENDAR

#### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 18** (eighteen).

**S.B. 45** (forty-five).

**S.B. 55** (fifty-five).

**S.B. 69** (sixty-nine).

**S.B. 80** (eighty).

**S.B. 90** (ninety).

**S.B. 97** (ninety-seven).

**S.B. 184** (one hundred eighty-four).

**S.B. 203** (two hundred three).

**S.B. 211** (two hundred eleven).

**S.B. 308** (three hundred eight).

**S.B. 448** (four hundred forty-eight).

**S.B. 470** (four hundred seventy).

**S.B. 528** (five hundred twenty-eight).

**S.B. 574** (five hundred seventy-four).

**S.B. 592** (five hundred ninety-two).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 18** (eighteen).

**S.B. 45** (forty-five).

**S.B. 55** (fifty-five).

**S.B. 69** (sixty-nine).

**S.B. 80** (eighty).

**S.B. 90** (ninety).

**S.B. 97** (ninety-seven).

**S.B. 184** (one hundred eighty-four).

**S.B. 203** (two hundred three).

**S.B. 211** (two hundred eleven).

**S.B. 308** (three hundred eight).

**S.B. 448** (four hundred forty-eight).

**S.B. 470** (four hundred seventy).

**S.B. 528** (five hundred twenty-eight).

**S.B. 574** (five hundred seventy-four).

**S.B. 592** (five hundred ninety-two).

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 17** (seventeen) was read by title the third time and, on motion of Senator Miller, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--10. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--28.

NAYS--Bolling, Cuccinelli, Newman, Obenshain, O'Brien, Potts, Rerras, Ruff, Wagner, Williams--10.

RULE 36--0.

**S.B. 190** (one hundred ninety) was read by title the third time and, on motion of Senator Reynolds, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Ruff--1.

RULE 36--0.

**S.B. 206** (two hundred six) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--2. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--36.

NAYS--Marsh, Williams--2.

RULE 36--0.

**S.B. 286** (two hundred eighty-six) was read by title the third time and, on motion of Senator O'Brien, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--7. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--31.

NAYS--Bolling, Deeds, Edwards, Howell, Mims, Obenshain, Reynolds--7.

RULE 36--0.

### SENATE BILLS ON SECOND READING

**S.B. 152** (one hundred fifty-two), on motion of Senator Norment, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 12** (twelve).

**S.B. 19** (nineteen).

**S.B. 51** (fifty-one).

**S.B. 61** (sixty-one).

**S.B. 72** (seventy-two).

S.B. 93 (ninety-three).  
S.B. 99 (ninety-nine).  
S.B. 158 (one hundred fifty-eight).  
S.B. 161 (one hundred sixty-one).  
S.B. 162 (one hundred sixty-two).  
S.B. 173 (one hundred seventy-three).  
S.B. 174 (one hundred seventy-four).  
S.B. 177 (one hundred seventy-seven).  
S.B. 223 (two hundred twenty-three).  
S.B. 224 (two hundred twenty-four).  
S.B. 233 (two hundred thirty-three).  
S.B. 274 (two hundred seventy-four).  
S.B. 278 (two hundred seventy-eight).  
S.B. 280 (two hundred eighty).  
S.B. 283 (two hundred eighty-three).  
S.B. 315 (three hundred fifteen).  
S.B. 338 (three hundred thirty-eight).  
S.B. 363 (three hundred sixty-three).  
S.B. 382 (three hundred eighty-two).  
S.B. 412 (four hundred twelve).  
S.B. 438 (four hundred thirty-eight).  
S.B. 447 (four hundred forty-seven).  
S.B. 498 (four hundred ninety-eight).  
S.B. 503 (five hundred three).  
S.B. 509 (five hundred nine).  
S.B. 543 (five hundred forty-three).  
S.B. 553 (five hundred fifty-three).  
S.B. 555 (five hundred fifty-five).  
S.B. 570 (five hundred seventy).  
S.B. 573 (five hundred seventy-three).

The motion was agreed to.

S.B. 51 (fifty-one) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 136, introduced, after *parties*  
insert

*for a non-marital separate purpose or the dissipation of such funds, when such was done*

The reading of the amendment was waived.

On motion of Senator Puller, the amendment was agreed to.

S.B. 72 (seventy-two) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 14, introduced

strike

*Judges, probation*

insert

*Probation*

The reading of the amendment was waived.

On motion of Senator Puckett, the amendment was agreed to.

**S.B. 93** (ninety-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 37.1-183.3 and 37.1-197.2 of the Code of Virginia, relating to employee background checks at adult substance abuse treatment facilities.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

**S.B. 99** (ninety-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; retired law-enforcement officers.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

**S.B. 158** (one hundred fifty-eight) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 25, introduced, after *In addition*,

insert

*with such funds as may be made available,*

2. Line 34, introduced, after *Aging, for*

insert

*disseminating information to the public concerning the availability of pharmaceutical assistance programs and for*

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

**S.B. 173** (one hundred seventy-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 23-276.1 and 23-276.2 of the Code of Virginia, relating to regulation of certain private and out-of-state institutions of higher education; exemptions.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**S.B. 177** (one hundred seventy-seven) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 15, introduced, after § 19.2-163.8  
insert  
*or as otherwise provided in subsection C of § 19.2-163.8*
2. Line 16, introduced, after all cases  
strike  
after July 1, 2004,
3. Line 16, introduced, after counsel is  
strike  
to be
4. Line 16, introduced, after section  
insert  
*after July 1, 2004*
5. Line 17, introduced, after ~~this~~.  
strike  
remainder of line 17 and through *counsel*. on line 18

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

**S.B. 274** (two hundred seventy-four) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 14, introduced  
strike  
jurisdiction  
insert  
*circuit*
2. Line 22, introduced, after line 21  
insert
  2. That an emergency exists and this act is in force from its passage.

The reading of the amendments was waived.

On motion of Senator Devolites, the amendments were agreed to.

**S.B. 280** (two hundred eighty) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 52, introduced, after *shall not disclose*  
 strike  
                                   *the contents of the comprehensive business plan*  
 insert  
                                   *those portions of any comprehensive business plan that reveal marketing strategies of a municipal cable television service*

The reading of the amendment was waived.

On motion of Senator Wampler, the amendment was agreed to.

**S.B. 338** (three hundred thirty-eight) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 122, introduced, after 20.  
 strike  
                                   remainder of line 122 and all of lines 123 and 124  
 insert  
                                   *To facilitate the development of articulation agreements between two- and four-year public and private institutions of higher education in Virginia.*

The reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

**S.B. 382** (three hundred eighty-two) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 19, introduced, after *Governor's*  
 strike  
                                   *principle*  
 insert  
                                   *principal*

The reading of the amendment was waived.

On motion of Senator Puller, the amendment was agreed to.

**S.B. 503** (five hundred three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Virginia Condominium Act and the Virginia Property Owners Association Act; foreclosure on liens.

The reading of the substitute was waived.

On motion of Senator Mims, the substitute was agreed to.

**S.B. 509** (five hundred nine) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 27, introduced, after licenses

insert

*, or restraining order requiring such person to cease and desist from engaging in such act or practice*

The reading of the amendment was waived.

On motion of Senator Mims, the amendment was agreed to.

**S.B. 543** (five hundred forty-three) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 51, introduced, after *Forestry*,  
strike

*Department of Mines, Minerals and Energy,*

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

**S.B. 570** (five hundred seventy) was taken up.

Senator Hawkins offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 23-231.20 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.

On motion of Senator Hawkins, the reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 12** (twelve).

**S.B. 19** (nineteen).

**S.B. 51** (fifty-one) as amended.

**S.B. 61** (sixty-one).

**S.B. 72** (seventy-two) as amended.

**S.B. 93** (ninety-three) as amended.

**S.B. 99** (ninety-nine) as amended.

**S.B. 158** (one hundred fifty-eight) as amended.

**S.B. 161** (one hundred sixty-one).

**S.B. 162** (one hundred sixty-two).

**S.B. 173** (one hundred seventy-three) as amended.

**S.B. 174** (one hundred seventy-four).

**S.B. 177** (one hundred seventy-seven) as amended.

**S.B. 223** (two hundred twenty-three).

**S.B. 224** (two hundred twenty-four).

**S.B. 233** (two hundred thirty-three).

**S.B. 274** (two hundred seventy-four) as amended.

**S.B. 278** (two hundred seventy-eight).

**S.B. 280** (two hundred eighty) as amended.

**S.B. 283** (two hundred eighty-three).

**S.B. 315** (three hundred fifteen).

**S.B. 338** (three hundred thirty-eight) as amended.

**S.B. 363** (three hundred sixty-three).

**S.B. 382** (three hundred eighty-two) as amended.

**S.B. 412** (four hundred twelve).

**S.B. 438** (four hundred thirty-eight).

**S.B. 447** (four hundred forty-seven).

**S.B. 498** (four hundred ninety-eight).

**S.B. 503** (five hundred three) as amended.

**S.B. 509** (five hundred nine) as amended.

**S.B. 543** (five hundred forty-three) as amended.

**S.B. 553** (five hundred fifty-three).

**S.B. 555** (five hundred fifty-five).

**S.B. 570** (five hundred seventy) as amended.

**S.B. 573** (five hundred seventy-three).

**S.B. 103** (one hundred three) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:5 and 16.1-296 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-296.2, relating to fees for custody and visitation proceedings.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

On motion of Senator Devolites, the bill was ordered to be engrossed and read by title the third time.

**S.B. 420** (four hundred twenty) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL authorizing the Virginia Marine Resources Commission to grant and convey to the City of Newport News certain rights in the subaqueous beds of the Commonwealth for development and operation of the proposed King William Reservoir.

The reading of the substitute was waived.

On motion of Senator Wagner, the substitute was agreed to.

Senator Wagner moved that the bill be ordered to be engrossed and read by title the third time.

Senator Hawkins moved, as a substitute motion, that **S.B. 420** be rereferred to the Committee on Agriculture, Conservation and Natural Resources.

The question was put on rereferring **S.B. 420** to the Committee on Agriculture, Conservation and Natural Resources.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--20. NAYS--17. RULE 36--1.

YEAS--Bolling, Chichester, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lucas, Marsh, Miller, Puller, Reynolds, Ruff, Stosch, Ticer, Wampler, Watkins, Whipple--20.

NAYS--Blevins, Colgan, Cuccinelli, Lambert, Locke, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Saslaw, Stolle, Wagner--17.

RULE 36--Williams--1.

The substitute motion was agreed to.

**S.B. 464** (four hundred sixty-four) was read by title the second time and, on motion of Senator Chichester, was ordered to be engrossed and read by title the third time.

**S.B. 520** (five hundred twenty) was read by title the second time and, on motion of Senator Hanger, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 78** (seventy-eight).
- S.B. 127** (one hundred twenty-seven).
- S.B. 139** (one hundred thirty-nine).
- S.B. 155** (one hundred fifty-five).
- S.B. 189** (one hundred eighty-nine).
- S.B. 364** (three hundred sixty-four).
- S.B. 409** (four hundred nine).
- S.B. 417** (four hundred seventeen).
- S.B. 419** (four hundred nineteen).
- S.B. 421** (four hundred twenty-one).
- S.B. 451** (four hundred fifty-one).
- S.B. 499** (four hundred ninety-nine).
- S.B. 511** (five hundred eleven).
- S.B. 560** (five hundred sixty).
- S.B. 595** (five hundred ninety-five).
- S.B. 58** (fifty-eight).
- S.B. 92** (ninety-two).
- S.B. 132** (one hundred thirty-two).
- S.B. 176** (one hundred seventy-six).
- S.B. 306** (three hundred six).
- S.B. 314** (three hundred fourteen).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 78** (seventy-eight).
- S.B. 127** (one hundred twenty-seven).
- S.B. 139** (one hundred thirty-nine).
- S.B. 155** (one hundred fifty-five).
- S.B. 189** (one hundred eighty-nine).
- S.B. 364** (three hundred sixty-four).
- S.B. 409** (four hundred nine).
- S.B. 417** (four hundred seventeen).

- S.B. 419 (four hundred nineteen).
- S.B. 421 (four hundred twenty-one).
- S.B. 451 (four hundred fifty-one).
- S.B. 499 (four hundred ninety-nine).
- S.B. 511 (five hundred eleven).
- S.B. 560 (five hundred sixty).
- S.B. 595 (five hundred ninety-five).
- S.B. 58 (fifty-eight).
- S.B. 92 (ninety-two).
- S.B. 132 (one hundred thirty-two).
- S.B. 176 (one hundred seventy-six).
- S.B. 306 (three hundred six).
- S.B. 314 (three hundred fourteen).

### SENATE JOINT RESOLUTIONS ON THIRD READING

S.J.R. 6 (six) was read by title the third time.

#### SENATE JOINT RESOLUTION NO. 6

Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2003 and referred to this, the next regular session held after the 2003 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article II of the Constitution of Virginia as follows:

#### ARTICLE II

#### FRANCHISE AND OFFICERS

Section 6. Apportionment.

Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. The General Assembly shall reapportion the Commonwealth into electoral districts in accordance with this section in the year ~~1971~~ 2011 and every ten years thereafter.

Any such *decennial* reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

*The districts delineated in the decennial reapportionment law shall be implemented for the November general election for the United States House of Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is required to be enacted. A member in office at the time that a decennial redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.*

S.J.R. 6, on motion of Senator O'Brien, was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.J.R. 4** (four) was read by title the third time.

#### SENATE JOINT RESOLUTION NO. 4

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2003 and referred to this, the next regular session held after the 2003 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 1 of Article II of the Constitution of Virginia as follows:

#### ARTICLE II

#### FRANCHISE AND OFFICERS

##### Section 1. Qualifications of voters.

In elections by the people, the qualifications of voters shall be as follows: Each voter shall be a citizen of the United States, shall be eighteen years of age, shall fulfill the residence requirements set forth in this section, and shall be registered to vote pursuant to this article. No person who has been convicted of a felony shall be qualified to vote unless his civil rights have been restored by the Governor or other appropriate authority. *In addition, the General Assembly may provide by general law for the restoration of civil rights to persons who have been convicted of nonviolent felonies and who fulfill the conditions prescribed by such law.* As prescribed by law, no person adjudicated to be mentally incompetent shall be qualified to vote until his competency has been reestablished.

The residence requirements shall be that each voter shall be a resident of the Commonwealth and of the precinct where he votes. Residence, for all purposes of qualification to vote, requires both domicile and a place of abode. The General Assembly may provide for persons who are employed overseas, and their spouses and dependents residing with them, and who are qualified to vote except for relinquishing their place of abode in the Commonwealth while overseas, to vote in the Commonwealth subject to conditions and time limits defined by law. The General Assembly may provide for persons who are qualified to vote except for having moved their residence from one precinct to another within the Commonwealth to continue to vote in a former precinct subject to conditions and time limits defined by law. The General Assembly may also provide, in elections for President and Vice President of the United States, alternatives to registration for new residents of the Commonwealth.

Any person who will be qualified with respect to age to vote at the next general election shall be permitted to register in advance and also to vote in any intervening primary or special election.

**S.J.R. 4**, on motion of Senator Miller, was agreed to.

The recorded vote is as follows:

YEAS--30. NAYS--8. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--30.

NAYS--Bolling, Cuccinelli, Newman, Obenshain, O'Brien, Potts, Rerras, Ruff--8.

RULE 36--0.

### STATEMENT ON VOTE

Senator Wagner stated that he voted yea on the question of agreeing to **S.J.R. 4**, whereas he intended to vote nay.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Chichester introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 132.** Commending Elaine Harrington.

Patron--Chichester

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puller introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 133.** Commending the East Coast Greenway Alliance.

Patron--Puller

**S.J.R. 134.** Commending Sharon Kelso.

Patrons--Puller, Ticer and Whipple; Delegates: Amundson, Brink, Moran, Scott, J.M., Sickles and Van Landingham

### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegates Eisenberg, Plum, Van Landingham, and Van Yahres had been added as co-patrons of **S.B. 47** (forty-seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Blevins, Edwards, Hanger, Howell, Lambert, Locke, Lucas, Miller, Rerras, Ticer, and Whipple had been added as co-patrons of **S.B. 128** (one hundred twenty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Dudley had been added as a co-patron of **S.B. 193** (one hundred ninety-three).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Hanger and Delegates Armstrong and Ware, O., had been added as co-patrons of **S.B. 340** (three hundred forty).

Pursuant to Senate Rule 26 (f), the Senate Clerk reported that Senator Mims and Delegates Council and May had been added as co-patrons of **S.B. 393** (three hundred ninety-three).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Howell and Ticer and Delegates Brink, Ebbin, Eisenberg, and Van Landingham had been added as co-patrons of **S.B. 450** (four hundred fifty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegates Brink, Ebbin, and Eisenberg had been added as co-patrons of **S.B. 452** (four hundred fifty-two).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Colgan, Howell, Puller, and Ticer and Delegates Amundson, Brink, Ebbin, Eisenberg, Hull, Petersen, Plum, Van Landingham, and Watts had been added as co-patrons of **S.B. 453** (four hundred fifty-three).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Deeds, Edwards, Houck, Howell, Locke, Marsh, Puller, Saslaw, and Ticer and Delegates Barlow, Baskerville, Brink, Dillard, Ebbin, Miles, Moran, Petersen, Plum, Sickles, Van Landingham, Van Yahres, and Watts had been added as co-patrons of **S.B. 456** (four hundred fifty-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Colgan, Howell, Puller, and Ticer and Delegates Ebbin, Eisenberg, Hull, Plum, Van Landingham, and Watts had been added as co-patrons of **S.B. 458** (four hundred fifty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ticer and Delegates Brink, Ebbin, Eisenberg, and Van Landingham had been added as co-patrons of **S.B. 461** (four hundred sixty-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Locke had been added as a co-patron of **S.B. 598** (five hundred ninety-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Colgan, Howell, Puller, and Ticer and Delegates Brink, Ebbin, Eisenberg, Van Landingham, and Watts had been added as co-patrons of **S.J.R. 69** (sixty-nine).

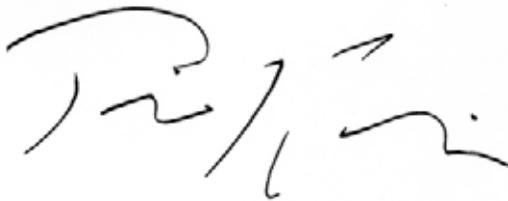
Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Blevins, Chichester, Colgan, Hanger, Hawkins, Houck, Lucas, Marsh, Potts, Puckett, Puller, Quayle, and Williams and Delegates Council, Morgan, and Parrish had been added as co-patrons of **S.J.R. 75** (seventy-five).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Locke and Quayle and Delegates Joannou and Melvin had been added as co-patrons of **S.J.R. 95** (ninety-five).

On motion of Senator Devolites, a leave of absence for the day was granted Senator Bell.

On motion of Senator Rerras, a leave of absence for the day was granted Senator Martin.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

TUESDAY, JANUARY 27, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend C. Douglas Smith, Virginia Interfaith Center for Public Policy, Richmond, Virginia, offered the following prayer:

God of compassion, grant us the integrity to judge wisely and the sense of dignity to value the lives for whom we work.

Heal the breach that is eager to engulf the fallen and build upon the foundations of those who have led before us.

Holy God, Holy Mighty, Holy Immortal, give us vision. Grant us peace. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams.

A quorum was present.

#### STATEMENT ON VOTE

Senator Williams was granted a leave of absence for the day; however, he was inadvertently recorded as being present on the roll call.

After the roll call, Senators Bolling, Cuccinelli, Mims, and Wampler notified the Clerk of their presence.

On motion of Senator Chichester, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--34. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--34.

NAYS--0.

RULE 36--0.

#### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

January 26, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 2.** A BILL to amend and reenact §§ 46.2-746.7, 46.2-746.8, and 46.2-746.9 of the Code of Virginia, and to repeal §§ 46.2-736.01, 46.2-736.02, 46.2-746.2:2.1, 46.2-746.4:3, 46.2-746.6:2, 46.2-746.8:1, 46.2-749.5:1, 46.2-749.23:1, 46.2-749.28:1, 46.2-749.32 through 46.2-749.36, 46.2-749.39, 46.2-749.41, 46.2-749.42, 46.2-749.43, 46.2-749.47, 46.2-749.73:1, 46.2-749.84,

46.2-749.85, 46.2-749.87, 46.2-749.88, 46.2-749.93, 46.2-749.95 through 46.2-749.100, of the Code of Virginia, relating to special license plates; registered nurses; submarine service veterans; American Red Cross; Fraternal Order of Police Associates; Fraternal Order of Police Auxiliary; Corvette motor vehicle enthusiasts; National Association of Retired Federal Employees; Virginia Federation of Women's Clubs; local government attorneys; Motorcycle Rider Safety Training Program; Virginia Statute for Religious Freedom; Marriage Encounter Movement; retired state employees; POW/MIA logo; and insurance agents; Cold War veterans; Virginia is for Lovers; historic covered bridges; Leukemia and Lymphoma Society; Seton House; Interdenominational Children's Foundation of Virginia; Washington Capitals; National Motto -- In God We Trust; medical doctors, emergency medical technicians; paramedics; hunter safety instructors; Police Benevolent Association; Langley Air Force Base; multiple sclerosis; Job's Daughters; Civilian Conservation Corps; coal mining heritage; teachers; and Children's Hospital of the King's Daughters; military parachutists, Izaak Walton League.

**H.B. 3.** A BILL to amend and reenact § 30-19.3 of the Code of Virginia, relating to the prefiling of legislation.

**H.B. 13.** A BILL to amend and reenact § 3.1-6.1 of the Code of Virginia and to repeal Chapter 25 (§§ 3.1-666 through 3.1-684) of Title 3.1 of the Code of Virginia, relating to the abolishment of the Virginia Sweet Potato Board, the Virginia Sweet Potato Fund, and the excise tax to support the Board's promotion of sweet potatoes.

**H.B. 25.** A BILL to repeal Chapter 420 of the Acts of Assembly of 1958, relating to the spotlighting of deer or elk.

**H.B. 26.** A BILL to repeal Chapter 180 of the Acts of Assembly of 1956, relating to authorizing a special permit to hunt and kill antlerless deer.

**H.B. 27.** A BILL to repeal Chapter 451 of the Acts of Assembly of 1958, relating to the establishment of a season for hunting wild male turkeys.

**H.B. 28.** A BILL to repeal Chapter 354 of the Acts of Assembly of 1952, relating to establishing a squirrel-hunting season in Floyd County.

**H.B. 40.** A BILL to amend the Code of Virginia by adding a section numbered 3.1-14.2, relating to agriculture curriculum specialists.

**H.B. 54.** A BILL to amend and reenact §§ 29.1-517 and 29.1-518 of the Code of Virginia, relating to the killing of beaver.

**H.B. 76.** A BILL to repeal Chapter 303 of the Acts of Assembly of 1954, relating to the establishment of a bird sanctuary.

**H.B. 77.** A BILL to repeal Chapter 144 of the Acts of Assembly of 1958, as amended by Chapter 235 of the Acts of Assembly of 1993, relating to hunting in Halifax and Cumberland Counties.

**H.B. 83.** A BILL to amend and reenact § 46.2-750 of the Code of Virginia, relating to registration of motor vehicles owned by regional jail authorities.

**H.B. 133.** A BILL to amend and reenact §§ 29.1-303, 29.1-303.3, and 29.1-305 of the Code of Virginia, relating to establishment of a nonresident youth hunting license.

- H.B. 144.** A BILL to amend and reenact §§ 3.1-796.104, 3.1-796.104:1, and 3.1-796.106 of the Code of Virginia, relating to animal control officer training.
- H.B. 145.** A BILL to amend and reenact § 46.2-752 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to local motor vehicle taxes and fees.
- H.B. 221.** A BILL to amend and reenact § 38.2-111 of the Code of Virginia, relating to miscellaneous casualty insurance.
- H.B. 272.** A BILL to amend and reenact § 46.2-322 of the Code of Virginia, relating to examination of licensees; confidential sources of information.
- H.B. 342.** A BILL to amend and reenact §§ 13.1-616, 13.1-759, 13.1-766.1, 13.1-769.1, 13.1-816, 13.1-921, 13.1-931.1, 13.1-1005, 13.1-1052, 13.1-1060, 13.1-1064, 13.1-1072, 13.1-1204, 13.1-1242, 13.1-1254, 50-73.17, 50-73.48:3, 50-73.54, 50-73.57:2, 50-73.69, 50-73.93, and 50-73.138 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 13.1-766.2 and 13.1-928.2, by adding in Article 10 of Chapter 12 of Title 13.1 a section numbered 13.1-1060.1, by adding in Article 9 of Chapter 14 of Title 13.1 a section numbered 13.1-1250.1, and 50-73.57:3, relating to conversions and mergers of business entities.
- H.B. 346.** A BILL to amend and reenact § 46.2-1208 of the Code of Virginia, relating to certain vehicles abandoned on private property; notice to owners and persons having security interests.
- H.B. 363.** A BILL to amend and reenact §§ 38.2-1800 and 59.1-200 of the Code of Virginia, to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 34.1, consisting of sections numbered 59.1-441.1 through 59.1-441.6, and to repeal § 38.2-4415 of the Code of Virginia, relating to legal services contracts.
- H.B. 433.** A BILL to amend and reenact § 22.1-32 of the Code of Virginia, relating to compensation and benefits for certain school board members.
- H.B. 440.** A BILL to amend and reenact §§ 62.1-44.34:15 and 62.1-44.34:16 of the Code of Virginia, relating to oil contingency plans and financial assurance.
- H.B. 445.** A BILL to amend and reenact §§ 10.1-561 and 62.1-44.15 of the Code of Virginia, relating to erosion and sediment control and stormwater management inspectors.
- H.B. 489.** A BILL to amend and reenact § 28.2-1303 of the Code of Virginia, relating to wetlands boards.
- H.B. 536.** A BILL to amend and reenact §§ 29.1-103 and 29.1-113 of the Code of Virginia, relating to the issuance of annual hunting stamp; penalty.
- H.B. 552.** A BILL to amend and reenact §§ 46.2-808, 46.2-839, 46.2-905, 46.2-906.1 and 46.2-1051 of the Code of Virginia, relating to bicycles, electric personal assistive mobility devices, electric power-assisted bicycle, mopeds, animals or animal-drawn vehicles, and pedestrians.
- H.B. 596.** A BILL to amend and reenact § 38.2-1603 of the Code of Virginia, relating to the Virginia Property and Casualty Insurance Guaranty Association; covered claim; insolvent insurer.
- H.B. 603.** A BILL to amend and reenact § 62.1-44.33 of the Code of Virginia, relating to no discharge zones.

- H.B. 658.** A BILL to amend and reenact § 46.2-832 of the Code of Virginia, relating to damaging certain signs.
- H.B. 713.** A BILL to amend and reenact § 10.1-1426 of the Code of Virginia, relating to the collection of small quantities of hazardous waste.
- H.B. 758.** A BILL to amend and reenact § 29.1-301 of the Code of Virginia, relating to exemptions from obtaining hunting, trapping, and fishing licenses.
- H.B. 769.** A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to career and technical education.
- H.B. 835.** A BILL to amend and reenact § 33.1-132 of the Code of Virginia, relating to remedies of certain landowners whose property is condemned by the Commonwealth Transportation Commissioner.
- H.B. 883.** A BILL to amend and reenact § 10.1-1010 of the Code of Virginia, relating to conservation easements.
- H.B. 884.** A BILL to amend and reenact § 13.1-857 of the Code of Virginia, relating to nonstock corporations; terms of directors.
- H.B. 904.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-12.1 relating to certain agreements between cities and towns and the Commonwealth Transportation Commissioner.
- H.B. 947.** A BILL to amend and reenact §§ 10.1-1181.2 and 10.1-1181.3 of the Code of Virginia, relating to silvicultural activities.
- H.B. 955.** A BILL to amend and reenact §§ 62.1-44.17:1 and 62.1-44.17:1.1 of the Code of Virginia, relating to confined animal feeding operations.
- H.B. 1029.** A BILL to amend and reenact §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91-35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43, and 23-91.44 of the Code of Virginia, relating to the University of Mary Washington.
- H.B. 1069.** A BILL to amend and reenact §§ 29.1-352 and 29.1-355 of the Code of Virginia, relating to coverage for damages under the damage stamp program.
- H.B. 1108.** A BILL to amend and reenact §§ 22.1-340, 22.1-342, and 22.1-343 of the Code of Virginia, relating to the Department of Correctional Education.
- H.B. 1183.** A BILL to amend and reenact §§ 13.1-1011 and 13.1-1015 of the Code of Virginia, relating to limited liability companies; registered agents.
- H.B. 1186.** A BILL to amend and reenact §§ 38.2-4123, 38.2-4214, 38.2-4319, and 38.2-4509 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-1315.1, relating to actuarial statements.
- H.B. 1187.** A BILL to amend and reenact §§ 13.1-1065, 13.1-1255, 50-73.70 and 50-73.83 of the Code of Virginia, relating to State Corporation Commission refunds.

**H.B. 1238.** A BILL to amend and reenact § 38.2-1867 of the Code of Virginia, relating to the Virginia Insurance Continuing Education Board; Virginia Association of Health Underwriters.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 2, H.B. 83, H.B. 145, H.B. 272, H.B. 346, H.B. 552, H.B. 658, H.B. 835, and H.B. 904** were referred to the Committee on Transportation.

**H.B. 3** was referred to the Committee on Rules.

**H.B. 13, H.B. 25, H.B. 26, H.B. 27, H.B. 28, H.B. 40, H.B. 54, H.B. 76, H.B. 77, H.B. 133, H.B. 144, H.B. 440, H.B. 445, H.B. 489, H.B. 536, H.B. 603, H.B. 713, H.B. 758, H.B. 883, H.B. 947, H.B. 955, and H.B. 1069** were referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 221, H.B. 342, H.B. 363, H.B. 596, H.B. 884, H.B. 1183, H.B. 1186, H.B. 1187, and H.B. 1238** were referred to the Committee on Commerce and Labor.

**H.B. 433, H.B. 769, H.B. 1029, and H.B. 1108** were referred to the Committee on Education and Health.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

**S.B. 9** (nine).

**S.B. 136** (one hundred thirty-six) with substitute.

**S.B. 154** (one hundred fifty-four) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 179** (one hundred seventy-nine) with amendment.

**S.B. 355** (three hundred fifty-five).

**S.B. 372** (three hundred seventy-two).

**S.B. 535** (five hundred thirty-five).

**S.B. 536** (five hundred thirty-six) with amendments.

**S.B. 538** (five hundred thirty-eight) with amendments.

**S.B. 651** (six hundred fifty-one) with substitute.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Commerce and Labor pursuant to Senate Rule 20 (j):

**S.B. 144** (one hundred forty-four) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**S.B. 337** (three hundred thirty-seven) with the recommendation that it be rereferred to the Committee on Education and Health.

**S.B. 591** (five hundred ninety-one) with the recommendation that it be rereferred to the Committee on General Laws.

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 3** (three).

**S.B. 14** (fourteen).

**S.B. 84** (eighty-four).

**S.B. 122** (one hundred twenty-two).

**S.B. 248** (two hundred forty-eight) with substitute.

**S.B. 253** (two hundred fifty-three).

**S.B. 305** (three hundred five) with amendment.

**S.B. 316** (three hundred sixteen).

**S.B. 349** (three hundred forty-nine).

**S.B. 361** (three hundred sixty-one).

**S.B. 367** (three hundred sixty-seven).

**S.B. 410** (four hundred ten) with substitute.

**S.B. 512** (five hundred twelve) with substitute.

**S.B. 517** (five hundred seventeen).

**S.B. 585** (five hundred eighty-five) with amendment.

**S.B. 627** (six hundred twenty-seven).

**S.B. 144** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

**S.B. 154** was rereferred to the Committee on Finance.

**S.B. 337** was rereferred to the Committee on Education and Health pursuant to Senate Rule 20 (j).

**S.B. 591** was rereferred to the Committee on General Laws pursuant to Senate Rule 20 (j).

Senator Norment, from the Committee on Rules, presented the following report:

COMMONWEALTH OF VIRGINIA  
SENATE

January 27, 2004

Report of the Subcommittee to Review Financial Disclosure Forms

The above-named subcommittee has reviewed all financial disclosure forms filed with the Clerk of the Senate. The subcommittee found that all members of the Senate have filed disclosure forms and that the forms are in proper order.

/s/ Frederick M. Quayle, Chairman

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Stolle introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 135.** Celebrating the life of S. J. Smith, Jr.

Patron--Stolle

**S.J.R. 136.** Celebrating the life of Adele B. Smith.

Patron--Stolle

**S.J.R. 143.** On the death of Officer Rodney F. Poceschi.

Patron--Stolle

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Reynolds introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 137.** On the death of C. P. Witt.

Patron--Reynolds

**S.J.R. 138.** On the death of Floyd William Nunn.

Patron--Reynolds

**S.J.R. 139.** On the death of Officer Scott Allen Hylton.

Patron--Reynolds

**S.J.R. 140.** On the death of J. Ronnie Minter.

Patron--Reynolds

**S.J.R. 141.** On the death of Bishop Joseph H. Adams.

Patron--Reynolds

**S.J.R. 142.** On the death of Clayton Hall.

Patron--Reynolds

## CALENDAR

## SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 12 (twelve).
- S.B. 19 (nineteen).
- S.B. 51 (fifty-one).
- S.B. 61 (sixty-one).
- S.B. 72 (seventy-two).
- S.B. 93 (ninety-three).
- S.B. 99 (ninety-nine).
- S.B. 158 (one hundred fifty-eight).
- S.B. 161 (one hundred sixty-one).
- S.B. 162 (one hundred sixty-two).
- S.B. 173 (one hundred seventy-three).
- S.B. 174 (one hundred seventy-four).
- S.B. 177 (one hundred seventy-seven).
- S.B. 224 (two hundred twenty-four).
- S.B. 233 (two hundred thirty-three).
- S.B. 274 (two hundred seventy-four).
- S.B. 278 (two hundred seventy-eight).
- S.B. 280 (two hundred eighty).
- S.B. 283 (two hundred eighty-three).
- S.B. 315 (three hundred fifteen).
- S.B. 338 (three hundred thirty-eight).
- S.B. 363 (three hundred sixty-three).
- S.B. 382 (three hundred eighty-two).
- S.B. 412 (four hundred twelve).
- S.B. 438 (four hundred thirty-eight).
- S.B. 447 (four hundred forty-seven).
- S.B. 498 (four hundred ninety-eight).
- S.B. 503 (five hundred three).
- S.B. 509 (five hundred nine).
- S.B. 543 (five hundred forty-three).
- S.B. 553 (five hundred fifty-three).
- S.B. 555 (five hundred fifty-five).
- S.B. 570 (five hundred seventy).
- S.B. 573 (five hundred seventy-three).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

S.B. 12 (twelve).  
S.B. 19 (nineteen).  
S.B. 51 (fifty-one).  
S.B. 61 (sixty-one).  
S.B. 72 (seventy-two).  
S.B. 93 (ninety-three).  
S.B. 99 (ninety-nine).  
S.B. 158 (one hundred fifty-eight).  
S.B. 161 (one hundred sixty-one).  
S.B. 162 (one hundred sixty-two).  
S.B. 173 (one hundred seventy-three).  
S.B. 174 (one hundred seventy-four).  
S.B. 177 (one hundred seventy-seven).  
S.B. 224 (two hundred twenty-four).  
S.B. 233 (two hundred thirty-three).  
S.B. 274 (two hundred seventy-four).  
S.B. 278 (two hundred seventy-eight).  
S.B. 280 (two hundred eighty).  
S.B. 283 (two hundred eighty-three).  
S.B. 315 (three hundred fifteen).  
S.B. 338 (three hundred thirty-eight).  
S.B. 363 (three hundred sixty-three).  
S.B. 382 (three hundred eighty-two).  
S.B. 412 (four hundred twelve).  
S.B. 447 (four hundred forty-seven).  
S.B. 498 (four hundred ninety-eight).  
S.B. 503 (five hundred three).  
S.B. 509 (five hundred nine).  
S.B. 543 (five hundred forty-three).  
S.B. 553 (five hundred fifty-three).  
S.B. 555 (five hundred fifty-five).  
S.B. 570 (five hundred seventy).  
S.B. 573 (five hundred seventy-three).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 223 (two hundred twenty-three) was taken up.

#### RECONSIDERATION

Senator Cuccinelli moved to reconsider the vote by which S.B. 223 (two hundred twenty-three) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

Senator Cuccinelli offered the following amendments:

1. Line 41, introduced, after section.

insert

Such record shall be prepared without statements indicating racial designation.

2. Line 79, introduced, after Registrar.

insert

Such reports shall be prepared and issued without statements indicating racial designation.

On motion of Senator Cuccinelli, the reading of the amendments was waived.

Senator Cuccinelli moved that the amendments be agreed to.

The question was put on agreeing to the amendments.

The amendments were rejected.

On motion of Senator Marsh, the bill was ordered to be engrossed and read by title the third time.

Senator Marsh moved that the Rules be suspended and the third reading of the title of **S.B. 223** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 223**, on motion of Senator Marsh, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--Cuccinelli, O'Brien--2.

RULE 36--0.

**S.B. 438** (four hundred thirty-eight), on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 103** (one hundred three) was read by title the third time and, on motion of Senator Devolites, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 464** (four hundred sixty-four) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--Hanger, Houck--2.

RULE 36--0.

**S.B. 520** (five hundred twenty) was read by title the third time and, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--15. RULE 36--0.

YEAS--Bell, Colgan, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stosch, Ticer, Wampler, Whipple--24.

NAYS--Blevins, Bolling, Chichester, Cuccinelli, Hawkins, Martin, Newman, Norment, Obenshain, O'Brien, Rerras, Ruff, Stolle, Wagner, Watkins--15.

RULE 36--0.

### SENATE BILLS ON SECOND READING

**S.B. 152** (one hundred fifty-two), on motion of Senator Norment, was passed by for the day.

**S.B. 127** (one hundred twenty-seven), on motion of Senator Watkins, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 78** (seventy-eight).

**S.B. 139** (one hundred thirty-nine).

**S.B. 155** (one hundred fifty-five).

**S.B. 189** (one hundred eighty-nine).

**S.B. 364** (three hundred sixty-four).

**S.B. 409** (four hundred nine).

**S.B. 417** (four hundred seventeen).

**S.B. 419** (four hundred nineteen).

**S.B. 421** (four hundred twenty-one).

**S.B. 451** (four hundred fifty-one).

**S.B. 499** (four hundred ninety-nine).

**S.B. 511** (five hundred eleven).

**S.B. 560** (five hundred sixty).

**S.B. 595** (five hundred ninety-five).

The motion was agreed to.

**S.B. 78** (seventy-eight) was taken up.

The following amendments proposed by the Committee on Rehabilitation and Social Services were offered:

1. Line 177, introduced, after *relatives*  
strike

remainder of line 177 and through *child* on line 178

2. Line 231, introduced, after *shall*

strike

*consider kinship care as an alternative to a foster care placement*

insert

*seek out kinship care options to keep children out of foster care and as a placement option for those children in foster care,*

The reading of the amendments was waived.

On motion of Senator Miller, the amendments were agreed to.

**S.B. 139** (one hundred thirty-nine) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 6, introduced, Title, after *lanes*

insert

*; emergency*

2. Line 19, introduced, after line 18

insert

2. That an emergency exists and this act is in force from its passage.

The reading of the amendments was waived.

On motion of Senator Cuccinelli, the amendments were agreed to.

**S.B. 189** (one hundred eighty-nine) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 12, introduced, after highways

strike

for certain counties

2. Line 13, introduced, after highways

insert

*, which are roads that are comprised of an earth-aggregate or aggregate surface (i.e., dirt and gravel) that have not been stabilized with a bituminous or cementitious material,*

3. Line 19, introduced

strike

all of lines 19 through 24

The reading of the amendments was waived.

On motion of Senator Reynolds, the amendments were agreed to.

**S.B. 409** (four hundred nine) was taken up.

The following amendments proposed by the Committee on Rehabilitation and Social Services were offered:

1. Line 107, introduced, after *notify*  
strike

*both*

2. Line 107, introduced, after *and*  
insert

*make reasonable efforts to notify*

The reading of the amendments was waived.

On motion of Senator Ruff, the amendments were agreed to.

**S.B. 417** (four hundred seventeen) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 16, introduced, after *center*  
strike

*or*

insert

*that is*

The reading of the amendment was waived.

Senator Newman moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Devolites offered the following amendments:

1. Line 14, introduced, after child day center  
insert

*, including a child day center that is a child welfare agency*

2. Line 16, introduced, after subtitle  
strike

*for a child day center or a child welfare agency*

On motion of Senator Devolites, the reading of the amendments was waived.

On motion of Senator Devolites, the amendments were agreed to.

**S.B. 451** (four hundred fifty-one) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 25, introduced, after ~~such highway~~  
strike

*stop*

insert

*yield the right-of-way and stop if necessary*

2. Line 33, introduced, after *is stopped*

insert

*or has slowed*

3. Line 35, introduced, at the beginning of the line

strike

*stopped*

4. Line 35, introduced, after *pass such*

strike

*stopped*

5. Line 40, introduced, after *highway*

insert

*or crossing or turning at intersections*

6. Line 41, introduced, after *entrance*

insert

*or intersections*

The reading of the amendments was waived.

On motion of Senator Whipple, the amendments were agreed to.

**S.B. 560** (five hundred sixty) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 5, introduced, Title, after *Monacan*

strike

*Nation*

2. Line 12, introduced, after *Monacan*

strike

*Nation*

The reading of the amendments was waived.

On motion of Senator Newman, the amendments were agreed to.

**S.B. 595** (five hundred ninety-five) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 28, introduced, after § 15.2-1506

insert

*and § 15.2-1507*

The reading of the amendment was waived.

On motion of Senator Howell, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

- S.B. 78 (seventy-eight) as amended.
- S.B. 139 (one hundred thirty-nine) as amended.
- S.B. 155 (one hundred fifty-five).
- S.B. 189 (one hundred eighty-nine) as amended.
- S.B. 364 (three hundred sixty-four).
- S.B. 409 (four hundred nine) as amended.
- S.B. 417 (four hundred seventeen) as amended.
- S.B. 419 (four hundred nineteen).
- S.B. 421 (four hundred twenty-one).
- S.B. 451 (four hundred fifty-one) as amended.
- S.B. 499 (four hundred ninety-nine).
- S.B. 511 (five hundred eleven).
- S.B. 560 (five hundred sixty) as amended.
- S.B. 595 (five hundred ninety-five) as amended.

S.B. 58 (fifty-eight), on motion of Senator Norment, was passed by for the day.

S.B. 92 (ninety-two) was read by title the second time.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 22, introduced  
strike

all of line 22

2. Line 82, introduced, after C.  
insert

*A contract between a locality and a private entity shall not include provisions for the payment or compensation to the private entity based on the number of violations, or as a percentage of revenue generated as a result of the violations by use of the photo-monitoring equipment.*

The reading of the amendments was waived.

On motion of Senator Devolites, the amendments were agreed to.

On motion of Senator Devolites, the bill was ordered to be engrossed and read by title the third time.

S.B. 132 (one hundred thirty-two) was read by title the second time.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 82, introduced  
strike

all of line 82

insert

*A contract between a locality and a private entity shall not include provision for the payment or compensation to the private entity based on the number of violations, or as a percentage of revenue generated as a result of the violations by use of the photo-monitoring equipment.*

The reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

**S.B. 176** (one hundred seventy-six) was read by title the second time.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 21, introduced, after one time

strike

remainder of line 21 and all of line 22

insert

. (period)

2. Line 81, introduced, after line 80

insert

*J. A contract between a locality and a private entity shall not include provision for the payment or compensation to the private entity based on the number of violations, or as a percentage of revenue generated as a result of the violations by use of the photo-monitoring equipment.*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 306** (three hundred six), on motion of Senator O'Brien, was passed by for the day.

**S.B. 314** (three hundred fourteen), on motion of Senator Howell, was passed by for the day.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 214** (two hundred fourteen).

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

**S.B. 523** (five hundred twenty-three).

**S.B. 200** (two hundred).

**S.B. 454** (four hundred fifty-four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 214** (two hundred fourteen).

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

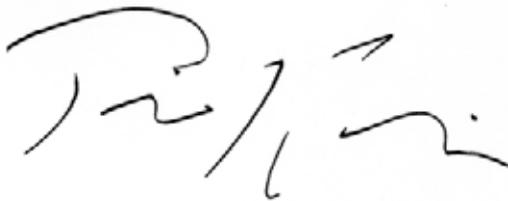
**S.B. 523** (five hundred twenty-three).

**S.B. 200** (two hundred).

**S.B. 454** (four hundred fifty-four).

On motion of Senator Newman, a leave of absence for the day was granted Senator Williams on account of pressing personal business.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

WEDNESDAY, JANUARY 28, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend W. Michael Nobles, Hagood United Methodist Church, Virginia Beach, Virginia, offered the following prayer:

Almighty God, who knows every secret of our hearts ... all that we fear, all that we hope, and all of which we are ashamed:

Help us to discover and acknowledge how special we are in Your sight, and how much we need Your guidance and blessings in order to realize the great expectations that You have for each of us.

Grant to those who gather here as servants of the people of the Commonwealth ... the desire to seek new ways to work together for the common good of all, the courage to stand for right even when it is not popular to do so, and the wisdom to speak and work in ways that echo Your holy will.

May we all be conscious of Your mighty presence in this place long after the words of prayer are spoken. We make this prayer asking that Your will may be done, and that we may work hand in hand with You to make it so. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Wampler, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
January 27, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 94.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real estate tax exemptions for the elderly or disabled.

- H.B. 97.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real estate tax exemptions for the elderly or disabled.
- H.B. 104.** A BILL to amend and reenact § 58.1-306 of the Code of Virginia, relating to filing tax returns.
- H.B. 154.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real estate tax exemptions for the elderly and disabled.
- H.B. 224.** A BILL to amend and reenact § 32.1-325 of the Code of Virginia, relating to medical assistance services; marriage and family therapy.
- H.B. 232.** A BILL to amend and reenact § 46.2-1052 of the Code of Virginia, relating to tinting films, etc., on vehicle windows and windshields; contract passenger carriers.
- H.B. 239.** A BILL to amend and reenact § 63.2-2004 of the Code of Virginia, relating to the Neighborhood Assistance Act.
- H.B. 254.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; 200th anniversary of the Town of Occoquan.
- H.B. 270.** A BILL to amend and reenact §§ 54.1-3513 and 65.2-603 of the Code of Virginia, relating to certain vocational rehabilitation counselors.
- H.B. 285.** A BILL to amend and reenact § 63.2-2004 of the Code of Virginia, relating to donations of professional services.
- H.B. 309.** A BILL to amend and reenact §§ 54.1-2956.1, 54.1-2956.3, 54.1-2956.4 and 54.1-2956.5 of the Code of Virginia, relating to the practice of occupational therapy.
- H.B. 403.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.
- H.B. 409.** A BILL to amend and reenact § 54.1-2900 of the Code of Virginia, relating to practice of podiatry; surgery.
- H.B. 420.** A BILL to amend and reenact §§ 63.2-105 and 63.2-1503 of the Code of Virginia, relating to child abuse and neglect; multidisciplinary investigation teams.
- H.B. 524.** A BILL to amend and reenact § 54.1-2729 of the Code of Virginia, relating to the Board of Dentistry; continuing education for dental hygienists.
- H.B. 626.** A BILL to amend and reenact §§ 54.1-2715, 54.1-2717, and 54.1-2718 of the Code of Virginia, relating to the practice of licensed dentists in certain dental clinics.
- H.B. 633.** A BILL to amend and reenact §§ 32.1-127.1:03, 32.1-127.3, 54.1-105, 54.1-106, 54.1-111, 54.1-2400, 54.1-2400.2, 54.1-2401, 54.1-2403.01, 54.1-2403.1, 54.1-2403.2, 54.1-2408.1, 54.1-2409, 54.1-2409.1, 54.1-2906, 54.1-2907, 54.1-3000, 54.1-3005, 54.1-3008, 54.1-3009, 54.1-3016, 54.1-3019, and 63.2-1805 of the Code of Virginia, relating to any person holding a multistate licensure privilege to practice nursing in the Commonwealth.

**H.B. 690.** A BILL to amend and reenact § 54.1-3434.02 of the Code of Virginia, relating to the filling and stocking of automated drug dispensing systems in hospital pharmacies by registered pharmacy technicians.

**H.B. 783.** A BILL to amend and reenact § 54.1-3404 of the Code of Virginia, relating to inventories of controlled substances required by the Board of Pharmacy; limited exception.

**H.B. 836.** A BILL to amend and reenact § 32.1-351.2 of the Code of Virginia, relating to the Children's Health Insurance Advisory Committee.

**H.B. 875.** A BILL to amend and reenact § 54.1-2405 of the Code of Virginia, relating to copies of patient records when professional practice is closed, sold or relocated; notice; charges.

**H.B. 907.** A BILL to amend and reenact § 63.2-405 of the Code of Virginia, relating to medical assistance services; application.

**H.B. 932.** A BILL to amend and reenact § 23-231.20 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.

**H.B. 1049.** A BILL to amend and reenact § 54.1-2712 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2711.1, relating to the practice of dentistry or dental hygiene by students; temporary licenses to persons enrolled in advanced dental education programs; emergency.

**H.B. 1109.** A BILL to amend and reenact § 63.2-100 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-905.1, relating to independent living services.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 9.** Proposing an amendment to Section 16 of Article V of the Constitution of Virginia, relating to succession to the office of Governor.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 94, H.B. 97, H.B. 104, H.B. 154, H.B. 285, and H.B. 403** were referred to the Committee on Finance.

**H.B. 224, H.B. 270, H.B. 309, H.B. 409, H.B. 524, H.B. 626, H.B. 633, H.B. 690, H.B. 783, H.B. 836, H.B. 875, H.B. 932, and H.B. 1049** were referred to the Committee on Education and Health.

**H.B. 232 and H.B. 254** were referred to the Committee on Transportation.

**H.B. 239, H.B. 420, H.B. 907, and H.B. 1109** were referred to the Committee on Rehabilitation and Social Services.

The House joint resolution, communicated as agreed to by the House of Delegates, the first reading of its title having been waived, was referred as follows:

**H.J.R. 9** was referred to the Committee on Privileges and Elections.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 120** (one hundred twenty).

**S.B. 168** (one hundred sixty-eight).

**S.B. 169** (one hundred sixty-nine).

**S.B. 230** (two hundred thirty) with amendment with the recommendation that it be rereferred to the Committee on Education and Health.

**S.B. 347** (three hundred forty-seven).

**S.B. 366** (three hundred sixty-six).

**S.B. 399** (three hundred ninety-nine) with substitute.

**S.B. 533** (five hundred thirty-three).

**S.B. 540** (five hundred forty).

**S.B. 541** (five hundred forty-one).

**S.B. 571** (five hundred seventy-one).

**S.B. 599** (five hundred ninety-nine).

**S.B. 642** (six hundred forty-two).

**S.B. 684** (six hundred eighty-four).

The following bills, having been considered by the committee in session, were reported by Senator Quayle from the Committee on Local Government:

**S.B. 76** (seventy-six) with substitute.

**S.B. 170** (one hundred seventy) with substitute.

**S.B. 228** (two hundred twenty-eight) with amendments.

**S.B. 353** (three hundred fifty-three) with amendment.

**S.B. 369** (three hundred sixty-nine) with substitute.

**S.B. 396** (three hundred ninety-six).

**S.B. 400** (four hundred).

**S.B. 426** (four hundred twenty-six).

**S.B. 461** (four hundred sixty-one).

**S.B. 472** (four hundred seventy-two) with amendments.

**S.B. 480** (four hundred eighty) with substitute.

**S.B. 522** (five hundred twenty-two).

**S.B. 546** (five hundred forty-six).

**S.B. 600** (six hundred).

The following bills, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

**S.B. 33** (thirty-three).

**S.B. 215** (two hundred fifteen).

**S.B. 359** (three hundred fifty-nine) with substitute.

**S.B. 391** (three hundred ninety-one) with amendments.

**S.B. 230** was rereferred to the Committee on Education and Health.

Senator Martin, from the Committee on Privileges and Elections, presented the following report:

COMMONWEALTH OF VIRGINIA  
SENATE

January 27, 2004

Report to the Senate of Virginia from the Senate Committee on Privileges and Elections.

The Committee on Privileges and Elections, to which was referred the Oath of Office taken by each Senator, begs leave to report that the oaths and certificates of election have been examined and have been found to be in order.

/s/ Stephen H. Martin, Chair  
Committee on Privileges and Elections

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Hawkins requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 690.** A BILL to amend and reenact § 58.1-439.7 of the Code of Virginia, relating to tax credit for machinery and equipment used to produce personal property from recyclable materials.

Patron--Hawkins

Referred to Committee on Finance

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Blevins introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 144.** Commending William E. Ward.

Patrons--Blevins, Lucas, Miller and Quayle; Delegates: Cosgrove, Howell, A.T., Joannou, Jones, S.C., Melvin, Spruill and Suit

## CALENDAR

## SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 78 (seventy-eight).
- S.B. 139 (one hundred thirty-nine).
- S.B. 155 (one hundred fifty-five).
- S.B. 189 (one hundred eighty-nine).
- S.B. 364 (three hundred sixty-four).
- S.B. 409 (four hundred nine).
- S.B. 417 (four hundred seventeen).
- S.B. 419 (four hundred nineteen).
- S.B. 421 (four hundred twenty-one).
- S.B. 451 (four hundred fifty-one).
- S.B. 499 (four hundred ninety-nine).
- S.B. 511 (five hundred eleven).
- S.B. 560 (five hundred sixty).
- S.B. 595 (five hundred ninety-five).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 78 (seventy-eight).
- S.B. 139 (one hundred thirty-nine).
- S.B. 189 (one hundred eighty-nine).
- S.B. 364 (three hundred sixty-four).
- S.B. 409 (four hundred nine).
- S.B. 417 (four hundred seventeen).
- S.B. 419 (four hundred nineteen).
- S.B. 421 (four hundred twenty-one).
- S.B. 451 (four hundred fifty-one).
- S.B. 499 (four hundred ninety-nine).
- S.B. 511 (five hundred eleven).
- S.B. 560 (five hundred sixty).
- S.B. 595 (five hundred ninety-five).

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**S.B. 155** (one hundred fifty-five), on motion of Senator Cuccinelli, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 92** (ninety-two), on motion of Senator Norment, was passed by for the day.

**S.B. 132** (one hundred thirty-two) was read by title the third time and, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--29.

NAYS--Bolling, Cuccinelli, Hanger, Hawkins, Martin, Newman, Obenshain, Ruff, Wampler--9.

RULE 36--0.

**S.B. 176** (one hundred seventy-six) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--28.

NAYS--Bolling, Cuccinelli, Hanger, Hawkins, Martin, Newman, Obenshain, Ruff, Wampler--9.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 132** (one hundred thirty-two) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 132**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--28.

NAYS--Bolling, Cuccinelli, Hanger, Hawkins, Martin, Newman, Obenshain, Potts, Ruff, Wampler--10.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following Senate bills were passed en bloc with their titles:

**S.B. 78** (seventy-eight).

**S.B. 139** (one hundred thirty-nine).

**S.B. 189** (one hundred eighty-nine).

**S.B. 364** (three hundred sixty-four).

**S.B. 409** (four hundred nine).

**S.B. 417** (four hundred seventeen).

**S.B. 419** (four hundred nineteen).

**S.B. 421** (four hundred twenty-one).

**S.B. 451** (four hundred fifty-one).

**S.B. 499** (four hundred ninety-nine).

**S.B. 511** (five hundred eleven).

**S.B. 560** (five hundred sixty).

**S.B. 595** (five hundred ninety-five).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 78** (seventy-eight).

**S.B. 139** (one hundred thirty-nine).

**S.B. 189** (one hundred eighty-nine).

**S.B. 364** (three hundred sixty-four).

**S.B. 409** (four hundred nine).

**S.B. 417** (four hundred seventeen).

**S.B. 419** (four hundred nineteen).

**S.B. 421** (four hundred twenty-one).

**S.B. 451** (four hundred fifty-one).

**S.B. 499** (four hundred ninety-nine).

**S.B. 511** (five hundred eleven).

**S.B. 560** (five hundred sixty).

**S.B. 595** (five hundred ninety-five).

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Watkins moved to reconsider the vote by which **S.B. 176** (one hundred seventy-six) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 176**, on motion of Senator Watkins, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--28.

NAYS--Bolling, Cuccinelli, Hanger, Hawkins, Martin, Newman, Obenshain, Potts, Ruff, Wampler--10.

RULE 36--0.

### SENATE BILLS ON SECOND READING

**S.B. 152** (one hundred fifty-two), on motion of Senator Norment, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 127** (one hundred twenty-seven).

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 214** (two hundred fourteen).

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

**S.B. 523** (five hundred twenty-three).

The motion was agreed to.

**S.B. 127** (one hundred twenty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-698 of the Code of Virginia, relating to fees for registration of certain farm vehicles; vehicles used by plant nurseries or Christmas tree farms.

The reading of the substitute was waived.

Senator Watkins moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Watkins offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-698 of the Code of Virginia, relating to fees for registration of certain farm vehicles; vehicles used by plant nurseries or Christmas tree farms.

On motion of Senator Watkins, the reading of the substitute was waived.

On motion of Senator Watkins, the substitute was agreed to.

**S.B. 214** (two hundred fourteen) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 34, introduced, after security  
strike

~~personnel~~

insert

personnel

2. Line 34, introduced, after ~~personnel~~  
insert

, and equipment if requested by the sheriff

The reading of the amendments was waived.

On motion of Senator Edwards, the amendments were agreed to.

**S.B. 523** (five hundred twenty-three) was taken up.

The following amendments proposed by the Committee on Agriculture, Conservation and Natural Resources were offered:

1. Line 31, introduced, after *Commonwealth's*  
strike

*major watersheds*

insert

*fourteen major river basins*

2. Line 38, introduced, after *Fund*.  
insert

*A portion of the Fund balance, not to exceed \$65,000 per year unless otherwise authorized to do so by the Secretary or his designee, may be utilized to cover the reasonable and necessary costs of administering the Program. The Department may assist in fund-raising efforts to supplement the Fund and provide assistance to the fund-raising efforts of the watershed roundtables. The Program shall strive to provide appropriate incentives for achievements to include public recognition and awards.*

The reading of the amendments was waived.

On motion of Senator Hanger, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 127** (one hundred twenty-seven) as amended.

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 214** (two hundred fourteen) as amended.

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

**S.B. 523** (five hundred twenty-three) as amended.

**S.B. 58** (fifty-eight), on motion of Senator Stolle, was passed by for the day.

**S.B. 306** (three hundred six) was read by title the second time.

Senator O'Brien offered the following amendment:

1. Line 38, introduced, after home

insert

*or school*

On motion of Senator O'Brien, the reading of the amendment was waived.

On motion of Senator O'Brien, the amendment was agreed to.

On motion of Senator O'Brien, the bill was ordered to be engrossed and read by title the third time.

**S.B. 314** (three hundred fourteen) was read by title the second time.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 36, introduced, after *practitioner*

strike

remainder of line 36 and through *practitioner*, on line 37

The reading of the amendment was waived.

On motion of Senator Howell, the amendment was agreed to.

Senator Cuccinelli offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 63.2-1509 of the Code of Virginia, relating to mandatory reporting of child abuse and neglect by ministers of religion; civil penalty.

On motion of Senator Cuccinelli, the reading of the substitute was waived.

**S.B. 314**, on motion of Senator Cuccinelli, was passed by temporarily.

**S.B. 200** (two hundred) was read by title the second time and, on motion of Senator Reynolds, was ordered to be engrossed and read by title the third time.

**S.B. 454** (four hundred fifty-four) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 10.1-1316.1 and by adding in Title 10.1 a chapter numbered 21.2, consisting of a section numbered 10.1-2135, relating to enforcement for severe ozone nonattainment areas.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

On motion of Senator Whipple, the bill was ordered to be engrossed and read by title the third time.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 3** (three).
- S.B. 9** (nine).
- S.B. 84** (eighty-four).
- S.B. 122** (one hundred twenty-two).
- S.B. 136** (one hundred thirty-six).
- S.B. 179** (one hundred seventy-nine).
- S.B. 248** (two hundred forty-eight).
- S.B. 253** (two hundred fifty-three).
- S.B. 305** (three hundred five).
- S.B. 349** (three hundred forty-nine).
- S.B. 355** (three hundred fifty-five).
- S.B. 361** (three hundred sixty-one).
- S.B. 367** (three hundred sixty-seven).
- S.B. 372** (three hundred seventy-two).
- S.B. 512** (five hundred twelve).
- S.B. 517** (five hundred seventeen).
- S.B. 535** (five hundred thirty-five).
- S.B. 536** (five hundred thirty-six).
- S.B. 538** (five hundred thirty-eight).
- S.B. 585** (five hundred eighty-five).
- S.B. 651** (six hundred fifty-one).
- S.B. 14** (fourteen).
- S.B. 316** (three hundred sixteen).
- S.B. 410** (four hundred ten).
- S.B. 627** (six hundred twenty-seven).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 3** (three).

**S.B. 9** (nine).

**S.B. 84** (eighty-four).

**S.B. 122** (one hundred twenty-two).

**S.B. 136** (one hundred thirty-six).

**S.B. 179** (one hundred seventy-nine).

**S.B. 248** (two hundred forty-eight).

**S.B. 253** (two hundred fifty-three).

**S.B. 305** (three hundred five).

**S.B. 349** (three hundred forty-nine).

**S.B. 355** (three hundred fifty-five).

**S.B. 361** (three hundred sixty-one).

**S.B. 367** (three hundred sixty-seven).

**S.B. 372** (three hundred seventy-two).

**S.B. 512** (five hundred twelve).

**S.B. 517** (five hundred seventeen).

**S.B. 535** (five hundred thirty-five).

**S.B. 536** (five hundred thirty-six).

**S.B. 538** (five hundred thirty-eight).

**S.B. 585** (five hundred eighty-five).

**S.B. 651** (six hundred fifty-one).

**S.B. 14** (fourteen).

**S.B. 316** (three hundred sixteen).

**S.B. 410** (four hundred ten).

**S.B. 627** (six hundred twenty-seven).

#### SENATE BILL ON SECOND READING

**S.B. 314** (three hundred fourteen) was taken up.

#### RECONSIDERATION

Senator Cuccinelli moved to reconsider the vote by which the committee amendment to **S.B. 314** (three hundred fourteen) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

Senator Cuccinelli moved that the amendment be rejected.

### PARLIAMENTARY INQUIRY

Senator Hanger propounded a parliamentary inquiry as to in what order the committee amendment to **S.B. 314** and the substitute offered by Senator Cuccinelli to **S.B. 314** would be taken up, the committee amendment to **S.B. 314** being technical in nature.

The Chair stated that the Senate must first take up the committee amendment to **S.B. 314** and then take up the substitute offered by Senator Cuccinelli to **S.B. 314**.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, not being supported by one-fifth of the Senators present, the yeas and nays were refused.

The amendment was agreed to.

Senator Howell moved that the bill be ordered to be engrossed and read by title the third time.

Senator Cuccinelli moved, as a substitute motion, that his substitute to **S.B. 314** be agreed to.

### POINT OF ORDER

Senator Norment raised a point of order as to the proper order of acting on the committee amendment to **S.B. 314** and the substitute offered by Senator Cuccinelli to **S.B. 314**.

The Chair stated that since the committee amendment to **S.B. 314** had been agreed to and the substitute offered by Senator Cuccinelli to **S.B. 314** was not contrary to the committee amendment to **S.B. 314**, the substitute offered by Senator Cuccinelli to **S.B. 314** could be considered.

The question was put on agreeing to the substitute offered by Senator Cuccinelli.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--12. NAYS--26. RULE 36--0.

YEAS--Bell, Bolling, Cuccinelli, Hanger, Martin, Newman, Obenshain, Rerras, Ruff, Stosch, Wagner, Williams--12.

NAYS--Blevins, Chichester, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Ticer, Wampler, Watkins, Whipple--26.

RULE 36--0.

The substitute was rejected.

On motion of Senator Howell, the bill was ordered to be engrossed and read by title the third time.

#### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 314** (three hundred fourteen) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

#### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the substitute offered by Senator Cuccinelli to **S.B. 314** (three hundred fourteen) was rejected.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The question was put on agreeing to the substitute offered by Senator Cuccinelli.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--13. NAYS--25. RULE 36--0.

YEAS--Bell, Bolling, Cuccinelli, Hanger, Hawkins, Martin, Newman, Obenshain, Rerras, Ruff, Stosch, Wagner, Williams--13.

NAYS--Blevins, Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Ticer, Wampler, Watkins, Whipple--25.

RULE 36--0.

The substitute was rejected.

On motion of Senator Howell, the bill was ordered to be engrossed and read by title the third time.

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegates Ingram, Joannou, and Plum had been added as co-patrons of **S.B. 128** (one hundred twenty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Rerras had been added as a co-patron of **S.B. 321** (three hundred twenty-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Rerras had been added as a co-patron of **S.B. 329** (three hundred twenty-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Fralin had been added as a co-patron of **S.B. 340** (three hundred forty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Frederick had been added as a co-patron of **S.B. 361** (three hundred sixty-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Hargrove had been added as a co-patron of **S.B. 391** (three hundred ninety-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Wright had been added as a co-patron of **S.B. 407** (four hundred seven).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegates Johnson and Ware, O., had been added as co-patrons of **S.B. 413** (four hundred thirteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegates Dudley, Janis, and Shannon had been added as co-patrons of **S.B. 536** (five hundred thirty-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Rerras had been added as a co-patron of **S.B. 543** (five hundred forty-three).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Rerras had been added as a co-patron of **S.B. 608** (six hundred eight).

On motion of Senator Bell, a leave of absence for the day was granted Senator Devolites.

On motion of Senator Ruff, a leave of absence for the day was granted Senator Mims.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is written in a cursive style with a large initial "S" and a long horizontal stroke.

Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, JANUARY 29, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. A. Lincoln James, Jr., Trinity Baptist Church, Richmond, Virginia, offered the following prayer:

Eternal God, our Father, bless now those who gather in this historic house. Bless all those whose task it is to serve the Commonwealth, the nation, and the world.

Bless our Governor and our Senators and Delegates, and all of our elected officials. Deliver them from all personal ambition and from the desire for national exaltation and power, and help them to seek that brotherhood of all nations, which is founded on justice and righteousness, mercy and love.

Bless those who have in their hearts a passion for social justice: those who cannot be content as long as some have too little and some have too much.

Bless those who labor that men and women may receive a just day's pay for a honest day's work and a decent home in which to live. Bless those who labor that the workless and the destitute, the homeless, the least, the last and the unlovely are ever remembered and cared for.

Deliver them from all bitterness of spirit and wildness of speech, and grant them strength of will and charity of heart.

And now O God, who art the master of all good workmen, grant unto all men joy and diligence in their work, and the divine consciousness that in serving their fellowmen they are serving You—we give You all glory, honor and praise—Hallelujah! Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Quayle, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
January 28, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 24.** A BILL to repeal Chapter 227 of the Acts of Assembly of 1960, relating to the Rudee Inlet Authority.
- H.B. 37.** A BILL to provide for the submission to the voters of a proposed amendment to Section 16 of Article V of the Constitution of Virginia, relating to succession to the office of Governor.
- H.B. 53.** A BILL to amend and reenact § 14.01 of Chapter 39 of the Acts of Assembly of 1932, which provided a charter for the City of Winchester, relating to appointment of school trustees.
- H.B. 56.** A BILL to amend and reenact §§ 3.1, 4.3, 4.5 and 20.2, as amended, of Chapter 213 of the Acts of Assembly of 1960, which provided a charter for the City of Colonial Heights, relating to the city council and school board.
- H.B. 57.** A BILL to amend and reenact § 12.04, as amended, of Chapter 155 of the Acts of Assembly of 1962, which provided a charter for the City of Franklin, relating to compensation of school board.
- H.B. 75.** A BILL to repeal Chapter 294 of the Acts of Assembly of 1948, as amended by Chapter 361 of the Acts of Assembly of 1952, relating to damage stamps in Craig County.
- H.B. 79.** A BILL to amend and reenact § 18.2-308.2:01 of the Code of Virginia, relating to possession or transportation of firearms by illegal aliens.
- H.B. 116.** A BILL to amend and reenact §§ 32.1-123, 32.1-125, 32.1-125.1, 32.1-126, 32.1-127, 32.1-129, 32.1-130, 32.1-131, 32.1-133, and 32.1-135 of the Code of Virginia, relating to regulation and licensure of abortion clinics.
- H.B. 123.** A BILL to amend and reenact § 36-135 of the Code of Virginia, relating to the Board of Housing and Community Development; membership.
- H.B. 124.** A BILL to amend and reenact § 54.1-702 of the Code of Virginia, relating to Board for Barbers and Cosmetologists; membership.
- H.B. 141.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-1213.1, relating to election of the county chairman; Page County.
- H.B. 206.** A BILL to repeal Article 13 (§§ 2.2-2640 and 2.2-2641) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Interagency Coordinating Council on Housing for the Disabled.
- H.B. 216.** A BILL to amend and reenact § 15.2-2304 of the Code of Virginia, relating to affordable housing.
- H.B. 241.** A BILL to amend and reenact § 2.08, as amended, of Chapter 240 of the Acts of Assembly of 1954, which provided a charter for the Town of Christiansburg, relating to mayor and council.
- H.B. 283.** A BILL to amend the Code of Virginia by adding in Chapter 43 of Title 54.1 a section numbered 54.1-4306, relating to regulation of itinerant merchants; penalty.
- H.B. 286.** A BILL to amend and reenact § 18.2-308.1 of the Code of Virginia, relating to possession of weapon on school property.

- H.B. 291.** A BILL to amend and reenact § 9.1-903 of the Code of Virginia, relating to sex offender registration procedures.
- H.B. 300.** A BILL to amend and reenact § 15.2-953 of the Code of Virginia, relating to donations by localities.
- H.B. 375.** A BILL to amend and reenact § 18.2-308.2:2 of the Code of Virginia, relating to criminal history record information check required for the transfer of certain firearms.
- H.B. 417.** A BILL to amend and reenact § 15.2-2300 of the Code of Virginia, relating to access to proffer cash payments and expenditures reports.
- H.B. 422.** A BILL to amend and reenact § 54.1-1115 of the Code of Virginia, relating to the Board for Contractors; prohibited acts; misrepresentation; penalty.
- H.B. 454.** A BILL to direct the Director of the Department of Professional and Occupational Regulation and the Board for Contractors to establish a pilot program for local enforcement of licensure.
- H.B. 462.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-516.1, relating to the Department of Professional and Occupational Regulation; Board for Asbestos, Lead, and Home Inspectors; summary suspension of licenses.
- H.B. 463.** A BILL to amend and reenact § 54.1-503 of the Code of Virginia, relating to the Department of Professional and Occupational Regulation; Board for Asbestos, Lead, and Home Inspectors; necessity for license.
- H.B. 484.** A BILL to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal § 15.2-1207 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to reporting of gun sales.
- H.B. 503.** A BILL to amend and reenact § 59.1-148.3 of the Code of Virginia, relating to the purchase of handguns by certain officers.
- H.B. 533.** A BILL to amend and reenact §§ 15.2-6701 and 15.2-6703 of the Code of Virginia, relating to the Buchanan County Tourist Train Development Authority.
- H.B. 553.** A BILL to amend and reenact § 38.2-1906 of the Code of Virginia, relating to insurance rates.
- H.B. 559.** A BILL to amend and reenact § 3.5 of Chapter 12 of the Acts of Assembly of 1987, which provided a charter for the County of Chesterfield, relating to assessment districts.
- H.B. 601.** A BILL to amend and reenact § 15.2-2144 of the Code of Virginia, relating to inspection of water supplies.
- H.B. 618.** A BILL to amend and reenact § 44-93.5 of the Code of Virginia, relating to enforcement of provisions protecting job security of members of the military reserves.
- H.B. 628.** A BILL to amend and reenact § 38.2-4306 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-4320.1, relating to health maintenance organizations providing services to enrollees covered by medical assistance services or the Family Access to Medical Insurance Security Plan (FAMIS); emergency.

- H.B. 682.** A BILL to amend and reenact §§ 24.2-904 and 24.2-908 of the Code of Virginia, relating to information required of candidates, campaign committees, and other persons and committees under the Campaign Finance Disclosure Act.
- H.B. 715.** A BILL to amend and reenact § 15.2-2241 of the Code of Virginia, relating to provisions of a subdivision ordinance.
- H.B. 824.** A BILL to amend and reenact §§ 55-248.13 and 55-248.16 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-248.11:2, relating to the Virginia Residential Landlord Tenant Act; disclosure of mold in dwelling unit.
- H.B. 850.** A BILL to amend and reenact §§ 24.2-916, 24.2-917, and 24.2-923 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; filing schedules.
- H.B. 852.** A BILL to amend and reenact § 54.1-3435.02 of the Code of Virginia, relating to exemptions from the requirements for being licensed as wholesale distributors when engaging in certain small quantities of wholesale distribution.
- H.B. 857.** A BILL to amend and reenact §§ 54.1-2316 and 54.1-2322 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2313.1, relating to the Cemetery Board; perpetual care trust funds and preneed burial contracts; appointment of receiver.
- H.B. 874.** A BILL to amend and reenact § 15.2-2304 of the Code of Virginia, relating to affordable housing.
- H.B. 898.** A BILL to amend the Code of Virginia by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2127, relating to homeowners insurance policy deductibles.
- H.B. 911.** A BILL to amend and reenact § 15.2-5504 of the Code of Virginia, relating to the Tourism Development Authority.
- H.B. 919.** A BILL to amend and reenact § 15.2-5114 of the Code of Virginia, relating to water and sewer authorities; conduits for fiber optic installation.
- H.B. 934.** A BILL to amend and reenact § 15.2-1604 of the Code of Virginia, relating to constitutional offices; employment.
- H.B. 981.** A BILL to amend and reenact § 55-248.31 of the Code of Virginia, relating to the Virginia Residential Landlord Tenant Act; noncompliance of rental agreement; award of attorneys' fees.
- H.B. 994.** A BILL to amend and reenact § 3, as amended, of Chapter 186 of the Acts of Assembly of 1938, which provided a charter for the Town of Clifton, relating to town council.
- H.B. 1022.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-603.1, relating to the Department of Professional and Occupational Regulation; Auctioneers Board; continuing education.
- H.B. 1155.** A BILL to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 and 38.2-6101, relating to the Interstate Insurance Product Regulation Compact.

**H.B. 1181.** A BILL to amend and reenact §§ 38.2-3220, 38.2-3221, 38.2-3222, and 38.2-3229 of the Code of Virginia, relating to annuity nonforfeiture provisions.

**H.B. 1321.** A BILL to amend and reenact §§ 24.2-904, 24.2-928, and 24.2-929 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; required filings and penalties.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 24, H.B. 53, H.B. 56, H.B. 57, H.B. 75, H.B. 141, H.B. 216, H.B. 241, H.B. 300, H.B. 417, H.B. 484, H.B. 533, H.B. 559, H.B. 601, H.B. 715, H.B. 874, H.B. 911, H.B. 919, H.B. 934, and H.B. 994** were referred to the Committee on Local Government.

**H.B. 37, H.B. 682, H.B. 850, and H.B. 1321** were referred to the Committee on Privileges and Elections.

**H.B. 79, H.B. 286, H.B. 291, H.B. 375, and H.B. 503** were referred to the Committee for Courts of Justice.

**H.B. 116** was referred to the Committee on Education and Health.

**H.B. 123, H.B. 124, H.B. 206, H.B. 283, H.B. 422, H.B. 454, H.B. 462, H.B. 463, H.B. 618, H.B. 824, H.B. 852, H.B. 857, H.B. 981, and H.B. 1022** were referred to the Committee on General Laws.

**H.B. 553, H.B. 628, H.B. 898, H.B. 1155, and H.B. 1181** were referred to the Committee on Commerce and Labor.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 114** (one hundred fourteen) with amendments.

**S.B. 236** (two hundred thirty-six) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 237** (two hundred thirty-seven) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 271** (two hundred seventy-one) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 327** (three hundred twenty-seven).

**S.B. 328** (three hundred twenty-eight).

**S.B. 333** (three hundred thirty-three) with amendments.

**S.B. 334** (three hundred thirty-four) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 492** (four hundred ninety-two) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 548** (five hundred forty-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 550** (five hundred fifty).

**S.B. 623** (six hundred twenty-three).

**S.B. 677** (six hundred seventy-seven) with amendment with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee for Courts of Justice pursuant to Senate Rule 20 (j):

**S.B. 46** (forty-six) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 296** (two hundred ninety-six) with the recommendation that it be rereferred to the Committee on Transportation.

**S.B. 516** (five hundred sixteen) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

**S.B. 134** (one hundred thirty-four) with substitute.

**S.B. 156** (one hundred fifty-six) with amendments.

**S.B. 197** (one hundred ninety-seven) with amendments.

**S.B. 222** (two hundred twenty-two).

**S.B. 244** (two hundred forty-four) with amendments.

**S.B. 266** (two hundred sixty-six) with substitute.

**S.B. 388** (three hundred eighty-eight).

**S.B. 479** (four hundred seventy-nine) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 556** (five hundred fifty-six) with substitute.

**S.B. 607** (six hundred seven) with substitute.

**S.B. 644** (six hundred forty-four).

**S.B. 654** (six hundred fifty-four) with amendment.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Education and Health pursuant to Senate Rule 20 (j):

**S.B. 292** (two hundred ninety-two) with the recommendation that it be rereferred to the Committee on Rehabilitation and Social Services.

**S.B. 688** (six hundred eighty-eight) with the recommendation that it be rereferred to the Committee on General Laws.

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

- S.B. 4** (four) with amendment.
- S.B. 183** (one hundred eighty-three) with substitute.
- S.B. 201** (two hundred one) with substitute.
- S.B. 285** (two hundred eighty-five) with substitute.
- S.B. 289** (two hundred eighty-nine) with substitute.
- S.B. 302** (three hundred two) with substitute.
- S.B. 303** (three hundred three).
- S.B. 304** (three hundred four) with substitute.
- S.B. 348** (three hundred forty-eight) with amendment.
- S.B. 463** (four hundred sixty-three) with substitute.
- S.B. 525** (five hundred twenty-five) with substitute.
- S.B. 539** (five hundred thirty-nine) with amendments.
- S.B. 608** (six hundred eight) with amendment.
- S.B. 631** (six hundred thirty-one) with substitute.

**S.B. 46** and **S.B. 516** were rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

**S.B. 236, S.B. 237, S.B. 271, S.B. 334, S.B. 479, S.B. 492, S.B. 548, and S.B. 677** were rereferred to the Committee on Finance.

**S.B. 292** was rereferred to the Committee on Rehabilitation and Social Services pursuant to Senate Rule 20 (j).

**S.B. 296** was rereferred to the Committee on Transportation pursuant to Senate Rule 20 (j).

**S.B. 688** was rereferred to the Committee on General Laws pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Wampler requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 691.** A BILL to amend the Code of Virginia by adding sections numbered 1-13.13:1 and 1-13.25:1, relating to the meaning of terms used in the appointment process.

Patron--Wampler

Referred to Committee on Rules

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Newman introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 145.** Commending Dr. Patty Hale.

Patron--Newman

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Williams introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 146.** Commemorating the 46th anniversary of the founding of Frederick Military Academy.

Patron--Williams

## CALENDAR

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 127** (one hundred twenty-seven).

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 214** (two hundred fourteen).

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

**S.B. 523** (five hundred twenty-three).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 127** (one hundred twenty-seven).

**S.B. 110** (one hundred ten).

**S.B. 199** (one hundred ninety-nine).

**S.B. 214** (two hundred fourteen).

**S.B. 261** (two hundred sixty-one).

**S.B. 262** (two hundred sixty-two).

**S.B. 523** (five hundred twenty-three).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 92** (ninety-two) was read by title the third time and, on motion of Senator Devolites, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--11. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Houck, Howell, Locke, Lucas, Marsh, Miller, Mims, Norment, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--28.

NAYS--Bell, Bolling, Cuccinelli, Hanger, Hawkins, Martin, Newman, Obenshain, Potts, Ruff, Wampler--11.

RULE 36--0.

**S.B. 306** (three hundred six) was read by title the third time and, on motion of Senator O'Brien, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--36.

NAYS--Devolites, Potts, Watkins--3.

RULE 36--0.

**S.B. 314** (three hundred fourteen) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Colgan, Deeds, Edwards, Houck, Howell, Locke, Lucas, Marsh, Miller, Mims, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Whipple--22.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Newman, Obenshain, Rerras, Ruff, Wagner, Wampler, Watkins, Williams--17.

RULE 36--0.

**S.B. 200** (two hundred) was read by title the third time and, on motion of Senator Reynolds, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 200** (two hundred) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 200**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 454** (four hundred fifty-four) was read by title the third time and, on motion of Senator Whipple, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 306** (three hundred six) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 306**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wampler, Whipple, Williams--31.

NAYS--Chichester, Devolites, Martin, Obenshain, Potts, Stosch, Wagner, Watkins--8.

RULE 36--0.

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 152** (one hundred fifty-two).

**S.B. 3** (three).

**S.B. 9** (nine).

**S.B. 84** (eighty-four).

**S.B. 122** (one hundred twenty-two).

**S.B. 136** (one hundred thirty-six).

**S.B. 179** (one hundred seventy-nine).

**S.B. 248** (two hundred forty-eight).

**S.B. 253** (two hundred fifty-three).

**S.B. 305** (three hundred five).

**S.B. 349** (three hundred forty-nine).

**S.B. 355** (three hundred fifty-five).

**S.B. 361** (three hundred sixty-one).

**S.B. 367** (three hundred sixty-seven).

**S.B. 372** (three hundred seventy-two).

**S.B. 512** (five hundred twelve).

**S.B. 517** (five hundred seventeen).

**S.B. 535** (five hundred thirty-five).

**S.B. 536** (five hundred thirty-six).

**S.B. 538** (five hundred thirty-eight).

**S.B. 585** (five hundred eighty-five).

**S.B. 651** (six hundred fifty-one).

The motion was agreed to.

**S.B. 152** (one hundred fifty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.

The reading of the substitute was waived.

Senator Deeds moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Quayle offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.

On motion of Senator Deeds, the reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

**S.B. 136** (one hundred thirty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Commerce and Labor was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 32.1-127.1:03 and 40.1-8 of the Code of Virginia, relating to disclosure of certain protected health information to the Commissioner of the Department of Labor and Industry or his designee.

The reading of the substitute was waived.

On motion of Senator Wampler, the substitute was agreed to.

**S.B. 179** (one hundred seventy-nine) was taken up.

The following amendment proposed by the Committee on Commerce and Labor was offered:

1. Line 59, introduced, after 8.

strike

remainder of line 59 and all of lines 60 and 61

insert

*An individual who was unable to work at his regular employment due to a disaster for which the governor, by executive order, has declared a state of emergency, if such disaster forced the closure of the employer's business, and if the individual returned to his regular full-time employment once the business reopened. In no case shall more than four weeks of benefit charges be waived.*

The reading of the amendment was waived.

On motion of Senator Blevins, the amendment was agreed to.

**S.B. 248** (two hundred forty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A **BILL** to amend and reenact § 58.1-3211 of the Code of Virginia, relating to restrictions and exemptions on deferral of taxes for certain elderly and handicapped persons.

The reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

**S.B. 305** (three hundred five) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 22, introduced, after *of*  
strike  
*such information*  
insert  
*a tax return*

The reading of the amendment was waived.

On motion of Senator O'Brien, the amendment was agreed to.

**S.B. 512** (five hundred twelve) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A **BILL** to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in Fairfax County.

The reading of the substitute was waived.

On motion of Senator Mims, the substitute was agreed to.

**S.B. 536** (five hundred thirty-six) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 4, introduced, Title, after *BILL to*  
strike  
*amend and reenact § 8.9A-318 of the Code of Virginia and to*
2. Line 12, introduced, after *That*  
strike  
§ 8.9A-318 of the Code of Virginia is amended and reenacted and

3. Line 43, introduced, after line 42  
insert

*C. "Securitization transaction" means a transaction relating to the issuance or transfer by a special purpose entity of beneficial interests or undivided interests, which entitle their holders to receive payments or other distributions that depend primarily on the cash flow from assets, including financial assets and other credit exposures, in which that special purpose entity has rights or the power to transfer rights.*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

**S.B. 538** (five hundred thirty-eight) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 60, introduced, after *termination*  
insert

*of corporate existence*

2. Line 60, introduced, after *if the termination*  
insert

*of corporate existence*

3. Line 389, introduced, after section  
insert

*or § 13.1-1056*

4. Line 514, introduced, after section  
insert

*or § 13.1-1246*

5. Line 617, introduced, after section  
insert

*or § 50-73.18 or § 50-73.58*

6. Line 789, introduced, after *A*  
strike

*dissolved*

insert

*partnership that is dissolved pursuant to § 50-73.117 that is a*

7. Line 789, introduced, after *partnership*  
insert

*at the time of its dissolution*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

**S.B. 585** (five hundred eighty-five) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 297, introduced, after line 296  
insert

2. That for the period July 1, 2004, through June 30, 2006, the requirements set forth in subdivision C1 of § 58.1-609-11 shall not apply to any nonprofit organization providing rescue or firefighting services.

The reading of the amendment was waived.

On motion of Senator Colgan, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 152** (one hundred fifty-two) as amended.

**S.B. 3** (three).

**S.B. 9** (nine).

**S.B. 84** (eighty-four).

**S.B. 122** (one hundred twenty-two).

**S.B. 136** (one hundred thirty-six) as amended.

**S.B. 179** (one hundred seventy-nine) as amended.

**S.B. 248** (two hundred forty-eight) as amended.

**S.B. 253** (two hundred fifty-three).

**S.B. 305** (three hundred five) as amended.

**S.B. 349** (three hundred forty-nine).

**S.B. 355** (three hundred fifty-five).

**S.B. 361** (three hundred sixty-one).

**S.B. 367** (three hundred sixty-seven).

**S.B. 372** (three hundred seventy-two).

**S.B. 512** (five hundred twelve) as amended.

**S.B. 517** (five hundred seventeen).

**S.B. 535** (five hundred thirty-five).

**S.B. 536** (five hundred thirty-six) as amended.

**S.B. 538** (five hundred thirty-eight) as amended.

**S.B. 585** (five hundred eighty-five) as amended.

**S.B. 651** (six hundred fifty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Commerce and Labor was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-585, 56-589, and 56-594 of the Code of Virginia, relating to the Electric Utility Restructuring Act.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

Senator Wampler offered the following amendments to the substitute:

1. Line 419, substitute, after G

strike

*An*

insert

*To ensure a reliable and adequate supply of electricity, and to promote economic development, an*

2. Line 423, substitute, after *territory*.

insert

*The Commission shall consider any petition filed under this subsection in accordance with its competitive bidding rules promulgated pursuant to § 56-234.3, and in accordance with the provisions of this chapter.*

On motion of Senator Wampler, the reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

Senator Hanger moved that **S.B. 651** be passed by for the day.

The question was put on passing **S.B. 651** by for the day.

The motion was rejected.

On motion of Senator Norment, the bill was ordered to be engrossed and read by title the third time.

**S.B. 58** (fifty-eight), on motion of Senator Martin, was passed by for the day.

**S.B. 14** (fourteen) was read by title the second time and, on motion of Senator Deeds, was ordered to be engrossed and read by title the third time.

**S.B. 316** (three hundred sixteen) was read by title the second time and, on motion of Senator Howell, was ordered to be engrossed and read by title the third time.

**S.B. 410** (four hundred ten) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL for the relief of Sharon Dalton.

The reading of the substitute was waived.

On motion of Senator Ruff, the substitute was agreed to.

On motion of Senator Ruff, the bill was ordered to be engrossed and read by title the third time.

**S.B. 627** (six hundred twenty-seven) was read by title the second time and, on motion of Senator Devolites, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 76** (seventy-six).  
**S.B. 120** (one hundred twenty).  
**S.B. 168** (one hundred sixty-eight).  
**S.B. 169** (one hundred sixty-nine).  
**S.B. 170** (one hundred seventy).  
**S.B. 215** (two hundred fifteen).  
**S.B. 347** (three hundred forty-seven).  
**S.B. 353** (three hundred fifty-three).  
**S.B. 359** (three hundred fifty-nine).  
**S.B. 366** (three hundred sixty-six).  
**S.B. 369** (three hundred sixty-nine).  
**S.B. 391** (three hundred ninety-one).  
**S.B. 396** (three hundred ninety-six).  
**S.B. 400** (four hundred).  
**S.B. 426** (four hundred twenty-six).  
**S.B. 480** (four hundred eighty).  
**S.B. 522** (five hundred twenty-two).  
**S.B. 533** (five hundred thirty-three).  
**S.B. 540** (five hundred forty).  
**S.B. 541** (five hundred forty-one).  
**S.B. 546** (five hundred forty-six).  
**S.B. 571** (five hundred seventy-one).  
**S.B. 599** (five hundred ninety-nine).  
**S.B. 642** (six hundred forty-two).  
**S.B. 684** (six hundred eighty-four).  
**S.B. 33** (thirty-three).  
**S.B. 228** (two hundred twenty-eight).  
**S.B. 399** (three hundred ninety-nine).  
**S.B. 461** (four hundred sixty-one).  
**S.B. 472** (four hundred seventy-two).  
**S.B. 600** (six hundred).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 76** (seventy-six).  
**S.B. 120** (one hundred twenty).  
**S.B. 168** (one hundred sixty-eight).  
**S.B. 169** (one hundred sixty-nine).  
**S.B. 170** (one hundred seventy).  
**S.B. 215** (two hundred fifteen).

**S.B. 347** (three hundred forty-seven).  
**S.B. 353** (three hundred fifty-three).  
**S.B. 359** (three hundred fifty-nine).  
**S.B. 366** (three hundred sixty-six).  
**S.B. 369** (three hundred sixty-nine).  
**S.B. 391** (three hundred ninety-one).  
**S.B. 396** (three hundred ninety-six).  
**S.B. 400** (four hundred).  
**S.B. 426** (four hundred twenty-six).  
**S.B. 480** (four hundred eighty).  
**S.B. 522** (five hundred twenty-two).  
**S.B. 533** (five hundred thirty-three).  
**S.B. 540** (five hundred forty).  
**S.B. 541** (five hundred forty-one).  
**S.B. 546** (five hundred forty-six).  
**S.B. 571** (five hundred seventy-one).  
**S.B. 599** (five hundred ninety-nine).  
**S.B. 642** (six hundred forty-two).  
**S.B. 684** (six hundred eighty-four).  
**S.B. 33** (thirty-three).  
**S.B. 228** (two hundred twenty-eight).  
**S.B. 399** (three hundred ninety-nine).  
**S.B. 461** (four hundred sixty-one).  
**S.B. 472** (four hundred seventy-two).  
**S.B. 600** (six hundred).

#### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 237** (two hundred thirty-seven).  
**H.J.R. 238** (two hundred thirty-eight).  
**H.J.R. 239** (two hundred thirty-nine).  
**H.J.R. 240** (two hundred forty).  
**H.J.R. 241** (two hundred forty-one).  
**H.J.R. 249** (two hundred forty-nine).  
**H.J.R. 250** (two hundred fifty).  
**H.J.R. 256** (two hundred fifty-six).  
**H.J.R. 262** (two hundred sixty-two).  
**H.J.R. 263** (two hundred sixty-three).  
**H.J.R. 264** (two hundred sixty-four).  
**H.J.R. 265** (two hundred sixty-five).  
**H.J.R. 266** (two hundred sixty-six).  
**H.J.R. 267** (two hundred sixty-seven).  
**H.J.R. 268** (two hundred sixty-eight).  
**H.J.R. 269** (two hundred sixty-nine).

**H.J.R. 230** (two hundred thirty) was taken up, as follows:

## HOUSE JOINT RESOLUTION NO. 230

On the death of William A. Beeton, Jr.

WHEREAS, William A. Beeton, Jr., of Fauquier County, a former member of the House of Delegates, died on November 2, 2002; and

WHEREAS, a native of Lexington, William Beeton attended the Virginia Military Institute, graduated from Lynchburg College, and earned his law degree from the T. C. Williams School of Law at the University of Richmond; and

WHEREAS, William Beeton served his country in the United States Air Force during the war in Vietnam; and

WHEREAS, while living and practicing law in Altavista, William Beeton was elected to the House of Delegates from the 13th District in 1981 and represented the citizens of Campbell and Pittsylvania Counties and the City of Danville from 1982-1984; and

WHEREAS, William Beeton later moved to Northern Virginia, where he practiced law in Fairfax County for 19 years, was senior warden and vestryman of St. John the Baptist Church in Marshall, and served as chairman of the board of directors of Wakefield Country Day School; and

WHEREAS, William Beeton served his community, the Commonwealth, and the nation with dedication and integrity; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of a distinguished Virginian, William A. Beeton, Jr.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of William A. Beeton, Jr., as an expression of the esteem in which his memory is held by the members of the General Assembly.

**H.J.R. 230**, on motion of Senator Norment, was agreed to by a unanimous standing vote.

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

- S.J.R. 113** (one hundred thirteen).
- S.J.R. 119** (one hundred nineteen).
- S.J.R. 126** (one hundred twenty-six).
- S.J.R. 127** (one hundred twenty-seven).
- S.J.R. 129** (one hundred twenty-nine).
- S.J.R. 135** (one hundred thirty-five).
- S.J.R. 136** (one hundred thirty-six).
- S.J.R. 137** (one hundred thirty-seven).
- S.J.R. 138** (one hundred thirty-eight).
- S.J.R. 139** (one hundred thirty-nine).
- S.J.R. 140** (one hundred forty).
- S.J.R. 141** (one hundred forty-one).
- S.J.R. 142** (one hundred forty-two).

**COMMENDING RESOLUTIONS**

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

- H.J.R. 231** (two hundred thirty-one).
- H.J.R. 232** (two hundred thirty-two).
- H.J.R. 233** (two hundred thirty-three).
- H.J.R. 234** (two hundred thirty-four).
- H.J.R. 235** (two hundred thirty-five).
- H.J.R. 236** (two hundred thirty-six).
- H.J.R. 242** (two hundred forty-two).
- H.J.R. 243** (two hundred forty-three).
- H.J.R. 244** (two hundred forty-four).
- H.J.R. 245** (two hundred forty-five).
- H.J.R. 251** (two hundred fifty-one).
- H.J.R. 252** (two hundred fifty-two).
- H.J.R. 253** (two hundred fifty-three).
- H.J.R. 254** (two hundred fifty-four).
- H.J.R. 257** (two hundred fifty-seven).
- H.J.R. 258** (two hundred fifty-eight).
- H.J.R. 270** (two hundred seventy).
- H.J.R. 271** (two hundred seventy-one).
- H.J.R. 272** (two hundred seventy-two).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

- S.J.R. 112** (one hundred twelve).
- S.J.R. 116** (one hundred sixteen).
- S.J.R. 118** (one hundred eighteen).
- S.J.R. 121** (one hundred twenty-one).
- S.J.R. 124** (one hundred twenty-four).
- S.J.R. 125** (one hundred twenty-five).
- S.J.R. 128** (one hundred twenty-eight).
- S.J.R. 132** (one hundred thirty-two).
- S.J.R. 133** (one hundred thirty-three).
- S.J.R. 134** (one hundred thirty-four).

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Stolle introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 147.** Commending Sharon E. Bennett and Evan C. Wooton.

Patrons--Stolle, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Obenshain had been added as a co-patron of **S.B. 139** (one hundred thirty-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Deeds had been added as a co-patron of **S.B. 340** (three hundred forty).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Obenshain had been added as a co-patron of **S.B. 346** (three hundred forty-six).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Hanger, Hawkins, Houck, and Quayle had been added as co-patrons of **S.B. 482** (four hundred eighty-two).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Reynolds had been added as a co-patron of **S.B. 525** (five hundred twenty-five).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Obenshain had been added as a co-patron of **S.B. 579** (five hundred seventy-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ruff had been added as a co-patron of **S.J.R. 79** (seventy-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Blevins and Obenshain had been added as co-patrons of **S.J.R. 91** (ninety-one).

On motion of Senator Houck, a leave of absence for the day was granted Senator Lambert on account of pressing personal business.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 10:30 a.m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee report.

#### COMMITTEE REPORT

The following joint resolutions, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

**S.J.R. 99** (ninety-nine).

**S.J.R. 100** (one hundred).

**S.J.R. 101** (one hundred one) with amendments.

**S.J.R. 102** (one hundred two).

**S.J.R. 103** (one hundred three).

**S.J.R. 104** (one hundred four) with amendment.

**S.J.R. 105** (one hundred five).

**S.J.R. 106** (one hundred six).

**S.J.R. 107** (one hundred seven).

**S.J.R. 108** (one hundred eight).

**S.J.R. 109** (one hundred nine).

A handwritten signature in black ink, appearing to read "Tim Kaine". The signature is fluid and cursive, with the first name "Tim" and the last name "Kaine" clearly distinguishable.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with the first name "Susan" and the last name "Schaar" being the most prominent parts.

Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, JANUARY 30, 2004

The Senate met at 10:30 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. William B. Sweetser, Ebenezer Presbyterian Church, Kenbridge, Virginia, offered the following prayer:

Almighty and Everlasting God, from whom all law comes and to whom all nations look; we ask You this day to bless the Senate of Virginia. Bestow upon each Senator Your wisdom to forge equitable laws; that all citizens of this Commonwealth may share in the providence of just government and enjoy the abundant opportunities of a well-regulated society. May the proceedings on this day be pleasing to You; that the weak and the helpless will be protected; that the dispirited and weary will be inspired. Let our heritage of justice and freedom guide the debates, that the laws passed here will enable all citizens to face the future with confidence. And let the Senators assembled here today, from diverse places and differing histories, find common ground through open discussion and honest compromise. Bless, we pray, the deliberations and the actions of the Senate of Virginia, that the decisions made here today will further the unity of this Commonwealth and bear fruit for all Virginians. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Bolling and Potts notified the Clerk of their presence.

On motion of Senator Potts, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
January 29, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 45.** A BILL to amend and reenact § 16.1-267 of the Code of Virginia, relating to compensation of appointed counsel.

- H.B. 46.** A BILL to amend and reenact § 8.01-129 of the Code of Virginia, relating to appeals from general district court.
- H.B. 118.** A BILL to amend and reenact § 19.2-66 of the Code of Virginia, relating to when Attorney General may apply for wiretap orders.
- H.B. 143.** A BILL to amend and reenact § 58.1-3506 of the Code of Virginia, relating to classifications of personal property for taxation; vehicles owned or leased by certain members of volunteer rescue squads, volunteer fire departments, volunteer rescue squad auxiliaries, and volunteer fire department auxiliaries.
- H.B. 360.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 52 sections numbered 52-11.4 and 52-11.5, relating to disposal of unclaimed property in the possession of State Police.
- H.B. 372.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local telecommunication tax; Towns of Herndon and Vienna.
- H.B. 430.** A BILL to amend and reenact § 8.01-676.1 of the Code of Virginia, relating to security for appeals.
- H.B. 547.** A BILL to direct the State Council of Higher Education for Virginia to develop policies and strategies to eliminate the barriers between the Commonwealth's institutions of higher education and industry and enhance the development of human capital in the Commonwealth.
- H.B. 640.** A BILL to amend and reenact § 18.2-51.1 of the Code of Virginia, relating to malicious bodily injury to law-enforcement officers; penalty.
- H.B. 712.** A BILL to amend and reenact § 23-9.6:2 of the Code of Virginia, relating to the required reinstatement of military students in public institutions of higher education.
- H.B. 734.** A BILL to amend and reenact § 18.2-465.1 of the Code of Virginia, relating to penalizing an employee for service on a jury panel.
- H.B. 739.** A BILL to amend and reenact § 58.1-3819 of the Code of Virginia, relating to imposing the transient occupancy tax at certain tax rates.
- H.B. 743.** A BILL to amend and reenact §§ 58.1-3814 and 58.1-3816.2 of the Code of Virginia, relating to local consumer utility taxes.
- H.B. 786.** A BILL to amend and reenact §§ 18.2-268.5 and 46.2-341.26:5 of the Code of Virginia, relating to the procedure for taking blood samples.
- H.B. 846.** A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, relating to the Brown v. Board of Education Scholarship Program and Fund.
- H.B. 976.** A BILL to amend and reenact §§ 16.1-88.03 and 55-246.1 of the Code of Virginia, relating to pleadings and other papers and recovery of rent or possession by parties not represented by attorneys.

**H.B. 980.** A BILL to amend and reenact § 8.01-294 of the Code of Virginia, relating to service of process; return of service; late return.

**H.B. 1001.** A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in Fairfax County.

**H.B. 1038.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.

**H.B. 1296.** A BILL to facilitate restorations at James Madison University due to fire damage.

**H.B. 1313.** A BILL to name the library at the Virginia Institute of Marine Science the William Jennings Hargis, Jr. Library.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 108.** Encouraging the Department of General Services to recognize and incorporate the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state and local practices for the design and procurement of construction projects.

**H.J.R. 109.** Encouraging the Boards of Visitors at Virginia's public institutions of higher education, in cooperation with the Department of General Services, to recognize and incorporate the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state and local practices for the design and procurement of construction projects.

**H.J.R. 110.** Encouraging local school boards and local governing bodies, in cooperation with the Department of General Services, to recognize and incorporate the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state and local practices for the design and procurement of construction projects.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 45, H.B. 46, H.B. 118, H.B. 430, H.B. 640, H.B. 734, H.B. 786, H.B. 976, and H.B. 980** were referred to the Committee for Courts of Justice.

**H.B. 143, H.B. 372, H.B. 739, H.B. 743, and H.B. 1001** were referred to the Committee on Finance.

**H.B. 360** was referred to the Committee on Transportation.

**H.B. 547** was referred to the Committee on Rules.

**H.B. 712, H.B. 846, H.B. 1038, H.B. 1296, and H.B. 1313** were referred to the Committee on Education and Health.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 108, H.J.R. 109, and H.J.R. 110** were referred to the Committee on Rules.

### COMMITTEE REPORTS

The following joint resolutions, having been considered by the committee in session, were reported by Senator Norment from the Committee on Rules:

**S.J.R. 43** (forty-three) with amendment.

**S.J.R. 65** (sixty-five) with amendments.

**S.J.R. 73** (seventy-three).

**S.J.R. 96** (ninety-six) with amendments.

**S.J.R. 114** (one hundred fourteen) with substitute.

**S.J.R. 117** (one hundred seventeen) with amendments.

**S.J.R. 120** (one hundred twenty).

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

**S.B. 34** (thirty-four) with substitute.

**S.B. 112** (one hundred twelve).

**S.B. 252** (two hundred fifty-two) with amendments.

**S.B. 260** (two hundred sixty) with substitute.

**S.B. 273** (two hundred seventy-three).

**S.B. 288** (two hundred eighty-eight).

**S.B. 345** (three hundred forty-five).

**S.B. 387** (three hundred eighty-seven) with substitute.

**S.B. 402** (four hundred two) with substitute.

**S.B. 471** (four hundred seventy-one) with substitute.

**S.B. 563** (five hundred sixty-three).

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Transportation pursuant to Senate Rule 20 (j):

**S.B. 373** (three hundred seventy-three) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 634** (six hundred thirty-four) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**S.B. 373** was rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

**S.B. 634** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Blevins requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 692.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-609.10.01, relating to retail sales and use tax exemptions; civic and community service organizations.

Patron--Blevins

Referred to Committee on Finance

### CALENDAR

#### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 152** (one hundred fifty-two).

**S.B. 3** (three).

**S.B. 9** (nine).

**S.B. 84** (eighty-four).

**S.B. 122** (one hundred twenty-two).

**S.B. 136** (one hundred thirty-six).

**S.B. 179** (one hundred seventy-nine).

**S.B. 248** (two hundred forty-eight).

**S.B. 253** (two hundred fifty-three).

**S.B. 305** (three hundred five).

**S.B. 349** (three hundred forty-nine).

**S.B. 355** (three hundred fifty-five).

**S.B. 361** (three hundred sixty-one).

**S.B. 367** (three hundred sixty-seven).

**S.B. 372** (three hundred seventy-two).

**S.B. 512** (five hundred twelve).

**S.B. 517** (five hundred seventeen).

**S.B. 535** (five hundred thirty-five).

**S.B. 536** (five hundred thirty-six).

**S.B. 538** (five hundred thirty-eight).

**S.B. 585** (five hundred eighty-five).

**S.B. 651** (six hundred fifty-one).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 152** (one hundred fifty-two).
- S.B. 3** (three).
- S.B. 9** (nine).
- S.B. 84** (eighty-four).
- S.B. 122** (one hundred twenty-two).
- S.B. 136** (one hundred thirty-six).
- S.B. 179** (one hundred seventy-nine).
- S.B. 248** (two hundred forty-eight).
- S.B. 253** (two hundred fifty-three).
- S.B. 305** (three hundred five).
- S.B. 349** (three hundred forty-nine).
- S.B. 355** (three hundred fifty-five).
- S.B. 361** (three hundred sixty-one).
- S.B. 372** (three hundred seventy-two).
- S.B. 535** (five hundred thirty-five).
- S.B. 536** (five hundred thirty-six).
- S.B. 538** (five hundred thirty-eight).
- S.B. 585** (five hundred eighty-five).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 367** (three hundred sixty-seven), on motion of Senator Watkins, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, Newman, Obenshain, O'Brien--4.

RULE 36--0.

**S.B. 512** (five hundred twelve), on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, O'Brien--2.

RULE 36--0.

**S.B. 517** (five hundred seventeen), on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, O'Brien--2.

RULE 36--0.

**S.B. 651** (six hundred fifty-one), on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--10. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, O'Brien, Potts, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--29.

NAYS--Deeds, Hanger, Hawkins, Houck, Newman, Obenshain, Puckett, Reynolds, Ruff, Whipple--10.

RULE 36--Lambert--1.

**S.B. 14** (fourteen) was read by title the third time and, on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 316** (three hundred sixteen) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Potts--1.

### RECONSIDERATION

Senator Quayle moved to reconsider the vote by which **S.B. 14** (fourteen) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 14**, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Potts--1.

**S.B. 410** (four hundred ten) was read by title the third time and, on motion of Senator Ruff, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Deeds, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--32.

NAYS--Chichester, Devolites, Houck, Norment, Obenshain, Stolle, Watkins--7.

RULE 36--0.

**S.B. 627** (six hundred twenty-seven) was read by title the third time and, on motion of Senator Devolites, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Potts--1.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 512** (five hundred twelve) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 512**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Cuccinelli, Martin, O'Brien--3.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 517** (five hundred seventeen) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 517**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, Martin, O'Brien--3.

RULE 36--0.

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 76** (seventy-six).

**S.B. 120** (one hundred twenty).

**S.B. 168** (one hundred sixty-eight).

**S.B. 169** (one hundred sixty-nine).

**S.B. 170** (one hundred seventy).

**S.B. 215** (two hundred fifteen).

**S.B. 347** (three hundred forty-seven).

**S.B. 353** (three hundred fifty-three).

**S.B. 359** (three hundred fifty-nine).

**S.B. 366** (three hundred sixty-six).

**S.B. 369** (three hundred sixty-nine).

**S.B. 391** (three hundred ninety-one).

**S.B. 396** (three hundred ninety-six).

**S.B. 400** (four hundred).

**S.B. 426** (four hundred twenty-six).

**S.B. 480** (four hundred eighty).

**S.B. 522** (five hundred twenty-two).

**S.B. 533** (five hundred thirty-three).

**S.B. 540** (five hundred forty).

**S.B. 541** (five hundred forty-one).

**S.B. 546** (five hundred forty-six).

**S.B. 571** (five hundred seventy-one).

**S.B. 599** (five hundred ninety-nine).

**S.B. 642** (six hundred forty-two).

**S.B. 684** (six hundred eighty-four).

The motion was agreed to.

**S.B. 170** (one hundred seventy) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 15.2-1609.1:01, relating to number of jail deputies.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**S.B. 353** (three hundred fifty-three) was taken up.

The following amendment proposed by the Committee on Local Government was offered:

1. Line 26, introduced, after *include*  
insert  
*, as appropriate,*

The reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

**S.B. 359** (three hundred fifty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.

The reading of the substitute was waived.

On motion of Senator Colgan, the substitute was agreed to.

**S.B. 369** (three hundred sixty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 15.2-2109.2, relating to utility mutual aid agreements.

The reading of the substitute was waived.

On motion of Senator Watkins, the substitute was agreed to.

**S.B. 391** (three hundred ninety-one) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 56, introduced, after 3.

strike

*Beginning with the November 2004 general election, the*

insert

*The*

2. Line 75, introduced, after *manner*

insert

*except as required to complete the submission process*

3. Line 173, introduced, after registration.

strike

remainder of line 173, all of lines 174 and 175, and through § 24.2-701. on line 176

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**S.B. 480** (four hundred eighty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-6006 and 15.2-6011 of the Code of Virginia, relating to the Virginia Coalfield Economic Development Authority.

The reading of the substitute was waived.

On motion of Senator Wampler, the substitute was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 120** (one hundred twenty).

**S.B. 168** (one hundred sixty-eight).

**S.B. 169** (one hundred sixty-nine).

**S.B. 170** (one hundred seventy) as amended.

**S.B. 215** (two hundred fifteen).

**S.B. 347** (three hundred forty-seven).

**S.B. 353** (three hundred fifty-three) as amended.

**S.B. 359** (three hundred fifty-nine) as amended.

**S.B. 366** (three hundred sixty-six).

**S.B. 369** (three hundred sixty-nine) as amended.

**S.B. 391** (three hundred ninety-one) as amended.

**S.B. 396** (three hundred ninety-six).

**S.B. 400** (four hundred).

**S.B. 426** (four hundred twenty-six).

**S.B. 480** (four hundred eighty) as amended.

**S.B. 522** (five hundred twenty-two).

**S.B. 533** (five hundred thirty-three).

**S.B. 540** (five hundred forty).

**S.B. 541** (five hundred forty-one).

**S.B. 546** (five hundred forty-six).  
**S.B. 571** (five hundred seventy-one).  
**S.B. 599** (five hundred ninety-nine).  
**S.B. 642** (six hundred forty-two).  
**S.B. 684** (six hundred eighty-four).

**S.B. 76** (seventy-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 1 of Subtitle I of Title 15.2 a section numbered 15.2-109, relating to regulations on political campaign signs.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

**S.B. 76**, on motion of Senator Potts, was passed by for the day.

**S.B. 58** (fifty-eight), on motion of Senator Stolle, was passed by for the day.

**S.B. 33** (thirty-three) was read by title the second time and, on motion of Senator Potts, was ordered to be engrossed and read by title the third time.

**S.B. 228** (two hundred twenty-eight) was read by title the second time.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 4, introduced, Title, after *Virginia*,  
strike  
*and to amend the Code of Virginia by adding a section numbered 15.2-2287.1,*
2. Line 11, introduced, after reenacted  
strike  
*and the Code of Virginia is amended by adding a section numbered 15.2-2287.1*
3. Line 36, introduced, after donation  
insert  
*having a value of \$100 or more, singularly or in the aggregate*
4. Line 52, introduced  
strike  
*all of lines 52 through 89*

The reading of the amendments was waived.

On motion of Senator Cuccinelli, the amendments were agreed to.

On motion of Senator Cuccinelli, the bill was ordered to be engrossed and read by title the third time.

**S.B. 399** (three hundred ninety-nine) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-807 of the Code of Virginia, relating to recordation taxes on leases.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

On motion of Senator Norment, the bill was ordered to be engrossed and read by title the third time.

**S.B. 461** (four hundred sixty-one) was read by title the second time and, on motion of Senator Whipple, was ordered to be engrossed and read by title the third time.

**S.B. 472** (four hundred seventy-two) was read by title the second time.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 4, introduced, Title, after §§ 2.04.2,  
strike  
2.06,
2. Line 12, introduced, after §§ 2.04.2,  
strike  
2.06,
3. Line 50, introduced, after *grants*  
strike  
*for*  
insert  
*to individuals who prior to receiving such funds were*
4. Line 62, introduced  
strike  
all of lines 62 through 108

The reading of the amendments was waived.

On motion of Senator Ticer, the amendments were agreed to.

On motion of Senator Ticer, the bill was ordered to be engrossed and read by title the third time.

**S.B. 600** (six hundred) was read by title the second time and, on motion of Senator Hawkins, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 4** (four).

**S.B. 114** (one hundred fourteen).

**S.B. 134** (one hundred thirty-four).  
**S.B. 156** (one hundred fifty-six).  
**S.B. 183** (one hundred eighty-three).  
**S.B. 197** (one hundred ninety-seven).  
**S.B. 201** (two hundred one).  
**S.B. 222** (two hundred twenty-two).  
**S.B. 244** (two hundred forty-four).  
**S.B. 266** (two hundred sixty-six).  
**S.B. 285** (two hundred eighty-five).  
**S.B. 289** (two hundred eighty-nine).  
**S.B. 302** (three hundred two).  
**S.B. 303** (three hundred three).  
**S.B. 304** (three hundred four).  
**S.B. 327** (three hundred twenty-seven).  
**S.B. 328** (three hundred twenty-eight).  
**S.B. 333** (three hundred thirty-three).  
**S.B. 348** (three hundred forty-eight).  
**S.B. 463** (four hundred sixty-three).  
**S.B. 525** (five hundred twenty-five).  
**S.B. 539** (five hundred thirty-nine).  
**S.B. 556** (five hundred fifty-six).  
**S.B. 608** (six hundred eight).  
**S.B. 623** (six hundred twenty-three).  
**S.B. 631** (six hundred thirty-one).  
**S.B. 644** (six hundred forty-four).  
**S.B. 654** (six hundred fifty-four).  
**S.B. 388** (three hundred eighty-eight).  
**S.B. 550** (five hundred fifty).  
**S.B. 607** (six hundred seven).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 4** (four).  
**S.B. 114** (one hundred fourteen).  
**S.B. 134** (one hundred thirty-four).  
**S.B. 156** (one hundred fifty-six).  
**S.B. 183** (one hundred eighty-three).  
**S.B. 197** (one hundred ninety-seven).  
**S.B. 201** (two hundred one).  
**S.B. 222** (two hundred twenty-two).

**S.B. 244** (two hundred forty-four).  
**S.B. 266** (two hundred sixty-six).  
**S.B. 285** (two hundred eighty-five).  
**S.B. 289** (two hundred eighty-nine).  
**S.B. 302** (three hundred two).  
**S.B. 303** (three hundred three).  
**S.B. 304** (three hundred four).  
**S.B. 327** (three hundred twenty-seven).  
**S.B. 328** (three hundred twenty-eight).  
**S.B. 333** (three hundred thirty-three).  
**S.B. 348** (three hundred forty-eight).  
**S.B. 463** (four hundred sixty-three).  
**S.B. 525** (five hundred twenty-five).  
**S.B. 539** (five hundred thirty-nine).  
**S.B. 556** (five hundred fifty-six).  
**S.B. 608** (six hundred eight).  
**S.B. 623** (six hundred twenty-three).  
**S.B. 631** (six hundred thirty-one).  
**S.B. 644** (six hundred forty-four).  
**S.B. 654** (six hundred fifty-four).  
**S.B. 388** (three hundred eighty-eight).  
**S.B. 550** (five hundred fifty).  
**S.B. 607** (six hundred seven).

#### SENATE JOINT RESOLUTIONS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate joint resolutions be waived:

**S.J.R. 99** (ninety-nine).  
**S.J.R. 100** (one hundred).  
**S.J.R. 101** (one hundred one).  
**S.J.R. 102** (one hundred two).  
**S.J.R. 103** (one hundred three).  
**S.J.R. 104** (one hundred four).  
**S.J.R. 105** (one hundred five).  
**S.J.R. 106** (one hundred six).  
**S.J.R. 107** (one hundred seven).  
**S.J.R. 108** (one hundred eight).  
**S.J.R. 109** (one hundred nine).

The motion was agreed to.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

On motion of Senator Norment, the following Senate joint resolutions were passed by for the day:

**S.J.R. 99** (ninety-nine).

**S.J.R. 100** (one hundred).

**S.J.R. 101** (one hundred one).

**S.J.R. 102** (one hundred two).

**S.J.R. 103** (one hundred three).

**S.J.R. 104** (one hundred four).

**S.J.R. 105** (one hundred five).

**S.J.R. 106** (one hundred six).

**S.J.R. 107** (one hundred seven).

**S.J.R. 108** (one hundred eight).

**S.J.R. 109** (one hundred nine).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Lambert introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 148.** Celebrating the life of Dr. Theodore R. Coots Brown, Sr.

Patrons--Lambert, Locke, Lucas, Marsh and Miller

### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Baskerville had been removed as a co-patron of **S.B. 312** (three hundred twelve).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ticer had been added as a co-patron of **S.B. 388** (three hundred eighty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Keister had been added as a co-patron of **S.B. 413** (four hundred thirteen).

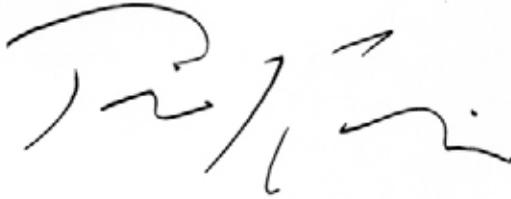
Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Lambert had been added as a co-patron of **S.B. 598** (five hundred ninety-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Gear had been added as a co-patron of **S.B. 602** (six hundred two).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ticer had been added as a co-patron of **S.B. 658** (six hundred fifty-eight).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Scott, E.T., had been added as a co-patron of **S.J.R. 120** (one hundred twenty).

On motion of Senator Chichester, the Senate adjourned until Monday, February 2, 2004, at 12 m.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and a long horizontal stroke.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and elegant, with a large initial "S" and a long horizontal stroke.

Susan Clarke Schaar  
Clerk of the Senate

MONDAY, FEBRUARY 2, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend James J. Begley, Church of the Redeemer, Mechanicsville, Virginia, offered the following prayer:

Blessed are You, God of mercy, we gather here today as members of many different faiths. We come together in prayer and praise, as Your faithful servants. We acknowledge that our unity in faith needs to be nourished and deepened.

We gather to follow Your example to love one another, to look after those in need. Help us now to see the generations who our laws and policies this day will effect. Help us to see all Your children as equal and deserving of our efforts.

Send down Your blessing upon these Your servants who so generously devote themselves to helping others. When we are called on in times of need, let us faithfully serve You and our neighbors.

Let us pray for God's blessings on the members of this Senate, who are devoted to helping all their brothers and sisters. Through Your prayer and our work together may we be united as Virginians, to helping all the generations who now look up to us for their future. We ask this in God's name, Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Cuccinelli, Obenshain, and Puller notified the Clerk of their presence.

On motion of Senator Watkins, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
January 30, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 31.** A BILL to authorize the issuance of bonds to finance \$137,700,600 in previously authorized projects and \$117,616,000 in new projects for a total of up to \$255,316,600, plus financing costs, pursuant to Article X, Section 9(c) of the Constitution of Virginia, for paying costs of acquiring, constructing and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.
- H.B. 32.** A BILL to authorize the issuance of bonds, in an amount up to \$5,700,000 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring a revenue-producing capital project to be administered by the Department of General Services, to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital project and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.
- H.B. 73.** A BILL to amend and reenact § 2.2-4321 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-4312.1, relating to the Contractor Fraud Debarment Act of 2004.
- H.B. 152.** A BILL to amend and reenact § 18.2-340.20 of the Code of Virginia, relating to the Department of Charitable Gaming; permits.
- H.B. 168.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain park and recreation records.
- H.B. 302.** A BILL to direct the Department of General Services to establish a statewide contract for telephonic language interpretation services and other interpretation and translation services.
- H.B. 347.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; citizen emergency response teams.
- H.B. 357.** A BILL to amend and reenact § 2.2-514 of the Code of Virginia, relating to settlements involving the Commonwealth.
- H.B. 358.** A BILL to amend and reenact §§ 2.2-3707 and 30-179 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3704.1, relating to the Freedom of Information Act; posting by certain state public bodies; minutes.
- H.B. 437.** A BILL to amend and reenact § 18.2-340.33 of the Code of Virginia, relating to charitable gaming; prohibited practices; exceptions.
- H.B. 448.** A BILL to amend and reenact §§ 55-362 and 55-374 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 55-376.1, relating to the Virginia Real Estate Time-Share Act; possibility of reverter.

- H.B. 467.** A BILL to amend and reenact § 2.2-3101 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 2.2-3100.1, and to amend the Code of Virginia by adding in Chapter 31 of Title 2.2 an article numbered 8, consisting of sections numbered 2.2-3128 through 2.2-3131, relating to the State and Local Government Conflict of Interests Act and orientation programs for public personnel.
- H.B. 470.** A BILL to amend and reenact §§ 2.2-4303 and 2.2-4304 of the Code of Virginia, relating to procurement; online auctions and the General Services Administration.
- H.B. 478.** A BILL to amend and reenact §§ 2.2-2006, 2.2-4343, and 23-77.4 of the Code of Virginia, relating to information technology and telecommunications at the University of Virginia Medical Center.
- H.B. 577.** A BILL to amend and reenact §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8, and to repeal §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615 of the Code of Virginia, relating to disciplinary proceedings by health regulatory boards.
- H.B. 589.** A BILL to amend and reenact §§ 37.1-67.01, 37.1-67.1 and 37.1-71 of the Code of Virginia, relating to transportation under emergency custody and temporary detention orders.
- H.B. 623.** A BILL to amend and reenact § 54.1-3321 of the Code of Virginia, relating to registration of pharmacy technicians in free clinics.
- H.B. 782.** A BILL to amend and reenact §§ 2.2-212, as it is currently effective and as it shall become effective, 2.2-215, and 2.2-2628 of the Code of Virginia, relating to the Council on Indians.
- H.B. 805.** A BILL to amend and reenact § 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; prohibited acts by mixed beverage licensees; exception.
- H.B. 829.** A BILL to amend the Code of Virginia by adding in Chapter 11 of Title 54.1 an article numbered 4, consisting of sections numbered 54.1-1140 through 54.1-1143, relating to the Board for Contractors; certification of elevator mechanics.
- H.B. 849.** A BILL to amend and reenact § 54.1-1103 of the Code of Virginia, relating to the Board for Contractors; necessity for licensure; design-build construction.
- H.B. 851.** A BILL to repeal the second enactment clause of Chapter 895 and the second enactment clause of Chapter 1011 of the 1999 Acts of Assembly, relating to the sunseting of the authority of pharmacists to participate with practitioners of medicine, osteopathy, or podiatry in collaborative agreements.
- H.B. 854.** A BILL to amend and reenact § 54.1-406 of the Code of Virginia, relating to the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; necessity for license; design-build contracts.
- H.B. 876.** A BILL to amend and reenact §§ 37.1-226 through 37.1-230 of the Code of Virginia, relating to disclosure of mental health information.

- H.B. 877.** A BILL to amend and reenact §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; procedure for certain patients to obtain access to their records.
- H.B. 878.** A BILL to amend and reenact §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, and 37.1-134.21 of the Code of Virginia, relating to access to health records and information for guardians ad litem and attorneys representing minors and certain adults in certain court proceedings.
- H.B. 879.** A BILL to amend and reenact § 32.1-127.1:03 of the Code of Virginia, relating to health records privacy.
- H.B. 891.** A BILL to amend and reenact §§ 32.1-126 and 63.2-1800 of the Code of Virginia, relating to notification to electric utilities of the location of licensed nursing homes and assisted living facilities.
- H.B. 995.** A BILL to amend and reenact §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231, and 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; annual banquet and annual mixed beverage banquet licenses.
- H.B. 1028.** A BILL to amend and reenact §§ 58.1-4008 and 58.1-4009 of the Code of Virginia, relating to background investigations of lottery vendors and sales agents.
- H.B. 1116.** A BILL to amend and reenact §§ 9.1-161 and 9.1-162 of the Code of Virginia, relating to crime prevention specialists.
- H.B. 1133.** A BILL to amend and reenact § 32.1-65, as it is currently effective and as it may become effective, of the Code of Virginia, relating to screening tests for infants.
- H.B. 1178.** A BILL to amend and reenact § 32.1-127 of the Code of Virginia, relating to the offering of vaccines in certified nursing facilities and nursing homes.
- H.B. 1198.** A BILL to amend and reenact § 32.1-170 of the Code of Virginia, relating to the development of emergency plans for the safe handling of public water supplies during any extended power outage.
- H.B. 1202.** A BILL to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to the promotion of pharmaceutical assistance programs and pharmaceutical discount purchasing cards.
- H.B. 1228.** A BILL to amend and reenact §§ 23-296 and 23-297 of the Code of Virginia, relating to the Frontier Culture Museum of Virginia.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

- H.J.R. 118.** Endorsing the establishment of a school of pharmacy in Buchanan County.
- H.J.R. 122.** Requesting the State Council of Higher Education to develop and disseminate best practices for campus safety policies and programs to public and private institutions of higher education in Virginia. Report.

**H.J.R. 180.** Designating January 22nd, in 2004 and in each succeeding year, as Celebrate Adoption Day in Virginia.

**H.J.R. 260.** Urging school divisions to provide age-appropriate and culturally sensitive health, nutrition and physical education necessary to develop the knowledge, attitudes, skills, and behaviors required for students to adopt and maintain healthy eating habits and physically active lifestyles.

**H.J.R. 261.** Expressing the General Assembly's support for the Virginia Manufacturers Association's Virginia Strategy for Growth and Manufacturing Renewal.

**H.J.R. 279.** Commending the Albemarle Housing Improvement Program.

**H.J.R. 280.** Commending the University of Virginia men's lacrosse team.

**H.J.R. 281.** Commending the West Springfield High School cheerleading team.

**H.J.R. 282.** Commending the Tuckahoe Volunteer Rescue Squad.

**H.J.R. 283.** Commending the York County School of Arts.

**H.J.R. 284.** Commending the Virginia Pep Band.

**H.J.R. 294.** Commending Dr. Teresa Keller.

**H.J.R. 295.** Commending the Reverend Canon J. Fletcher Lowe, Jr.

**H.J.R. 296.** Commending the Mills Godwin High School boys' tennis team.

**H.J.R. 297.** Commending the Mills Godwin High School girls' tennis team.

**H.J.R. 298.** Commending the Mills Godwin High School boys' soccer team.

**H.J.R. 299.** Commending the work of the Council on Virginia's Future.

**H.J.R. 300.** Commending Bill Littlepage.

**H.J.R. 301.** Commending Marshall Parker.

**H.J.R. 302.** Commending the Hopewell High School football team.

**H.J.R. 303.** Commending Joseph E. Hubbard.

**H.J.R. 304.** Commending William T. "Pat" Patrick, Jr.

**H.J.R. 305.** Commending Rima Vesiland.

**H.J.R. 306.** Commending the members of Boy Scouts of America Venture Crew 80.

**H.J.R. 307.** Commending the students of Washington Mill Elementary School.

**H.J.R. 308.** Commending Kenneth Fox Arnold.

**H.J.R. 309.** Celebrating the life of Chief Tecumseh Deerfoot Cook.

**H.J.R. 310.** Celebrating the lives of Charles H. Evelyn, Sr. and Lillian F. Evelyn.

**H.J.R. 311.** On the death of Louis Vincent Genuario, Sr.

**H.J.R. 313.** Commending Virginia Save Our Streams.

**H.J.R. 314.** Commending the Virginia National Guard.

**H.J.R. 315.** On the death of Sergeant Rodney L. Davis.

**H.J.R. 316.** Commending Laurie J. Sullivan.

**H.J.R. 317.** Commending Thomas L. Hoy.

**H.J.R. 318.** Commending James Douglas Mitchell.

**H.J.R. 319.** On the death of John A. Keating.

**H.J.R. 320.** On the death of Linda Hines McKnight.

**H.J.R. 321.** Commending the Wise County Chamber of Commerce.

**H.J.R. 322.** Commending Marlon K. Vaughan.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 2.** On the death of Judge Duncan M. Byrd, Jr.

**S.J.R. 5.** Commending Charles Jenkins.

**S.J.R. 7.** Celebrating the life of Sylvia A. Stephenson.

**S.J.R. 8.** Celebrating the life of Rosa Mae Alexander.

**S.J.R. 9.** Celebrating the life of Dr. Vernon Lee Clark.

**S.J.R. 10.** Celebrating the life of Dr. Thelma D. Curl.

**S.J.R. 11.** Celebrating the life of Josie Cotton Bessent.

**S.J.R. 12.** Celebrating the life of Lena Whitley.

**S.J.R. 13.** Celebrating the life of Chester F. Lewis.

**S.J.R. 14.** Celebrating the life of Dr. Evelyn M. Hellinger.

**S.J.R. 15.** Commending Melvin P. Decker.

**S.J.R. 16.** Commending the Virginia Beach Youth Intervention Team.

**S.J.R. 20.** On the death of Carter Meade Conley Hardesty.

**S.J.R. 21.** On the death of Marine Lance Corporal David E. Owens, Jr.

**S.J.R. 23.** Celebrating the life of Ruby Grant Martin, former Secretary of Administration.

**S.J.R. 30.** Commending the Highland Springs High School boys' basketball team.

**S.J.R. 31.** On the death of Robert J. Macbeth, Jr.

**S.J.R. 32.** Commending the Maggie Walker Governor's School for Government and International Studies We the People team.

**S.J.R. 34.** On the death of James E. Corell.

**S.J.R. 35.** On the death of Otis Payne.

**S.J.R. 36.** Commending the Loudoun County High School girls' tennis team.

**S.J.R. 44.** Celebrating the life of Archie Warren Henderson, Jr.

**S.J.R. 47.** Commending the Optimist Acorns Youth Rifle Team.

**S.J.R. 51.** On the death of James Robert Butler.

**S.J.R. 52.** On the death of Sylvia McDowell Reynolds.

**S.J.R. 61.** Commending Ronald T. Knight.

**S.J.R. 62.** Commending the 71st Infantry Division Association.

**S.J.R. 66.** Commending the Brunswick Senior High School boys' basketball team.

**S.J.R. 67.** Commending Valerie Harding Brown.

**S.J.R. 68.** Celebrating the life of Marian E. Ford.

**S.J.R. 70.** Celebrating the life of Ann Rohrke Netherton.

**S.J.R. 72.** Commemorating the 40th Anniversary of the "I Have A Dream" speech by Dr. Martin Luther King, Jr.

**S.J.R. 76.** Commending Barbara Gernat.

**S.J.R. 83.** On the death of Frank Robbins Pancake.

**S.J.R. 92.** On the death of Lawrence E. Blanchard, Jr.

**S.J.R. 93.** On the death of Rudolph Harmon, Sr.

**S.J.R. 98.** On the death of John Fielder Knowles.

**S.J.R. 110.** On the death of Omer Lee Hirst.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Stolle, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.  
RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 31** and **H.B. 32** were referred to the Committee on Finance.

**H.B. 73, H.B. 152, H.B. 168, H.B. 302, H.B. 347, H.B. 357, H.B. 358, H.B. 437, H.B. 448, H.B. 467, H.B. 470, H.B. 478, H.B. 782, H.B. 829, H.B. 849, H.B. 854, H.B. 1028, and H.B. 1116** were referred to the Committee on General Laws.

**H.B. 577, H.B. 589, H.B. 623, H.B. 851, H.B. 876, H.B. 877, H.B. 878, H.B. 879, H.B. 891, H.B. 1133, H.B. 1178, H.B. 1198, and H.B. 1202** were referred to the Committee on Education and Health.

**H.B. 805** and **H.B. 995** were referred to the Committee on Rehabilitation and Social Services.

**H.B. 1228** was referred to the Committee on Rules.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 118, H.J.R. 122, H.J.R. 180, H.J.R. 260, and H.J.R. 261** were referred to the Committee on Rules.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 279, H.J.R. 280, H.J.R. 281, H.J.R. 282, H.J.R. 283, H.J.R. 284, H.J.R. 294, H.J.R. 295, H.J.R. 296, H.J.R. 297, H.J.R. 298, H.J.R. 299, H.J.R. 300, H.J.R. 301, H.J.R. 302, H.J.R. 303, H.J.R. 304, H.J.R. 305, H.J.R. 306, H.J.R. 307, H.J.R. 308, H.J.R. 309, H.J.R. 310, H.J.R. 311, H.J.R. 313, H.J.R. 314, H.J.R. 315, H.J.R. 316, H.J.R. 317, H.J.R. 318, H.J.R. 319, H.J.R. 320, H.J.R. 321, and H.J.R. 322.**

COMMUNICATIONS

The following communications were received:

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

January 23, 2004

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 426  
Richmond, VA 23219

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 529  
Richmond, VA 23219

Dear Senator Stolle and Delegate McDonnell:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the General District Court of the Twenty-fifth Judicial District. Such vacancy exists because of the impending retirement of Judge Joseph E. Hess, effective July 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, *Code of Virginia*, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the General District Court of the Twenty-fifth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

January 23, 2004

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 426  
Richmond, VA 23219

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 529  
Richmond, VA 23219

Dear Senator Stolle and Delegate McDonnell:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Tenth Judicial District. Such vacancy exists because of the impending retirement of Judge William S. Kerr, effective March 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, *Code of Virginia*, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Tenth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

January 23, 2004

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 426  
Richmond, VA 23219

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 529  
Richmond, VA 23219

Dear Senator Stolle and Delegate McDonnell:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Eighteenth Judicial District. Such vacancy exists because of the impending retirement of Judge Stephen W. Rideout, effective August 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, *Code of Virginia*, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Eighteenth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

The reading of the communications was waived.

The communications were referred to the Committee for Courts of Justice.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

**S.B. 569** (five hundred sixty-nine) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 629** (six hundred twenty-nine) with amendment.

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 202** (two hundred two) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 319** (three hundred nineteen) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 329** (three hundred twenty-nine) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 330** (three hundred thirty) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 343** (three hundred forty-three).

**S.B. 384** (three hundred eighty-four) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 390** (three hundred ninety).

**S.B. 442** (four hundred forty-two) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 450** (four hundred fifty) with the recommendation that it be rereferred to the Committee on Finance.

- S.B. 469 (four hundred sixty-nine).
- S.B. 577 (five hundred seventy-seven).
- S.B. 593 (five hundred ninety-three) with amendment.
- S.B. 602 (six hundred two).
- S.B. 614 (six hundred fourteen).

S.B. 202, S.B. 319, S.B. 329, S.B. 330, S.B. 384, S.B. 442, S.B. 450, and S.B. 569 were rereferred to the Committee on Finance.

## CALENDAR

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 120 (one hundred twenty).
- S.B. 168 (one hundred sixty-eight).
- S.B. 169 (one hundred sixty-nine).
- S.B. 170 (one hundred seventy).
- S.B. 215 (two hundred fifteen).
- S.B. 347 (three hundred forty-seven).
- S.B. 353 (three hundred fifty-three).
- S.B. 359 (three hundred fifty-nine).
- S.B. 366 (three hundred sixty-six).
- S.B. 369 (three hundred sixty-nine).
- S.B. 391 (three hundred ninety-one).
- S.B. 396 (three hundred ninety-six).
- S.B. 400 (four hundred).
- S.B. 426 (four hundred twenty-six).
- S.B. 480 (four hundred eighty).
- S.B. 522 (five hundred twenty-two).
- S.B. 533 (five hundred thirty-three).
- S.B. 540 (five hundred forty).
- S.B. 541 (five hundred forty-one).
- S.B. 546 (five hundred forty-six).
- S.B. 571 (five hundred seventy-one).
- S.B. 599 (five hundred ninety-nine).
- S.B. 642 (six hundred forty-two).
- S.B. 684 (six hundred eighty-four).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 120 (one hundred twenty).
- S.B. 168 (one hundred sixty-eight).

- S.B. 169 (one hundred sixty-nine).
- S.B. 170 (one hundred seventy).
- S.B. 215 (two hundred fifteen).
- S.B. 347 (three hundred forty-seven).
- S.B. 353 (three hundred fifty-three).
- S.B. 359 (three hundred fifty-nine).
- S.B. 366 (three hundred sixty-six).
- S.B. 369 (three hundred sixty-nine).
- S.B. 391 (three hundred ninety-one).
- S.B. 396 (three hundred ninety-six).
- S.B. 400 (four hundred).
- S.B. 426 (four hundred twenty-six).
- S.B. 480 (four hundred eighty).
- S.B. 522 (five hundred twenty-two).
- S.B. 533 (five hundred thirty-three).
- S.B. 540 (five hundred forty).
- S.B. 541 (five hundred forty-one).
- S.B. 546 (five hundred forty-six).
- S.B. 571 (five hundred seventy-one).
- S.B. 599 (five hundred ninety-nine).
- S.B. 642 (six hundred forty-two).
- S.B. 684 (six hundred eighty-four).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

S.B. 33 (thirty-three) was read by title the third time.

Senator Potts moved that S.B. 33 be passed with its title.

Senator Potts withdrew his motion.

Senator Potts moved that S.B. 33 be passed by for the day.

### RECONSIDERATION

Senator Saslaw moved, as a substitute motion, to reconsider the vote by which S.B. 33 (thirty-three) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 33**, on motion of Senator Saslaw, was passed by for the day.

**S.B. 228** (two hundred twenty-eight), on motion of Senator Whipple, was passed by for the day.

**S.B. 399** (three hundred ninety-nine) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Potts--1.

**S.B. 461** (four hundred sixty-one) was read by title the third time and, on motion of Senator Whipple, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--33.

NAYS--Cuccinelli, Martin, Mims, Obenshain, O'Brien, Ruff, Watkins--7.

RULE 36--0.

**S.B. 472** (four hundred seventy-two) was read by title the third time.

Senator Ticer moved that **S.B. 472** be passed with its title.

The question was put on passing **S.B. 472** with its title.

**S.B. 472** was defeated with its title, having failed to receive the necessary affirmative votes required by Article IV, Section 13, of the Constitution.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Ticer, Wampler, Whipple--29.

NAYS--Bolling, Cuccinelli, Martin, Mims, O'Brien, Ruff, Stolle, Stosch, Wagner, Watkins, Williams--11.

RULE 36--0.

**S.B. 600** (six hundred) was read by title the third time and, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--36.

NAYS--Martin, Norment, Ruff, Wampler--4.

RULE 36--0.

#### SENATE BILLS ON SECOND READING

**S.B. 197** (one hundred ninety-seven), on motion of Senator Reynolds, was passed by for the day.

**S.B. 244** (two hundred forty-four), on motion of Senator Edwards, was passed by for the day.

**S.B. 333** (three hundred thirty-three), on motion of Senator Stolle, was passed by for the day.

**S.B. 556** (five hundred fifty-six), on motion of Senator Marsh, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 4** (four).

**S.B. 114** (one hundred fourteen).

**S.B. 134** (one hundred thirty-four).

**S.B. 156** (one hundred fifty-six).

**S.B. 183** (one hundred eighty-three).

**S.B. 201** (two hundred one).

**S.B. 222** (two hundred twenty-two).

**S.B. 266** (two hundred sixty-six).

**S.B. 285** (two hundred eighty-five).

**S.B. 289** (two hundred eighty-nine).

**S.B. 302** (three hundred two).

**S.B. 303** (three hundred three).  
**S.B. 304** (three hundred four).  
**S.B. 327** (three hundred twenty-seven).  
**S.B. 328** (three hundred twenty-eight).  
**S.B. 348** (three hundred forty-eight).  
**S.B. 463** (four hundred sixty-three).  
**S.B. 525** (five hundred twenty-five).  
**S.B. 539** (five hundred thirty-nine).  
**S.B. 608** (six hundred eight).  
**S.B. 623** (six hundred twenty-three).  
**S.B. 631** (six hundred thirty-one).  
**S.B. 644** (six hundred forty-four).  
**S.B. 654** (six hundred fifty-four).

The motion was agreed to.

**S.B. 76** (seventy-six) was taken up, the committee substitute having been agreed to on January 30, 2004.

Senator Marsh offered the following amendment to the substitute:

1. Line 14, substitute, after *signs*,  
strike  
*during the 30 days before a general, primary, special, or referendum election,*

On motion of Senator Marsh, the reading of the amendment was waived.

Senator Marsh moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:  
YEAS--20. NAYS--19. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Deeds, Devolites, Edwards, Houck, Lambert, Locke, Marsh, Martin, Miller, Norment, Puckett, Puller, Rerras, Reynolds, Ruff, Stolle, Wampler--20.

NAYS--Bell, Cuccinelli, Hanger, Hawkins, Howell, Lucas, Mims, Newman, Obenshain, O'Brien, Potts, Quayle, Saslaw, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--19.

RULE 36--0.

The amendment was agreed to.

**S.B. 4** (four) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 60, introduced  
strike  
all of lines 60 through 74

The reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

**S.B. 114** (one hundred fourteen) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 32, introduced, after *within*

strike

*the first 14 days of the child's life*

insert

*14 days of the child's birth. For purposes of terminating parental rights pursuant to § 16.1-283 and placement for adoption, the court may find such a child is a neglected child upon the ground of abandonment*

2. Line 169, introduced, after *within*

strike

*the first 14 days of the child's life*

insert

*14 days of the child's birth. For purposes of terminating parental rights pursuant to § 16.1-283 and placement for adoption, the court may find such a child is a neglected child upon the ground of abandonment*

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

**S.B. 134** (one hundred thirty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.1:01, relating to notice of application for licensure to operate methadone clinics.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

**S.B. 156** (one hundred fifty-six) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 218, introduced, after *also to*

strike

*benefits payable to a subscriber in a dental plan provided by a dental plan organization organized pursuant to*

insert

*dental benefit contracts entered into with a dental plan organization as provided in*

2. Line 618, introduced, after *Commission*  
strike

*may*

insert

*shall*

3. Line 618, introduced, after *consider*  
insert

*among other things, the following*

4. Line 717, introduced, after *rates*  
insert

*under the contract*

5. Line 728, introduced, after *schedule*  
insert

*under the contract*

6. Line 808, introduced  
strike

all of lines 808 through 821

insert

*Except as otherwise expressly provided in this chapter, all other provisions of Title 38.2 applicable to an insurer licensed pursuant to § 38.2-1024 shall apply to dental plan organizations unless such provisions conflict with any provision in this chapter.*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**S.B. 183** (one hundred eighty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 36-99.5:1 of the Code of Virginia, relating to the Uniform Statewide Building Code; certain housing facilities.

The reading of the substitute was waived.

On motion of Senator Blevins, the substitute was agreed to.

**S.B. 201** (two hundred one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-3000, 2.2-3003, and 2.2-3005 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 30 of Title 2.2 a section numbered 2.2-3005.1, relating to the state grievance procedure.

The reading of the substitute was waived.

On motion of Senator Reynolds, the substitute was agreed to.

**S.B. 266** (two hundred sixty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 32.1-325 of the Code of Virginia, relating to the development of a long-term care partnership plan.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

**S.B. 285** (two hundred eighty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to direct the Director of the Department of Professional and Occupational Regulation and the Board for Contractors to establish a pilot program for local enforcement of licensure.

The reading of the substitute was waived.

On motion of Senator O'Brien, the substitute was agreed to.

**S.B. 289** (two hundred eighty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.

The reading of the substitute was waived.

On motion of Senator O'Brien, the substitute was agreed to.

**S.B. 302** (three hundred two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.

The reading of the substitute was waived.

On motion of Senator O'Brien, the substitute was agreed to.

**S.B. 304** (three hundred four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding sections numbered 2.2-207.1, 2.2-207.2, 37.1-207.1 and 37.1-207.2, regarding the review of job training and drug treatment programs; performance-based budgeting.

The reading of the substitute was waived.

On motion of Senator O'Brien, the substitute was agreed to.

**S.B. 348** (three hundred forty-eight) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 31, introduced, after directors  
insert  
*or any subcommittee or committee thereof*

The reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

**S.B. 463** (four hundred sixty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

**S.B. 525** (five hundred twenty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-4303 and 2.2-4308 of the Code of Virginia, relating to the Virginia Public Procurement Act; design-build construction management contracts.

The reading of the substitute was waived.

On motion of Senator Hanger, the substitute was agreed to.

**S.B. 539** (five hundred thirty-nine) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 49, introduced, after device)  
strike  
to the public
  
2. Line 118, introduced, after regulations  
strike  
in accordance with the Administrative Process Act (§ 2.2-4000 et seq.)  
insert  
in accordance with the Administrative Process Act (§ 2.2-4000 et seq.)
  
3. Line 120, introduced, after system.  
strike  
remainder of line 120 and all of lines 121 and 122
  
4. Line 203, introduced  
strike  
all of lines 203 through 206  
insert  
E. For the purpose of meeting the CPA exam requirements of this section, the Board shall admit graduates with a baccalaureate degree with a major in accounting or a concentration in accounting from the National College of Business and Technology who have otherwise completed the course work and credit hours required by this chapter.

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

**S.B. 608** (six hundred eight) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 12, introduced  
strike  
Chapter 1042 of the 2003 Acts of Assembly  
insert  
of the general appropriation act for the Commonwealth's fiscal year beginning July 1, 2003, as passed by the 2004 Session of the General Assembly

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

**S.B. 631** (six hundred thirty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 11 of Title 2.2 a section numbered 2.2-1161.2, relating to preservation of monuments and memorials.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

**S.B. 654** (six hundred fifty-four) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 175, introduced, after *lands*,  
insert  
*including lands lying under water and riparian rights,*

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

- S.B. 76** (seventy-six) as amended.
- S.B. 4** (four) as amended.
- S.B. 114** (one hundred fourteen) as amended.
- S.B. 134** (one hundred thirty-four) as amended.
- S.B. 156** (one hundred fifty-six) as amended.
- S.B. 183** (one hundred eighty-three) as amended.
- S.B. 201** (two hundred one) as amended.
- S.B. 222** (two hundred twenty-two).
- S.B. 266** (two hundred sixty-six) as amended.
- S.B. 285** (two hundred eighty-five) as amended.
- S.B. 289** (two hundred eighty-nine) as amended.
- S.B. 302** (three hundred two) as amended.
- S.B. 303** (three hundred three).
- S.B. 304** (three hundred four) as amended.
- S.B. 327** (three hundred twenty-seven).
- S.B. 328** (three hundred twenty-eight).
- S.B. 348** (three hundred forty-eight) as amended.
- S.B. 463** (four hundred sixty-three) as amended.
- S.B. 525** (five hundred twenty-five) as amended.
- S.B. 539** (five hundred thirty-nine) as amended.
- S.B. 608** (six hundred eight) as amended.
- S.B. 623** (six hundred twenty-three).
- S.B. 631** (six hundred thirty-one) as amended.
- S.B. 644** (six hundred forty-four).
- S.B. 654** (six hundred fifty-four) as amended.

#### SENATE BILLS ON THIRD READING

#### RECONSIDERATION

Senator Watkins moved to reconsider the vote by which **S.B. 472** (four hundred seventy-two) was defeated with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Ticer moved to reconsider the vote by which **S.B. 472** (four hundred seventy-two) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 472**, on motion of Senator Ticer, was passed by for the day.

### RECONSIDERATION

Senator Watkins moved to reconsider the vote by which **S.B. 33** (thirty-three) was passed by for the day.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Potts, the bill was ordered to be engrossed and read by title the third time.

Senator Norment moved that the Rules be suspended and the third reading of the title of **S.B. 33** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 33**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--23. NAYS--17. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple--23.

NAYS--Bell, Bolling, Cuccinelli, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Reynolds, Ruff, Wampler, Williams--17.

RULE 36--0.

**S.B. 58** (fifty-eight), on motion of Senator Martin, was passed by for the day.

**S.B. 388** (three hundred eighty-eight) was read by title the second time and, on motion of Senator Norment, was ordered to be engrossed and read by title the third time.

**S.B. 550** (five hundred fifty) was read by title the second time and, on motion of Senator Howell, was ordered to be engrossed and read by title the third time.

**S.B. 607** (six hundred seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the treatment of persons with opiate addiction.

The reading of the substitute was waived.

On motion of Senator Wampler, the substitute was agreed to.

On motion of Senator Wampler, the bill was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 34** (thirty-four).

**S.B. 112** (one hundred twelve).

**S.B. 252** (two hundred fifty-two).

**S.B. 260** (two hundred sixty).

**S.B. 273** (two hundred seventy-three).

**S.B. 288** (two hundred eighty-eight).

- S.B. 345 (three hundred forty-five).
- S.B. 387 (three hundred eighty-seven).
- S.B. 402 (four hundred two).
- S.B. 471 (four hundred seventy-one).
- S.B. 563 (five hundred sixty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 34 (thirty-four).
- S.B. 112 (one hundred twelve).
- S.B. 252 (two hundred fifty-two).
- S.B. 260 (two hundred sixty).
- S.B. 273 (two hundred seventy-three).
- S.B. 288 (two hundred eighty-eight).
- S.B. 345 (three hundred forty-five).
- S.B. 387 (three hundred eighty-seven).
- S.B. 402 (four hundred two).
- S.B. 471 (four hundred seventy-one).
- S.B. 563 (five hundred sixty-three).

#### SENATE JOINT RESOLUTIONS ON SECOND READING

Senator Norment moved that the engrossment of the Senate joint resolutions that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate joint resolutions, the titles of the joint resolutions having been printed in the Calendar for their second reading, be placed before the Senate by number only:

- S.J.R. 99 (ninety-nine).
- S.J.R. 100 (one hundred).
- S.J.R. 101 (one hundred one).
- S.J.R. 102 (one hundred two).
- S.J.R. 103 (one hundred three).
- S.J.R. 104 (one hundred four).
- S.J.R. 105 (one hundred five).
- S.J.R. 106 (one hundred six).
- S.J.R. 107 (one hundred seven).
- S.J.R. 108 (one hundred eight).
- S.J.R. 109 (one hundred nine).

The motion was agreed to.

**S.J.R. 101** (one hundred one) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 110, introduced, after line 109

insert

Mark D. Tubbs, 1021 Ashbrook Landing Road, Midlothian, Virginia 23114, Member, effective July 1, 2003 for a term of four years ending June 30, 2007, to succeed himself.

2. Line 302, introduced

strike

all of lines 302 and 303

The reading of the amendments was waived.

On motion of Senator Martin, the amendments were agreed to.

**S.J.R. 104** (one hundred four) was taken up.

The following amendment proposed by the Committee on Privileges and Elections was offered:

1. Line 236, introduced, after line 235

insert

Victor K. Branch, 14107 Ramsay Court, Chester, Virginia 23831, Member, effective July 1, 2002, for a term of four years, ending June 30, 2006, to succeed Morton Marks III.

The reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

On motion of Senator Norment, the following Senate joint resolutions were ordered en bloc to be engrossed and read by title the third time:

**S.J.R. 99** (ninety-nine).

**S.J.R. 100** (one hundred).

**S.J.R. 101** (one hundred one) as amended.

**S.J.R. 102** (one hundred two).

**S.J.R. 103** (one hundred three).

**S.J.R. 104** (one hundred four) as amended.

**S.J.R. 105** (one hundred five).

**S.J.R. 106** (one hundred six).

**S.J.R. 107** (one hundred seven).

**S.J.R. 108** (one hundred eight).

**S.J.R. 109** (one hundred nine).

Senator Norment moved that the Rules be suspended and the third reading of the titles of the following Senate joint resolutions be waived:

- S.J.R. 99 (ninety-nine).
- S.J.R. 100 (one hundred).
- S.J.R. 101 (one hundred one).
- S.J.R. 102 (one hundred two).
- S.J.R. 103 (one hundred three).
- S.J.R. 104 (one hundred four).
- S.J.R. 105 (one hundred five).
- S.J.R. 106 (one hundred six).
- S.J.R. 107 (one hundred seven).
- S.J.R. 108 (one hundred eight).
- S.J.R. 109 (one hundred nine).

The motion was agreed to.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.  
RULE 36--0.

Senator Norment moved that the questions on agreeing to the Senate joint resolutions that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate joint resolutions were agreed to en bloc:

- S.J.R. 99 (ninety-nine).
- S.J.R. 100 (one hundred).
- S.J.R. 101 (one hundred one).
- S.J.R. 102 (one hundred two).
- S.J.R. 103 (one hundred three).
- S.J.R. 104 (one hundred four).
- S.J.R. 105 (one hundred five).
- S.J.R. 106 (one hundred six).
- S.J.R. 107 (one hundred seven).
- S.J.R. 108 (one hundred eight).
- S.J.R. 109 (one hundred nine).

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

**SENATE JOINT RESOLUTIONS ON FIRST READING**

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate joint resolutions be waived:

- S.J.R. 43** (forty-three).
- S.J.R. 65** (sixty-five).
- S.J.R. 73** (seventy-three).
- S.J.R. 114** (one hundred fourteen).
- S.J.R. 117** (one hundred seventeen).
- S.J.R. 120** (one hundred twenty).
- S.J.R. 96** (ninety-six).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate joint resolutions were passed by for the day:

- S.J.R. 43** (forty-three).
- S.J.R. 65** (sixty-five).
- S.J.R. 73** (seventy-three).
- S.J.R. 114** (one hundred fourteen).
- S.J.R. 117** (one hundred seventeen).
- S.J.R. 120** (one hundred twenty).
- S.J.R. 96** (ninety-six).

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Whipple introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 149.** Commending Mount Olivet United Methodist Church.

Patrons--Whipple and Ticer; Delegates: Brink, Ebbin, Eisenberg and Van Landingham

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Reynolds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 150.** On the death of Marvin Donald Brady.

Patron--Reynolds

OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Moran had been added as a co-patron of **S.B. 100** (one hundred).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Edwards had been added as a co-patron of **S.B. 204** (two hundred four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Reynolds had been added as a co-patron of **S.B. 332** (three hundred thirty-two).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Bell, Blevins, Bolling, Colgan, Devolites, Hanger, Martin, Mims, Newman, Obenshain, O'Brien, Puckett, Rerras, Ruff, and Wagner had been added as co-patrons of **S.B. 371** (three hundred seventy-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Bell had been added as a co-patron of **S.B. 579** (five hundred seventy-nine).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Quayle had been added as a co-patron of **S.B. 686** (six hundred eighty-six).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, FEBRUARY 3, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

Amandeep Singh Sidhu, Sikh Community of Hampton Roads, Chesapeake, Virginia, offered the following prayer:

The Pure Ones Belong to God, The Victory is the Victory of God!

The following excerpt comes from the Sikh holy book, the Guru Granth Sahib. This verse is the final sermon from the morning prayer, Japu Ji Sahib, written by the first Sikh Teacher, Guru Nanak Dev Ji:

Air like the Guru's Word gives us the breath of life,

Water sires us, Earth is our mother

Day and night are two nurses that watch over the world,

And in whose lap we all play

On good as well as our bad deeds shall be read His judgement

As we have acted, some of us shall be near to God and some of us far away.

Those that have meditated on the Holy Name,

And have departed, their task completed

Their faces are those of shining ones and, Oh Nanak,

How many they bring to liberty in their train

We humbly ask for Your blessing upon this gathering of the Senate, elected by the people of Virginia. Almighty Lord, we ask for Your guidance today, as we move forward in setting laws for the citizens of this great Commonwealth. We ask that You give our elected officials the strength to consider the implications of their decisions in these great halls, and that they might have the fortitude to make principled choices in the coming months. Dear God, we ask that You keep our Commonwealth, the United States of America, and all the citizens of this world under Your care and blessing. We pray that You give our leaders the strength and wisdom to fulfill the mandates of our forefathers by bringing equality and justice to all our great citizens.

Oh Almighty God, Kindly Shower Your Blessings on the Entire Humanity.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Newman notified the Clerk of his presence.

On motion of Senator Wagner, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

## HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
February 2, 2004

## THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 35.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.
- H.B. 85.** A BILL to amend and reenact § 46.2-1157 of the Code of Virginia, relating to motor vehicle safety inspections; certain new motor vehicles exempt.
- H.B. 171.** A BILL to amend and reenact §§ 3.1-618, 3.1-626, 3.1-634, 3.1-634.1 and 3.1-635 of the Code of Virginia, and to repeal Article 3 (§§ 3.1-646.01 through 3.1-646.09) of Chapter 23 of Title 3.1 of the Code of Virginia, relating to the Apple Board.
- H.B. 318.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-289.2, relating to compensation of teachers called to active military service.
- H.B. 322.** A BILL to amend and reenact § 38.2-3407.15 of the Code of Virginia, relating to health insurance carriers; fair business practices; retroactive denials.
- H.B. 471.** A BILL to amend and reenact §§ 54.1-3905, 57-60, and 59.1-200 of the Code of Virginia, to amend the Code of Virginia by adding in Title 6.1 a chapter numbered 10.2, consisting of sections numbered 6.1-363.2 through 6.1-363.27, and to repeal Chapter 10.1 (§ 6.1-363.1) of Title 6.1, relating to non-profit credit counseling; non-profit debt counseling.
- H.B. 513.** A BILL to amend and reenact § 22.1-279.6 of the Code of Virginia, relating to model student conduct policies.
- H.B. 516.** A BILL to amend and reenact § 52-8.4 of the Code of Virginia, relating to commercial motor vehicle safety; hours of service.
- H.B. 527.** A BILL to amend and reenact §§ 2.2-2648 and 2.2-5201 of the Code of Virginia, relating to Comprehensive Services for At-Risk Youth and Families.
- H.B. 532.** A BILL to amend and reenact §§ 46.2-1188 through 46.2-1192 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-1190.1 through 46.2-1190.7, relating to motorcycle rider safety; penalties.
- H.B. 535.** A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.
- H.B. 573.** A BILL to amend and reenact § 22.1-298 of the Code of Virginia, relating to licensure of principals.
- H.B. 575.** A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to reduction of aid for loss of school days.

- H.B. 625.** A BILL to amend and reenact §§ 2.2-507.1 and 17.1-513.01 of the Code of Virginia, relating to charitable assets; standard of conduct for directors of charitable corporations.
- H.B. 637.** A BILL to amend and reenact §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11, and 54.1-3029 to amend the Code of Virginia by adding in Chapter 21.1 of Title 23 sections numbered 23-276.13, 23-276.14, and 23-276.15, and to repeal §§ 22.1-326.1, 22.1-333, 22.1-334, and 22.1-335 of the Code of Virginia, relating to regulation of certain private, for-profit career-training schools by the State Council of Higher Education.
- H.B. 688.** A BILL to amend and reenact §§ 6.1-453, 6.1-459, and 6.1-461 of the Code of Virginia, relating to the Payday Loan Act.
- H.B. 766.** A BILL to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.
- H.B. 777.** A BILL to amend and reenact § 46.2-833 of the Code of Virginia, relating to traffic lights.
- H.B. 792.** A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.
- H.B. 798.** A BILL to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:5, 56-484.7:6 and 56-484.7:7, relating to telephonic reading services.
- H.B. 847.** A BILL to amend and reenact § 46.2-490 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-490.3 through 46.2-490.11, and to repeal § 46.2-490.2 of the Code of Virginia, relating to driver improvement clinics.
- H.B. 866.** A BILL to amend and reenact § 46.2-335 of the Code of Virginia, relating to learner's permits; certification of driving experience for certain driver's license applicants.
- H.B. 933.** A BILL to amend and reenact § 23-14 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.
- H.B. 1048.** A BILL to amend and reenact § 22.1-299.3 of the Code of Virginia, relating to local eligibility licenses for public school teachers.
- H.B. 1171.** A BILL to amend and reenact §§ 22.1-79 and 51.1-155 of the Code of Virginia, and to amend Chapter 6 of Title 22.1 of the Code of Virginia by adding a section numbered 22.1-70.3, relating to rehiring of retired teachers.
- H.B. 1177.** A BILL to amend and reenact §§ 10.1-603.2 through 10.1-603.9, 10.1-603.11 through 10.1-603.15, and 62.1-44.5 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 10.1-603.2:1, 10.1-603.2:2, 10.1-603.4:1, 10.1-603.12:1 through 10.1-603.12:7, and 10.1-603.13:1, and to repeal § 10.1-603.10 of the Code of Virginia, relating to the reorganization of stormwater management programs; penalty.
- H.B. 1256.** A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid.

**H.B. 1257.** A BILL to amend and reenact Chapter 577 of the Acts of Assembly of 2002, relating to the award of verified units of credit for standard diplomas by local school boards.

**H.B. 1269.** A BILL to amend and reenact § 6.1-62 of the Code of Virginia, relating to bank board of directors' approval of loans to executive officers or directors.

**H.B. 1271.** A BILL to amend and reenact § 10.1-104.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-546.1, relating to soil and water conservation districts nonpoint source pollution activities.

**H.B. 1278.** A BILL to amend and reenact § 28.2-527 of the Code of Virginia, relating to the theft of oysters and clams; penalty.

**H.B. 1294.** A BILL to amend and reenact §§ 2.2-4018, 22.1-253.13:3, 22.1-253.13:6, and 22.1-253.13:8 of the Code of Virginia, relating to school corrective action plans.

**H.B. 1314.** A BILL to amend and reenact § 4.1-120 of the Code of Virginia, relating to alcoholic beverage control; operation of government stores.

**H.B. 1336.** A BILL to amend and reenact § 22.1-32 of the Code of Virginia, relating to salaries of certain school boards.

**H.B. 1338.** A BILL to amend and reenact §§ 10.1-2009 and 10.1-2011 of the Code of Virginia, relating to powers and duties of the Board of Trustees for the Virginia Museum of Natural History; salary of director; unrestricted gifts and endowments.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 35, H.B. 85, H.B. 516, H.B. 532, H.B. 777, H.B. 847, and H.B. 866** were referred to the Committee on Transportation.

**H.B. 171, H.B. 535, H.B. 766, H.B. 1177, H.B. 1271, H.B. 1278, and H.B. 1338** were referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 318, H.B. 513, H.B. 573, H.B. 575, H.B. 637, H.B. 792, H.B. 933, H.B. 1048, H.B. 1171, H.B. 1256, H.B. 1257, H.B. 1294, and H.B. 1336** were referred to the Committee on Education and Health.

**H.B. 322, H.B. 471, H.B. 625, H.B. 688, H.B. 798, and H.B. 1269** were referred to the Committee on Commerce and Labor.

**H.B. 527** was referred to the Committee on General Laws.

**H.B. 1314** was referred to the Committee on Rehabilitation and Social Services.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

**S.B. 128** (one hundred twenty-eight) with amendments.

**S.B. 194** (one hundred ninety-four).

**S.B. 323** (three hundred twenty-three).

**S.B. 324** (three hundred twenty-four) with substitute.

**S.B. 344** (three hundred forty-four) with amendments.

**S.B. 542** (five hundred forty-two).

**S.B. 597** (five hundred ninety-seven).

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 31** (thirty-one).

**S.B. 32** (thirty-two).

**S.B. 154** (one hundred fifty-four).

**S.B. 213** (two hundred thirteen).

**S.B. 311** (three hundred eleven).

**S.B. 398** (three hundred ninety-eight).

**S.B. 583** (five hundred eighty-three).

**S.B. 632** (six hundred thirty-two).

**S.B. 652** (six hundred fifty-two) with substitute.

**S.B. 667** (six hundred sixty-seven) with amendments.

**S.B. 690** (six hundred ninety).

**H.B. 143** (one hundred forty-three).

**H.B. 154** (one hundred fifty-four).

**H.B. 372** (three hundred seventy-two) with substitute.

**H.B. 403** (four hundred three).

**H.B. 739** (seven hundred thirty-nine).

**H.B. 743** (seven hundred forty-three).

**H.B. 1001** (one thousand one).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Norment introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 151.** Celebrating the life of Andrew B. Outlaw.

Patron--Norment

**S.J.R. 152.** Celebrating the life of Ernestine Jackson.

Patron--Norment

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Deeds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 153.** Commending Richard Bausch, J. Douglas Smith, Charles Wright, and Louis D. Rubin, Jr.

Patron--Deeds

## CALENDAR

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 76** (seventy-six).
- S.B. 4** (four).
- S.B. 114** (one hundred fourteen).
- S.B. 134** (one hundred thirty-four).
- S.B. 156** (one hundred fifty-six).
- S.B. 183** (one hundred eighty-three).
- S.B. 201** (two hundred one).
- S.B. 222** (two hundred twenty-two).
- S.B. 266** (two hundred sixty-six).
- S.B. 285** (two hundred eighty-five).
- S.B. 289** (two hundred eighty-nine).
- S.B. 302** (three hundred two).
- S.B. 303** (three hundred three).
- S.B. 304** (three hundred four).
- S.B. 327** (three hundred twenty-seven).
- S.B. 328** (three hundred twenty-eight).
- S.B. 348** (three hundred forty-eight).
- S.B. 463** (four hundred sixty-three).
- S.B. 525** (five hundred twenty-five).
- S.B. 539** (five hundred thirty-nine).
- S.B. 608** (six hundred eight).
- S.B. 623** (six hundred twenty-three).
- S.B. 631** (six hundred thirty-one).
- S.B. 644** (six hundred forty-four).
- S.B. 654** (six hundred fifty-four).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 4** (four).  
**S.B. 114** (one hundred fourteen).  
**S.B. 134** (one hundred thirty-four).  
**S.B. 156** (one hundred fifty-six).  
**S.B. 183** (one hundred eighty-three).  
**S.B. 201** (two hundred one).  
**S.B. 222** (two hundred twenty-two).  
**S.B. 266** (two hundred sixty-six).  
**S.B. 285** (two hundred eighty-five).  
**S.B. 289** (two hundred eighty-nine).  
**S.B. 302** (three hundred two).  
**S.B. 303** (three hundred three).  
**S.B. 304** (three hundred four).  
**S.B. 327** (three hundred twenty-seven).  
**S.B. 328** (three hundred twenty-eight).  
**S.B. 348** (three hundred forty-eight).  
**S.B. 463** (four hundred sixty-three).  
**S.B. 525** (five hundred twenty-five).  
**S.B. 539** (five hundred thirty-nine).  
**S.B. 608** (six hundred eight).  
**S.B. 623** (six hundred twenty-three).  
**S.B. 631** (six hundred thirty-one).  
**S.B. 644** (six hundred forty-four).  
**S.B. 654** (six hundred fifty-four).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 76** (seventy-six), on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--Newman, Williams--2.

RULE 36--0.

**S.B. 228** (two hundred twenty-eight) was read by title the third time and, on motion of Senator Cuccinelli, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--12. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--28.

NAYS--Colgan, Deeds, Edwards, Locke, Lucas, Miller, Puckett, Puller, Reynolds, Saslaw, Ticer, Whipple--12.

RULE 36--0.

**S.B. 388** (three hundred eighty-eight), on motion of Senator Norment, was passed by for the day.

**S.B. 550** (five hundred fifty) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Cuccinelli, Reynolds--2.

RULE 36--0.

**S.B. 607** (six hundred seven) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Mims--1.

RULE 36--0.

### RECONSIDERATION

Senator Puckett moved to reconsider the vote by which **S.B. 550** (five hundred fifty) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 550**, on motion of Senator Puckett, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Cuccinelli--1.

RULE 36--0.

#### SENATE BILLS ON SECOND READING

**S.B. 244** (two hundred forty-four), on motion of Senator Edwards, was passed by for the day.

**S.B. 333** (three hundred thirty-three), on motion of Senator Stolle, was passed by for the day.

**S.B. 252** (two hundred fifty-two), on motion of Senator Deeds, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 197** (one hundred ninety-seven).

**S.B. 556** (five hundred fifty-six).

**S.B. 34** (thirty-four).

**S.B. 112** (one hundred twelve).

**S.B. 260** (two hundred sixty).

**S.B. 273** (two hundred seventy-three).

**S.B. 288** (two hundred eighty-eight).

**S.B. 345** (three hundred forty-five).

**S.B. 387** (three hundred eighty-seven).

**S.B. 402** (four hundred two).

**S.B. 471** (four hundred seventy-one).

**S.B. 563** (five hundred sixty-three).

The motion was agreed to.

**S.B. 197** (one hundred ninety-seven) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 37, introduced, after *Services*  
insert  
*to serve fewer than 13 residents*
2. Line 56, introduced, after *Services*  
insert  
*to serve fewer than 13 residents*

The reading of the amendments was waived.

Senator Reynolds moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Reynolds offered the following amendments:

1. Line 36, introduced, after *retarded that*  
strike  
remainder of line 36 and all of line 37  
insert  
*have no more than 12 beds and are in an area identified as in need of residential services for people with mental retardation in any plan of the Department of Mental Health, Mental Retardation and Substance Abuse Services.*
2. Line 55, introduced, after *retarded that*  
strike  
remainder of line 55 and through *Mental Health, Mental Retardation and Substance Abuse Services* on line 56  
insert  
*has no more than 12 beds and is in an area identified as in need of residential services for people with mental retardation in any plan of the Department of Mental Health, Mental Retardation and Substance Abuse Services*

On motion of Senator Reynolds, the reading of the amendments was waived.

On motion of Senator Reynolds, the amendments were agreed to.

**S.B. 556** (five hundred fifty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to placement of committed persons.

The reading of the substitute was waived.

Senator Marsh moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Marsh offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to notice of certain facility for civil commitment of persons convicted of sexually violent offenses.

On motion of Senator Marsh, the reading of the substitute was waived.

On motion of Senator Marsh, the substitute was agreed to.

**S.B. 34** (thirty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to designate the U.S. Route 340 bridge over the Norfolk Southern right-of-way north of the Town of Berryville in Clarke County the “Jack and Carter Hardesty Bridge.”

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

**S.B. 260** (two hundred sixty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to establishment of a statewide comprehensive volunteer roadside management program within the Virginia Department of Transportation authorizing individuals, communities, and local governments to provide landscape materials, services, funding, and appropriate signing.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

**S.B. 387** (three hundred eighty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-1500 of the Code of Virginia, relating to motor vehicle dealers; certain mobile cranes.

The reading of the substitute was waived.

On motion of Senator Williams, the substitute was agreed to.

**S.B. 402** (four hundred two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-330 of the Code of Virginia, relating to vision examinations for applicants for renewal of driver's licenses and learner's permits.

The reading of the substitute was waived.

On motion of Senator O'Brien, the substitute was agreed to.

**S.B. 471** (four hundred seventy-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to parking in certain counties.

The reading of the substitute was waived.

On motion of Senator Ticer, the substitute was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 197** (one hundred ninety-seven) as amended.

**S.B. 556** (five hundred fifty-six) as amended.

**S.B. 34** (thirty-four) as amended.

**S.B. 112** (one hundred twelve).

**S.B. 260** (two hundred sixty) as amended.

**S.B. 273** (two hundred seventy-three).

**S.B. 288** (two hundred eighty-eight).

**S.B. 345** (three hundred forty-five).

**S.B. 387** (three hundred eighty-seven) as amended.

**S.B. 402** (four hundred two) as amended.

**S.B. 471** (four hundred seventy-one) as amended.

**S.B. 563** (five hundred sixty-three).

**S.B. 472** (four hundred seventy-two) was taken up, the committee amendments having been agreed to on January 30, 2004.

Senator Ticer offered the following amendment:

1. Line 218, engrossed  
strike

all of line 218

On motion of Senator Ticer, the reading of the amendment was waived.

Senator Ticer moved that her amendment be agreed to.

### RULING OF THE CHAIR

Senator Stolle propounded a parliamentary inquiry as to the vote requirement for passage of **S.B. 472**.

The Chair ruled that **S.B. 472** was special legislation, requiring a vote of two-thirds of the members elected for passage.

The question was put on agreeing to the amendment offered by Senator Ticer.

The amendment was agreed to.

On motion of Senator Ticer, the bill was ordered to be engrossed and read by title the third time.

**S.B. 58** (fifty-eight), on motion of Senator Martin, was passed by for the day.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 343** (three hundred forty-three).
- S.B. 390** (three hundred ninety).
- S.B. 469** (four hundred sixty-nine).
- S.B. 577** (five hundred seventy-seven).
- S.B. 593** (five hundred ninety-three).
- S.B. 629** (six hundred twenty-nine).
- S.B. 602** (six hundred two).
- S.B. 614** (six hundred fourteen).

The motion was agreed to.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 343** (three hundred forty-three).
- S.B. 390** (three hundred ninety).
- S.B. 469** (four hundred sixty-nine).
- S.B. 577** (five hundred seventy-seven).
- S.B. 593** (five hundred ninety-three).
- S.B. 629** (six hundred twenty-nine).
- S.B. 602** (six hundred two).
- S.B. 614** (six hundred fourteen).

## SENATE JOINT RESOLUTIONS ON SECOND READING

Senator Norment moved that the engrossment of the Senate joint resolutions that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate joint resolutions, the titles of the joint resolutions having been printed in the Calendar for their second reading, be placed before the Senate by number only:

**S.J.R. 43** (forty-three).

**S.J.R. 65** (sixty-five).

**S.J.R. 73** (seventy-three).

**S.J.R. 114** (one hundred fourteen).

**S.J.R. 117** (one hundred seventeen).

**S.J.R. 120** (one hundred twenty).

The motion was agreed to.

**S.J.R. 43** (forty-three) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 60, introduced, after authority  
insert

, except that vacancies of Senate appointments shall be filled by the Senate Committee on Rules

The reading of the amendment was waived.

On motion of Senator Lambert, the amendment was agreed to.

**S.J.R. 65** (sixty-five) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 4, introduced, Title, after *Designating*  
strike

*October 27th*

insert

*May 14th*

2. Line 19, introduced  
strike

October 27th

insert

May 14th

The reading of the amendments was waived.

On motion of Senator Wagner, the amendments were agreed to.

**S.J.R. 114** (one hundred fourteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Commemorating the 250th anniversary of the beginning of the French and Indian War.

The reading of the substitute was waived.

On motion of Senator Ticer, the substitute was agreed to.

**S.J.R. 117** (one hundred seventeen) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 3, introduced, Title, after *Designating*  
strike

*March 25, 2004*

insert

*March 25th, in 2004 and in each succeeding year*

2. Line 49, introduced  
strike

March 25, 2004

insert

March 25th, in 2004 and in each succeeding year

3. Line 52, introduced, after enjoy  
insert

; and, be it

RESOLVED FURTHER, That the Clerk of the Senate transmit a copy of this resolution to the President of the Parish Council of the Annunciation Greek Orthodox Cathedral in Norfolk, Virginia so that the members may be apprised of the sense of the General Assembly in this matter; and, be it

RESOLVED FINALLY, That the Clerk of the Senate post the designation of this day on the General Assembly's website

The reading of the amendments was waived.

On motion of Senator Rerras, the amendments were agreed to.

On motion of Senator Norment, the following Senate joint resolutions were ordered en bloc to be engrossed and read by title the third time:

**S.J.R. 43** (forty-three) as amended.

**S.J.R. 65** (sixty-five) as amended.

**S.J.R. 73** (seventy-three).

**S.J.R. 114** (one hundred fourteen) as amended.

**S.J.R. 117** (one hundred seventeen) as amended.

**S.J.R. 120** (one hundred twenty).

**S.J.R. 96** (ninety-six) was read by title the second time.

The following amendments proposed by the Committee on Rules were offered:

1. Line 18, introduced, after citizens  
strike  
remainder of line 18, all of line 19, and line 20 through America
  
2. Line 30, introduced, after Senate  
insert  
transmit a copy of this resolution to the Commander of the Division of the Sons of Confederate Veterans, requesting that he further disseminate copies of this resolution to the members of the Division so that they may be apprised of the sense of the General Assembly in this matter; and, be it  
RESOLVED FINALLY, That the Clerk of the Senate

The reading of the amendments was waived.

On motion of Senator Hawkins, the amendments were agreed to.

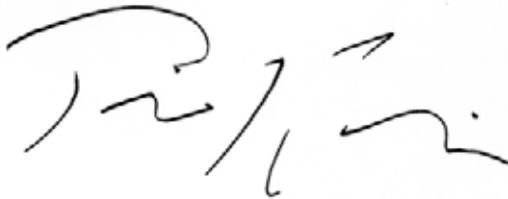
On motion of Senator Hawkins, the joint resolution was ordered to be engrossed and read by title the third time.

**OTHER BUSINESS**

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Baskerville had been added as a co-patron of **S.B. 321** (three hundred twenty-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Moran had been added as a co-patron of **S.B. 648** (six hundred forty-eight).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, FEBRUARY 4, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Jeffrey W. Meyer, River Oak Church, Chesapeake, Virginia, offered the following prayer:

Almighty and everlasting God, in the stillness of these quiet moments of prayer, we bow in recognition that You are our greatest need and without Your guidance all worthwhile purposes are lost.

Our Father, always ready to hear us when we pray and to answer us when we call, dwell in us and work through us that Your plans and purposes may be accomplished.

Set our visions upon Your goals for our lives and for our Commonwealth. Give us pure thoughts, worthy motives, and wise minds for the achieving of them. Endow all who serve in places of government with nobility of character, a fervent patriotism, and the spirit of servanthood.

May our determination ever remain steadfast that our nation be "the land of the free and the home of the brave" as we hear and heed the truth of the Psalmist who wrote, "Blessed is the nation whose God is the Lord" (Psalm 33:12a).

We ask that Your grace and presence be with the members of the Senate as they fulfill the duties of their office and serve You by serving the people of the Commonwealth of Virginia.

God of mercy and wisdom, hear our prayer. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Cuccinelli, Marsh, Martin, Mims, Obenshain, and Wampler notified the Clerk of their presence.

On motion of Senator O'Brien, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 3, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 38.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of adoption programs offered by the Virginia Department of Social Services and licensed Virginia non-profit child-placing services; fees.
- H.B. 86.** A BILL to amend and reenact § 46.2-346 of the Code of Virginia, relating to photographing or otherwise copying certain driver documents issued by the Department of Motor Vehicles.
- H.B. 87.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-1077.1, relating to mobile infrared transmitters.
- H.B. 182.** A BILL to amend and reenact § 28.2-1205, 28.2-1206, 28.2-1208, and 28.2-1306 of the Code of Virginia, relating to royalties for use of state-owned bottomland.
- H.B. 233.** A BILL to amend and reenact §§ 46.2-737 and 46.2-746.9 of the Code of Virginia, relating to special license plates for general registrars.
- H.B. 319.** A BILL to amend and reenact §§ 46.2-330 and 46.2-1521 of the Code of Virginia, to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 46.2 sections numbered 46.2-221.2, 46.2-221.3 and 46.2-221.4 and by adding in Chapter 1 of Subtitle I of Title 54.1 a section numbered 54.1-117, and to repeal § 46.2-331 of the Code of Virginia, relating to expiration of certain documents issued to citizens of Virginia serving in the armed forces of the United States or in the diplomatic service of the United States.
- H.B. 379.** A BILL to amend and reenact § 46.2-746.4 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-746.4:01, relating to special license plates; member of the American Legion.
- H.B. 427.** A BILL to amend and reenact § 46.2-749.59 of the Code of Virginia, relating to special license plates; members and associates of court-appointed special advocate programs.
- H.B. 451.** A BILL to amend and reenact § 27-98 of the Code of Virginia, relating to Statewide Fire Prevention Code; enforcement.
- H.B. 597.** A BILL to amend and reenact § 46.2-749.69 of the Code of Virginia, relating to special license plates bearing the names, numbers, and color schemes used by professional stock car drivers; fees.
- H.B. 634.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Juvenile Diabetes Research Foundation; fees.
- H.B. 635.** A BILL to authorize an exception to regulations for certain assisted living facilities.
- H.B. 675.** A BILL to amend and reenact § 22.1-254.1 of the Code of Virginia, relating to qualifications to provide home instruction.
- H.B. 741.** A BILL to amend and reenact § 58.1-3823 of the Code of Virginia, relating to additional transient occupancy tax for certain counties.
- H.B. 745.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to notice of application for license to be a provider of treatment for persons with opiate addiction.

- H.B. 778.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates commemorating the 350th anniversary of the County of New Kent.
- H.B. 809.** A BILL to amend and reenact § 29.1-529 of the Code of Virginia, relating to urban deer management.
- H.B. 856.** A BILL to amend and reenact §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303 of the Code of Virginia, relating to the practice of optometry.
- H.B. 899.** A BILL to amend and reenact §§ 46.2-100 and 46.2-676 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 46.2 an article numbered 13.1, consisting of sections numbered 46.2-916.1, 46.2-916.2 and 46.2-916.3, relating to registration and operation of golf carts and utility vehicles.
- H.B. 900.** A BILL to amend and reenact §§ 46.2-725, 46.2-736.2, 46.2-742 through 46.2-742.2, 46.2-745, 46.2-746.3, 46.2-746.7, 46.2-749, and 46.2-749.4 of the Code of Virginia, relating to special license plates, generally.
- H.B. 923.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-749.30:2, relating to special license plates; supporters of the Boy Scouts of America.
- H.B. 924.** A BILL to amend and reenact § 58.1-1803 of the Code of Virginia, relating to collectors of delinquent state taxes.
- H.B. 964.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates for bicycle enthusiasts.
- H.B. 975.** A BILL to amend and reenact § 58.1-811 of the Code of Virginia, relating to the state recordation taxes; exemptions.
- H.B. 1084.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for textbooks and other educational materials for free distribution.
- H.B. 1135.** A BILL to amend and reenact § 63.2-1502 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-1516.01, relating to child protective services; training and investigation procedures.
- H.B. 1182.** A BILL to designate the Lynchburg Bypass bridge across the James River between Amherst County and the City of Lynchburg the "Monacan Bridge" and to designate the Virginia Route 168 drawbridge across the Intercoastal Waterway in the City of Chesapeake the "Malcolm J. Forbes, Sr., Bridge."
- H.B. 1262.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to media-related sales and use tax exemptions; audiovisual works.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

- H.J.R. 275.** Confirming appointments to the Board of the Virginia Office for Protection and Advocacy.

**H.J.R. 276.** Confirming appointments to the Board of Directors of the Virginia Commonwealth University Health System Authority.

**H.J.R. 278.** Recognizing and supporting members of the National Guard and Reserve by conducting awareness programs and by holding Military Appreciation Day and other ceremonies.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 38, H.B. 86, H.B. 87, H.B. 233, H.B. 319, H.B. 379, H.B. 427, H.B. 597, H.B. 634, H.B. 778, H.B. 899, H.B. 900, H.B. 923, H.B. 964, and H.B. 1182** were referred to the Committee on Transportation.

**H.B. 182** and **H.B. 809** were referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 451** was referred to the Committee on General Laws.

**H.B. 635** and **H.B. 1135** were referred to the Committee on Rehabilitation and Social Services.

**H.B. 675, H.B. 745, and H.B. 856** were referred to the Committee on Education and Health.

**H.B. 741, H.B. 924, H.B. 975, H.B. 1084, and H.B. 1262** were referred to the Committee on Finance.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 275** and **H.J.R. 276** were referred to the Committee on Privileges and Elections.

**H.J.R. 278** was referred to the Committee on Rules.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 48** (forty-eight).

**S.B. 73** (seventy-three) with substitute with the recommendation that it be rereferred to the Committee for Courts of Justice.

**S.B. 192** (one hundred ninety-two).

**S.B. 202** (two hundred two).

**S.B. 231** (two hundred thirty-one) with amendment.

**S.B. 234** (two hundred thirty-four) with amendments.

**S.B. 236** (two hundred thirty-six) with substitute.

**S.B. 237** (two hundred thirty-seven) with amendments.

**S.B. 271** (two hundred seventy-one).

**S.B. 310** (three hundred ten) with substitute.

**S.B. 319** (three hundred nineteen).

**S.B. 320** (three hundred twenty) with amendments.

**S.B. 321** (three hundred twenty-one) with amendments.

**S.B. 325** (three hundred twenty-five) with amendment.

**S.B. 329** (three hundred twenty-nine).

**S.B. 334** (three hundred thirty-four).

**S.B. 339** (three hundred thirty-nine) with amendment.

**S.B. 384** (three hundred eighty-four) with amendments.

**S.B. 442** (four hundred forty-two) with amendments.

**S.B. 492** (four hundred ninety-two).

**S.B. 548** (five hundred forty-eight) with substitute.

**S.B. 568** (five hundred sixty-eight) with substitute.

**S.B. 643** (six hundred forty-three) with substitute.

**S.B. 677** (six hundred seventy-seven).

**S.B. 692** (six hundred ninety-two).

**H.B. 31** (thirty-one).

**H.B. 32** (thirty-two).

The following bills, having been considered by the committee in session, were reported by Senator Quayle from the Committee on Local Government:

**S.B. 115** (one hundred fifteen) with amendment.

**S.B. 204** (two hundred four) with substitute.

**S.B. 227** (two hundred twenty-seven).

**S.B. 395** (three hundred ninety-five).

**S.B. 413** (four hundred thirteen) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 437** (four hundred thirty-seven).

**S.B. 529** (five hundred twenty-nine).

**S.B. 561** (five hundred sixty-one) with substitute.

**S.B. 580** (five hundred eighty) with amendments.

**S.B. 661** (six hundred sixty-one).

The following bills and joint resolution, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

**S.B. 94** (ninety-four) with substitute.

**S.B. 313** (three hundred thirteen) with substitute.

**S.B. 457** (four hundred fifty-seven) with substitute.

**S.B. 462** (four hundred sixty-two) with amendments.

**S.J.R. 18** (eighteen) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 73** was rereferred to the Committee for Courts of Justice.

**S.B. 413** and **S.J.R. 18** were rereferred to the Committee on Finance.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Edwards introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 154.** On the death of Samuel P. McNeil.

Patron--Edwards

### CALENDAR

#### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 197** (one hundred ninety-seven).

**S.B. 556** (five hundred fifty-six).

**S.B. 34** (thirty-four).

**S.B. 112** (one hundred twelve).

**S.B. 260** (two hundred sixty).

**S.B. 273** (two hundred seventy-three).

**S.B. 288** (two hundred eighty-eight).

**S.B. 345** (three hundred forty-five).

**S.B. 387** (three hundred eighty-seven).

**S.B. 402** (four hundred two).

**S.B. 471** (four hundred seventy-one).

**S.B. 563** (five hundred sixty-three).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 197** (one hundred ninety-seven).

**S.B. 556** (five hundred fifty-six).

**S.B. 34** (thirty-four).

**S.B. 112** (one hundred twelve).

**S.B. 260** (two hundred sixty).

**S.B. 273** (two hundred seventy-three).

**S.B. 288** (two hundred eighty-eight).

**S.B. 345** (three hundred forty-five).

**S.B. 387** (three hundred eighty-seven).

**S.B. 402** (four hundred two).

**S.B. 471** (four hundred seventy-one).

**S.B. 563** (five hundred sixty-three).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 388** (three hundred eighty-eight), on motion of Senator Norment, was passed by for the day.

**S.B. 472** (four hundred seventy-two) was taken up.

### RECONSIDERATION

Senator Ticer moved to reconsider the vote by which **S.B. 472** (four hundred seventy-two) was ordered to be engrossed and read by title the third time.

### PARLIAMENTARY INQUIRY

Senator Norment propounded a parliamentary inquiry as to whether a motion to reconsider for a second time the motion to order **S.B. 472** to be engrossed and read by title the third time would require a unanimous vote of the Senate.

The Chair stated that the motion to reconsider for a second time the motion to order **S.B. 472** to be engrossed and read by title the third time would require a unanimous vote of the Senate.

**S.B. 472**, on motion of Senator Cuccinelli, was passed by temporarily.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 143** (one hundred forty-three).

**H.B. 154** (one hundred fifty-four).

**H.B. 372** (three hundred seventy-two).

**H.B. 403** (four hundred three).

**H.B. 739** (seven hundred thirty-nine).

**H.B. 743** (seven hundred forty-three).

**H.B. 1001** (one thousand one).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

- H.B. 143** (one hundred forty-three).
- H.B. 154** (one hundred fifty-four).
- H.B. 372** (three hundred seventy-two).
- H.B. 403** (four hundred three).
- H.B. 739** (seven hundred thirty-nine).
- H.B. 743** (seven hundred forty-three).
- H.B. 1001** (one thousand one).

#### SENATE BILLS ON SECOND READING

**S.B. 333** (three hundred thirty-three), on motion of Senator Stolle, was passed by for the day.

**S.B. 252** (two hundred fifty-two), on motion of Senator Deeds, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 244** (two hundred forty-four).
- S.B. 343** (three hundred forty-three).
- S.B. 390** (three hundred ninety).
- S.B. 469** (four hundred sixty-nine).
- S.B. 577** (five hundred seventy-seven).
- S.B. 593** (five hundred ninety-three).
- S.B. 629** (six hundred twenty-nine).

The motion was agreed to.

**S.B. 244** (two hundred forty-four) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 16, introduced, after *education*
  - strike
  - shall*
  - insert
  - may*
  
2. Line 18, introduced, after , *the boards*
  - strike
  - shall*
  - insert
  - may*
  
3. Line 20, introduced, after , *the Board*

strike  
*shall*  
insert  
*may*

The reading of the amendments was waived.

Senator Edwards moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were agreed to.

**S.B. 593** (five hundred ninety-three) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 132, introduced, after *IO*.  
strike  
remainder of line 132 and through *gang* on line 133  
insert  
*Prohibited street gang participation*

The reading of the amendment was waived.

On motion of Senator Colgan, the amendment was agreed to.

**S.B. 629** (six hundred twenty-nine) was taken up.

The following amendment proposed by the Committee on Agriculture, Conservation and Natural Resources was offered:

1. Line 93, introduced, after *provides that*  
insert  
*the Board shall have the right to enter and inspect the property and that*

The reading of the amendment was waived.

On motion of Senator Mims, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

- S.B. 244** (two hundred forty-four) as amended.
- S.B. 343** (three hundred forty-three).
- S.B. 390** (three hundred ninety).
- S.B. 469** (four hundred sixty-nine).
- S.B. 577** (five hundred seventy-seven).
- S.B. 593** (five hundred ninety-three) as amended.
- S.B. 629** (six hundred twenty-nine) as amended.

**S.B. 58** (fifty-eight) was read by title the second time.

Senator Stolle offered the following amendment:

1. Line 13, introduced, after *repairs*  
insert  
*in counties and towns*

Senator Stolle withdrew the amendment.

Senator Martin offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 33.1-370.2, relating to maintenance and repair of nonconforming signs.

On motion of Senator Martin, the reading of the substitute was waived.

On motion of Senator Martin, the substitute was agreed to.

**S.B. 58**, on motion of Senator Stolle, was passed by for the day.

**S.B. 602** (six hundred two) was read by title the second time and, on motion of Senator Williams, was ordered to be engrossed and read by title the third time.

**S.B. 614** (six hundred fourteen) was read by title the second time and, on motion of Senator Ruff, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 31** (thirty-one).
- S.B. 32** (thirty-two).
- S.B. 128** (one hundred twenty-eight).
- S.B. 154** (one hundred fifty-four).
- S.B. 194** (one hundred ninety-four).
- S.B. 311** (three hundred eleven).
- S.B. 323** (three hundred twenty-three).
- S.B. 324** (three hundred twenty-four).
- S.B. 344** (three hundred forty-four).
- S.B. 542** (five hundred forty-two).
- S.B. 583** (five hundred eighty-three).
- S.B. 597** (five hundred ninety-seven).
- S.B. 632** (six hundred thirty-two).
- S.B. 652** (six hundred fifty-two).
- S.B. 667** (six hundred sixty-seven).
- S.B. 690** (six hundred ninety).
- S.B. 213** (two hundred thirteen).
- S.B. 398** (three hundred ninety-eight).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 31** (thirty-one).

**S.B. 32** (thirty-two).

**S.B. 128** (one hundred twenty-eight).

**S.B. 154** (one hundred fifty-four).

**S.B. 194** (one hundred ninety-four).

**S.B. 311** (three hundred eleven).

**S.B. 323** (three hundred twenty-three).

**S.B. 324** (three hundred twenty-four).

**S.B. 344** (three hundred forty-four).

**S.B. 542** (five hundred forty-two).

**S.B. 583** (five hundred eighty-three).

**S.B. 597** (five hundred ninety-seven).

**S.B. 632** (six hundred thirty-two).

**S.B. 652** (six hundred fifty-two).

**S.B. 667** (six hundred sixty-seven).

**S.B. 690** (six hundred ninety).

**S.B. 213** (two hundred thirteen).

**S.B. 398** (three hundred ninety-eight).

#### SENATE JOINT RESOLUTIONS ON THIRD READING

Senator Norment moved that the following Senate joint resolutions, the titles of the joint resolutions having been printed in the Calendar for their third reading, be placed before the Senate by number only:

**S.J.R. 43** (forty-three).

**S.J.R. 65** (sixty-five).

**S.J.R. 73** (seventy-three).

**S.J.R. 114** (one hundred fourteen).

**S.J.R. 117** (one hundred seventeen).

**S.J.R. 120** (one hundred twenty).

The motion was agreed to.

Senator Norment moved that the questions on agreeing to the Senate joint resolutions that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate joint resolutions were agreed to en bloc:

**S.J.R. 43** (forty-three).

**S.J.R. 65** (sixty-five).

**S.J.R. 117** (one hundred seventeen).

**S.J.R. 120** (one hundred twenty).

**S.J.R. 73** (seventy-three), on motion of Senator Marsh, was agreed to.

**S.J.R. 114** (one hundred fourteen), on motion of Senator Ticer, was agreed to.

### SENATE BILL ON THIRD READING

**S.B. 472** (four hundred seventy-two) was taken up.

### RECONSIDERATION

Senator Ticer moved to reconsider the vote by which **S.B. 472** (four hundred seventy-two) was ordered to be engrossed and read by title the third time.

The motion was agreed to by unanimous consent.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Ticer offered the following amendments:

1. Line 3, reengrossed, Title, after §§ 2.04.2, [~~2.06~~]  
strike  
3.02,
2. Line 11, reengrossed, after §§ 2.04.2, [~~2.06~~]  
strike  
3.02,
3. Line 109, reengrossed  
strike  
all of lines 109 through 119

On motion of Senator Ticer, the reading of the amendments was waived.

On motion of Senator Ticer, the amendments were agreed to.

On motion of Senator Ticer, the bill was ordered to be engrossed and read by title the third time.

Senator Ticer moved that the Rules be suspended and the third reading of the title of **S.B. 472** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 472**, on motion of Senator Ticer, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wampler, Whipple, Williams--33.

NAYS--Cuccinelli, Martin, Mims, O'Brien, Ruff, Wagner, Watkins--7.

RULE 36--0.

#### SENATE JOINT RESOLUTION ON THIRD READING

**S.J.R. 96** (ninety-six) was read by title the third time.

Senator Hawkins moved that **S.J.R. 96** be agreed to.

The yeas and nays were called for; and, not being supported by one-fifth of the Senators present, the yeas and nays were refused.

**S.J.R. 96** was rejected.

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puckett introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 155.** Commending Willis Smith and Justine Smith.

Patron--Puckett

**S.J.R. 156.** Commending Chris Dillow.

Patron--Puckett

**S.J.R. 157.** Commending Debi Anderson.

Patron--Puckett

**S.J.R. 158.** Commending Katie Suehs.

Patron--Puckett

**OTHER BUSINESS**

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Fralin had been added as a co-patron of **S.B. 413** (four hundred thirteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Baskerville had been added as a co-patron of **S.B. 617** (six hundred seventeen).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read 'Timothy M. Kaine', written in a cursive style.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read 'Susan Clarke Schaar', written in a cursive style.

Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, FEBRUARY 5, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dixie W. Brachlow, Fairfield Presbyterian Church, Mechanicsville, Virginia, offered the following prayer:

O Creator God, who has formed the earth and all its inhabitants, we pray You may work Your purposes for the people in this state, this day.

Grant that all here entrusted with working for the common good may come with an openness always seeking truth, with integrity that would protect even the least among us, and with humility so that justice might be tempered with mercy.

Give strength to understand and eyes to see deeply. May this body, in the midst of our struggles for justice and truth, confront one another without bitterness and work together with mutual patience and respect.

God of the earth and sky, of the child and grandparent, the needs are so great and our abilities and our resources, so limited. Therefore, we pray for Your discerning wisdom to guide each one in the light of truth, this day. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Cuccinelli notified the Clerk of his presence.

On motion of Senator O'Brien, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 4, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 22.** A BILL to amend and reenact §§ 2.2-212, as it is currently effective and as it shall become effective, and 60.2-113 of the Code of Virginia, relating to the Governor's Employment and Training Department.
- H.B. 23.** A BILL to amend and reenact §§ 9.1-101 and 9.1-400 of the Code of Virginia, relating to appointment of certain agents, inspectors or investigators by the State Corporation Commission for the enforcement of motor vehicle carrier laws.
- H.B. 58.** A BILL to establish the Luray-Page County Airport Authority.
- H.B. 211.** A BILL to repeal §§ 54.1-2922, 54.1-2923, and 54.1-3613 of the Code of Virginia, relating to the abolishment of psychological practices audit committees, medical practices audit committees, and medical complaint investigation committees.
- H.B. 215.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying a concealed weapon; reciprocity.
- H.B. 238.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to validity of out-of-state concealed weapon permits.
- H.B. 240.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.
- H.B. 249.** A BILL to amend and reenact §§ 5.1 and 5.2, as amended, of Chapter 319 of the Acts of Assembly of 1966, which provided a charter for the City of Fairfax, relating to salaries.
- H.B. 288.** A BILL to amend and reenact § 60.2-618 of the Code of Virginia, relating to disqualification for unemployment compensation benefits.
- H.B. 316.** A BILL to amend and reenact § 24.2-303.2 of the Code of Virginia, relating to composition of certain Senatorial districts.
- H.B. 317.** A BILL to amend and reenact § 24.2-304.02 of the Code of Virginia, relating to composition of certain House of Delegates districts.
- H.B. 373.** A BILL to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.
- H.B. 382.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permit applications; social security numbers.
- H.B. 434.** A BILL to amend and reenact §§ 15.2-710, 15.2-720.1 and 15.2-726 of the Code of Virginia, relating to the county manager plan of government; budget, constitutional officers and easements.
- H.B. 438.** A BILL to amend and reenact § 15.2-1115 of the Code of Virginia, relating to abatement of nuisances.
- H.B. 444.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; residency requirement.
- H.B. 472.** A BILL to amend and reenact § 40.1-29 of the Code of Virginia, relating to payment of wages or salaries; deposit to account.

- H.B. 474.** A BILL to amend and reenact § 65.2-801 of the Code of Virginia, relating to workers' compensation insurance; self-insurers.
- H.B. 530.** A BILL to amend and reenact §§ 15.2-915 and 18.2-308.2:2 of the Code of Virginia, relating to control of firearms by localities.
- H.B. 550.** A BILL to amend and reenact § 2-2, as amended, and § 2-6 of Chapter 52 of the Acts of Assembly of 1968, which provided a charter for the Town of Purcellville in Loudoun County, and to amend Chapter 52 by adding a chapter numbered 4.1 consisting of a section numbered 4.1-1, relating to council vacancies and the board of architectural review.
- H.B. 643.** A BILL authorizing the Department of Conservation and Recreation to accept title to certain real property along abandoned railroad lines in several counties.
- H.B. 683.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.
- H.B. 687.** A BILL to amend and reenact § 40.1-2 of the Code of Virginia, relating to the Department of Labor and Industry; definition of Commissioner.
- H.B. 714.** A BILL to amend and reenact §§ 15.2-2204, 15.2-2223 and 15.2-2283 of the Code of Virginia, relating to zoning near military bases, military installations, and military airports.
- H.B. 716.** A BILL to amend and reenact § 54.1-307.1 of the Code of Virginia, relating to the Department of Professional and Occupational Regulation; complaint information; time for filing complaints.
- H.B. 717.** A BILL to amend and reenact § 15.2-1718 of the Code of Virginia, relating to missing child reports.
- H.B. 737.** A BILL to amend and reenact §§ 15.2-2110 and 15.2-2118 of the Code of Virginia, relating to water and sewage systems.
- H.B. 744.** A BILL to amend and reenact §§ 15.2-6006 and 15.2-6011 of the Code of Virginia, relating to the Virginia Coalfield Economic Development Authority.
- H.B. 759.** A BILL to amend and reenact § 9.1-902 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.
- H.B. 767.** A BILL to amend and reenact § 24.2-310 of the Code of Virginia, relating to requirements for polling places.
- H.B. 784.** A BILL to amend and reenact §§ 2.2-4002, 3.1-398 and 35.1-14 of the Code of Virginia, relating to adopting of regulations for restaurant and retail food establishments.
- H.B. 818.** A BILL to amend and reenact § 38.2-2114 of the Code of Virginia, relating to homeowners insurance; grounds for nonrenewal.
- H.B. 820.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 25.1 a section numbered 25.1-107, relating to condemnation of lands within conservation plans.

- H.B. 823.** A BILL to amend and reenact §§ 2, 12 and 114, as amended, of Chapter 34 of the Acts of Assembly of 1918, which provided a charter for the City of Norfolk, relating to design overlay districts, council meetings and certain officers.
- H.B. 825.** A BILL to amend and reenact §§ 36-55.25, 36-55.26, 36-55.30, 36-55.30:2, 36-55.31, 36-55.33:1, 36-55.34:1, 36-55.37, 36-55.38, and 36-55.39 of the Code of Virginia, relating to the Virginia Housing Development Authority; financing of certain mixed-income and mixed-use housing developments.
- H.B. 873.** A BILL to amend and reenact § 44-146.19 of the Code of Virginia, relating to alert and warning systems for municipalities.
- H.B. 963.** A BILL to allow lighting level regulation in James City County.
- H.B. 968.** A BILL to amend and reenact § 9, as amended, § 10, §§ 22.1 and 22.3, as amended, of Chapter 393 of the Acts of Assembly of 1932, which provided a charter for the City of Williamsburg, relating to utilities, school board, and oaths for board and commissions.
- H.B. 1037.** A BILL to amend and reenact §§ 2.2-518 and 2.2-4806 of the Code of Virginia, relating to the Office of the Attorney General; debt collection.
- H.B. 1088.** A BILL to amend and reenact §§ 1.1, 1.2:1 and 2.9:1, 2.12, as amended, §§ 2.13, 2.23, 2.27, 2.29, 6.7:1, 6.9 and 6.14, § 11.1, as amended, and § 13.6 of Chapter 209 of the Acts of Assembly of 1968, which provided a charter for the City of Radford, relating to boundaries, appointments, ordinances, city clerk, city attorney, taxation and city officials.
- H.B. 1144.** A BILL to amend and reenact § 18.2-308.2:2 of the Code of Virginia, relating to firearms purchase in Virginia by residents of another state and by residents of Virginia in another state.
- H.B. 1150.** A BILL to amend and reenact § 15.2-915 of the Code of Virginia, relating to local control of firearms and ammunition.
- H.B. 1158.** A BILL to amend and reenact § 15.2-858 of the Code of Virginia, relating to urban county executive form of government; sanitary districts.
- H.B. 1205.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed weapons.
- H.B. 1206.** A BILL to amend and reenact § 2 of Chapter 486 of the Acts of Assembly of 1892, which provided a charter for the Town of Glasgow, in Rockbridge County, relating to council elections.
- H.B. 1248.** A BILL to amend Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, by adding a section numbered 5.02.1, and to repeal §§ 5.02, 5.04 and 8.02, §§ 8.03 and 8.07, as amended, §§ 8.09, 8.10 and 8.12, §§ 9.01 and 9.02, as amended, §§ 9.03 through 9.06, § 9.07, as amended, §§ 9.08 and 9.09, § 9.11, as amended, §§ 11.01 through 11.05 and § 12.01, § 12.02, as amended, §§ 12.03 through 12.06, § 12.07, as amended, §§ 12.08, 12.09 and 13.01 through 13.04, § 13.05, as amended, §§ 13.10, 14.01 and 14.02, § 14.03, as amended, §§ 14.04, 14.05 and 14.06, §§ 15.01 through 15.05, and §§ 16.01 through 16.04 of Chapter 323 of the Acts of Assembly of 1950, relating to personnel and city departments.
- H.B. 1258.** A BILL to amend and reenact § 15.2-1414.5 of the Code of Virginia, relating to city council salaries.

- H.B. 1266.** A BILL to amend and reenact §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230, and 24.2-234 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 1 of Title 24.2 a section numbered 24.2-109.1, relating to powers and duties of the State Board of Elections and local electoral boards; appointments, terms, and removal of certain public officials, including general registrars.
- H.B. 1267.** A BILL to amend and reenact § 65.2-101 of the Code of Virginia, relating to workers' compensation; electoral board members eligible.
- H.B. 1282.** A BILL to amend and reenact §§ 23-7.4, 38.2-1800.1, 46.2-323, and 46.2-323.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-407.2, relating to proof of identity and residence in certain cases; in-state tuition, insurance agent licenses, and driver's licenses; and limits on the use of Virginia voter registration cards.
- H.B. 1302.** A BILL to repeal §§ 59.1-148.1 and 59.1-148.2 of the Code of Virginia, relating to sales and purchases of firearms in contiguous states.
- H.B. 1320.** A BILL to amend and reenact § 24.2-304.02 of the Code of Virginia, relating to certain House of Delegates districts.
- H.B. 1327.** A BILL to amend and reenact § 38.2-3420 of the Code of Virginia, relating to jurisdiction of the State Corporation Commission over multiple employer welfare arrangements.
- H.B. 1340.** A BILL to amend and reenact § 24.2-403 of the Code of Virginia, relating to voting by persons under age 18.
- H.B. 1363.** A BILL to amend and reenact § 24.2-944 of the Code of Virginia, relating to campaign advertisements; requirements for radio and television advertisements.
- H.B. 1364.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain emergency service records.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.  
RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 22, H.B. 23, H.B. 716, H.B. 825, H.B. 873, H.B. 1037, and H.B. 1364** were referred to the Committee on General Laws.

**H.B. 58, H.B. 240, H.B. 249, H.B. 434, H.B. 438, H.B. 550, H.B. 683, H.B. 714, H.B. 737, H.B. 744, H.B. 823, H.B. 963, H.B. 968, H.B. 1088, H.B. 1150, H.B. 1158, H.B. 1206, H.B. 1248, and H.B. 1258** were referred to the Committee on Local Government.

**H.B. 211** was referred to the Committee on Education and Health.

**H.B. 215, H.B. 238, H.B. 382, H.B. 444, H.B. 530, H.B. 643, H.B. 717, H.B. 759, H.B. 820, H.B. 1144, H.B. 1205, and H.B. 1302** were referred to the Committee for Courts of Justice.

**H.B. 288, H.B. 472, H.B. 474, H.B. 687, H.B. 818, H.B. 1267, and H.B. 1327** were referred to the Committee on Commerce and Labor.

**H.B. 316, H.B. 317, H.B. 373, H.B. 767, H.B. 1266, H.B. 1282, H.B. 1320, H.B. 1340, and H.B. 1363** were referred to the Committee on Privileges and Elections.

**H.B. 784** was referred to the Committee on Agriculture, Conservation and Natural Resources.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 82** (eighty-two) with amendments.

**S.B. 275** (two hundred seventy-five) with substitute.

**S.B. 298** (two hundred ninety-eight).

**S.B. 301** (three hundred one) with amendments.

**S.B. 317** (three hundred seventeen).

**S.B. 494** (four hundred ninety-four).

**S.B. 551** (five hundred fifty-one) with substitute.

**S.B. 609** (six hundred nine).

**S.B. 617** (six hundred seventeen).

**S.B. 619** (six hundred nineteen) with substitute.

**S.B. 620** (six hundred twenty).

**S.B. 630** (six hundred thirty) with amendments.

**S.B. 633** (six hundred thirty-three).

**S.B. 634** (six hundred thirty-four).

**S.B. 648** (six hundred forty-eight) with amendment.

**S.B. 653** (six hundred fifty-three) with amendments.

**S.B. 659** (six hundred fifty-nine).

**S.B. 665** (six hundred sixty-five) with amendments.

**S.B. 686** (six hundred eighty-six) with the recommendation that it be rereferred to the Committee on Finance.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee for Courts of Justice pursuant to Senate Rule 20 (j):

**S.B. 380** (three hundred eighty) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

**S.B. 20** (twenty) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 27** (twenty-seven).

**S.B. 86** (eighty-six) with substitute.

**S.B. 98** (ninety-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 145** (one hundred forty-five) with substitute.

**S.B. 159** (one hundred fifty-nine).

**S.B. 160** (one hundred sixty) with substitute.

**S.B. 212** (two hundred twelve) with amendments.

**S.B. 220** (two hundred twenty).

**S.B. 270** (two hundred seventy) with substitute.

**S.B. 337** (three hundred thirty-seven) with substitute.

**S.B. 404** (four hundred four) with substitute.

**S.B. 416** (four hundred sixteen) with substitute.

**S.B. 452** (four hundred fifty-two) with amendment.

**S.B. 456** (four hundred fifty-six).

**S.B. 518** (five hundred eighteen) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 671** (six hundred seventy-one).

**S.B. 672** (six hundred seventy-two) with substitute with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

**S.B. 95** (ninety-five) with amendments.

**S.B. 100** (one hundred) with substitute.

**S.B. 149** (one hundred forty-nine) with amendments.

**S.B. 167** (one hundred sixty-seven).

**S.B. 226** (two hundred twenty-six) with amendments.

**S.B. 352** (three hundred fifty-two).

**S.B. 354** (three hundred fifty-four).

**S.B. 394** (three hundred ninety-four).

**S.B. 460** (four hundred sixty) with substitute.

**S.B. 468** (four hundred sixty-eight) with substitute.

**S.B. 562** (five hundred sixty-two) with amendments.

**S.B. 565** (five hundred sixty-five) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 591** (five hundred ninety-one) with amendment.

**S.B. 598** (five hundred ninety-eight) with amendments.

**S.B. 646** (six hundred forty-six) with amendment.

**S.B. 688** (six hundred eighty-eight) with substitute.

**S.B. 20, S.B. 98, S.B. 518, S.B. 565, S.B. 672, and S.B. 686** were rereferred to the Committee on Finance.

**S.B. 380** was rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

## CALENDAR

## HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- H.B. 143** (one hundred forty-three).
- H.B. 154** (one hundred fifty-four).
- H.B. 372** (three hundred seventy-two).
- H.B. 403** (four hundred three).
- H.B. 739** (seven hundred thirty-nine).
- H.B. 743** (seven hundred forty-three).
- H.B. 1001** (one thousand one).

The motion was agreed to.

**H.B. 372** (three hundred seventy-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 143** (one hundred forty-three).
- H.B. 154** (one hundred fifty-four).
- H.B. 372** (three hundred seventy-two) with substitute.
- H.B. 403** (four hundred three).
- H.B. 743** (seven hundred forty-three).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 739** (seven hundred thirty-nine), on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Cuccinelli, Obenshain, O'Brien--3.

RULE 36--0.

**H.B. 1001** (one thousand one), on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Cuccinelli, Martin, Obenshain, O'Brien--4.

RULE 36--0.

#### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 244** (two hundred forty-four).

**S.B. 343** (three hundred forty-three).

**S.B. 390** (three hundred ninety).

**S.B. 469** (four hundred sixty-nine).

**S.B. 577** (five hundred seventy-seven).

**S.B. 593** (five hundred ninety-three).

**S.B. 629** (six hundred twenty-nine).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 343** (three hundred forty-three).

**S.B. 390** (three hundred ninety).

**S.B. 469** (four hundred sixty-nine).

**S.B. 577** (five hundred seventy-seven).

**S.B. 593** (five hundred ninety-three).

**S.B. 629** (six hundred twenty-nine).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 244** (two hundred forty-four), on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--25. NAYS--15. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Ticer, Wampler, Watkins, Whipple--25.

NAYS--Blevins, Cuccinelli, Hanger, Hawkins, Martin, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Stolle, Stosch, Wagner, Williams--15.

RULE 36--0.

**S.B. 388** (three hundred eighty-eight) was taken up.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 388** (three hundred eighty-eight) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Mims--1.

Senator Norment offered the following amendments:

1. Line 18, introduced  
strike

the continuing care contract holders constitute ninety percent of the occupancy for such facility or

2. Line 19, introduced, after 2008,  
strike

whichever is the first to occur,

3. Line 19, introduced, after than  
strike  
continuing care

4. Line 22, introduced, after their  
strike  
families  
insert  
*spouses or widows or widowers*

5. Line 22, introduced, after facility's  
strike  
bond requires that the nursing home unit maintain a ~~ninety~~ 90 percent  
insert  
*contract holder*

6. Line 23, introduced, after rate  
insert  
*is less than 85 percent*

On motion of Senator Norment, the reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

On motion of Senator Norment, the bill was ordered to be engrossed and read by title the third time.

Senator Norment moved that the Rules be suspended and the third reading of the title of **S.B. 388** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Mims--1.

**S.B. 388**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Mims--1.

**S.B. 602** (six hundred two) was read by title the third time and, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--2.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Norment, Stolle--2.

**S.B. 614** (six hundred fourteen) was read by title the third time and, on motion of Senator Ruff, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Howell, Lambert, Martin, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--27.

NAYS--Bell, Deeds, Edwards, Houck, Locke, Lucas, Marsh, Miller, Puller, Reynolds, Ticer, Whipple--12.

RULE 36--0.

#### HOUSE BILLS ON SECOND READING

**H.B. 31** (thirty-one) was read by title the second time.

**H.B. 32** (thirty-two) was read by title the second time.

#### SENATE BILLS ON THIRD READING

#### RECONSIDERATION

Senator Chichester moved to reconsider the vote by which **S.B. 244** (two hundred forty-four) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 244**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--23. NAYS--17. RULE 36--0.

YEAS--Bell, Bolling, Colgan, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Ticer, Wampler, Whipple--23.

NAYS--Blevins, Chichester, Cuccinelli, Hanger, Hawkins, Martin, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Stolle, Stosch, Wagner, Watkins, Williams--17.

RULE 36--0.

### RECONSIDERATION

Senator Howell moved to reconsider the vote by which **S.B. 614** (six hundred fourteen) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 614**, on motion of Senator Ruff, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--13. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Marsh, Martin, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--26.

NAYS--Bell, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Miller, Obenshain, Puller, Ticer, Whipple--13.

RULE 36--0.

### HOUSE BILLS ON THIRD READING RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following House bills were passed en bloc with their titles:

**H.B. 143** (one hundred forty-three).

**H.B. 154** (one hundred fifty-four).

**H.B. 372** (three hundred seventy-two) with substitute.

**H.B. 403** (four hundred three).

**H.B. 743** (seven hundred forty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 143** (one hundred forty-three).

**H.B. 154** (one hundred fifty-four).

**H.B. 372** (three hundred seventy-two) with substitute.

**H.B. 403** (four hundred three).

**H.B. 743** (seven hundred forty-three).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 333** (three hundred thirty-three).

**S.B. 252** (two hundred fifty-two).

**S.B. 31** (thirty-one).

**S.B. 32** (thirty-two).

**S.B. 128** (one hundred twenty-eight).

**S.B. 154** (one hundred fifty-four).

**S.B. 194** (one hundred ninety-four).

**S.B. 311** (three hundred eleven).

**S.B. 323** (three hundred twenty-three).

**S.B. 324** (three hundred twenty-four).

**S.B. 344** (three hundred forty-four).

**S.B. 542** (five hundred forty-two).

**S.B. 583** (five hundred eighty-three).

**S.B. 597** (five hundred ninety-seven).

**S.B. 632** (six hundred thirty-two).

**S.B. 652** (six hundred fifty-two).

**S.B. 667** (six hundred sixty-seven).

**S.B. 690** (six hundred ninety).

The motion was agreed to.

**S.B. 333** (three hundred thirty-three) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 24, introduced, after *based on*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*
2. Line 29, introduced, after *description of the*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*
3. Line 29, introduced, after *(iv) that*  
strike  
*the newly discovered*  
insert  
*such*
4. Line 31, introduced, after *date the*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*
5. Line 33, introduced, after *(vi) that the*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*
6. Line 34, introduced, after *(vii) the*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*
7. Line 37, introduced, after *(viii) the*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*

8. Line 66, introduced, after *assertions of*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*

9. Line 89, introduced, after *establish*  
strike  
*newly discovered*  
insert  
*previously unknown or unavailable*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

Senator Lambert offered the following amendments:

1. Line 17, introduced, after *felony*  
strike  
*upon a plea of not guilty*
2. Line 27, introduced, after *convicted*  
strike  
remainder of line 27 and through *guilty* on line 28
3. Line 30, introduced, after *known*  
strike  
*or available to*  
insert  
*by*
4. Line 30, introduced, after *petitioner*  
strike  
remainder of line 30 and through *record* on line 31
5. Line 32, introduced, after *known*  
strike  
*or available*
6. Line 35, introduced, after *record*  
strike  
remainder of line 35 and through *doubt* on line 36  
insert  
*raises reasonable doubt as to the petitioner's guilt*
7. Line 90, introduced, after *proven by*  
strike  
*clear and convincing*  
insert  
*a preponderance of the*

8. Line 92, introduced, after *that*  
strike

*no rational trier of fact could have found proof of guilt beyond a reasonable doubt*

insert

*the petitioner has proven by a preponderance of the evidence that he is innocent*

9. Line 93, introduced, after *Court finds that*  
strike

remainder of line 93 and through *elements* on line 94

insert

*the petitioner has proven by a preponderance of the evidence that he is innocent*

On motion of Senator Lambert, the reading of the amendments was waived.

Senator Lambert moved that the amendments be agreed to.

### PARLIAMENTARY INQUIRY

Senator Stolle propounded a parliamentary inquiry as to whether the amendments offered by Senator Lambert to **S.B. 333** would be taken up en bloc.

The Chair stated that the amendments offered by Senator Lambert to **S.B. 333** would be taken up en bloc, unless there was a motion for a division of the amendments.

The question was put on agreeing to the amendments.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--17. NAYS--23. RULE 36--0.

YEAS--Colgan, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Saslaw, Ticer, Whipple--17.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Hanger, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--23.

RULE 36--0.

The amendments were rejected.

**S.B. 252** (two hundred fifty-two) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 17, introduced, after of any  
strike

*motor*

2. Line 61, introduced, after ride  
strike

*more than*

3. Line 61, introduced, after two  
insert  
or more
4. Line 61, introduced, after abreast  
insert  
*except on paths separated from the roadway*
5. Line 110, introduced  
strike  
all of lines 110 through 113
6. Line 118, introduced, after front  
strike  
*, a taillight on the rear emitting a red light visible from a distance of at least 1000 feet to the rear,*

The reading of the amendments was waived.

Senator Deeds moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Deeds offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 46.2-838, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, and 46.2-1015 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.

On motion of Senator Deeds, the reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

**S.B. 128** (one hundred twenty-eight) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 21, introduced, after *50 percent*,  
insert  
*effective the first Sunday in January following the determination of the fund balance factor,*
2. Line 25, introduced, after *50 percent*,  
insert  
*effective the first Sunday in January following the determination of the fund balance factor,*

The reading of the amendments was waived.

On motion of Senator Watkins, the amendments were agreed to.

**S.B. 324** (three hundred twenty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Commerce and Labor was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 59.1-198 and 59.1-204 of the Code of Virginia, relating to cure offers for consumer disputes involving consumer purchases.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**S.B. 344** (three hundred forty-four) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 53, introduced, after *states*  
strike  
*only*
2. Line 54, introduced, after *made*  
strike  
*, and that the call was for "telemarketing purposes."*  
insert  
*. (period)*
3. Line 71, introduced, after *using*  
insert  
*in accordance with applicable federal regulations*

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

**S.B. 652** (six hundred fifty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-3823 of the Code of Virginia, relating to transient occupancy tax.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

Senator Norment offered the following amendments to the substitute:

1. Line 49, substitute, after *Committee*.

strike

*Such members shall serve as long as their term of office continues.*

2. Line 58, substitute, after *be an employee of*

strike

*Anheuser Busch/Busch Gardens Williamsburg and shall be selected by Anheuser Busch/Busch Gardens Williamsburg;*

insert

*Busch Gardens Williamsburg/Water Country and shall be selected by Busch Gardens Williamsburg/Water Country;*

On motion of Senator Norment, the reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**S.B. 667** (six hundred sixty-seven) was taken up.

The following amendments proposed by the Committee on Finance were offered:

1. Line 30, introduced, after *businesses*

strike

*for taxes under Articles 2 (§ 58.1-320 et seq.) and 10 (§ 58.1-400 et seq.)*

insert

*for corporation income and estimated taxes under Articles 10 (§ 58.1-400 et seq.), 14 (§ 58.1-440 et seq.) and 20 (§ 58.1-500 et seq.) and withholding tax under Article 16 (§ 58.1-460 et seq.)*

2. Line 33, introduced, after line 32

insert

2. That the provisions of this act shall be effective July 1, 2005.

The reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 333** (three hundred thirty-three) as amended.

**S.B. 252** (two hundred fifty-two) as amended.

**S.B. 31** (thirty-one).

**S.B. 32** (thirty-two).

**S.B. 128** (one hundred twenty-eight) as amended.

**S.B. 154** (one hundred fifty-four).

**S.B. 194** (one hundred ninety-four).

**S.B. 311** (three hundred eleven).

**S.B. 323** (three hundred twenty-three).

**S.B. 324** (three hundred twenty-four) as amended.

**S.B. 344** (three hundred forty-four) as amended.

**S.B. 542** (five hundred forty-two).

**S.B. 583** (five hundred eighty-three).

**S.B. 597** (five hundred ninety-seven).

- S.B. 632** (six hundred thirty-two).  
**S.B. 652** (six hundred fifty-two) as amended.  
**S.B. 667** (six hundred sixty-seven) as amended.  
**S.B. 690** (six hundred ninety).

**S.B. 58** (fifty-eight) was taken up, the substitute offered by Senator Martin having been agreed to on February 4, 2004.

Senator Stolle offered the following amendment to the substitute:

1. Line 32, substitute, after *locality*.  
insert

*Provided, however, and notwithstanding any other provision of law, if the sign is located within a locality that had in effect on January 1, 2004 a valuation method other than replacement cost for valuing nonconforming billboard signs, the Commissioner shall use such alternate valuation method, instead of replacement cost, for determining if the 50 percent thresholds established by this section are exceeded.*

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

On motion of Senator Martin, the bill was ordered to be engrossed and read by title the third time.

**S.B. 213** (two hundred thirteen) was read by title the second time and, on motion of Senator Edwards, was ordered to be engrossed and read by title the third time.

**S.B. 398** (three hundred ninety-eight) was read by title the second time and, on motion of Senator Norment, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 94** (ninety-four).  
**S.B. 115** (one hundred fifteen).  
**S.B. 202** (two hundred two).  
**S.B. 231** (two hundred thirty-one).  
**S.B. 234** (two hundred thirty-four).  
**S.B. 236** (two hundred thirty-six).  
**S.B. 310** (three hundred ten).  
**S.B. 313** (three hundred thirteen).  
**S.B. 321** (three hundred twenty-one).  
**S.B. 325** (three hundred twenty-five).  
**S.B. 329** (three hundred twenty-nine).  
**S.B. 334** (three hundred thirty-four).  
**S.B. 384** (three hundred eighty-four).  
**S.B. 395** (three hundred ninety-five).  
**S.B. 437** (four hundred thirty-seven).  
**S.B. 442** (four hundred forty-two).

S.B. 457 (four hundred fifty-seven).  
S.B. 462 (four hundred sixty-two).  
S.B. 492 (four hundred ninety-two).  
S.B. 529 (five hundred twenty-nine).  
S.B. 548 (five hundred forty-eight).  
S.B. 561 (five hundred sixty-one).  
S.B. 661 (six hundred sixty-one).  
S.B. 677 (six hundred seventy-seven).  
S.B. 692 (six hundred ninety-two).  
S.B. 48 (forty-eight).  
S.B. 192 (one hundred ninety-two).  
S.B. 204 (two hundred four).  
S.B. 227 (two hundred twenty-seven).  
S.B. 237 (two hundred thirty-seven).  
S.B. 271 (two hundred seventy-one).  
S.B. 319 (three hundred nineteen).  
S.B. 320 (three hundred twenty).  
S.B. 339 (three hundred thirty-nine).  
S.B. 568 (five hundred sixty-eight).  
S.B. 580 (five hundred eighty).  
S.B. 643 (six hundred forty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

S.B. 94 (ninety-four).  
S.B. 115 (one hundred fifteen).  
S.B. 202 (two hundred two).  
S.B. 231 (two hundred thirty-one).  
S.B. 234 (two hundred thirty-four).  
S.B. 236 (two hundred thirty-six).  
S.B. 310 (three hundred ten).  
S.B. 313 (three hundred thirteen).  
S.B. 321 (three hundred twenty-one).  
S.B. 325 (three hundred twenty-five).  
S.B. 329 (three hundred twenty-nine).  
S.B. 334 (three hundred thirty-four).  
S.B. 384 (three hundred eighty-four).  
S.B. 395 (three hundred ninety-five).  
S.B. 437 (four hundred thirty-seven).  
S.B. 442 (four hundred forty-two).

**S.B. 457** (four hundred fifty-seven).  
**S.B. 462** (four hundred sixty-two).  
**S.B. 492** (four hundred ninety-two).  
**S.B. 529** (five hundred twenty-nine).  
**S.B. 548** (five hundred forty-eight).  
**S.B. 561** (five hundred sixty-one).  
**S.B. 661** (six hundred sixty-one).  
**S.B. 677** (six hundred seventy-seven).  
**S.B. 692** (six hundred ninety-two).  
**S.B. 48** (forty-eight).  
**S.B. 192** (one hundred ninety-two).  
**S.B. 204** (two hundred four).  
**S.B. 227** (two hundred twenty-seven).  
**S.B. 237** (two hundred thirty-seven).  
**S.B. 271** (two hundred seventy-one).  
**S.B. 319** (three hundred nineteen).  
**S.B. 320** (three hundred twenty).  
**S.B. 339** (three hundred thirty-nine).  
**S.B. 568** (five hundred sixty-eight).  
**S.B. 580** (five hundred eighty).  
**S.B. 643** (six hundred forty-three).

#### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 309** (three hundred nine).  
**H.J.R. 310** (three hundred ten).  
**H.J.R. 311** (three hundred eleven).  
**H.J.R. 315** (three hundred fifteen).  
**H.J.R. 319** (three hundred nineteen).  
**H.J.R. 320** (three hundred twenty).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

**S.J.R. 148** (one hundred forty-eight).  
**S.J.R. 150** (one hundred fifty).  
**S.J.R. 151** (one hundred fifty-one).  
**S.J.R. 152** (one hundred fifty-two).

#### COMMENDING RESOLUTIONS

**H.J.R. 284** (two hundred eighty-four), on motion of Senator Norment, was passed by for the day.

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

- H.J.R. 279** (two hundred seventy-nine).
- H.J.R. 280** (two hundred eighty).
- H.J.R. 281** (two hundred eighty-one).
- H.J.R. 282** (two hundred eighty-two).
- H.J.R. 283** (two hundred eighty-three).
- H.J.R. 294** (two hundred ninety-four).
- H.J.R. 295** (two hundred ninety-five).
- H.J.R. 296** (two hundred ninety-six).
- H.J.R. 297** (two hundred ninety-seven).
- H.J.R. 298** (two hundred ninety-eight).
- H.J.R. 299** (two hundred ninety-nine).
- H.J.R. 300** (three hundred).
- H.J.R. 301** (three hundred one).
- H.J.R. 302** (three hundred two).
- H.J.R. 303** (three hundred three).
- H.J.R. 304** (three hundred four).
- H.J.R. 305** (three hundred five).
- H.J.R. 306** (three hundred six).
- H.J.R. 307** (three hundred seven).
- H.J.R. 308** (three hundred eight).
- H.J.R. 313** (three hundred thirteen).
- H.J.R. 314** (three hundred fourteen).
- H.J.R. 316** (three hundred sixteen).
- H.J.R. 317** (three hundred seventeen).
- H.J.R. 318** (three hundred eighteen).
- H.J.R. 321** (three hundred twenty-one).
- H.J.R. 322** (three hundred twenty-two).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

- S.J.R. 144** (one hundred forty-four).
- S.J.R. 145** (one hundred forty-five).
- S.J.R. 146** (one hundred forty-six).
- S.J.R. 147** (one hundred forty-seven).
- S.J.R. 149** (one hundred forty-nine).
- S.J.R. 153** (one hundred fifty-three).

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Whipple introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 159.** Commending Jean Folsom.  
Patrons--Whipple; Delegate: Brink

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegates Athey, Black, Cox, Gear, Janis, Kilgore, Lingamfelter, Marshall, R.G., McDonnell, McQuigg, Morgan, Nixon, Putney, Rapp, Reid, Sherwood, Tata, Ware, R.L., Weatherholtz, Welch, and Wright had been added as co-patrons of **S.B. 371** (three hundred seventy-one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Howell, W.J., had been added as a co-patron of **S.B. 686** (six hundred eighty-six).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 10:30 a.m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, FEBRUARY 6, 2004

The Senate met at 10:30 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Arthur W. Wingfield, Cave Spring United Methodist Church, Roanoke, Virginia, offered the following prayer:

Almighty and most merciful God, to You we lift our voice in prayer for You are our strength, our hope, and our stay. In You we trust and find the confidence to live triumphantly. As we bow in Your holy presence, our very being speaks praise and honor to Your greatness.

For the gifts of life, family, friends, and the manifold blessings bestowed so generously upon us, we give You thanks!

Gracious God, for our great Commonwealth that we call home, we express our heartfelt gratitude. Bless, O Lord, our Governor and all these Your servants gathered here. May Your spirit rest upon them in their every endeavor.

In these good and yet troubling times when there are so many needs facing our nation as well as our beloved Virginia, we ask for Your divine guidance upon these our leaders as they assume the awesome responsibilities set before them. May Your presence inspire them to greatness. Give them wisdom in every order of business. O God, give a sense of justice and fairness in all matters. Give them strong convictions of truth and honesty; give them courage, Lord, to do right as they grapple with difficult issues each day. Above all, may the light of Your love guide them in each decision. Bless and protect this great assembly of Your people who give themselves in the service of others. May Your peace and blessings be with their loved ones back home.

As we ask Your help, blessings and protection upon these gathered, we would be remiss if we failed to include all the peoples of our fair state. We pray for those facing some of life's most difficult challenges, health problems, loss of job, broken families and others. May the work done in these chambers be a means of bringing hope and a brighter future for all our citizens. We pray in Your holy name! Amen.

The roll was called and the following Senators answered to their names:

Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Howell, Lambert, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Bell, Devolites, Houck, and Locke notified the Clerk of their presence.

On motion of Senator Cuccinelli, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

## HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
February 5, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 156.** A BILL to amend and reenact § 23-9.2:3 of the Code of Virginia, relating to prohibiting the admission of illegal aliens at public institutions of higher education.
- H.B. 184.** A BILL to amend and reenact § 18.2-52 of the Code of Virginia, relating to malicious bodily injury.
- H.B. 231.** A BILL to amend and reenact §§ 59.1-198 and 59.1-204 of the Code of Virginia, relating to cure offers for consumer disputes involving consumer purchases.
- H.B. 246.** A BILL to amend and reenact § 58.1-602 of the Code of Virginia, relating to sales and use tax definitions.
- H.B. 414.** A BILL to amend and reenact § 18.2-308.2 of the Code of Virginia, relating to possession or transportation of explosives by convicted felons; penalty.
- H.B. 419.** A BILL to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 a section numbered 18.2-46.3:1, relating to forfeiture.
- H.B. 514.** A BILL to amend and reenact § 18.2-67.10 of the Code of Virginia, relating to the definition of mental incapacity and physical helplessness for purposes of criminal sexual assault; penalty.
- H.B. 515.** A BILL to amend and reenact §§ 58.1-3, 58.1-609.10, as it shall become effective, and 58.1-609.11 of the Code of Virginia, relating to sales and use tax exemptions for certain nonprofit entities.
- H.B. 571.** A BILL to amend and reenact § 18.2-460 of the Code of Virginia, relating to obstruction of justice; penalties.
- H.B. 572.** A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by gangs; definitions; penalties.
- H.B. 599.** A BILL to amend and reenact §§ 59.1-274, 59.1-280, 59.1-280.1 and 59.1-280.2 of the Code of Virginia, relating to enterprise zone designation and funding.
- H.B. 615.** A BILL to amend and reenact § 58.1-439 of the Code of Virginia, relating to the major business facility job tax credit.
- H.B. 617.** A BILL to amend and reenact § 23-215 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 1 of Title 23 a section numbered 23-9.2:7, relating to distance learning in higher education.
- H.B. 632.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-3310.1, relating to unlawful procurement of prescription drugs for others; penalty.

**H.B. 645.** A BILL to amend and reenact § 18.2-90 of the Code of Virginia, relating to which buildings can be burglarized; penalty.

**H.B. 656.** A BILL to amend and reenact § 18.2-57.2 of the Code of Virginia, relating to assault and battery against a family or household member.

**H.B. 657.** A BILL to amend and reenact § 18.2-67.4:1 of the Code of Virginia, relating to infected sexual battery; penalty.

**H.B. 858.** A BILL to amend and reenact § 18.2-49.1 of the Code of Virginia, relating to violation of court order regarding custody and visitation; penalty.

**H.B. 925.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 39 of Title 58.1 a section numbered 58.1-3975, relating to nonjudicial sales of tax delinquent real property.

**H.B. 970.** A BILL to amend and reenact § 15.2-1215 of the Code of Virginia, relating to authority to cut grass.

**H.B. 989.** A BILL to amend the Code of Virginia by adding in Chapter 1.1 of Title 23 a section numbered 23-9.14:2, relating to facilitation of transfers to public four-year institutions of higher education.

**H.B. 1030.** A BILL to amend and reenact §§ 58.1-3505 and 58.1-3506 of the Code of Virginia, relating to classifications of farm animals, farm products and equipment, and other tangible personal property for taxation.

**H.B. 1076.** A BILL to amend and reenact §§ 58.1-3400 and 58.1-3651 of the Code of Virginia, relating to property tax exemptions.

**H.B. 1185.** A BILL to amend and reenact § 58.1-513 of the Code of Virginia, relating to land preservation income tax credits for individuals and corporations.

**H.B. 1208.** A BILL to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to entitlement to certain sales tax revenues.

**H.B. 1243.** A BILL to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to entitlement to certain sales tax revenues.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson

Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 156, H.B. 617, H.B. 632, and H.B. 989** were referred to the Committee on Education and Health.

**H.B. 184, H.B. 414, H.B. 419, H.B. 514, H.B. 571, H.B. 572, H.B. 645, H.B. 656, H.B. 657, and H.B. 858** were referred to the Committee for Courts of Justice.

**H.B. 231 and H.B. 599** were referred to the Committee on Commerce and Labor.

**H.B. 246, H.B. 515, H.B. 615, H.B. 925, H.B. 1030, H.B. 1076, H.B. 1185, H.B. 1208, and H.B. 1243** were referred to the Committee on Finance.

**H.B. 970** was referred to the Committee on Local Government.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hanger from the Committee on Rehabilitation and Social Services:

**S.B. 35** (thirty-five) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 181** (one hundred eighty-one) with substitute.

**S.B. 318** (three hundred eighteen) with substitute.

**S.B. 389** (three hundred eighty-nine).

**S.B. 429** (four hundred twenty-nine) with amendments.

**S.B. 436** (four hundred thirty-six) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 584** (five hundred eighty-four) with substitute.

**S.B. 612** (six hundred twelve) with amendment.

**S.B. 615** (six hundred fifteen) with substitute.

**S.B. 658** (six hundred fifty-eight) with substitute.

**H.B. 635** (six hundred thirty-five).

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

**S.B. 101** (one hundred one) with substitute.

**S.B. 235** (two hundred thirty-five).

**S.B. 246** (two hundred forty-six) with amendments.

**S.B. 257** (two hundred fifty-seven) with substitute.

**S.B. 259** (two hundred fifty-nine) with substitute.  
**S.B. 350** (three hundred fifty).  
**S.B. 362** (three hundred sixty-two) with substitute.  
**S.B. 408** (four hundred eight) with substitute.  
**S.B. 508** (five hundred eight).  
**S.B. 590** (five hundred ninety).  
**S.B. 670** (six hundred seventy) with amendments.

**S.B. 35** and **S.B. 436** were rereferred to the Committee on Finance.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Stosch introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 160.** Commending the Rev. Canon J. Fletcher Lowe, Jr.  
Patron--Stosch

**S.J.R. 161.** Commending Stafford Efford.  
Patron--Stosch

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puller introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 162.** Commending the Mount Vernon-Lee Chamber of Commerce.  
Patrons--Puller and Ticer; Delegates: Amundson and Van Latingham

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Quayle introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 163.** Commending King's Kids of America, Inc.  
Patrons--Quayle; Delegates: Joannou and Spruill

**S.J.R. 164.** Commending Robert C. Claud, Sr.  
Patrons--Quayle; Delegates: Barlow and Council

### GUEST PRESENTED

On motion of Senator Reynolds, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:  
YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--0.  
RULE 36--0.

Senator Reynolds presented Nancy Amanda Redd, Miss Virginia 2003, to the Senate.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Howell introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 165.** Commending Richard C. Thoesen.  
Patrons--Howell and Mims; Delegate: Rust

**S.J.R. 166.** Commending The Herndon Woman's Club.  
Patrons--Howell and Mims; Delegate: Rust

**S.J.R. 167.** Commending John M. De Noyer.  
Patrons--Howell and Mims; Delegate: Rust

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Mims introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 168.** Commending the Virginia Health Care Foundation on its service to the Commonwealth and its many successful efforts to enhance access to primary and preventive health care for Virginia's uninsured citizens over the last 11 years.  
Patrons--Mims, Bolling, Edwards, Houck, Lambert, Marsh, Wampler and Watkins; Delegates: Baskerville, Morgan and O'Bannon

**CALENDAR****HOUSE BILLS ON THIRD READING**

**H.B. 31** (thirty-one) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.  
RULE 36--0.

**H.B. 32** (thirty-two) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

**RECONSIDERATION**

Senator Stolle moved to reconsider the vote by which **H.B. 31** (thirty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 31**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**SENATE BILLS ON THIRD READING**

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 333** (three hundred thirty-three).

**S.B. 252** (two hundred fifty-two).

**S.B. 31** (thirty-one).

**S.B. 32** (thirty-two).

**S.B. 128** (one hundred twenty-eight).

**S.B. 154** (one hundred fifty-four).

**S.B. 194** (one hundred ninety-four).

**S.B. 311** (three hundred eleven).

**S.B. 323** (three hundred twenty-three).

**S.B. 324** (three hundred twenty-four).

**S.B. 344** (three hundred forty-four).

**S.B. 542** (five hundred forty-two).

**S.B. 583** (five hundred eighty-three).

**S.B. 597** (five hundred ninety-seven).

**S.B. 632** (six hundred thirty-two).

**S.B. 652** (six hundred fifty-two).

**S.B. 667** (six hundred sixty-seven).

**S.B. 690** (six hundred ninety).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 333** (three hundred thirty-three).

**S.B. 252** (two hundred fifty-two).

**S.B. 31** (thirty-one).

**S.B. 32** (thirty-two).

**S.B. 128** (one hundred twenty-eight).

**S.B. 154** (one hundred fifty-four).

**S.B. 194** (one hundred ninety-four).

**S.B. 311** (three hundred eleven).

**S.B. 323** (three hundred twenty-three).

**S.B. 324** (three hundred twenty-four).

**S.B. 542** (five hundred forty-two).

**S.B. 583** (five hundred eighty-three).

**S.B. 597** (five hundred ninety-seven).

**S.B. 632** (six hundred thirty-two).

**S.B. 652** (six hundred fifty-two).

**S.B. 667** (six hundred sixty-seven).

**S.B. 690** (six hundred ninety).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 344** (three hundred forty-four), on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Potts--1.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following Senate bills were passed en bloc with their titles:

S.B. 333 (three hundred thirty-three).  
S.B. 252 (two hundred fifty-two).  
S.B. 31 (thirty-one).  
S.B. 32 (thirty-two).  
S.B. 128 (one hundred twenty-eight).  
S.B. 154 (one hundred fifty-four).  
S.B. 194 (one hundred ninety-four).  
S.B. 311 (three hundred eleven).  
S.B. 323 (three hundred twenty-three).  
S.B. 324 (three hundred twenty-four).  
S.B. 542 (five hundred forty-two).  
S.B. 583 (five hundred eighty-three).  
S.B. 597 (five hundred ninety-seven).  
S.B. 632 (six hundred thirty-two).  
S.B. 652 (six hundred fifty-two).  
S.B. 667 (six hundred sixty-seven).  
S.B. 690 (six hundred ninety).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

S.B. 333 (three hundred thirty-three).  
S.B. 252 (two hundred fifty-two).  
S.B. 31 (thirty-one).  
S.B. 32 (thirty-two).  
S.B. 128 (one hundred twenty-eight).  
S.B. 154 (one hundred fifty-four).  
S.B. 194 (one hundred ninety-four).  
S.B. 311 (three hundred eleven).  
S.B. 323 (three hundred twenty-three).  
S.B. 324 (three hundred twenty-four).  
S.B. 542 (five hundred forty-two).  
S.B. 583 (five hundred eighty-three).  
S.B. 597 (five hundred ninety-seven).  
S.B. 632 (six hundred thirty-two).  
S.B. 652 (six hundred fifty-two).  
S.B. 667 (six hundred sixty-seven).  
S.B. 690 (six hundred ninety).



The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 82**, on motion of Senator Puller, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--5. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Bolling, Cuccinelli, Newman, Obenshain, Potts--5.

RULE 36--0.

**S.B. 58** (fifty-eight) was read by title the third time and, on motion of Senator Martin, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Lambert, Lucas, Marsh, Martin, Miller, Newman, Obenshain, O'Brien, Potts, Puckett, Rerras, Ruff, Saslaw, Stosch, Wagner, Wampler, Watkins, Williams--27.

NAYS--Deeds, Edwards, Howell, Locke, Mims, Norment, Puller, Quayle, Reynolds, Stolle, Ticer, Whipple--12.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Lucas stated that she voted yea on the question of the passage of **S.B. 58**, whereas she intended to vote nay.

#### RECONSIDERATION

Senator Martin moved to reconsider the vote by which **S.B. 58** (fifty-eight) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.  
NAYS--0.  
RULE 36--0.

**S.B. 58**, on motion of Senator Martin, was passed with its title.

The recorded vote is as follows:  
YEAS--26. NAYS--14. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Lambert, Lucas, Martin, Newman, Obenshain, O'Brien, Potts, Puckett, Rerras, Ruff, Saslaw, Stosch, Wagner, Wampler, Watkins, Williams--26.  
NAYS--Deeds, Edwards, Howell, Locke, Marsh, Miller, Mims, Norment, Puller, Quayle, Reynolds, Stolle, Ticer, Whipple--14.  
RULE 36--0.

#### STATEMENT ON VOTE

Senator Lucas stated that she voted yea on the question of the passage of **S.B. 58**, whereas she intended to vote nay.

**S.B. 213** (two hundred thirteen) was read by title the third time and, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:  
YEAS--30. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--30.  
NAYS--Bolling, Cuccinelli, Hanger, Martin, Mims, Newman, Obenshain, O'Brien, Williams--9.  
RULE 36--0.

#### PARLIAMENTARY INQUIRY

Senator O'Brien propounded a parliamentary inquiry as to the vote requirement for passage of **S.B. 213**.

The Chair ruled that **S.B. 213** required a vote of two-thirds of the members elected for passage.

#### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 213** (two hundred thirteen) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 213**, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--31.

NAYS--Bolling, Cuccinelli, Hanger, Martin, Mims, Newman, Obenshain, O'Brien, Williams--9.

RULE 36--0.

**S.B. 398** (three hundred ninety-eight) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Ticer, Wagner, Wampler, Whipple, Williams--30.

NAYS--Chichester, Colgan, Cuccinelli, Hawkins, Mims, Obenshain, O'Brien, Ruff, Stosch, Watkins--10.

RULE 36--0.

### SENATE BILLS ON SECOND READING

**S.B. 94** (ninety-four), on motion of Senator O'Brien, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 115** (one hundred fifteen).

**S.B. 202** (two hundred two).

**S.B. 231** (two hundred thirty-one).

**S.B. 234** (two hundred thirty-four).

**S.B. 236** (two hundred thirty-six).

**S.B. 310** (three hundred ten).



strike

2015

insert

2010

The reading of the amendment was waived.

On motion of Senator Lambert, the amendment was agreed to.

**S.B. 234** (two hundred thirty-four) was taken up.

The following amendments proposed by the Committee on Finance were offered:

1. Line 71, introduced, after *subdivision*

insert

*or against any legal counsel appointed pursuant to § 19.2-159*

2. Line 72, introduced, after *sum of*

strike

*\$1 million*

insert

*\$500,000*

3. Line 75, introduced, after *amount of*

strike

*\$2 million*

insert

*\$1 million*

The reading of the amendments was waived.

On motion of Senator Lambert, the amendments were agreed to.

**S.B. 236** (two hundred thirty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault.

The reading of the substitute was waived.

Senator Norment moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-102, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

**S.B. 310** (three hundred ten) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 3.1-6.1 of the Code of Virginia, to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 42.1, consisting of sections numbered 3.1-1064.1 through 3.1-1064.7, and to repeal Chapter 42 (§§ 3.1-1057 through 3.1-1064) of Title 3.1 of the Code of Virginia, relating to establishment of the Virginia Wine Board and the Virginia Wine Promotion Fund.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

Senator Hawkins offered the following amendment to the substitute:

1. Line 141, substitute, after 2004  
strike

, and all initial appointments made by the Governor shall be from members serving on the Virginia Winegrowers Advisory Board as of June 1, 2004, but excluding the Commissioner and the Chairman of the Alcoholic Beverage Control Board or their designees

On motion of Senator Hawkins, the reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

**S.B. 313** (three hundred thirteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.

The reading of the substitute was waived.

On motion of Senator Howell, the substitute was agreed to.

**S.B. 321** (three hundred twenty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; multijurisdictional grand juries; penalties.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The following amendments proposed by the Committee on Finance to the substitute were offered:

1. Line 119, substitute, after appropriation  
strike  
is \$  
insert  
cannot be determined

2. Line 120, substitute, after facilities and  
strike  
\$  
insert  
cannot be determined

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

**S.B. 325** (three hundred twenty-five) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 242, introduced, after *54.1-3401*  
insert  
*, knowing such drug to be counterfeit*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

**S.B. 329** (three hundred twenty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:1.01, 16.1-247, 16.1-260, 17.1-275.11, 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10, 18.2-270.1, 18.2-271, 18.2-271.1, 18.2-272, 19.2-187.02, 19.2-389, 46.2-301, 46.2-301.1, 46.2-316, 46.2-384, 46.2-389, 46.2-391.2, 46.2-391.4, 46.2-395, 46.2-411 and 46.2-411.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 18.2-266.2, relating to DUI; blood alcohol level; refusal.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**S.B. 334** (three hundred thirty-four) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 282, introduced, after *larceny*,  
insert  
*or*
2. Line 283, introduced, after *turpitude*  
strike  
*, possession of burglary tools, brandishing a firearm, or stalking*
3. Line 342, introduced, after *under*  
strike  
*this statute*  
insert  
*subsection B*
4. Line 343, introduced, after *renew*,  
insert  
*sanctioning*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

**S.B. 384** (three hundred eighty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-270, 18.2-271, 19.2-294.1, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment on charge of third DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The following amendments proposed by the Committee on Finance to the substitute were offered:

1. Line 283, substitute, after appropriation

strike  
is \$  
insert  
cannot be determined

2. Line 284, substitute, after facilities and is \$  
insert  
0

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**S.B. 442** (four hundred forty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-120 and 19.2-390 of the Code of Virginia, relating to DUI; admission to bail; criminal history record information.

The reading of the substitute was waived.

On motion of Senator Rerras, the substitute was agreed to.

The following amendments proposed by the Committee on Finance to the substitute were offered:

1. Line 40, substitute, after *offense*,  
strike  
*been twice convicted*  
insert  
*been convicted three times on different dates*
2. Line 42, substitute, after *thereto*  
insert  
*and has been at liberty between each conviction*

The reading of the amendments was waived.

On motion of Senator Rerras, the amendments were agreed to.

**S.B. 457** (four hundred fifty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 24.2-629 of the Code of Virginia, relating to electronic voting systems.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

**S.B. 462** (four hundred sixty-two) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 46, introduced, after ~~printed~~  
strike  
precinct
2. Line 64, introduced, after ~~printed~~  
strike  
precinct
3. Line 143, introduced  
strike  
If  
insert  
*Except as provided in subsection E of this section, if*
4. Line 313, introduced, after *this*  
strike  
*subsection*  
insert  
*paragraph*

The reading of the amendments was waived.

On motion of Senator Whipple, the amendments were agreed to.

**S.B. 548** (five hundred forty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 55-334.1 and 55-334.2 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

The reading of the substitute was waived.

Senator Puckett moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

The reading of the substitute was waived.

On motion of Senator Puckett, the substitute was agreed to.

**S.B. 561** (five hundred sixty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.

The reading of the substitute was waived.

On motion of Senator Lambert, the substitute was agreed to.

**S.B. 677** (six hundred seventy-seven) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 28, introduced, after *member*  
insert

*who is a member of a bona fide volunteer fire department or volunteer rescue or emergency medical squad*

The reading of the amendment was waived.

On motion of Senator Rerras, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 115** (one hundred fifteen) as amended.

**S.B. 202** (two hundred two) as amended.

**S.B. 231** (two hundred thirty-one) as amended.

**S.B. 234** (two hundred thirty-four) as amended.

**S.B. 236** (two hundred thirty-six) as amended.

**S.B. 310** (three hundred ten) as amended.

**S.B. 313** (three hundred thirteen) as amended.

**S.B. 321** (three hundred twenty-one) as amended.

**S.B. 325** (three hundred twenty-five) as amended.

**S.B. 329** (three hundred twenty-nine) as amended.

**S.B. 334** (three hundred thirty-four) as amended.

**S.B. 384** (three hundred eighty-four) as amended.

**S.B. 395** (three hundred ninety-five).

**S.B. 437** (four hundred thirty-seven).

**S.B. 442** (four hundred forty-two) as amended.

**S.B. 457** (four hundred fifty-seven) as amended.

**S.B. 462** (four hundred sixty-two) as amended.

**S.B. 492** (four hundred ninety-two).

**S.B. 529** (five hundred twenty-nine).

**S.B. 548** (five hundred forty-eight) as amended.

**S.B. 561** (five hundred sixty-one) as amended.

**S.B. 661** (six hundred sixty-one).

**S.B. 677** (six hundred seventy-seven) as amended.

**S.B. 692** (six hundred ninety-two).

**S.B. 48** (forty-eight) was read by title the second time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 17, introduced, after § 54.1-4200,

insert

*to a person who does not hold a valid concealed handgun permit issued pursuant to § 18.2-308 and a government-issued photo identification*

The reading of the amendment was waived.

On motion of Senator Marsh, the amendment was agreed to.

On motion of Senator Marsh, the bill was ordered to be engrossed and read by title the third time.

**S.B. 192** (one hundred ninety-two) was read by title the second time and, on motion of Senator Reynolds, was ordered to be engrossed and read by title the third time.

**S.B. 204** (two hundred four), on motion of Senator Quayle, was passed by for the day.

**S.B. 227** (two hundred twenty-seven) was read by title the second time and, on motion of Senator Cuccinelli, was ordered to be engrossed and read by title the third time.

**S.B. 237** (two hundred thirty-seven) was read by title the second time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 89, introduced

strike

all of line 89

insert

*Virginia Department of Social Services for the purpose of providing services to victims of domestic violence.*

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The following amendments proposed by the Committee on Finance were offered:

1. Line 22, introduced, after *violence*

insert

*, sexual abuse, stalking*

2. Line 24, introduced, after *domestic violence*  
insert

*, sexual abuse, stalking*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

On motion of Senator Norment, the bill was ordered to be engrossed and read by title the third time.

**S.B. 271** (two hundred seventy-one) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10 and 8.01-195.11, relating to compensation for wrongful incarceration for a felony conviction.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

On motion of Senator Quayle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 319** (three hundred nineteen) was read by title the second time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 4, introduced, Title, after *killing*  
strike

*an unborn child*

insert

*a fetus*

2. Line 12, introduced, after *Killing*  
strike

*an unborn child*

insert

*a fetus*

3. Line 13, introduced, after *deliberately*  
strike

*, unlawfully and with premeditation*

insert

*and unlawfully*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 320** (three hundred twenty) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-511, 6.1-375, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The following amendments proposed by the Committee on Finance to the substitute were offered:

1. Line 203, substitute, after appropriation  
strike

is

insert

cannot be determined

2. Line 204, substitute, after and is

insert

\$0

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 339** (three hundred thirty-nine) was read by title the second time.

The following amendment proposed by the Committee on Finance was offered:

1. Line 117, introduced, after adult,

strike

remainder of line 117 and all of lines 118 through 119

insert

*or (iv) a violation of § 18.2-308.7, if the juvenile has been previously found delinquent based on an offense that would be a Class 1 misdemeanor if committed by an adult and if the liberty of the juvenile constitutes a clear and substantial threat to the life or health of the juvenile or others;*

The reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

**S.B. 568** (five hundred sixty-eight) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL for the relief of Sean and Jennie Barrett.

The reading of the substitute was waived.

On motion of Senator Bolling, the substitute was agreed to.

On motion of Senator Bolling, the bill was ordered to be engrossed and read by title the third time.

**S.B. 580** (five hundred eighty) was read by title the second time.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 14, introduced, after *designated as*  
insert  
*severe*
2. Line 15, introduced, after *provisions*  
strike  
remainder of line 15, all of lines 16 through 33, and through *For* on line 34  
insert  
*for*
3. Line 48, introduced, after *entirety*  
insert  
*for five years*
4. Line 50, introduced, after *designated as*  
insert  
*severe*

The reading of the amendments was waived.

Senator Mims requested that, under Senate Rule 31, there be a division of the amendments for consideration.

On motion of Senator Mims, amendments Nos. 1, 2, and 4 were agreed to.

Senator Mims moved that amendment No. 3 be rejected.

The question was put on agreeing to amendment No. 3.

Amendment No. 3 was rejected.

Senator Mims offered the following amendment:

1. Line 49, introduced, after *hereunder*  
strike  
*whether such locality may thereafter no longer be*  
insert  
*, except, however, that such authority shall expire in any locality five years after  
the date upon which the locality is no longer*

On motion of Senator Mims, the reading of the amendment was waived.

On motion of Senator Mims, the amendment was agreed to.

On motion of Senator Ticer, the bill was ordered to be engrossed and read by title the third time.

**S.B. 643** (six hundred forty-three), on motion of Senator Devolites, was passed by for the day.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 86** (eighty-six).
- S.B. 95** (ninety-five).
- S.B. 100** (one hundred).
- S.B. 145** (one hundred forty-five).
- S.B. 149** (one hundred forty-nine).
- S.B. 160** (one hundred sixty).
- S.B. 212** (two hundred twelve).
- S.B. 220** (two hundred twenty).
- S.B. 226** (two hundred twenty-six).
- S.B. 270** (two hundred seventy).
- S.B. 275** (two hundred seventy-five).
- S.B. 298** (two hundred ninety-eight).
- S.B. 301** (three hundred one).
- S.B. 317** (three hundred seventeen).
- S.B. 337** (three hundred thirty-seven).
- S.B. 352** (three hundred fifty-two).
- S.B. 354** (three hundred fifty-four).
- S.B. 394** (three hundred ninety-four).
- S.B. 404** (four hundred four).
- S.B. 416** (four hundred sixteen).
- S.B. 452** (four hundred fifty-two).
- S.B. 460** (four hundred sixty).
- S.B. 468** (four hundred sixty-eight).
- S.B. 494** (four hundred ninety-four).
- S.B. 551** (five hundred fifty-one).
- S.B. 562** (five hundred sixty-two).
- S.B. 598** (five hundred ninety-eight).
- S.B. 609** (six hundred nine).

**S.B. 617** (six hundred seventeen).  
**S.B. 619** (six hundred nineteen).  
**S.B. 620** (six hundred twenty).  
**S.B. 630** (six hundred thirty).  
**S.B. 633** (six hundred thirty-three).  
**S.B. 634** (six hundred thirty-four).  
**S.B. 646** (six hundred forty-six).  
**S.B. 648** (six hundred forty-eight).  
**S.B. 653** (six hundred fifty-three).  
**S.B. 659** (six hundred fifty-nine).  
**S.B. 671** (six hundred seventy-one).  
**S.B. 27** (twenty-seven).  
**S.B. 159** (one hundred fifty-nine).  
**S.B. 167** (one hundred sixty-seven).  
**S.B. 456** (four hundred fifty-six).  
**S.B. 591** (five hundred ninety-one).  
**S.B. 665** (six hundred sixty-five).  
**S.B. 688** (six hundred eighty-eight).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 86** (eighty-six).  
**S.B. 95** (ninety-five).  
**S.B. 100** (one hundred).  
**S.B. 145** (one hundred forty-five).  
**S.B. 149** (one hundred forty-nine).  
**S.B. 160** (one hundred sixty).  
**S.B. 212** (two hundred twelve).  
**S.B. 220** (two hundred twenty).  
**S.B. 226** (two hundred twenty-six).  
**S.B. 270** (two hundred seventy).  
**S.B. 275** (two hundred seventy-five).  
**S.B. 298** (two hundred ninety-eight).  
**S.B. 301** (three hundred one).  
**S.B. 317** (three hundred seventeen).  
**S.B. 337** (three hundred thirty-seven).  
**S.B. 352** (three hundred fifty-two).

S.B. 354 (three hundred fifty-four).  
S.B. 394 (three hundred ninety-four).  
S.B. 404 (four hundred four).  
S.B. 416 (four hundred sixteen).  
S.B. 452 (four hundred fifty-two).  
S.B. 460 (four hundred sixty).  
S.B. 468 (four hundred sixty-eight).  
S.B. 494 (four hundred ninety-four).  
S.B. 551 (five hundred fifty-one).  
S.B. 562 (five hundred sixty-two).  
S.B. 598 (five hundred ninety-eight).  
S.B. 609 (six hundred nine).  
S.B. 617 (six hundred seventeen).  
S.B. 619 (six hundred nineteen).  
S.B. 620 (six hundred twenty).  
S.B. 630 (six hundred thirty).  
S.B. 633 (six hundred thirty-three).  
S.B. 634 (six hundred thirty-four).  
S.B. 646 (six hundred forty-six).  
S.B. 648 (six hundred forty-eight).  
S.B. 653 (six hundred fifty-three).  
S.B. 659 (six hundred fifty-nine).  
S.B. 671 (six hundred seventy-one).  
S.B. 27 (twenty-seven).  
S.B. 159 (one hundred fifty-nine).  
S.B. 167 (one hundred sixty-seven).  
S.B. 456 (four hundred fifty-six).  
S.B. 591 (five hundred ninety-one).  
S.B. 665 (six hundred sixty-five).  
S.B. 688 (six hundred eighty-eight).

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puckett introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

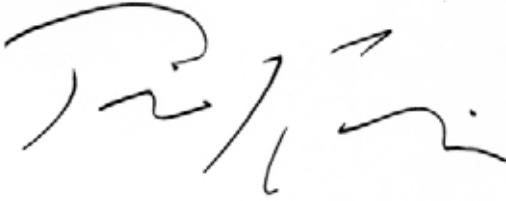
**S.J.R. 169.** Commending Edna Moore Drosick.  
Patron--Puckett

#### HONORARY ADJOURNMENT

Senator O'Brien addressed the Senate in honor of former President Ronald Wilson Reagan.

Senator O'Brien requested that when the Senate adjourns today, it adjourn in honor of former President Ronald Wilson Reagan.

On motion of Senator Chichester, the Senate, in honor of former President Ronald Wilson Reagan, adjourned until tomorrow at 3:00 p.m. to meet in Commemorative Session in the General Court Chamber of the Reconstructed Capitol at Williamsburg, Virginia, pursuant to **H.J.R. 229**.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with a large initial "S".

Susan Clarke Schaar  
Clerk of the Senate

## SATURDAY, FEBRUARY 7, 2004

The Senate met at 3:00 p.m. in Commemorative Session in the General Court Chamber of the Reconstructed Capitol at Williamsburg, Virginia, pursuant to House Joint Resolution No. 229, and was called to order by the President pro tempore, Senator John H. Chichester.

The Reverend Dr. John W. Turner, Gilboa Christian Church (Disciples of Christ), Louisa County, and also Director of Religion Projects in Colonial Williamsburg's Public History Development Department, Williamsburg, Virginia, offered the following prayer:

Gracious Creator, from the ocean's edge at Croatan to the eagle's nest on Old Rag, from the cypress knees of the Dismal Swamp to the water's roar at Great Falls, from the windswept island of Chincoteague to the Wilderness Road through the Cumberland Gap, Thou art God. Thy blessings upon this Commonwealth have been great and are too numerous to name—for these we give You heartfelt thanks. This ground has, under Thy guidance, been a birthplace of freedom and a witness to Virginia's gift to the world that religious freedom is a natural right intended by Thee to be exercised and enjoyed by all humanity. Virginia has been blessed by an abundant supply of sons and daughters who have taken its stewardship as a privilege and a responsibility. Bless this body and those who comprise it as they continue their forebears' heritage of leadership, integrity, and concern for one another. May this blessed place, that had so much to do with the development of the country we call America, continue to be a beacon and a shining light to the nation and to the world. And may all those charged with its administration, protection, and the assurance of a brilliant future remember that the heart benevolent and kind most resembles God. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Hanger, Houck, Mims, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Ruff, Stosch, Watkins.

The Clerk stated that the Senate was represented.

**MESSAGE FROM THE HOUSE  
IMMEDIATE CONSIDERATION**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 361** (three hundred sixty-one), as follows; in which it requested the concurrence of the Senate:

HOUSE JOINT RESOLUTION NO. 361

Joint Assembly to receive the Governor and other distinguished guests.

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly meet this day at 3:30 p.m. in a joint commemorative session to receive the Governor of Virginia and other distinguished guests, and that the rules for the government of the Senate and the House of Delegates, when convened in joint assembly for such purpose shall be as follows:

1. At the hour fixed for the meeting of the Joint Assembly, accompanied by the President and Clerk of the Senate, the Senators shall proceed to the Hall of the House of Burgesses and shall be received by the Delegates standing. Appropriate seats shall be assigned to the Senators. The Speaker of the House shall assign an appropriate seat for the President of the Senate.

2. The Speaker of the House of Delegates shall be President of the Joint Assembly. In case it shall be necessary for him to vacate the Chair, his place shall be taken by the President of the Senate, or, in his absence, by such member of the Joint Assembly as the President of the Joint Assembly may designate.

3. The Clerk of the House of Delegates shall be the Clerk of the Joint Assembly, and he shall be assisted by the Clerk of the Senate. He shall enter the proceedings of the Joint Assembly in the Journal of the House and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same in the Journal of the Senate.

4. The Rules of the House of Delegates, as far as applicable, shall be the rules of the Joint Assembly.

5. In calling the roll of the Joint Assembly, the names of the Senators shall be called in alphabetical order, then the names of the Delegates in like order, except that the name of the Speaker of the House shall be called last.

6. When the Joint Assembly adjourns, the Senators, accompanied by the President and Clerk of the Senate, shall return to their chamber, and the business of the House shall be continued in the same order as at the time of the entrance of the Senators.

On motion of Senator Norment, the reading of the joint resolution was waived.

On motion of Senator Norment, the joint resolution was agreed to.

Senator Norment was ordered to inform the House of Delegates thereof.

#### JOINT ASSEMBLY

The President requested that, pursuant to House Joint Resolution No. 361, the Senators, accompanied by the President pro tempore of the Senate and the Clerk of the Senate, proceed to the Hall of the House of Burgesses.

#### THE JOINT ASSEMBLY

The hour of 3:30 p.m. having arrived, being the time fixed by the joint resolution to receive the Governor of Virginia and other distinguished guests, the Senate of Virginia with its President pro tempore, John H. Chichester, and its Clerk, Susan Clarke Schaar, proceeded to the Hall of the House of Burgesses and was received by the Delegates standing.

The roll of the Senate was called and the following Senators answered to their names:

Messrs. Bell, Blevins, Chichester, Hanger, Houck, Mims, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Ruff, Stosch, and Watkins.

There were 15 Senators present.

The roll of the House of Delegates was called and the following Delegates answered to their names:

Messrs. Albo, Barlow, Brink, Cline, Cole, Cosgrove, Council, Cox, Dillard, Mrs. Drake, Messrs. Eisenberg, Frederick, Griffith, Hamilton, Hargrove, Hurt, Ingram, Janis, Johnson, Jones of Suffolk, Landes, Lewis, Lingamfelter, Louderback, Marrs, McDougle, Mrs. McQuigg, Messrs. Morgan, Nutter, O'Bannon, Oder, Orrock, Ms. Rapp, Messrs. Reese, Reid, Rust, Saxman, Scott of Madison, Mrs. Sherwood, Ms. Suit, Mr. Tata, Mrs. Watts, Mr. Welch, and Mr. Speaker.

There were 44 Delegates present.

The Speaker of the House of Delegates, William J. Howell, of Stafford, as President of the Joint Assembly, declared the Joint Assembly duly organized and ready to proceed to business.

The Senator from James City, Mr. Norment, offered the following resolution:

#### RESOLUTION OF THE JOINT ASSEMBLY

RESOLVED, That the Joint Assembly invite the Governor's Cabinet, the Justices of the Supreme Court of Virginia, the Chairman and President of the Colonial Williamsburg Foundation, and other distinguished persons to be its guests upon this occasion, and that a committee of five, consisting of two from the Senate and three from the House of Delegates, be appointed to present them to the Joint Assembly.

The resolution was agreed to.

The Senator from Henrico, Mr. Stosch, offered the following resolution:

#### RESOLUTION OF THE JOINT ASSEMBLY

RESOLVED, That the Joint Assembly invite His Excellency, The Governor of Virginia, to be its guest upon this occasion and to address the Joint Assembly, and that a committee of five, consisting of two

from the Senate and three from the House of Delegates, be appointed to present His Excellency to the Joint Assembly.

The resolution was agreed to.

The Senator from James City, Mr. Norment, offered the following resolution:

RESOLUTION OF THE JOINT ASSEMBLY

RESOLVED, That the Joint Assembly invite General Anthony C. Zinni to be its guest upon this occasion, and to address the Joint Assembly, and that a committee of five, consisting of two from the Senate and three from the House of Delegates, be appointed to present him to the Joint Assembly.

The resolution was agreed to.

The President appointed Senators Hanger and Quayle and Delegates Morgan, Griffith, and Barlow as the Committee to invite the Governor's Cabinet, the Justices of the Supreme Court of Virginia, the Chairman and President of the Colonial Williamsburg Foundation, and other distinguished persons to be the guests of the Joint Assembly.

The President appointed Senators Stosch and Houck and Delegates Hamilton, Jones of Suffolk, and Watts as the Committee to invite His Excellency, the Governor, to be the guest of the Joint Assembly.

The President appointed Senators Norment and Puckett and Delegates Cox, Landes, and Johnson as the Committee to invite General Anthony C. Zinni to be the guest of the Joint Assembly.

The Committee to invite the Governor's Cabinet, the Justices of the Supreme Court of Virginia, the Chairman and President of the Colonial Williamsburg Foundation, and other distinguished guests, subsequently presented the following, who were formally received by the Joint Assembly:

Mayor of the City of Williamsburg:

The Honorable Jeanne Zeidler

Chairman and President of the Colonial Williamsburg Foundation:

Colin G. Campbell

Members of the Governor's Cabinet:

The Honorable William H. Leighty, Chief of Staff

The Honorable Anita A. Rimler, Secretary of the Commonwealth

Justice of the Supreme Court of Virginia:

The Honorable Leroy Rountree Hassell, Sr., Chief Justice

Member of the Virginia Congressional Delegation:

The Honorable Jo Ann S. Davis, 1<sup>st</sup> Congressional District

Former Lieutenant Governor of the Commonwealth of Virginia:

The Honorable John H. Hager

Former Governors of the Commonwealth of Virginia:

The Honorable A. Linwood Holton, Jr.

The Honorable James S. Gilmore, III

The Committee to invite the Governor subsequently presented His Excellency, Mark R. Warner, Governor of the Commonwealth of Virginia, who was formally received by the Joint Assembly.

The Committee to invite the guest speaker subsequently presented General Anthony C. Zinni, who was formally received by the Joint Assembly.

The President of the Joint Assembly requested Mr. Colin G. Campbell, Chairman and President of the Colonial Williamsburg Foundation, to address the Joint Assembly.

Mr. Campbell addressed the Joint Assembly as follows:

Governor Warner, Congresswoman Davis, Chief Justice Hassell, Senator Chichester, Governor Gilmore, Governor Holton, distinguished members of the Senate and House of Delegates, Mayor Zeidler, ladies and gentlemen.

I am delighted and honored to welcome you to Colonial Williamsburg and the House of Burgesses in the Virginia Capitol of 1705.

For many years only a solitary stone tablet, sitting in an open lot at the end of Duke of Gloucester Street, marked America's earliest efforts at representative government. You can still find it there.

That all changed, however, with the restoration of Colonial Williamsburg and the construction of a new Capitol, modeled after the one destroyed by fire in 1832. It's an elegant, graceful building in every respect ... though clearly designed for smaller crowds.

For 80 years Williamsburg served as the political center of Virginia, covering a period that was seminal to the development of American political independence and democracy.

Today you are the living embodiment of democratic institutional continuity. The oldest sitting legislative body in the Western Hemisphere endures ... with a few changes, of course.

For instance, during the colonial era, the opening session of the General Assembly matched those of Parliament. The royal governor, appointed by the crown, rode down Duke of Gloucester Street in a gilded coach.

There was ceremony and formality.

Institutional continuity.

Established order.

All of which, along with the monarchical trappings, were abruptly dispensed with on May 15, 1776 – the day when Virginia's leaders convened in this building in convention and revolted against the British crown.

The vote was unanimous.

That, by itself, was a remarkable event ... but it's made far more remarkable when considered in context.

The Virginia landed class resided in scattered, often isolated locations and were thus highly vulnerable. There was no alternative authority to turn to for protection. England was the protector.

England was not only the existing authority, it was of course the prevailing culture. For more than a 150 years, this land was England.

And, yet, these Virginians in this chamber were saying, no, it's not; at least not any longer.

Of course the whole idea of drawing together, in the cause of revolution, disparate and dissimilar colonies, stretched out along the Atlantic seaboard, at great distances from each other, was preposterous.

And, yet, these Virginians were determined to do just that.

Here they were, revolting against the most powerful nation on earth and without a moment's certainty about the outcome. The victory at Yorktown lay ahead more than five years distance.

Yet these Virginians were resolved to see this through ... as historian Bernard Bailyn once put it ... and "make the world anew."

The breadth of the challenge extended far beyond achieving a military victory.

There was a new society to establish. New institutions to put in place.

And one based upon principles that had heretofore formed the basis of no nation – ever.

Whatever were these people thinking of?

What possibly could have motivated them?

What sustained them?

Well, they had great confidence in their creative abilities. They had the intellectual framework, the theoretical governing structure. They had thought about it at length. And those matters that appeared irresolvable – the extension and guarantee of rights to all men, without distinction – they believed would be settled in time. Though it took far more time and far more pain than doubtless they ever imagined.

The motivation? Freedom. The great and enduring allure of freedom.

And what sustained them? Faith. Faith in themselves. Faith in the rightness of their ideas. Faith in the moral soundness of their labors.

Still, this was an improbable pursuit ... destined, no doubt, for disappointment and failure.

Or worse.

And, yet, here we are ... or more precisely, here you are ... the institutional descendents of the Virginians who rebelled here in the cause of what they imagined might be.

It is an extraordinary tale. It's our history. Our pride. And our inspiration.

We celebrate the importance of history every day here at Colonial Williamsburg. We strive to re-establish in the minds of the American public and beyond the central role of the Historic Triangle in the story of America's early years: Williamsburg, Yorktown, and of course Jamestown.

Three years hence you will be participating in the commemoration of the events of 1607. As you know, Virginia's representative government was sustained and advanced on this site, but it did not begin here. That occurred with the organization of the House of Burgesses on Jamestown Island.

Jamestown, too, as you know, could have easily failed and came close to doing just that. But it did not. The first settlers bravely survived and gave history the first permanent English-speaking colony in the New World. Jamestown began Virginia. Jamestown began America.

All of which we will mark in a few short years as part of the 400<sup>th</sup> anniversary of the Jamestown settlement. This occasion will remind the world of Virginia's role – in all respects – in the formation of America.

It will not be a simple commemoration, for the history of that period was anything but simple. But, done right – and many are working hard to assure that it is done right, it will be profoundly instructive and worthwhile.

In that regard, I would be remiss if I failed to thank the members of the General Assembly for your ongoing support of our efforts to do it right. It is important work.

Again, you honor Colonial Williamsburg by your presence today. We are delighted that this distinguished assembly is once again gracing the halls of Virginia's ancient Capitol, as it continues the grandest experiment in political freedom the world has ever known.

Thank you very much.

The President of the Joint Assembly thanked Mr. Campbell for addressing the Joint Assembly.

The President of the Joint Assembly requested His Excellency, Mark R. Warner, Governor of the Commonwealth of Virginia, to address the Joint Assembly.

The Governor addressed the Joint Assembly as follows:

Mr. Speaker, Mr. President, Mr. Chief Justice, members of the General Assembly, ladies and gentlemen, good afternoon.

Mr. Campbell, thank you for that introduction. And thank you to the Colonial Williamsburg Foundation, for its commitment to preserving America's history.

It is an honor for us to meet in this historic building.

The simple act of walking through this city reminds us of the commitment of those who came before us.

The story is well known to students of American history.

The American experiment in democracy was born a few miles from here at Jamestown in 1619.

The House of Burgesses met there for 80 years. Throughout that time, the settlers faced disease, attack, and divisions among themselves.

In 1699, the House of Burgesses moved here, to the settlement known as Middle Plantation.

As Virginia's legislators debated the issues of the day throughout the 1700's, they confronted mundane issues as well as fundamental questions of human freedom.

The early patriots who met in this hall believed in the revolutionary ideas of men like John Locke.

Locke offered the revolutionary idea that government is the servant of the people, not the master.

That belief is no less revolutionary today, centuries later.

Government is the servant of the people when soldiers, sailors, Marines, and police officers protect our homeland, and keep our neighborhoods safe.

That is what it means, "to establish Justice, insure domestic Tranquility, [and] provide for the common defense."

Government is the servant of the people when it protects the quality of our environment and natural resources. That is what it means to “promote the general Welfare.”

Government is the servant of the people when students have access to quality public schools and outstanding colleges.

That is the way to “secure the Blessings of Liberty to ourselves and our Posterity.”

Government is the servant of the people when it helps provide the conditions that allow citizens to undertake “the pursuit of happiness.”

Ladies and gentlemen, government is not the enemy of the people. Government is not something separate from the people.

In a democracy, government IS the people. Those who suggest otherwise deny the history of this Commonwealth and this country.

Today, as we meet in this historic chamber, let us rededicate ourselves to the ideals of this country – ideals that began to take shape in this very building.

Together, let us commit to the ongoing work of forming a more perfect union. Let us again build for the future, just as those who came before us.

This afternoon, we are honored to be joined by a military leader who has dedicated his life to serving the cause of freedom around the world.

General Anthony Zinni is a decorated Vietnam War veteran and a four-star Marine general. He has served our country as a leader in the United States Marine Corps and as an advocate of peace.

He has served as U.S. Peace Envoy in the Middle East and as the Special Envoy to the Henri Dunant Centre for Humanitarian Dialogue in Geneva.

General Zinni has received personal decorations from South Vietnam, France, Italy, Egypt, Kuwait, Yemen, and Bahrain.

From our own military, he has received:

- the Defense Distinguished Service Medal,
- the Distinguished Service Medal,
- the Defense Superior Service Medal,
- the Bronze Star,
- the Purple Heart,
- the Meritorious Service Medal,
- the Navy Commendation Medal,
- the Navy Achievement Medal, and
- the Combat Action Ribbon.

He has held academic appointments at the Virginia Military Institute, the University of California-Berkeley, and the Joint Forces Staff College.

He has worked with the University of California’s Institute on Global Conflict and Cooperation.

We are most proud that he currently serves as a member of the Advisory Council for the Wendy and Emory Reves Center for International Studies, here at the College of William and Mary, which awarded him an honorary degree this morning.

Ladies and gentlemen, please welcome General Anthony Zinni.

General Anthony C. Zinni addressed the Joint Assembly as follows:

Thank you, Mr. Speaker, Governor, Chief Justice, Governors, Members of the Assembly, and distinguished guests.

Two generals have received standing ovations today, and I understand in Richmond we have another one running for the Office of Presidency. I’m worried about the fate of the Republic.

To stand here, on this site, and address this august body is the military equivalent of Shock and Awe, truly. Your history, the history of this body, the history of this site speaks for itself, and most eloquently by the speakers before me.

I am a Virginian by choice. I am a Virginian by choice for many reasons, not the least of which is that beautiful Virginian sitting in the front row that I married, and not the least of which is for the beauty of this state, which I think captured me when I first decided to plant my roots after four decades in the

military. I am also a Virginian because there are two magnificent senators, Senators Warner and Robb, who adopted me. When I was a general that tended to get into a lot of trouble in Washington and didn't quite understand it, they took me under their wing, taught me a lot about how we govern, about the function of the military, and took a personal interest not only in me but in my command.

But, I'm also a Virginian for a more important reason. Back when this country was being founded, we had to deal with the issue of how we would relate to the rest of the world. George Washington told us not to get involved in any entangling alliances. He also said our detached and distant situation invites and enables us to pursue a different course, and of course we did, the course of manifest destiny, the course of protecting our own hemisphere. For the first one hundred years of our existence we turned inward, ignored the world.

But Thomas Jefferson said something that I think was important and sort of lit a match, a light. He said we are a beacon. And, at least for now, to paraphrase him, we will be a shining beacon, an example. We may not have the power and the influence to change things in the world, but we can be the model. For the first one hundred years of our existence we were that beacon, that model. We served to show the rest of the world that there could be a place, where diverse peoples could live in peace, where we could strive to be better. We certainly had our problems, but we tried to be perfect; we tried to solve them; we tried to work out an organization and a system of governance that was fair to all.

At the beginning of the 19<sup>th</sup> century, we had men that decided we ought to look beyond our shores. And, by the end of that century and the beginning of the 20<sup>th</sup> century, presidents like Teddy Roosevelt and Woodrow Wilson sought to use our influence to change the world, but without much success. We still had inherited that sense of avoiding those entangling alliances.

In the history of our country, the world has undergone five reorderings, three in the last century. President Wilson saw the need at the end of the First World War to change things, to be a force of influence, to take that beacon and move it around the world. Unfortunately, we didn't heed that advice. We were still cautious, rightfully so, and we didn't feel it was our place to change the world. We were doomed to repeat those events that led us into that great war. We repeated them in the Second World War.

Men of vision, President Truman and George Marshall, were able to convince us, without too much popular support by the way, that we could help change the world. We sought balance and stability, created a Marshall Plan. We signed on to a military alliance for the first time, trying to use our power and our beacon to brighten the world, and it worked. It not only cured the problems that led up to the chronic ills of Europe, Militarism, Colonialism, but led us into the ability to deal with the newest threat, that of Communism.

At the end of the last century, we went through the third reordering of that century. The Soviet Union collapsed. I was in Germany when it collapsed. I drove through old Checkpoint Charlie. No one knew what to do. The Russians didn't know whether to shoot us or kiss us as we drove through. It was a remarkable experience, one I'll never forget. I heard our President say, "there will be a new world order and there will be a peace dividend." Little did we realize, there would be a new world disorder and no peace dividend, and we still seek it.

Nine-eleven told us that Washington's advice that we live detached and distant no longer pertains. We are not only members of a world community, we now enter beyond just the beacon, beyond just provision of stability and balance. We now enter a period, a century, where the rest of the world, believe me, looks to us to shape events. We are an empire, a very, very reluctant empire. Not an empire of conquest, we would never do that. We are an empire of influence. Our values, our beliefs, the things that we hold dear have been heeded to by the rest of the world. They look to us now to help, to provide.

The other reason I am a Virginian is because of Jefferson's beacon, because I am a first generation American. My two grandfathers, whose stories are similar, grew up as peasants in the hills of Italy without much to look forward to. They took a gamble. They saw Jefferson's beacon. At the turn of the last century, they came to this country, worked for about six or seven years, and sent for their families. Those brave, poor women, my grandmothers, from those hills that had to gather up the clan, move to the ports, load them aboard ships, take that frightening journey across the Atlantic, come to Ellis Island, get off, and enter a new world, a completely scary, awesome experience.

In those boats were a fourteen-year-old son of Francesco Zinni and a three-year-old daughter of Zupito DiSabatino. They met and married, of course, and I'm the product of that marriage, along with my brother and sisters. My father's most proud moment is that four years after he got here, he was called to service of this country, fought in the First World War of the American expeditionary force, and as he returned from France, his grateful nation made him a citizen of the United States. That was his proudest moment.

My brother served in Korea, my only brother, during the war. I served my country because I was taught that this was an obligation I had to this great land for what it has given us, and I'm proud to say my only son serves today in the United States Marine Corps.

And I would tell you I'm a Virginian because of Jefferson's beacon. That beacon led Francesco and Zupito out of those hills, led their families to come here. They sacrificed much, but in some small way I hope what my generation has been able to accomplish pays them back and acknowledges Jefferson's light of hope he gave to the world.

We need to continue that light. I tell my students that it's most important to be America when it's hardest to be America. It is hard to be America now. It is hard to look at our civil liberties and not contain them or constrain them. It is hard to look at others that want to come here and share in what we have, and not look at them a little strangely and a little suspiciously. It is hard to look at where threats are against us in the world and maybe look deeper, deal with the threats as we have to, militarily and otherwise, but offer carrots and hope out there too. That's America.

The most frightened I have seen my friends around the world, and I have many of them – I have served my nation in seventy different countries on this planet – the most frightened I have seen them is the day after Nine-eleven, and that fright came from the belief that we would possibly stop being America in some way, and it meant so much to them and to the world. I recently returned from the Middle East. A friend of mine, who loves America dearly, confused a little bit sometimes by what we do, but deep down inside has an admiring and deep affection for us, was concerned about where we were going. During the conversation I asked him, "Mohammed, what do you admire most about my country?" And he looked at me and gave me a big smile and he says, "I admire two things most, your education and your freedoms." He says those are the two things that are most valuable, that the rest of us want.

I am blessed with not only having had the experiences I've had, but currently now to teach at this great institution of William and Mary – not only a Virginia treasure, but a national treasure. I am blessed, because every week I see magnificent students who will have to go out and deal with a very confused and troubled world, for which we can give them no models and no examples as to how to deal with the problems they're going to face, with the issues that this country's going to have, with the awesome leadership and responsibilities we will take on as obligations in this world. But I am encouraged, because I see in them the brilliance, I see in them the determination, and I see in them the leadership to take this on. I saw it at the Virginia Military Institute, and I see it every place I speak and talk to young students of this generation. To echo General McKiernan's words today, I saw it in the eyes of our soldiers, sailors, airmen, Marines, those that serve our government in other capacities. Our greatest treasure is what we educate our young people to be, the tools we give them, and the importance and values we teach them to place on those freedoms that were created and born here and made our country so great.

You have an awesome responsibility. You have a nation that has global responsibilities that pull and tug at your resources. In times of trouble, you have to manage those resources very carefully. And I know there's not enough to go around, but I will tell you the best investment we could make is in our youth. They are our future. My grandparents and my parents gave everything for me. It is what we are. It is America. It is what Mohammed valued the most: that education and those freedoms that are embodied in our young people.

Thank you very much for the opportunity to speak to you today.

The President of the Joint Assembly thanked General Zinni for addressing the Joint Assembly.

The Senator from Harrisonburg, Mr. Obenshain, offered the following resolution:

## RESOLUTION OF THE JOINT ASSEMBLY

Proceedings of the General Assembly Commemorative Session at Williamsburg, held February 7, 2004.

RESOLVED, That the Journals of the House of Delegates and the Senate of Virginia and the proceedings of the Joint Assembly held this day in the Reconstructed Capitol at Williamsburg, Virginia, be engrossed in a volume entitled "Proceedings of the General Assembly of Virginia at the Reconstructed Capitol at Williamsburg", and that the cost of the engrossing be paid from the contingent fund of the General Assembly.

RESOLVED FURTHER, That copies of the Journal of the session of the General Assembly, held this day in the Reconstructed Capitol at Williamsburg, Virginia, be printed.

The resolution was agreed to.

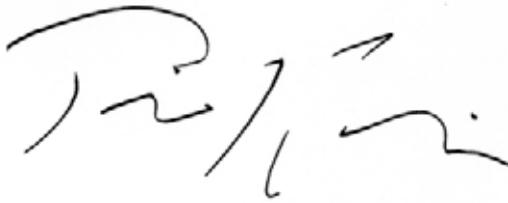
On motion of the Senator from Roanoke County, Mr. Bell, the Joint Assembly adjourned sine die; whereupon the Senate returned to its chamber.

I hereby certify that the foregoing is a true copy of the Journal of the House of Delegates in relation to the Joint Assembly held in the Reconstructed Capitol at Williamsburg, Virginia on Saturday, February 7, 2004.

/s/ Bruce F. Jamerson  
Clerk of the House of Delegates  
and Clerk of the Joint Assembly

Upon the Senators' return to the General Court Chamber, the Chair was resumed, the President pro tempore, Senator Chichester, presiding.

On motion of Senator Stosch, the Senate adjourned until Monday, February 9, 2004, at 12 m., to meet at the Capitol in the City of Richmond.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

MONDAY, FEBRUARY 9, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dorothy S. Finn, Clarksville Presbyterian Church, Clarksville, Virginia, offered the following prayer:

Eternal Source, Creator of all, the One and Holy God.

Even as we call You by different names, we acknowledge together our common faith and our need for Your guidance in service to Your people. Lord, bless those who hold offices in this Commonwealth. Give them compassion to support the rights of all. Strengthen them to vote their conscience—responding to the needs of the people—and to march forward even in the face of distress and contrary winds. Lord, guide our leaders to respect and learn from one another—honoring the wonderful history of the “good people of Virginia” and looking forward to the future in hope. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O’Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Martin notified the Clerk of his presence.

On motion of Senator Deeds, the reading of the Journal for Friday, February 6, 2004, and for the Commemorative Session on Saturday, February 7, 2004, was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O’Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 6, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 1.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.

- H.B. 44.** A BILL to amend and reenact § 16.1-94 of the Code of Virginia, relating to orders of judgment in courts not of record.
- H.B. 69.** A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, relating to participants in risk management plans.
- H.B. 158.** A BILL to amend and reenact § 35.1-18 of the Code of Virginia, relating to nudist camps for juveniles.
- H.B. 170.** A BILL to amend and reenact § 18.2-178 of the Code of Virginia, relating to larceny of discount store coupons.
- H.B. 352.** A BILL to amend and reenact §§ 8.01-398 and 19.2-271.2 of the Code of Virginia, relating to privilege for marital communications.
- H.B. 355.** A BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership; board of directors; membership.
- H.B. 391.** A BILL to amend and reenact §§ 32.1-102.3 and 32.1-102.6 of the Code of Virginia, relating to criteria for determining need; local governing body to join with applicant under certain circumstances; certificate of public need for medical care facilities.
- H.B. 501.** A BILL to amend and reenact Chapter 912 of the 2000 Acts of Assembly, relating to amendment of certain certificate of public need.
- H.B. 510.** A BILL to amend and reenact § 17.1-507 of the Code of Virginia, relating to deputy court clerks.
- H.B. 565.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-27.3, relating to civil recoveries involving health care provider professional services.
- H.B. 598.** A BILL to amend and reenact § 2.2-5211 of the Code of Virginia, relating to financing costs of juvenile treatment programs.
- H.B. 627.** A BILL to require ambulance permits to be consistent with certain federal requirements.
- H.B. 647.** A BILL to amend and reenact § 19.2-143 of the Code of Virginia, relating to bond forfeiture.
- H.B. 705.** A BILL to amend and reenact § 8.01-6 of the Code of Virginia, relating to amending pleadings; notice to agent.
- H.B. 733.** A BILL to amend and reenact § 8.01-413 of the Code of Virginia, relating to patient health records.
- H.B. 749.** A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement with U.S. General Services Administration.
- H.B. 827.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-958.2, relating to home-ownership assistance.

- H.B. 855.** A BILL to amend and reenact §§ 2.2-2818, 32.1-46, 32.1-50, 32.1-60, 32.1-64.1, 32.1-138, 32.1-325, 32.1-331.15, 45.1-161.35, 45.1-161.70, 45.1-161.292:43, 46.2-208, 46.2-322, 53.1-22, 54.1-3812, 59.1-297, 59.1-298, 59.1-310.4, and 63.2-1808 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered § 54.1-2957.02, relating to licensed nurse practitioners.
- H.B. 872.** A BILL to amend and reenact §§ 2.2-511, 18.2-186.3, 18.2-186.5 and 63.2-1809 of the Code of Virginia, relating to identity theft; fictitious name; DMV identity passport; authority of the Attorney General to institute or conduct criminal prosecutions in the circuit courts; penalties.
- H.B. 930.** A BILL to amend and reenact § 32.1-164.1:1 of the Code of Virginia, relating to the validity of certain septic tank permits.
- H.B. 1027.** A BILL to amend and reenact §§ 58.1-4004, 58.1-4006, 58.1-4007, 58.1-4010, 58.1-4014, and 58.1-4020.1 of the Code of Virginia, relating to the State Lottery Law; penalty.
- H.B. 1055.** A BILL to amend and reenact §§ 17.1-805, 18.2-124, 18.2-374.3, and 19.2-299 of the Code of Virginia and to repeal §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358, and 18.2-367 of the Code of Virginia, relating to the revision of Title 18.2; repeal of certain statutes.
- H.B. 1058.** A BILL to amend and reenact §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5, and 59.1-148.4 of the Code of Virginia, to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 22.2, consisting of sections numbered 19.2-386.15 through 19.2-386.31, and to repeal §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336, and 18.2-374.2 of the Code of Virginia, relating to transfer of forfeiture statutes to the criminal procedure code.
- H.B. 1059.** A BILL to amend and reenact §§ 4.1-305, 18.2-36.1, 18.2-51.1, 18.2-53.1, 18.2-57, 18.2-121, 18.2-154, 18.2-248, 18.2-248.01, 18.2-248.1, 18.2-248.5, 18.2-255, 18.2-255.2, 18.2-270, 18.2-308.1, 18.2-308.2, 18.2-308.2:2, 18.2-308.4, 19.2-120, 30-19.1:4, 46.2-301, 46.2-341.28, 46.2-357, 46.2-391, 53.1-116, and 53.1-203 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-12.1, relating to definition of mandatory minimum punishment.
- H.B. 1060.** A BILL to amend and reenact §§ 15.2-926, 16.1-278.8, 18.2-46.1, 18.2-258, 18.2-308 and 29.1-338 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 8.01-27.3, 8.01-226.8, 8.01-226.9, 15.2-912.2, 15.2-912.3, 15.2-915.2 and 15.2-915.3, by adding in Article 1 of Chapter 9 of Title 15.2 a section numbered 15.2-926.2, by adding sections numbered 15.2-1209.1 and 15.2-1812.2, and by adding in Chapter 2 of Title 48 sections numbered 48-16 and 48-17, and to repeal §§ 18.2-105, 18.2-138.1, 18.2-287, 18.2-287.1, 18.2-340.32, 18.2-389, 18.2-432 and 18.2-433 of the Code of Virginia, relating to relocating certain statutes currently in Title 18.2.
- H.B. 1093.** A BILL to amend and reenact § 18.2-369 of the Code of Virginia, relating to abuse and neglect of incapacitated adults; penalty.
- H.B. 1148.** A BILL to amend and reenact § 17.1-805 of the Code of Virginia, relating to sentencing guidelines.

**H.B. 1176.** A BILL to amend and reenact § 11-34.3 of the Code of Virginia, relating to Energy Performance-Based Contract Procedures.

**H.B. 1189.** A BILL to amend the Code of Virginia by adding a section numbered 11-33.3, relating to place of contract formation; federal Fair Credit Billing Act.

**H.B. 1207.** A BILL to amend and reenact §§ 2.2-614.1 and 15.2-106 of the Code of Virginia, relating to bad check charges.

**H.B. 1386.** A BILL to amend and reenact §§ 1, 3, 4, 5, 15 and 17 of Chapter 946 of the Acts of Assembly of 1993 as amended by Chapter 731 of the Acts of Assembly of 2000, relating to the Virginia Biotechnology Research Partnership Authority, currently the Virginia Biotechnology Research Park Authority.

**H.B. 1405.** A BILL to amend and reenact § 2.2-2282 of the Code of Virginia, relating to the Small Business Financing Authority; membership; voting.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 123.** Requesting the Board of Education to review its regulations as may be necessary to incorporate an alternative licensure route for principals and assistant principals. Report.

**H.J.R. 247.** Memorializing Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003.

**H.J.R. 248.** Memorializing the Congress of the United States to ensure the reopening of Woodlawn Road through Fort Belvoir in Fairfax County.

**H.J.R. 259.** Designating the Virginia Historical Society as the Official State History Museum in Virginia.

**H.J.R. 286.** Memorializing the Congress of the United States to increase the federal burial allowance for veterans.

**H.J.R. 287.** Supporting Naval District Washington West Area (Dahlgren) Base.

**H.J.R. 323.** On the death of W. T. Wells.

**H.J.R. 324.** Commending the Virginia Technology Student Association.

**H.J.R. 325.** Commending Jack Higgs.

**H.J.R. 326.** Commending the Fishburne Military School rifle team.

**H.J.R. 327.** Commending the Town of Herndon on its 125th anniversary.

**H.J.R. 328.** Commending Stuart Mendelsohn.

**H.J.R. 329.** On the death of Judge James C. Roberson.

**H.J.R. 330.** On the death of J. Herbert Simpson, Sr.

**H.J.R. 331.** Commending the University of Virginia's College at Wise.

**H.J.R. 332.** Commending Mike Duman.

**H.J.R. 333.** Commending Annandale High School.

**H.J.R. 334.** Commending Garfield Elementary School.

**H.J.R. 335.** Commending Chris Maher.

**H.J.R. 336.** Commending the Page County High School cheerleading team.

**H.J.R. 337.** Commending the Page County High School boys' cross country team.

**H.J.R. 338.** Commending the Animal Welfare Coalition of Hampton Roads on its efforts to end the euthanasia of healthy, adoptable animals.

**H.J.R. 339.** Commending Nancy Amanda Redd.

**H.J.R. 340.** Commending Candice Nelson.

**H.J.R. 341.** Commending Christina Draper.

**H.J.R. 342.** Commending Dr. Cheri Pierson Yecke.

**H.J.R. 343.** On the death of Dr. Michael F. Altieri.

**H.J.R. 344.** On the death of Toni Winters McMahon.

**H.J.R. 345.** On the death of First Sergeant Taylor V. Blanton.

**H.J.R. 346.** Commending the Reverend Willie S. Cromer, Jr.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 112.** Commemorating the 100th Anniversary of The Souls of Black Folk by Dr. William Edward Burghardt Du Bois.

**S.J.R. 113.** Celebrating the life of Sam Lacy.

**S.J.R. 116.** Commending the Westfield High School football team.

**S.J.R. 118.** Commending the John Handley High School boys' tennis team.

**S.J.R. 119.** On the death of Brooks Russell Leavitt.

**S.J.R. 121.** Commending Michael M. Foreman.

**S.J.R. 124.** Commending Rabbi Israel Zoberman.

**S.J.R. 125.** Commending Dale Gardner.

**S.J.R. 126.** Celebrating the life of First Lieutenant Jeffrey J. Kaylor.

**S.J.R. 127.** On the death of Officer Ryan Eugene Cappelletty.

**S.J.R. 128.** Commending Jennie Marie Hatcher Shaw.

**S.J.R. 129.** On the death of Johnnie Mae Barley.

**S.J.R. 132.** Commending Elaine Harrington.

**S.J.R. 133.** Commending the East Coast Greenway Alliance.

**S.J.R. 134.** Commending Sharon Kelso.

**S.J.R. 135.** Celebrating the life of S. J. Smith, Jr.

**S.J.R. 136.** Celebrating the life of Adele B. Smith.

**S.J.R. 137.** On the death of C. P. Witt.

**S.J.R. 138.** On the death of Floyd William Nunn.

**S.J.R. 139.** On the death of Officer Scott Allen Hylton.

**S.J.R. 140.** On the death of J. Ronnie Minter.

**S.J.R. 141.** On the death of Bishop Joseph H. Adams.

**S.J.R. 142.** On the death of Clayton Hall.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson

Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 1, H.B. 391, H.B. 501, H.B. 627, H.B. 855, and H.B. 930** were referred to the Committee on Education and Health.

**H.B. 44, H.B. 170, H.B. 352, H.B. 510, H.B. 565, H.B. 647, H.B. 705, H.B. 733, H.B. 872, H.B. 1055, H.B. 1058, H.B. 1059, H.B. 1060, H.B. 1093, and H.B. 1148** were referred to the Committee for Courts of Justice.

**H.B. 69, H.B. 355, H.B. 598, H.B. 749, H.B. 1027, H.B. 1176, H.B. 1189, H.B. 1207, H.B. 1386, and H.B. 1405** were referred to the Committee on General Laws.

**H.B. 158** was referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 827** was referred to the Committee on Local Government.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 123, H.J.R. 247, H.J.R. 248, H.J.R. 259, H.J.R. 286, and H.J.R. 287** were referred to the Committee on Rules.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 323, H.J.R. 324, H.J.R. 325, H.J.R. 326, H.J.R. 327, H.J.R. 328, H.J.R. 329, H.J.R. 330, H.J.R. 331, H.J.R. 332, H.J.R. 333, H.J.R. 334, H.J.R. 335, H.J.R. 336, H.J.R. 337, H.J.R. 338, H.J.R. 339, H.J.R. 340, H.J.R. 341, H.J.R. 342, H.J.R. 343, H.J.R. 344, H.J.R. 345, and H.J.R. 346.**

#### COMMUNICATIONS

The following communications were received:

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

February 2, 2004

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 426  
Richmond, VA 23219

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 529  
Richmond, VA 23219

Dear Senator Stolle and Delegate McDonnell:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the General District Court of the Nineteenth Judicial District. Such vacancy exists because of the expiration of the term of Judge Richard T. Horan on January 31, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, *Code of Virginia*, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the General District Court of the Nineteenth Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

February 2, 2004

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 426  
Richmond, VA 23219

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 529  
Richmond, VA 23219

Dear Senator Stolle and Delegate McDonnell:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Second Judicial District. Such vacancy exists because of the expiration of the term of Judge Woodrow Lewis, Jr., on April 30, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, *Code of Virginia*, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the Juvenile and Domestic Relations District Court of the Second Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin

Executive Secretary

SUPREME COURT OF VIRGINIA

Supreme Court Building

Richmond, Virginia 23219

February 5, 2004

Hon. Susan Clarke Schaar  
Clerk of the Senate of Virginia  
Richmond, Virginia 23219

Re: Sixth Judicial Circuit

Dear Ms. Schaar:

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on February 5, 2004 in the matter of the vacancy in the office of judge of the Sixth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger

Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 5th day of February, 2004.

It being brought to the attention of the Court that a vacancy is expected to occur on July 1, 2004 in the office of judge of the Sixth Judicial Circuit by the retirement of Judge Robert G. O'Hara, Jr., and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Sixth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,

Teste:

/s/ Patricia H. Krueger

Clerk

SUPREME COURT OF VIRGINIA

100 North Ninth Street

Richmond, Virginia 23219-2334

February 5, 2004

TO: The Honorable Mark R. Warner

Governor of Virginia

And

General Assembly of Virginia

IN RE: Sixth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable Robert G. O'Hara, Jr., Judge of the Sixth Judicial Circuit, has given notice of his intent to retire on July 1, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Sixth Judicial Circuit serves the localities of Brunswick, Emporia, Greensville, Hopewell, Prince George, Surry and Sussex. The General Assembly has authorized two circuit court judgeships for that circuit. The 2002 population of the circuit was 110,400. Each judge in the circuit was assigned 1,745 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge O'Hara should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.

Chief Justice, Supreme Court of Virginia

SUPREME COURT OF VIRGINIA

Supreme Court Building

Richmond, Virginia 23219

February 5, 2004

Hon. Susan Clarke Schaar

Clerk of the Senate of Virginia

Richmond, Virginia 23219

Re: Twenty-fifth Judicial Circuit

Dear Ms. Schaar:

You will find enclosed herewith, in duplicate, a copy of the report of this Court and the order entered on February 5, 2004 in the matter of the vacancy in the office of judge of the Twenty-fifth Judicial Circuit.

Copies of this report and order are being sent to Governor Warner and Mr. Bruce F. Jamerson.

Sincerely yours,

/s/ Patricia H. Krueger  
Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 5th day of February, 2004.

It being brought to the attention of the Court that a vacancy is expected to occur on July 1, 2004 in the office of judge of the Twenty-fifth Judicial Circuit by the retirement of Judge George E. Honts, III, and the Court, pursuant to section 17-122 of the Code of Virginia of 1950, as amended, having secured information concerning the volume of business in the said circuit, is of opinion, for reasons stated in writing in the form of a report to the Governor and to the General Assembly of Virginia and filed herewith, that the amount of business of the Twenty-fifth Judicial Circuit makes the filling of the vacancy necessary. Accordingly, the Court doth certify that there is a necessity for filling the vacancy in the manner provided by law, provided the vacancy occurs as anticipated by the notice sent to the Governor of Virginia.

And it is ordered that a copy of this order, together with a copy of the report above referred to, be certified to the Governor of Virginia and to the General Assembly of Virginia.

A Copy,  
Teste:

/s/ Patricia H. Krueger  
Clerk

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

February 5, 2004

TO: The Honorable Mark R. Warner  
Governor of Virginia  
And  
General Assembly of Virginia

IN RE: Twenty-fifth Judicial Circuit

Section 17.1-511 of the *Code of Virginia*, as amended, provides that whenever a vacancy occurs in the office of a judge of any court of record, the vacancy shall not be filled until, after investigation, the Supreme Court of Virginia certifies that the filling of the vacancy is or is not necessary. The Honorable George E. Honts, III, Judge of the Twenty-fifth Judicial Circuit, has given notice of his intent to retire on July 1, 2004, thereby creating a vacancy in the office of judge of that circuit.

The Twenty-fifth Judicial Circuit serves the localities of Alleghany, Augusta, Bath, Botetourt, Buena Vista, Craig, Highland, Lexington, Rockbridge, Staunton and Waynesboro. The General Assembly has authorized four circuit court judgeships for that circuit. The 2002 population of the circuit was 209,800. Each judge in the circuit was assigned 1,948 commenced cases in 2002. The statewide average for commenced cases per judge in 2002 was 1,836.

Based on the foregoing facts and the information contained in the enclosed report, the Supreme Court of Virginia is of the opinion that the vacancy created by the retirement of Judge Honts should be filled in the manner prescribed by law.

Respectfully submitted,

/s/ Leroy Rountree Hassell, Sr.  
Chief Justice, Supreme Court of Virginia

The reading of the communications was waived.

The communications were referred to the Committee for Courts of Justice.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

**S.B. 365** (three hundred sixty-five) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 605** (six hundred five) with substitute with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 73** (seventy-three) with substitute.

**S.B. 208** (two hundred eight) with amendment.

**S.B. 326** (three hundred twenty-six).

**S.B. 335** (three hundred thirty-five) with amendments.

**S.B. 341** (three hundred forty-one).

**S.B. 379** (three hundred seventy-nine) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 435** (four hundred thirty-five).

**S.B. 495** (four hundred ninety-five) with amendments.

**S.B. 497** (four hundred ninety-seven).

**S.B. 513** (five hundred thirteen).

**S.B. 365, S.B. 379, and S.B. 605** were rereferred to the Committee on Finance.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Quayle introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 170.** Commending H. Russell Potts, Jr.

Patrons--Quayle, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams; Delegates: Alexander, Athey, Barlow, Dillard, Gear, Griffith, Hall, Hamilton, Howell, W.J., Hull, Joannou, Johnson, Keister, Kilgore, Landes, Lewis, Lingamfelter, McQuigg, Morgan, Petersen, Phillips, Pollard, Scott, J.M., Sherwood, Stump, Van Yahres, Watts and Weatherholtz

**COMMENDING RESOLUTION  
IMMEDIATE CONSIDERATION**

On motion of Senator Quayle, the Rules were suspended and **S.J.R. 170** (one hundred seventy) having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**S.J.R. 170**, on motion of Senator Quayle, was ordered to be engrossed and was agreed to.

Senator Quayle was ordered to inform the House of Delegates thereof.

**CALENDAR****SENATE BILLS ON THIRD READING**

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 115** (one hundred fifteen).

**S.B. 202** (two hundred two).

**S.B. 231** (two hundred thirty-one).

**S.B. 234** (two hundred thirty-four).

**S.B. 236** (two hundred thirty-six).

**S.B. 310** (three hundred ten).

**S.B. 313** (three hundred thirteen).

**S.B. 321** (three hundred twenty-one).

**S.B. 325** (three hundred twenty-five).

**S.B. 329** (three hundred twenty-nine).  
**S.B. 334** (three hundred thirty-four).  
**S.B. 384** (three hundred eighty-four).  
**S.B. 395** (three hundred ninety-five).  
**S.B. 437** (four hundred thirty-seven).  
**S.B. 442** (four hundred forty-two).  
**S.B. 457** (four hundred fifty-seven).  
**S.B. 462** (four hundred sixty-two).  
**S.B. 492** (four hundred ninety-two).  
**S.B. 529** (five hundred twenty-nine).  
**S.B. 548** (five hundred forty-eight).  
**S.B. 561** (five hundred sixty-one).  
**S.B. 661** (six hundred sixty-one).  
**S.B. 677** (six hundred seventy-seven).  
**S.B. 692** (six hundred ninety-two).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 115** (one hundred fifteen).  
**S.B. 202** (two hundred two).  
**S.B. 231** (two hundred thirty-one).  
**S.B. 234** (two hundred thirty-four).  
**S.B. 236** (two hundred thirty-six).  
**S.B. 310** (three hundred ten).  
**S.B. 313** (three hundred thirteen).  
**S.B. 321** (three hundred twenty-one).  
**S.B. 325** (three hundred twenty-five).  
**S.B. 329** (three hundred twenty-nine).  
**S.B. 334** (three hundred thirty-four).  
**S.B. 384** (three hundred eighty-four).  
**S.B. 395** (three hundred ninety-five).  
**S.B. 437** (four hundred thirty-seven).  
**S.B. 442** (four hundred forty-two).  
**S.B. 457** (four hundred fifty-seven).  
**S.B. 462** (four hundred sixty-two).  
**S.B. 492** (four hundred ninety-two).  
**S.B. 529** (five hundred twenty-nine).  
**S.B. 548** (five hundred forty-eight).  
**S.B. 561** (five hundred sixty-one).  
**S.B. 661** (six hundred sixty-one).  
**S.B. 677** (six hundred seventy-seven).  
**S.B. 692** (six hundred ninety-two).

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 48** (forty-eight) was read by title the third time.

Senator Marsh moved that **S.B. 48** be passed with its title.

The question was put on passing **S.B. 48** with its title.

**S.B. 48** was defeated with its title.

The recorded vote is as follows:

YEAS--16. NAYS--21. RULE 36--0.

YEAS--Chichester, Colgan, Devolites, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Quayle, Saslaw, Ticer, Whipple, Williams--16.

NAYS--Bell, Blevins, Bolling, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Martin, Newman, Obenshain, O'Brien, Puckett, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler--21.

RULE 36--0.

### RECONSIDERATION

Senator Wagner moved to reconsider the vote by which the Senate defeated **S.B. 48** (forty-eight) with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

Senator Marsh moved that **S.B. 48** be passed with its title.

Senator Norment moved, as a substitute motion, that **S.B. 48** be passed by for the day.

The substitute motion was agreed to.

**S.B. 192** (one hundred ninety-two) was read by title the third time and, on motion of Senator Reynolds, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Cuccinelli--1.

RULE 36--0.

**S.B. 227** (two hundred twenty-seven) was read by title the third time and, on motion of Senator Cuccinelli, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--28.

NAYS--Howell, Lambert, Locke, Lucas, Marsh, Miller, Obenshain, Ticer, Whipple--9.

RULE 36--0.

**S.B. 237** (two hundred thirty-seven) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Cuccinelli moved to reconsider the vote by which **S.B. 227** (two hundred twenty-seven) was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 227**, on motion of Senator Cuccinelli, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--29.

NAYS--Howell, Lambert, Locke, Lucas, Marsh, Miller, Saslaw, Ticer, Whipple--9.

RULE 36--0.

**S.B. 271** (two hundred seventy-one) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Lambert--1.

RULE 36--0.

**S.B. 319** (three hundred nineteen) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Lambert, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--30.

NAYS--Edwards, Howell, Locke, Lucas, Marsh, Saslaw, Ticer, Whipple--8.

RULE 36--0.

**S.B. 320** (three hundred twenty), on motion of Senator Stolle, was passed by for the day.

**S.B. 339** (three hundred thirty-nine) was read by title the third time and, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 568** (five hundred sixty-eight) was read by title the third time and, on motion of Senator Bolling, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**S.B. 580** (five hundred eighty) was read by title the third time and, on motion of Senator Ticer, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Martin--1.

RULE 36--0.

#### HOUSE BILL ON SECOND READING

**H.B. 635** (six hundred thirty-five) was read by title the second time.

#### SENATE BILLS ON SECOND READING

**S.B. 160** (one hundred sixty), on motion of Senator Norment, was passed by for the day.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 94 (ninety-four).
- S.B. 86 (eighty-six).
- S.B. 95 (ninety-five).
- S.B. 100 (one hundred).
- S.B. 145 (one hundred forty-five).
- S.B. 149 (one hundred forty-nine).
- S.B. 212 (two hundred twelve).
- S.B. 220 (two hundred twenty).
- S.B. 226 (two hundred twenty-six).
- S.B. 270 (two hundred seventy).
- S.B. 275 (two hundred seventy-five).
- S.B. 298 (two hundred ninety-eight).
- S.B. 301 (three hundred one).
- S.B. 317 (three hundred seventeen).
- S.B. 337 (three hundred thirty-seven).
- S.B. 352 (three hundred fifty-two).
- S.B. 354 (three hundred fifty-four).
- S.B. 394 (three hundred ninety-four).
- S.B. 404 (four hundred four).
- S.B. 416 (four hundred sixteen).
- S.B. 452 (four hundred fifty-two).
- S.B. 460 (four hundred sixty).
- S.B. 468 (four hundred sixty-eight).
- S.B. 494 (four hundred ninety-four).
- S.B. 551 (five hundred fifty-one).
- S.B. 562 (five hundred sixty-two).
- S.B. 598 (five hundred ninety-eight).
- S.B. 609 (six hundred nine).
- S.B. 617 (six hundred seventeen).
- S.B. 619 (six hundred nineteen).
- S.B. 620 (six hundred twenty).
- S.B. 630 (six hundred thirty).
- S.B. 633 (six hundred thirty-three).
- S.B. 634 (six hundred thirty-four).
- S.B. 646 (six hundred forty-six).
- S.B. 648 (six hundred forty-eight).
- S.B. 653 (six hundred fifty-three).
- S.B. 659 (six hundred fifty-nine).
- S.B. 671 (six hundred seventy-one).

The motion was agreed to.

S.B. 94 (ninety-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

**S.B. 86** (eighty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 32.1-102.3 and 32.1-102.6 of the Code of Virginia, relating to criteria for determining need; local governing body to join with applicant under certain circumstances; certificate of public need for medical care facilities.

The reading of the substitute was waived.

On motion of Senator Reynolds, the substitute was agreed to.

**S.B. 95** (ninety-five) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 72, introduced, after determination.

insert

*However, bulk purchases of commodities used in road and highway construction and maintenance, and aggregates shall not be made by online public auctions.*

2. Line 107, introduced, after line 106

insert

*C. As authorized by the U.S. Congress and consistent with applicable federal regulations, and upon approval of the Chief Information Officer, any authority, department, agency, or institution of the Commonwealth may purchase telecommunications and information technology goods and nonprofessional services from a Schedule 70 contract for such goods and services which is maintained by the U.S. General Services Administration.*

The reading of the amendments was waived.

On motion of Senator Devolites, the amendments were agreed to.

**S.B. 100** (one hundred) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 9.1-108 of the Code of Virginia, relating to Criminal Justice Services Board; membership.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

**S.B. 145** (one hundred forty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 22.1-298 of the Code of Virginia, relating to procedure for teacher licensure and suspension and revocation of licenses.

The reading of the substitute was waived.

On motion of Senator Cuccinelli, the substitute was agreed to.

**S.B. 149** (one hundred forty-nine) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 514, introduced, after *et seq.*) or  
insert  
*funded by*
2. Line 514, introduced, after *Temporary Assistance*  
strike  
*to*  
insert  
*for*

The reading of the amendments was waived.

On motion of Senator Deeds, the amendments were agreed to.

**S.B. 212** (two hundred twelve) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 46, introduced, after *conduct*  
strike  
*announced*  
insert  
*unannounced*
2. Line 52, introduced, after § 37.1-179  
strike  
remainder of line 52, and through § 8.01-581.17 on line 53  
insert  
*that are privileged under § 8.01-581.17, except that the Inspector General shall be given access to any such privileged information in facilities operated by the Department and licensed mental health treatment units in state correctional facilities*

The reading of the amendments was waived.

On motion of Senator Edwards, the amendments were agreed to.

**S.B. 226** (two hundred twenty-six) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 20, introduced, after 2.2-3114,  
insert  
*subsections A or B of*
2. Line 138, introduced, after before  
strike  
January 1, 2004  
insert  
August 1, 2005

The reading of the amendments was waived.

On motion of Senator Bolling, the amendments were agreed to.

**S.B. 270** (two hundred seventy) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270, and 22.1-271.2 of the Code of Virginia, relating to enrollment of certain children in public schools.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

**S.B. 275** (two hundred seventy-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 18.2-152.4.1, relating to computer crimes; penalty.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

**S.B. 301** (three hundred one) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 16, introduced, after *condemnation*  
insert  
*unless the failure to put the property to public use is for reasons beyond the reasonable control of the condemnor*
2. Line 19, introduced, after *auction*.

insert

*This section shall not apply to property acquired by the Commonwealth Transportation Commissioner under Title 33.1.*

The reading of the amendments was waived.

On motion of Senator O'Brien, the amendments were agreed to.

**S.B. 337** (three hundred thirty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; access to health records; compliance with federal Health Insurance Portability and Accountability Act regulations.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**S.B. 404** (four hundred four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 22.1-254 and 22.1-254.2 of the Code of Virginia, relating to excusals from compulsory school attendance requirements.

The reading of the substitute was waived.

On motion of Senator Reynolds, the substitute was agreed to.

**S.B. 416** (four hundred sixteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to expeditious and efficient reporting of standards of learning test results to schools and school divisions.

The reading of the substitute was waived.

On motion of Senator Newman, the substitute was agreed to.

**S.B. 452** (four hundred fifty-two) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 62, introduced, after *requirement*, the

strike

*Board of Education may authorize such school to*

insert

*school division may*

The reading of the amendment was waived.

On motion of Senator Whipple, the amendment was agreed to.

**S.B. 460** (four hundred sixty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-2670 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 4.1, consisting of sections numbered 2.2-435.1, 2.2-435.2, and 2.2-435.3, relating to workforce training programs; special advisor.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

**S.B. 468** (four hundred sixty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

**S.B. 551** (five hundred fifty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to duties of intake officer; distribution of information on protective orders.

The reading of the substitute was waived.

On motion of Senator Howell, the substitute was agreed to.

**S.B. 562** (five hundred sixty-two) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 251, introduced, after Hotline;

strike

or

2. Line 251, introduced, after (iv)

strike

~~committee or the auditor with respect to an investigation or audit conducted pursuant to § 15.2-825~~

insert

committee or the auditor with respect to an investigation or audit conducted pursuant to § 15.2-825

3. Line 252, introduced, after ~~§ 15.2-825~~

strike

remainder of line 252, all of line 253, and through *body* on line 254

insert

*; or (v) auditors, appointed by the local governing body of any county, city or town or a school board, having charter or statutory responsibility for conducting an investigation of any officer, department or program of such body*

The reading of the amendments was waived.

On motion of Senator Lambert, the amendments were agreed to.

**S.B. 598** (five hundred ninety-eight) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 25, introduced, after *exists*

insert

(i)

2. Line 25, introduced, after *or*

strike

*an*

insert

(ii) *a persuasive*

3. Line 28, introduced, after *appropriate*

strike

*remedies*

insert

*enhancement or remedial measures*

4. Line 138, introduced, after *exists*

insert

(i)

5. Line 139, introduced, after *or*

strike

*an analysis documents that*

insert

(ii) *a persuasive analysis that documents*

6. Line 141, introduced, after *appropriate*  
strike  
*remedies*  
insert  
*enhancement and remedial measures*
7. Line 143, introduced, after analysis  
strike  
performed by the Governor or a locality
8. Line 143, introduced, after used  
insert  
by the Governor or a locality
9. Line 145, introduced, after shall  
strike  
comply with the procedural and evidentiary  
insert  
use the constitutional
10. Line 147, introduced, after Court  
insert  
or other binding authority

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

**S.B. 619** (six hundred nineteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 8.01-293 and 15.2-1609.3 of the Code of Virginia, relating to sheriffs' fees.

The reading of the substitute was waived.

On motion of Senator Blevins, the substitute was agreed to.

**S.B. 630** (six hundred thirty) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 23, introduced, after *authorize*  
strike  
*a bona fide*  
insert  
*in writing an*
2. Line 24, introduced, after § 54.1-2106.1,

strike

*or*

3. Line 24, introduced, after *manager*

insert

*, or a managing agent of a landlord as defined in § 55-248.4*

4. Line 38, introduced, after *manager*

insert

*, or a managing agent of a landlord as defined in § 55-248.4*

5. Line 38, introduced, after *(iii) any*

strike

*bona fide*

6. Line 39, introduced, after *authorized*

insert

*in writing*

The reading of the amendments was waived.

On motion of Senator Quayle, the amendments were agreed to.

**S.B. 646** (six hundred forty-six) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 67, introduced

strike

all of lines 67 through 73

insert

*G. A record transmitted or delivered by a loan applicant or a loan recipient to a public body in the conduct of its duties under this section shall be excluded from disclosure under the Virginia Freedom of Information Act to the extent such record reveals information that (a) is the property of the submitting party, (b) has independent economic value to the owner that causes it to be maintained in secrecy by the owner, and (c) is clearly and specifically identified in writing as proprietary, confidential information at the time of its delivery or transmission to the public body. Nothing in this paragraph shall be construed to prevent the disclosure of information regarding the financial or administrative oversight of the Fund by the Authority.*

The reading of the amendment was waived.

On motion of Senator Howell, the amendment was agreed to.

**S.B. 648** (six hundred forty-eight) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 16, introduced, after *agency shall*

insert

, upon request of the retiree,

The reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

**S.B. 653** (six hundred fifty-three) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 44, introduced, after D.

insert

*The provisions of subsection A shall not operate to prevent the transfer or dedication to the Department of a portion of the property described in subsection A, together with easements for slope, drainage, and utilities, sufficient to permit the reconstruction and widening of Virginia Route 615 (Ironbound Road).*

*E. For any transfer or dedication to the Department to occur pursuant to subsection D, the Department:*

*1. Shall remain within the boundaries identified as a proposed right-of-way dedication area of approximately 0.38 acres and easement areas as detailed on Exhibit B, labeled Proposed Right-of-Way and Easement Dedication by The College of William and Mary for Widening of Ironbound Road to Four Lanes and dated January 9, 2004, drawn by AES Consulting Engineers of Williamsburg, Virginia, in completion of the widening of Virginia Route 615 (Ironbound Road), except with respect to that portion of Virginia Route 615 (Ironbound Road) to be widened in connection with the reconstruction of the intersection as described, and as provided for, in subsections B and C; and*

*2. Shall employ and construct all required best management practices and erosion and sediment control measures to minimize and mitigate any impacts to College Woods and Lake Matoaka.*

*F.*

2. Line 46, introduced, after line 45

insert

*G. The provisions of subsections D and E shall not become effective until the widening of the portion of Ironbound Road described therein has been designed and fully funded as required by the Department.*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 94** (ninety-four) as amended.

**S.B. 86** (eighty-six) as amended.

**S.B. 95** (ninety-five) as amended.

**S.B. 100** (one hundred) as amended.

**S.B. 145** (one hundred forty-five) as amended.

S.B. 149 (one hundred forty-nine) as amended.  
S.B. 212 (two hundred twelve) as amended.  
S.B. 220 (two hundred twenty).  
S.B. 226 (two hundred twenty-six) as amended.  
S.B. 270 (two hundred seventy) as amended.  
S.B. 275 (two hundred seventy-five) as amended.  
S.B. 298 (two hundred ninety-eight).  
S.B. 301 (three hundred one) as amended.  
S.B. 317 (three hundred seventeen).  
S.B. 337 (three hundred thirty-seven) as amended.  
S.B. 352 (three hundred fifty-two).  
S.B. 354 (three hundred fifty-four).  
S.B. 394 (three hundred ninety-four).  
S.B. 404 (four hundred four) as amended.  
S.B. 416 (four hundred sixteen) as amended.  
S.B. 452 (four hundred fifty-two) as amended.  
S.B. 460 (four hundred sixty) as amended.  
S.B. 468 (four hundred sixty-eight) as amended.  
S.B. 494 (four hundred ninety-four).  
S.B. 551 (five hundred fifty-one) as amended.  
S.B. 562 (five hundred sixty-two) as amended.  
S.B. 598 (five hundred ninety-eight) as amended.  
S.B. 609 (six hundred nine).  
S.B. 617 (six hundred seventeen).  
S.B. 619 (six hundred nineteen) as amended.  
S.B. 620 (six hundred twenty).  
S.B. 630 (six hundred thirty) as amended.  
S.B. 633 (six hundred thirty-three).  
S.B. 634 (six hundred thirty-four).  
S.B. 646 (six hundred forty-six) as amended.  
S.B. 648 (six hundred forty-eight) as amended.  
S.B. 653 (six hundred fifty-three) as amended.  
S.B. 659 (six hundred fifty-nine).  
S.B. 671 (six hundred seventy-one).

**SENATE BILL ON THIRD READING  
RECONSIDERATION**

Senator Mims moved to reconsider the vote by which **S.B. 580** (five hundred eighty) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 580**, on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

#### SENATE BILLS ON SECOND READING

**S.B. 204** (two hundred four), on motion of Senator Quayle, was passed by for the day.

**S.B. 643** (six hundred forty-three), on motion of Senator Saslaw, was passed by for the day.

**S.B. 27** (twenty-seven), on motion of Senator Norment, was passed by for the day.

**S.B. 159** (one hundred fifty-nine), on motion of Senator Norment, was passed by for the day.

**S.B. 167** (one hundred sixty-seven) was read by title the second time and, on motion of Senator Stolle, was ordered to be engrossed and read by title the third time.

**S.B. 456** (four hundred fifty-six), on motion of Senator Whipple, was passed by for the day.

**S.B. 591** (five hundred ninety-one) was read by title the second time.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 17, introduced, after *Elections*.

insert

*The five citizens appointed by the General Assembly shall reside in regions of the Commonwealth that have unemployment reported at a rate of at least one and one-half times that of the state unemployment average as reported by the Virginia Employment Commission for the preceding four years from the date of employment.*

The reading of the amendment was waived.

On motion of Senator Wampler, the amendment was agreed to.

On motion of Senator Wampler, the bill was ordered to be engrossed and read by title the third time.

**S.B. 665** (six hundred sixty-five) was read by title the second time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 14, introduced

strike

A

insert

*In a civil proceeding, a*

2. Line 19, introduced, after § 63.2-1509  
insert  
*or § 63.2-1606*
3. Line 20, introduced, after *neglect*  
insert  
*or adult abuse, neglect or exploitation*
4. Line 28, introduced  
strike  
A  
insert  
*In a criminal proceeding, a*
5. Line 33, introduced, after § 63.2-1509  
insert  
*or § 63.2-1606*
6. Line 34, introduced, after *neglect*  
insert  
*or adult abuse, neglect or exploitation*
7. Line 35, introduced, after *apply to*  
insert  
*potentially exculpatory*
8. Line 35, introduced, after *which*  
strike  
*have been provided to*
9. Line 35, introduced, after *Commonwealth*  
strike  
*and which he has*  
insert  
*may have*

The reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

On motion of Senator Mims, the bill was ordered to be engrossed and read by title the third time.

**S.B. 688** (six hundred eighty-eight) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 101** (one hundred one).
- S.B. 181** (one hundred eighty-one).
- S.B. 246** (two hundred forty-six).
- S.B. 257** (two hundred fifty-seven).
- S.B. 259** (two hundred fifty-nine).
- S.B. 318** (three hundred eighteen).
- S.B. 350** (three hundred fifty).
- S.B. 362** (three hundred sixty-two).
- S.B. 389** (three hundred eighty-nine).
- S.B. 408** (four hundred eight).
- S.B. 429** (four hundred twenty-nine).
- S.B. 508** (five hundred eight).
- S.B. 584** (five hundred eighty-four).
- S.B. 590** (five hundred ninety).
- S.B. 612** (six hundred twelve).
- S.B. 615** (six hundred fifteen).
- S.B. 235** (two hundred thirty-five).
- S.B. 658** (six hundred fifty-eight).
- S.B. 670** (six hundred seventy).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 101** (one hundred one).
- S.B. 181** (one hundred eighty-one).
- S.B. 246** (two hundred forty-six).
- S.B. 257** (two hundred fifty-seven).
- S.B. 259** (two hundred fifty-nine).
- S.B. 318** (three hundred eighteen).
- S.B. 350** (three hundred fifty).
- S.B. 362** (three hundred sixty-two).
- S.B. 389** (three hundred eighty-nine).
- S.B. 408** (four hundred eight).

- S.B. 429 (four hundred twenty-nine).
- S.B. 508 (five hundred eight).
- S.B. 584 (five hundred eighty-four).
- S.B. 590 (five hundred ninety).
- S.B. 612 (six hundred twelve).
- S.B. 615 (six hundred fifteen).
- S.B. 235 (two hundred thirty-five).
- S.B. 658 (six hundred fifty-eight).
- S.B. 670 (six hundred seventy).

**OTHER BUSINESS**

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Cuccinelli had been added as a co-patron of **S.B. 94** (ninety-four).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Byron had been added as a co-patron of **S.B. 415** (four hundred fifteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Byron had been added as a co-patron of **S.B. 416** (four hundred sixteen).

Pursuant to Senate Rule 26 (f), the Clerk reported that Delegate Byron had been added as a co-patron of **S.B. 601** (six hundred one).

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator Ticer had been added as a co-patron of **S.B. 615** (six hundred fifteen).

On motion of Senator Quayle, a leave of absence for the day was granted Senator Potts.

On motion of Senator Locke, a leave of absence for the day was granted Senator Puller.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, FEBRUARY 10, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Jason T. Roberts, Grace and Holy Trinity Episcopal Church, Richmond, Virginia, offered the following prayer:

Lord, thank You for all those who are gathered here to make this a better Commonwealth. Give them the patience of Ghandi, the eloquence of Martin Luther King, Jr., and the vision of Thomas Jefferson. All this we ask in Your name. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Mims and Ticer notified the Clerk of their presence.

On motion of Senator Puckett, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATIONS**

The following communications were received:

In the House of Delegates  
February 9, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILL:

**H.B. 1357.** A BILL to amend and reenact § 2.2-3703 of the Code of Virginia, relating to the Freedom of Information Act; exclusions.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

In the House of Delegates  
February 9, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 132.** A BILL to amend and reenact §§ 29.1-341, 29.1-344 and 29.1-349 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-341.1, relating to stationary duck blinds.
- H.B. 257.** A BILL to amend and reenact § 46.2-330 of the Code of Virginia, relating to vision examinations for applicants for renewal of driver's licenses and learner's permits.
- H.B. 301.** A BILL to amend and reenact § 29.1-103 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-701.1, relating to setting fees for hunting, trapping, and motorboat registration.
- H.B. 340.** A BILL to amend and reenact § 46.2-1992 of the Code of Virginia, relating to trailer dealers; persons dealing solely in utility/cargo trailers weighing 3,000 pounds or less exempt from licensure requirements.
- H.B. 408.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to use of steel plates in connection with highway repairs.
- H.B. 453.** A BILL to amend and reenact §§ 46.2-733 and 46.2-1500 of the Code of Virginia, relating to motor vehicle dealers; persons dealing solely in fire-fighting equipment, ambulances, and funeral vehicles.
- H.B. 502.** A BILL to amend and reenact §§ 33.1-430, 33.1-431, 33.1-433, and 33.1-435 of the Code of Virginia, relating to local transportation improvement districts in counties having populations greater than 500,000.
- H.B. 564.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to devices used to supply nitrous oxide to the engines of motor vehicles.
- H.B. 606.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-749.28:2, and to repeal § 46.2-749.28.1 of the Code of Virginia, relating to special license plates; Langley Air Force Base.
- H.B. 608.** A BILL to amend and reenact §§ 46.2-100, 46.2-730, and 46.2-1157 of the Code of Virginia, relating to antique motor vehicles and antique trailers; fees.
- H.B. 677.** A BILL to amend and reenact § 46.2-1222 of the Code of Virginia, relating to regulation of parking on secondary highways in certain counties; approval by Commonwealth Transportation Board not required.
- H.B. 721.** A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to regulation or prohibition by certain towns of parking of certain vehicles.
- H.B. 869.** A BILL to amend and reenact § 22.1-279.3:1 of the Code of Virginia, relating to reporting of certain acts by school authorities to law enforcement.

- H.B. 887.** A BILL to amend and reenact §§ 46.2-1176 and 46.2-1178 of the Code of Virginia, relating to motor vehicle emissions inspections; hybrid vehicles.
- H.B. 949.** A BILL to authorize the Governor to convey certain subaqueous lands in the Elizabeth River at Norfolk to the City of Norfolk.
- H.B. 965.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-746.2:2.2, relating to special license plates for U.S. Navy chief petty officers.
- H.B. 978.** A BILL to amend and reenact § 22.1-25 of the Code of Virginia, relating to consolidation of school divisions.
- H.B. 1018.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-200.01, relating to alternatives to animal dissection in public school courses and curriculum.
- H.B. 1024.** A BILL to amend and reenact § 28.2-201 of the Code of Virginia, relating to authority to increase saltwater license and permit fees.
- H.B. 1110.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-746.8:2, relating to special license plates; retired law-enforcement officers.
- H.B. 1119.** A BILL to amend and reenact §§ 43-34, 46.2-1203 and 46.2-1603.1 of the Code of Virginia, relating to nonrepairable and salvage vehicles; vehicle demolishers; enforcement of certain liens.
- H.B. 1120.** A BILL to amend and reenact § 46.2-914 of the Code of Virginia, relating to mopeds; drivers to have identification.
- H.B. 1142.** A BILL to amend and reenact §§ 10.1-2500 and 29.1-573 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-573.1, relating to nonindigenous aquatic nuisance species.
- H.B. 1170.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; 275th anniversary of the County of Prince William.
- H.B. 1212.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.
- H.B. 1227.** A BILL to amend and reenact §§ 62.1-69.26, 62.1-69.29, and 62.1-69.30 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 5.3 of Title 62.1 adding sections numbered 62.1-69.33:1 and 62.1-69.33:2, relating to the Rappahannock River Basin Commission; report.
- H.B. 1254.** A BILL to amend and reenact § 22.1-253.13:3 of the Code of Virginia, relating to school performance report cards.
- H.B. 1283.** A BILL to amend and reenact § 10.1-560 of the Code of Virginia, relating to the Erosion and Sediment Control Law.
- H.B. 1285.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of Project Lifesaver.

**H.B. 1295.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of Mothers Against Drunk Driving; fees.

**H.B. 1305.** A BILL to amend and reenact § 46.2-703 of the Code of Virginia, relating to the International Fuels Tax Agreement; violation; vehicle seizures; penalties.

**H.B. 1326.** A BILL to amend and reenact §§ 16.1-241.2, 16.1-263, 22.1-263, and 22.1-279.3 of the Code of Virginia and to amend the Code of Virginia by adding in Article 9 of Chapter 11 of Title 16.1 a section numbered 16.1-290.1, relating to compulsory school attendance enforcement; parental responsibility; use of contempt power, summons; penalty.

**H.B. 1331.** A BILL to amend and reenact §§ 22.1-279.6 and 22.1-279.9 of the Code of Virginia, relating to including hazing in the Board's guidelines and model policies for and school boards' regulations on codes of student conduct.

**H.B. 1436.** A BILL to authorize the Virginia Marine Resources Commission to grant an easement and right-of-way across and in the bed of the Elizabeth River, including a portion of the Baylor Survey, to Virginia Electric Power Company (Dominion Virginia Power) for an electric transmission line.

**H.B. 1452.** A BILL to amend and reenact §§ 28.2-302.1 and 29.1-311 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 28.2-302.2:1 and 29.1-310.2, relating to establishment of combined recreational sportfishing licenses.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 154.** Designating October, in 2004 and in each succeeding year, as Health Literacy Month in Virginia.

**H.J.R. 292.** Designating Election Day as Take Your Kids to Vote Day in Virginia.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 372.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 170.** Commending H. Russell Potts, Jr.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The House bill communicated as passed by the House of Delegates, the first reading of its title required by the Constitution having been dispensed with, was referred as follows:

**H.B. 1357** was referred to the Committee on General Laws.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 132, H.B. 301, H.B. 1024, H.B. 1142, H.B. 1212, H.B. 1283, and H.B. 1452** were referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 257, H.B. 340, H.B. 408, H.B. 453, H.B. 502, H.B. 564, H.B. 606, H.B. 608, H.B. 677, H.B. 721, H.B. 887, H.B. 965, H.B. 1110, H.B. 1119, H.B. 1120, H.B. 1170, H.B. 1285, H.B. 1295, and H.B. 1305** were referred to the Committee on Transportation.

**H.B. 869, H.B. 978, H.B. 1018, H.B. 1254, H.B. 1326, and H.B. 1331** were referred to the Committee on Education and Health.

**H.B. 949 and H.B. 1436** were referred to the Committee for Courts of Justice.

**H.B. 1227** was referred to the Committee on Rules.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 154 and H.J.R. 292** were referred to the Committee on Rules.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

**S.B. 242** (two hundred forty-two) with amendments.

**S.B. 547** (five hundred forty-seven) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 558** (five hundred fifty-eight) with amendments.

**S.B. 618** (six hundred eighteen) with amendments.

**S.B. 663** (six hundred sixty-three).

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Finance pursuant to Senate Rule 20 (j):

**S.B. 668** (six hundred sixty-eight) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**S.B. 547** was rereferred to the Committee on Finance.

**S.B. 668** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Blevins introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 171.** On the death of Edwin W. Chittum.  
Patron--Blevins

**S.J.R. 172.** Commending Virginia Alpha Delta Kappa.  
Patron--Blevins

At 12:15 p.m., Senator Stosch moved that the Senate recess until 12:40 p.m.

The motion was agreed to.

The hour of 12:40 p.m. having arrived, the Chair was resumed.

### CALENDAR

#### HOUSE BILL ON THIRD READING

**H.B. 635** (six hundred thirty-five) was read by title the third time and, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 94** (ninety-four).

**S.B. 86** (eighty-six).

**S.B. 95** (ninety-five).

**S.B. 100** (one hundred).

**S.B. 145** (one hundred forty-five).  
**S.B. 149** (one hundred forty-nine).  
**S.B. 212** (two hundred twelve).  
**S.B. 220** (two hundred twenty).  
**S.B. 226** (two hundred twenty-six).  
**S.B. 270** (two hundred seventy).  
**S.B. 275** (two hundred seventy-five).  
**S.B. 298** (two hundred ninety-eight).  
**S.B. 301** (three hundred one).  
**S.B. 317** (three hundred seventeen).  
**S.B. 337** (three hundred thirty-seven).  
**S.B. 352** (three hundred fifty-two).  
**S.B. 354** (three hundred fifty-four).  
**S.B. 394** (three hundred ninety-four).  
**S.B. 404** (four hundred four).  
**S.B. 416** (four hundred sixteen).  
**S.B. 452** (four hundred fifty-two).  
**S.B. 460** (four hundred sixty).  
**S.B. 468** (four hundred sixty-eight).  
**S.B. 494** (four hundred ninety-four).  
**S.B. 551** (five hundred fifty-one).  
**S.B. 562** (five hundred sixty-two).  
**S.B. 598** (five hundred ninety-eight).  
**S.B. 609** (six hundred nine).  
**S.B. 617** (six hundred seventeen).  
**S.B. 619** (six hundred nineteen).  
**S.B. 620** (six hundred twenty).  
**S.B. 630** (six hundred thirty).  
**S.B. 633** (six hundred thirty-three).  
**S.B. 634** (six hundred thirty-four).  
**S.B. 646** (six hundred forty-six).  
**S.B. 648** (six hundred forty-eight).  
**S.B. 653** (six hundred fifty-three).  
**S.B. 659** (six hundred fifty-nine).  
**S.B. 671** (six hundred seventy-one).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 94** (ninety-four).  
**S.B. 86** (eighty-six).  
**S.B. 95** (ninety-five).  
**S.B. 100** (one hundred).  
**S.B. 145** (one hundred forty-five).  
**S.B. 149** (one hundred forty-nine).  
**S.B. 212** (two hundred twelve).  
**S.B. 220** (two hundred twenty).

S.B. 226 (two hundred twenty-six).  
S.B. 270 (two hundred seventy).  
S.B. 275 (two hundred seventy-five).  
S.B. 298 (two hundred ninety-eight).  
S.B. 301 (three hundred one).  
S.B. 317 (three hundred seventeen).  
S.B. 337 (three hundred thirty-seven).  
S.B. 352 (three hundred fifty-two).  
S.B. 354 (three hundred fifty-four).  
S.B. 394 (three hundred ninety-four).  
S.B. 404 (four hundred four).  
S.B. 416 (four hundred sixteen).  
S.B. 452 (four hundred fifty-two).  
S.B. 460 (four hundred sixty).  
S.B. 468 (four hundred sixty-eight).  
S.B. 494 (four hundred ninety-four).  
S.B. 551 (five hundred fifty-one).  
S.B. 562 (five hundred sixty-two).  
S.B. 598 (five hundred ninety-eight).  
S.B. 609 (six hundred nine).  
S.B. 617 (six hundred seventeen).  
S.B. 619 (six hundred nineteen).  
S.B. 620 (six hundred twenty).  
S.B. 630 (six hundred thirty).  
S.B. 633 (six hundred thirty-three).  
S.B. 634 (six hundred thirty-four).  
S.B. 646 (six hundred forty-six).  
S.B. 648 (six hundred forty-eight).  
S.B. 653 (six hundred fifty-three).  
S.B. 659 (six hundred fifty-nine).  
S.B. 671 (six hundred seventy-one).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

S.B. 48 (forty-eight), on motion of Senator Marsh, was passed by for the day.

S.B. 320 (three hundred twenty) was taken up.

### RECONSIDERATION

Senator Stolle moved to reconsider the vote by which S.B. 320 (three hundred twenty) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Stolle offered the following amendment to the substitute:

1. Line 200, engrossed, after ~~thirty~~  
strike  
30  
insert  
300

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

Senator Stolle moved that the Rules be suspended and the third reading of the title of **S.B. 320** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 320**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Edwards, Marsh, Reynolds--3.

RULE 36--0.

**S.B. 167** (one hundred sixty-seven) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--13. RULE 36--0.

YEAS--Blevins, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Potts, Puller, Quayle, Ruff, Saslaw, Stolle, Stosch, Ticer, Watkins, Whipple, Williams--27.

NAYS--Bell, Bolling, Chichester, Cuccinelli, Martin, Mims, Newman, Obenshain, Puckett, Rerras, Reynolds, Wagner, Wampler--13.

RULE 36--0.

**S.B. 591** (five hundred ninety-one), on motion of Senator Wampler, was passed by temporarily.

**S.B. 665** (six hundred sixty-five) was read by title the third time and, on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--33.

NAYS--Deeds, Martin, Norment, Quayle, Rerras, Reynolds, Stolle--7.

RULE 36--0.

**S.B. 688** (six hundred eighty-eight) was read by title the third time.

Senator Edwards moved that **S.B. 688** be passed with its title.

**S.B. 688**, on motion of Senator Edwards, was passed by temporarily.

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 160** (one hundred sixty).

**S.B. 101** (one hundred one).

**S.B. 181** (one hundred eighty-one).

**S.B. 246** (two hundred forty-six).

**S.B. 257** (two hundred fifty-seven).

**S.B. 259** (two hundred fifty-nine).

**S.B. 318** (three hundred eighteen).

**S.B. 350** (three hundred fifty).

**S.B. 362** (three hundred sixty-two).

**S.B. 389** (three hundred eighty-nine).

**S.B. 408** (four hundred eight).  
**S.B. 429** (four hundred twenty-nine).  
**S.B. 508** (five hundred eight).  
**S.B. 584** (five hundred eighty-four).  
**S.B. 590** (five hundred ninety).  
**S.B. 612** (six hundred twelve).  
**S.B. 615** (six hundred fifteen).

The motion was agreed to.

**S.B. 160** (one hundred sixty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 54.1-2962.2, relating to physician-patient relationships; effect of certain emergency room evaluations.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

**S.B. 101** (one hundred one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 46.2-923 and 46.2-924 of the Code of Virginia, relating to pedestrians crossing highways.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

Senator Mims offered the following amendment to the substitute:

1. Line 48, substitute, after Loudoun  
insert  
*and any town therein*

On motion of Senator Mims, the reading of the amendment was waived.

On motion of Senator Mims, the amendment was agreed to.

**S.B. 181** (one hundred eighty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 32.1-127 and 63.2-1732 of the Code of Virginia, relating to emergency electrical systems.

The reading of the substitute was waived.

On motion of Senator Blevins, the substitute was agreed to.

**S.B. 246** (two hundred forty-six) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 4, introduced, Title, after *relating to*  
strike  
remainder of line 4 and all of line 5  
insert  
*placement of certain signs.*
  
2. Line 12, introduced, after *46.2-881.1.*  
strike  
remainder of line 12 and all of lines 13 through 27  
insert  
*Placement of certain signs.*  
*The governing body of any county, city, or town may, by ordinance require any person hosting any yard sale, auction, or other special event that is open to the public, held out-of-doors, and is within 100 feet of any public highway on which the posted speed limit is 35 miles per hour or more to notify the local governing body of such event. The local governing body may place or cause to be placed a temporary sign or signs 50 feet from the location of the event in both directions. Every such sign shall state: Caution—Congested Area Ahead.*

The reading of the amendments was waived.

On motion of Senator Deeds, the amendments were agreed to.

**S.B. 257** (two hundred fifty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 33.1-72.1 of the Code of Virginia, relating to taking subdivision streets into the secondary system of state highways.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

**S.B. 259** (two hundred fifty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-734 of the Code of Virginia, relating to license plates of reconstructed vehicles.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

**S.B. 318** (three hundred eighteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-3705, 2.2-3711, 2.2-4002, 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 63.2-1607.1, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

The reading of the substitute was waived.

On motion of Senator Howell, the substitute was agreed to.

**S.B. 362** (three hundred sixty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 46.2-604 and 46.2-731 of the Code of Virginia, relating to content of vehicle registration cards; issuance of disabled parking license plates.

The reading of the substitute was waived.

On motion of Senator Colgan, the substitute was agreed to.

**S.B. 408** (four hundred eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-870 of the Code of Virginia, relating to maximum speed limits generally.

The reading of the substitute was waived.

On motion of Senator Ruff, the substitute was agreed to.

**S.B. 429** (four hundred twenty-nine) was taken up.

The following amendments proposed by the Committee on Rehabilitation and Social Services were offered:

1. Line 123, introduced, after purposes of  
strike  
remainder of line 123 and through ~~neglect~~, on line 124  
insert  
the investigation and disposition of complaints of child abuse and neglect,
2. Line 131, introduced, after *teams to*

strike

*investigate*

insert

*provide consultation to the local department during the investigation of selected*

3. Line 132, introduced, after *such cases*.

strike

*Where possible, teams shall include, but not be*

insert

*These teams may include, but are not*

4. Line 135, introduced, after *child*.

strike

remainder of line 135, all of lines 136 and 137, and through *investigation*. on line 138

5. Line 138, introduced, after *exchanged*

strike

*in accordance with such agreements*

insert

*for the purpose of such consultation*

The reading of the amendments was waived.

On motion of Senator Wagner, the amendments were agreed to.

**S.B. 584** (five hundred eighty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 63.2-1502 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-1516.01, relating to child protective services; training and investigation procedures.

The reading of the substitute was waived.

On motion of Senator Bolling, the substitute was agreed to.

**S.B. 612** (six hundred twelve) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 52, introduced, after *barrier crime*

strike

*who has had his civil rights and voting*

insert

*, excluding those barrier crimes established in federal law, who has had his civil*

The reading of the amendment was waived.

On motion of Senator Ticer, the amendment was agreed to.

**S.B. 615** (six hundred fifteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 53.1-27 of the Code of Virginia, relating to establishment of stores in state correctional facilities; use of profits.

The reading of the substitute was waived.

On motion of Senator Bell, the substitute was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 160** (one hundred sixty) as amended.

**S.B. 101** (one hundred one) as amended.

**S.B. 181** (one hundred eighty-one) as amended.

**S.B. 246** (two hundred forty-six) as amended.

**S.B. 257** (two hundred fifty-seven) as amended.

**S.B. 259** (two hundred fifty-nine) as amended.

**S.B. 318** (three hundred eighteen) as amended.

**S.B. 350** (three hundred fifty).

**S.B. 362** (three hundred sixty-two) as amended.

**S.B. 389** (three hundred eighty-nine).

**S.B. 408** (four hundred eight) as amended.

**S.B. 429** (four hundred twenty-nine) as amended.

**S.B. 508** (five hundred eight).

**S.B. 584** (five hundred eighty-four) as amended.

**S.B. 590** (five hundred ninety).

**S.B. 612** (six hundred twelve) as amended.

**S.B. 615** (six hundred fifteen) as amended.

#### SENATE BILL ON THIRD READING

**S.B. 688** (six hundred eighty-eight) was taken up and, on motion of Senator Norment, was passed by for the day.

#### SENATE BILLS ON SECOND READING

**S.B. 204** (two hundred four), on motion of Senator Quayle, was passed by for the day.

**S.B. 643** (six hundred forty-three) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-3833 of the Code of Virginia, relating to the local meals tax.

The reading of the substitute was waived.

On motion of Senator Saslaw, the substitute was agreed to.

Senator Devolites offered the following amendment to the substitute:

1. Line 44, substitute, after prescribe.

insert

*Any county with the urban county executive form of government that adopts such tax by local ordinance must reduce its local real estate tax revenues by the same amount of revenues generated by such tax, for the first year that the tax is collected.*

Senator Devolites withdrew the amendment.

Senator Devolites offered the following amendment to the substitute:

2. Line 44, substitute, after prescribe.

insert

*Any county with the urban county executive form of government that adopts such tax by local ordinance must reduce its local real estate property tax revenues by the same amount of revenues generated by such tax, by reducing the property tax rate, for the first year that the food and beverage tax is collected.*

On motion of Senator Devolites, the reading of amendment No. 2 was waived.

Senator Devolites moved that amendment No. 2 be agreed to.

The question was put on agreeing to amendment No. 2.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--12. NAYS--28. RULE 36--0.

YEAS--Bell, Bolling, Cuccinelli, Devolites, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Ruff, Wagner--12.

NAYS--Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple, Williams--28.

RULE 36--0.

Amendment No. 2 was rejected.

On motion of Senator Saslaw, the bill was ordered to be engrossed and read by title the third time.

**S.B. 27** (twenty-seven) was read by title the second time and, on motion of Senator Potts, was ordered to be engrossed and read by title the third time.

**S.B. 159** (one hundred fifty-nine) was read by title the second time and, on motion of Senator Potts, was ordered to be engrossed and read by title the third time.

**S.B. 456** (four hundred fifty-six) was read by title the second time.

Senator Stolle moved that **S.B. 456** be recommitted to the Committee on Education and Health and continued to the 2005 Regular Session of the General Assembly, pursuant to Senate Rule 20 (f).

**S.B. 456**, on motion of Senator Whipple, was passed by for the day.

**S.B. 235** (two hundred thirty-five) was read by title the second time and, on motion of Senator Norment, was ordered to be engrossed and read by title the third time.

**S.B. 658** (six hundred fifty-eight), on motion of Senator Quayle, was passed by for the day.

**S.B. 670** (six hundred seventy), on motion of Senator Newman, was passed by for the day.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 73** (seventy-three).

**S.B. 208** (two hundred eight).

**S.B. 326** (three hundred twenty-six).

**S.B. 335** (three hundred thirty-five).

**S.B. 341** (three hundred forty-one).

**S.B. 495** (four hundred ninety-five).

**S.B. 497** (four hundred ninety-seven).

**S.B. 513** (five hundred thirteen).

**S.B. 435** (four hundred thirty-five).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 73** (seventy-three).

**S.B. 208** (two hundred eight).

**S.B. 326** (three hundred twenty-six).

**S.B. 335** (three hundred thirty-five).

**S.B. 341** (three hundred forty-one).

**S.B. 495** (four hundred ninety-five).

**S.B. 497** (four hundred ninety-seven).

**S.B. 513** (five hundred thirteen).

**S.B. 435** (four hundred thirty-five).

**SENATE BILL ON THIRD READING**

**S.B. 591** (five hundred ninety-one) was taken up.

**RECONSIDERATION**

Senator Wampler moved to reconsider the vote by which **S.B. 591** (five hundred ninety-one) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Wampler offered the following amendments:

1. Line 16, engrossed, after *on*  
 strike  
                   *Privileges and Elections*  
 insert  
                   *Rules*
  
2. Line 42, engrossed, after *on*  
 strike  
                   Privileges and Elections  
 insert  
                   Rules
  
3. Line 43, engrossed, after *on*  
 strike  
                   Privileges and Elections  
 insert  
                   Rules

On motion of Senator Wampler, the reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

On motion of Senator Wampler, the bill was ordered to be engrossed and read by title the third time.

Senator Wampler moved that the Rules be suspended and the third reading of the title of **S.B. 591** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 591**, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Locke--1.

RULE 36--0.

#### OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Hanger, Houck, and Obenshain and Delegates Ebbin, Hargrove, Ingram, Orrock, and Scott, E.T., had been added as co-patrons of **S.B. 445** (four hundred forty-five).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, FEBRUARY 11, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Monsignor R. Francis Muench, St. Pius X Church, Norfolk, Virginia, offered the following prayer:

Almighty and merciful God, let the light of Your divine wisdom illumine the deliberations of this Senate and shine forth in all its proceedings. May its members frame laws for our Commonwealth that will serve the needs of justice, the cause of truth, and the demands of mercy. May their hearts never shy away from making unpopular—but necessary—decisions, nor their minds be closed to compromise when this would serve the greater good.

In all things, enable them by Your powerful protection to discharge their duties as *their* abilities best allow and *Your* holiness will require.

To You be all glory and praise, now and forever. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Reynolds, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
February 10, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 4.** A BILL to amend and reenact § 58.1-901 of the Code of Virginia, relating to estate taxes.

**H.B. 16.** A BILL to repeal § 51.1-1404 of the Code of Virginia and the second enactment of Chapter 385 of the 1999 Acts of Assembly, relating to the optional supplemental health insurance credit for retired state employees.

- H.B. 137.** A BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to civil procedure; disclosure of insurance liability limits.
- H.B. 163.** A BILL to amend and reenact § 51.1-1400 of the Code of Virginia, relating to retirement health insurance credits.
- H.B. 199.** A BILL to amend and reenact § 51.1-505 of the Code of Virginia, relating to group life and accident insurance for state and local employees.
- H.B. 200.** A BILL to amend and reenact § 51.1-124.22 of the Code of Virginia, relating to the Virginia Retirement System; deduction of benefit overpayments from life insurance proceeds.
- H.B. 201.** A BILL to amend and reenact § 51.1-164 of the Code of Virginia, relating to Virginia Retirement System benefits; payment to successor of decedent by affidavit.
- H.B. 242.** A BILL to amend and reenact § 3.1-796.122 of the Code of Virginia, relating to animals attacking companion animals.
- H.B. 334.** A BILL to amend and reenact §§ 51.1-138 and 51.1-205, as they are currently effective and as they shall become effective, and § 51.1-216 of the Code of Virginia, relating to years of service requirements for retirement.
- H.B. 356.** A BILL to amend and reenact § 51.1-1401 of the Code of Virginia, relating to health insurance credits for retired teachers; superintendents.
- H.B. 477.** A BILL to amend and reenact § 46.2-335 of the Code of Virginia, relating to motorcycle learner's permits; operation of motorcycles by persons holding such permits.
- H.B. 551.** A BILL to amend and reenact § 51.1-602 of the Code of Virginia, relating to the Government Employees Deferred Compensation Plan Act; collection of administrative fees by political subdivisions.
- H.B. 581.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 29 of Title 54.1 sections numbered 54.1-2957.7 through 54.1-2957.13, relating to licensure of midwives.
- H.B. 699.** A BILL to amend and reenact § 51.1-1112 of the Code of Virginia, relating to long-term disability benefits for state employees.
- H.B. 700.** A BILL to amend and reenact § 51.1-1103 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; suspension of eligibility.
- H.B. 701.** A BILL to amend and reenact §§ 51.1-1113 and 51.1-1124 of the Code of Virginia, relating to the Sickness and Disability Program for state employees.
- H.B. 702.** A BILL to amend and reenact §§ 51.1-1117, 51.1-1123, and 51.1-1133 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; program actuary.
- H.B. 703.** A BILL to amend and reenact § 51.1-1114 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; collection of disability benefit overpayments.
- H.B. 905.** A BILL to repeal the third enactment of Chapter 593 of the Acts of Assembly of 2002, relating to imposition of tolls for use of Interstate Route 81.

**H.B. 1002.** A BILL to amend and reenact § 46.2-694 of the Code of Virginia, relating to the distribution of the “four for life” fund.

**H.B. 1009.** A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 16.5, consisting of sections numbered 23-231.24 through 23-231.30, relating to the Virginia Educational Ventures Consortium.

**H.B. 1014.** A BILL to amend and reenact §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6, and 22.1-292.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-200.01 and 22.1-202.1, relating to the Standards of Quality.

**H.B. 1425.** A BILL to amend and reenact § 46.2-1166 of the Code of Virginia, relating to garage liability insurance covering motor vehicle safety inspection stations.

**H.B. 1446.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-749.98:1, and to repeal § 46.2-749.98 of the Code of Virginia, relating to special license plates for supporters of the Interdenominational Children’s Foundation of Virginia; fees.

THE HOUSE OF DELEGATES HAS AGREED TO WITH AMENDMENT THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 101.** Confirming appointments by the Governor related to commerce and trade.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 312.** Confirming the appointment of Philip A. Leone as Director of the Joint Legislative Audit and Review Commission.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 99.** Confirming appointments by the Governor of certain agency heads and personnel.

**S.J.R. 100.** Confirming appointments by the Governor related to the Secretariat of Administration.

**S.J.R. 102.** Confirming appointments by the Governor related to education.

**S.J.R. 103.** Confirming appointments by the Governor related to finance.

**S.J.R. 104.** Confirming appointments by the Governor related to health and human resources.

**S.J.R. 105.** Confirming appointments by the Governor related to natural resources.

**S.J.R. 106.** Confirming appointments by the Governor related to public safety.

**S.J.R. 107.** Confirming appointments by the Governor related to technology.

**S.J.R. 108.** Confirming appointments by the Governor related to transportation.

**S.J.R. 109.** Confirming appointments by the Governor to miscellaneous positions.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.  
NAYS--0.  
RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 4, H.B. 16, H.B. 163, H.B. 199, H.B. 200, H.B. 201, H.B. 334, H.B. 356, H.B. 551, H.B. 699, H.B. 700, H.B. 701, H.B. 702, and H.B. 703** were referred to the Committee on Finance.

**H.B. 137** was referred to the Committee for Courts of Justice.

**H.B. 242** was referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 477, H.B. 905, H.B. 1002, H.B. 1425, and H.B. 1446** were referred to the Committee on Transportation.

**H.B. 581, H.B. 1009, and H.B. 1014** were referred to the Committee on Education and Health.

The House joint resolution, communicated as agreed to by the House of Delegates, the first reading of its title having been waived, was referred as follows:

**H.J.R. 312** was referred to the Committee on Privileges and Elections.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 98** (ninety-eight) with amendment.  
**S.B. 232** (two hundred thirty-two) with substitute.  
**S.B. 330** (three hundred thirty).  
**S.B. 436** (four hundred thirty-six).  
**S.B. 479** (four hundred seventy-nine) with amendment.  
**S.B. 516** (five hundred sixteen) with substitute.  
**S.B. 518** (five hundred eighteen).  
**S.B. 565** (five hundred sixty-five) with substitute.  
**S.B. 628** (six hundred twenty-eight) with substitute.  
**H.B. 741** (seven hundred forty-one) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Quayle from the Committee on Local Government:

- S.B. 124** (one hundred twenty-four).
- H.B. 24** (twenty-four).
- H.B. 53** (fifty-three).
- H.B. 57** (fifty-seven).
- H.B. 58** (fifty-eight).
- H.B. 75** (seventy-five).
- H.B. 141** (one hundred forty-one).
- H.B. 240** (two hundred forty) with amendment.
- H.B. 241** (two hundred forty-one) with amendment.
- H.B. 249** (two hundred forty-nine).
- H.B. 434** (four hundred thirty-four).
- H.B. 484** (four hundred eighty-four) with amendments.
- H.B. 533** (five hundred thirty-three).
- H.B. 550** (five hundred fifty).
- H.B. 737** (seven hundred thirty-seven).
- H.B. 744** (seven hundred forty-four).
- H.B. 823** (eight hundred twenty-three).

The following bills and joint resolutions, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

- S.B. 268** (two hundred sixty-eight) with substitute.
- S.J.R. 123** (one hundred twenty-three) with the recommendation that it be rereferred to the Committee on Finance.
- H.B. 37** (thirty-seven).
- H.B. 317** (three hundred seventeen).
- H.B. 373** (three hundred seventy-three).
- H.B. 767** (seven hundred sixty-seven).
- H.B. 850** (eight hundred fifty).
- H.B. 1266** (one thousand two hundred sixty-six).
- H.B. 1363** (one thousand three hundred sixty-three) with substitute.
- H.J.R. 9** (nine).

**S.J.R. 123** was rereferred to the Committee on Finance.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Martin introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 173.** Commending Paul Michael Marretti.  
Patron--Martin

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Whipple introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 174.** On the death of Elizabeth Pfohl Campbell.  
Patrons--Whipple and Ticer; Delegates: Brink, Ebbin, Eisenberg and Van Landingham

**S.J.R. 175.** Commending Laurie J. Sullivan.

Patrons--Whipple and Ticer; Delegates: Brink, Ebbin, Eisenberg and Van Landingham

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Locke introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 176.** On the death of James L. Williams.

Patrons--Locke, Deeds, Edwards, Houck, Howell, Lambert, Lucas, Marsh, Miller, Puckett, Reynolds, Saslaw, Whipple and Williams

## CALENDAR

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 160** (one hundred sixty).
- S.B. 101** (one hundred one).
- S.B. 181** (one hundred eighty-one).
- S.B. 246** (two hundred forty-six).
- S.B. 257** (two hundred fifty-seven).
- S.B. 259** (two hundred fifty-nine).
- S.B. 318** (three hundred eighteen).
- S.B. 350** (three hundred fifty).
- S.B. 362** (three hundred sixty-two).
- S.B. 389** (three hundred eighty-nine).
- S.B. 408** (four hundred eight).
- S.B. 429** (four hundred twenty-nine).
- S.B. 508** (five hundred eight).
- S.B. 584** (five hundred eighty-four).
- S.B. 590** (five hundred ninety).
- S.B. 612** (six hundred twelve).
- S.B. 615** (six hundred fifteen).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 160** (one hundred sixty).
- S.B. 101** (one hundred one).
- S.B. 181** (one hundred eighty-one).
- S.B. 246** (two hundred forty-six).
- S.B. 257** (two hundred fifty-seven).
- S.B. 259** (two hundred fifty-nine).
- S.B. 318** (three hundred eighteen).
- S.B. 350** (three hundred fifty).

- S.B. 362 (three hundred sixty-two).
- S.B. 389 (three hundred eighty-nine).
- S.B. 408 (four hundred eight).
- S.B. 429 (four hundred twenty-nine).
- S.B. 508 (five hundred eight).
- S.B. 584 (five hundred eighty-four).
- S.B. 590 (five hundred ninety).
- S.B. 612 (six hundred twelve).
- S.B. 615 (six hundred fifteen).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

S.B. 48 (forty-eight) was taken up.

Senator Marsh moved that S.B. 48 be passed with its title.

The question was put on passing S.B. 48 with its title.

S.B. 48 was defeated with its title.

The recorded vote is as follows:

YEAS--15. NAYS--24. RULE 36--0.

YEAS--Chichester, Colgan, Devolites, Howell, Lambert, Locke, Marsh, Mims, Norment, Potts, Puller, Quayle, Saslaw, Ticer, Whipple--15.

NAYS--Bell, Blevins, Bolling, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Lucas, Martin, Newman, Obenshain, O'Brien, Puckett, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--24.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Potts stated that he voted yea on the question of the passage of S.B. 48, whereas he intended to vote nay.

S.B. 688 (six hundred eighty-eight), on motion of Senator Edwards, was passed by for the day.

S.B. 643 (six hundred forty-three) was read by title the third time and, on motion of Senator Saslaw, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--28.

NAYS--Bolling, Cuccinelli, Devolites, Hanger, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Ruff--11.

RULE 36--0.

**S.B. 27** (twenty-seven) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--18. RULE 36--0.

YEAS--Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Ticer, Wampler, Whipple, Williams--22.

NAYS--Bell, Blevins, Bolling, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Ruff, Stolle, Stosch, Wagner, Watkins--18.

RULE 36--0.

**S.B. 159** (one hundred fifty-nine) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 235** (two hundred thirty-five) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--13. RULE 36--0.

YEAS--Bell, Blevins, Colgan, Deeds, Edwards, Howell, Locke, Lucas, Marsh, Miller, Mims, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--26.

NAYS--Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Lambert, Newman, Obenshain, Rerras, Ruff, Wampler--13.

RULE 36--0.

#### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 73** (seventy-three).

**S.B. 208** (two hundred eight).

**S.B. 326** (three hundred twenty-six).

**S.B. 335** (three hundred thirty-five).

**S.B. 341** (three hundred forty-one).

**S.B. 495** (four hundred ninety-five).

**S.B. 497** (four hundred ninety-seven).

**S.B. 513** (five hundred thirteen).

The motion was agreed to.

**S.B. 73** (seventy-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 57-7.1 through 57-10, 57-16, 57-17, 57-32, 58.1-811, and 58.1-3606 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 57-7.01 and 57-7.02, relating to the incorporation of churches; transfers of property to and from incorporated churches; and taxes upon incorporated churches.

The reading of the substitute was waived.

Senator Howell moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-811 and 58.1-3606 of the Code of Virginia, relating to taxes upon incorporated churches.

The reading of the substitute was waived.

On motion of Senator Howell, the substitute was agreed to.

**S.B. 208** (two hundred eight) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 299, introduced, after *in excess of*  
strike

\$250

insert

\$100

The reading of the amendment was waived.

On motion of Senator Quayle, the amendment was agreed to.

**S.B. 495** (four hundred ninety-five) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 66, introduced, after ~~is desired.~~

insert

*A sheriff shall not be required to serve an attorney-issued subpoena that is not issued at least five business days prior to the date that attendance is desired.*

2. Line 134, introduced, after § 17.1-275.

insert

*A sheriff shall not be required to serve an attorney-issued subpoena that is not issued at least five business days prior to the date production of the record is desired.*

3. Line 169, introduced, after ~~is desired.~~

insert

*A sheriff shall not be required to serve an attorney-issued subpoena that is not issued at least five business days prior to the date production of evidence is desired.*

4. Line 196, introduced, after apply.

insert

*A sheriff shall not be required to serve an attorney-issued subpoena that is not issued at least five business days prior to the date production of evidence is required.*

The reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 73** (seventy-three) as amended.

**S.B. 208** (two hundred eight) as amended.

**S.B. 326** (three hundred twenty-six).

**S.B. 341** (three hundred forty-one).

**S.B. 495** (four hundred ninety-five) as amended.

**S.B. 497** (four hundred ninety-seven).

**S.B. 513** (five hundred thirteen).

**S.B. 335** (three hundred thirty-five) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 20, introduced, after *proceeding*,  
 strike remainder of line 20 and all of line 21  
 insert *if such summons is served on school property, it shall be served only by a sheriff or his deputy.*
  
2. Line 47, introduced, after *proceeding*,  
 strike remainder of line 47  
 insert *if such summons is served on school property, it shall be served only by a sheriff or his deputy.*
  
3. Line 70, introduced, after *shall be*  
 strike \$24  
 insert \$12

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

**RECONSIDERATION**

Senator Stolle moved to reconsider the vote by which the committee amendments to **S.B. 335** (three hundred thirty-five) were agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Stolle moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Stolle offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272 of the Code of Virginia, relating to service of process on teacher or other school personnel; restrictions; fees.

On motion of Senator Stolle, the reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 204** (two hundred four), on motion of Senator Quayle, was passed by for the day.

**S.B. 456** (four hundred fifty-six), on motion of Senator Whipple, was passed by for the day.

**S.B. 658** (six hundred fifty-eight), on motion of Senator Quayle, was passed by for the day.

**S.B. 670** (six hundred seventy) was read by title the second time.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 14, introduced, after *of law*  
insert  
*and in accordance with federal law*
2. Line 17, introduced, after *organization*.  
strike  
remainder of line 17 and all of lines 18 through 21

The reading of the amendments was waived.

On motion of Senator Newman, the amendments were agreed to.

Senator Deeds offered the following amendment:

1. Line 15, introduced, after *the*  
insert  
*review of all available options, including*

On motion of Senator Deeds, the reading of the amendment was waived.

Senator Deeds moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:  
YEAS--18. NAYS--22. RULE 36--0.

YEAS--Colgan, Deeds, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Saslaw, Stosch, Ticer, Whipple--18.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Wagner, Wampler, Watkins, Williams--22.

RULE 36--0.

The amendment was rejected.

On motion of Senator Newman, the bill was ordered to be engrossed and read by title the third time.

**S.B. 435** (four hundred thirty-five) was read by title the second time and, on motion of Senator Wagner, was ordered to be engrossed and read by title the third time.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 242** (two hundred forty-two).

**S.B. 558** (five hundred fifty-eight).

**S.B. 618** (six hundred eighteen).

**S.B. 663** (six hundred sixty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 242** (two hundred forty-two).

**S.B. 558** (five hundred fifty-eight).

**S.B. 618** (six hundred eighteen).

**S.B. 663** (six hundred sixty-three).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Norment introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 177.** Commending Officer Dennis L. Baines.

Patrons--Norment; Delegate: Barlow

**S.J.R. 178.** Commending Fire Inspector Woodrow Earl Webb, Jr.

Patrons--Norment; Delegate: Barlow

**S.J.R. 179.** Commending Officer Richard A. Schugeld.

Patrons--Norment; Delegates: Barlow, Hamilton and Rapp

OTHER BUSINESS

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator O'Brien had been added as a co-patron of **S.B. 181** (one hundred eighty-one).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and flows across the line.

Susan Clarke Schaar  
Clerk of the Senate

THURSDAY, FEBRUARY 12, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. Alan Felumlee, Braddock Street United Methodist Church, Winchester, Virginia, offered the following prayer:

Almighty and everlasting God, we thank You for the blessings You have so bountifully lavished upon us as citizens of this great nation and the Commonwealth of Virginia. We ask that You would send down upon the members of this governing body the spirit of wisdom, charity, and justice; that with steadfast purpose they may faithfully work to promote the well being of all people that we may live peaceful and quiet lives in all godliness and holiness.

Grant the members of this Senate wisdom and grace in the exercise of their duties. Enable them to see the needs of all the people. Give them courage, wisdom and foresight to provide for the establishment of a just and merciful community that cares for human rights and safeguards human dignity.

Sovereign God, look graciously upon this great Commonwealth.

Where it is in pride, subdue it.

Where it is in need, supply it.

Where it is in error, rectify it.

Where it is in default, restore it.

And where it holds to that which is just and compassionate, support it.

In Your most holy name we pray. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Cuccinelli notified the Clerk of his presence.

On motion of Senator Lucas, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 11, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

- H.B. 153.** A BILL to amend and reenact §§ 55-222, 55-248.4, and 55-248.37 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-248.7:2, relating to landlord and tenant law; termination of tenancies; security deposit.
- H.B. 404.** A BILL to amend and reenact § 18.2-308.2:2 of the Code of Virginia, relating to purchase of one handgun a month.
- H.B. 410.** A BILL to amend and reenact §§ 24.2-659 and 24.2-668 of the Code of Virginia, relating to post-election procedures and securing of election equipment and materials.
- H.B. 411.** A BILL to amend and reenact § 24.2-404 of the Code of Virginia, relating to duties of the State Board of Elections including duties with respect to electronic pollbooks.
- H.B. 423.** A BILL to amend the Code of Virginia by adding a section numbered 36-99.6:3, relating to the Uniform Statewide Building Code; regulation of HVAC facilities.
- H.B. 449.** A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.
- H.B. 525.** A BILL to amend and reenact § 2.2-2818 of the Code of Virginia, relating to health insurance for part-time state employees.
- H.B. 604.** A BILL to amend and reenact §§ 24.2-405, 24.2-406, and 24.2-418 of the Code of Virginia, relating to lists of registered voters and persons voting and to voter registration applications.
- H.B. 622.** A BILL relating to the use of natural cut Christmas trees in the common areas of places of worship and in apartment dwelling units that do not have automatic sprinkler systems.
- H.B. 679.** A BILL to amend and reenact § 15.2-2307 of the Code of Virginia, relating to removal of nonconforming and abandoned signs.
- H.B. 819.** A BILL to amend and reenact § 15.2-2204 of the Code of Virginia, relating to notice of zoning amendment.
- H.B. 831.** A BILL to amend and reenact § 54.1-1101 of the Code of Virginia, relating to the Board for Contractors; exemptions from licensure; penalty.
- H.B. 837.** A BILL to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.
- H.B. 894.** A BILL to amend and reenact § 55-510 of the Code of Virginia, relating to the Property Owners' Association Act; access to association records.
- H.B. 959.** A BILL to amend and reenact § 2.2-3006 of the Code of Virginia, relating to the Department of Human Resource Management; state grievance procedure.
- H.B. 974.** A BILL to amend and reenact § 55-248.18 of the Code of Virginia, relating to the Virginia Residential Landlord Tenant Act; access by landlord to correct nonemergency condition.

- H.B. 986.** A BILL to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.
- H.B. 1026.** A BILL to amend and reenact §§ 24.2-900, 24.2-901, 24.2-905, 24.2-908, 24.2-921, 24.2-926, 24.2-929, 24.2-943, and 24.2-944 of the Code of Virginia, relating to the Campaign Finance Disclosure Act and disclosure requirements for political campaign advertisements.
- H.B. 1047.** A BILL to amend and reenact § 2.2-5211 of the Code of Virginia, relating to financial and legal responsibility for special education services for certain individuals with disabilities placed across jurisdictional lines.
- H.B. 1094.** A BILL to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.
- H.B. 1101.** A BILL to amend and reenact § 2.2-1509.2 of the Code of Virginia, relating to the Budget Bill; amounts appropriated from any special fund.
- H.B. 1117.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-277.07:1, relating to certain school board policies.
- H.B. 1173.** A BILL to amend and reenact § 54.1-3916 of the Code of Virginia, relating to legal aid societies.
- H.B. 1191.** A BILL to amend and reenact § 24.2-911 of the Code of Virginia, relating to campaign finance disclosure; reporting requirements; certain exempt political party committees.
- H.B. 1261.** A BILL authorizing the Virginia Employment Commission to convey certain real property to the City of Petersburg.
- H.B. 1290.** A BILL to amend and reenact §§ 32.1-102.1, 32.1-102.2, 32.1-123, 32.1-125, 32.1-125.1, 32.1-126, 32.1-127, 32.1-129, 32.1-130, 32.1-131, 32.1-133, and 32.1-135 of the Code of Virginia, relating to regulation and licensure of abortion clinics.
- H.B. 1303.** A BILL to amend and reenact §§ 18.2-299 and 22.1-277.07 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to use of pneumatic guns.
- H.B. 1342.** A BILL to amend and reenact § 38.2-517 of the Code of Virginia, relating to unfair insurance settlement practices.
- H.B. 1358.** A BILL to amend and reenact § 22.1-79.1 of the Code of Virginia, relating to the school calendar.
- H.B. 1392.** A BILL to amend and reenact § 15.2-1727 of the Code of Virginia, relating to reciprocal agreements.
- H.B. 1398.** A BILL to amend and reenact § 2.2-206 of the Code of Virginia, relating to urban issues.
- H.B. 1404.** A BILL to amend and reenact § 38.2-3525 of the Code of Virginia, relating to group accident and sickness insurance coverage for children.

**H.B. 1424.** A BILL to amend and reenact §§ 59.1-443 and 59.1-444 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-443.1, relating to date of birth on checks.

**H.B. 1461.** A BILL to amend and reenact § 58.1-3274 of the Code of Virginia to permit Powhatan County to establish its own real estate assessment department, or a joint department with a contiguous jurisdiction, and to have that department conduct annual or biennial assessments of real estate.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 359.** Commending the Powhatan High School football team.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 153, H.B. 423, H.B. 449, H.B. 622, H.B. 831, H.B. 894, H.B. 959, H.B. 974, H.B. 1047, H.B. 1094, and H.B. 1398** were referred to the Committee on General Laws.

**H.B. 404, H.B. 1173, H.B. 1261, and H.B. 1303** were referred to the Committee for Courts of Justice.

**H.B. 410, H.B. 411, H.B. 604, H.B. 837, H.B. 986, H.B. 1026, and H.B. 1191** were referred to the Committee on Privileges and Elections.

**H.B. 525 and H.B. 1101** were referred to the Committee on Finance.

**H.B. 679, H.B. 819, H.B. 1392, and H.B. 1461** were referred to the Committee on Local Government.

**H.B. 1117, H.B. 1290, and H.B. 1358** were referred to the Committee on Education and Health.

**H.B. 1342, H.B. 1404, and H.B. 1424** were referred to the Committee on Commerce and Labor.

The House joint resolution, communicated as agreed to by the House of Delegates, was laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 359.**

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**S.B. 172** (one hundred seventy-two) with amendments.

**S.B. 241** (two hundred forty-one) with substitute.

**S.B. 276** (two hundred seventy-six) with amendments.

**S.B. 336** (three hundred thirty-six) with substitute.

**S.B. 385** (three hundred eighty-five) with substitute.

**S.B. 477** (four hundred seventy-seven) with substitute.

**S.B. 486** (four hundred eighty-six) with substitute.

**S.B. 493** (four hundred ninety-three) with substitute.

**S.B. 504** (five hundred four).

**S.B. 505** (five hundred five) with substitute.

**S.B. 575** (five hundred seventy-five) with substitute.

**S.B. 587** (five hundred eighty-seven) with substitute.

**S.B. 601** (six hundred one) with substitute.

**S.B. 636** (six hundred thirty-six) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 660** (six hundred sixty) with amendments.

**S.B. 668** (six hundred sixty-eight) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 669** (six hundred sixty-nine).

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

**S.B. 230** (two hundred thirty) with the recommendation that it be rereferred to the Committee on Finance.

**S.B. 397** (three hundred ninety-seven).

**S.B. 576** (five hundred seventy-six) with substitute.

**S.B. 685** (six hundred eighty-five) with amendments.

**H.B. 7** (seven).

**H.B. 211** (two hundred eleven).

**H.B. 309** (three hundred nine) with amendments.

**H.B. 573** (five hundred seventy-three).

**H.B. 577** (five hundred seventy-seven).

**H.B. 623** (six hundred twenty-three).

**H.B. 626** (six hundred twenty-six).

**H.B. 632** (six hundred thirty-two) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 633** (six hundred thirty-three).

**H.B. 783** (seven hundred eighty-three).

**H.B. 875** (eight hundred seventy-five).

**H.B. 876** (eight hundred seventy-six).

**H.B. 877** (eight hundred seventy-seven) with amendments.

**H.B. 878** (eight hundred seventy-eight) with amendments.

**H.B. 879** (eight hundred seventy-nine) with amendments.

**H.B. 1296** (one thousand two hundred ninety-six).

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

**S.B. 297** (two hundred ninety-seven) with amendments.

**S.B. 521** (five hundred twenty-one) with substitute.

**H.B. 6** (six).

**H.B. 8** (eight).

**H.B. 9** (nine).

**H.B. 10** (ten).

**H.B. 11** (eleven).

**H.B. 12** (twelve).

**H.B. 14** (fourteen) with amendments.

**H.B. 15** (fifteen).

**H.B. 22** (twenty-two).

**H.B. 23** (twenty-three).

**H.B. 203** (two hundred three).

**H.B. 206** (two hundred six).

**S.B. 230, S.B. 636, S.B. 668, and H.B. 632** were rereferred to the Committee on Finance.

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Rerras introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 180.** Commending the Nandua High School boys' basketball team.

Patrons--Rerras; Delegate: Lewis

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Rerras requested and was granted unanimous consent to introduce a bill; subsequently, the following was presented, ordered to be printed, and referred:

**S.B. 693.** A BILL to amend and reenact § 44-146.19 of the Code of Virginia, relating to Emergency Services and Disaster Law; political subdivisions.

Patrons--Rerras and Stolle

Referred to Committee on General Laws

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Obenshain introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 181.** Commending Samuel Hopkins Shrum.

Patrons--Obenshain, Bell, Blevins, Bolling, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Newman, Norment, Quayle, Rerras, Ruff, Stolle and Williams; Delegates: Athey, Cosgrove, Morgan, O'Bannon, Watts, Weatherholtz and Wright

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Potts introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 182.** Commending Sam Huff.

Patrons--Potts, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

**CALENDAR****UNFINISHED BUSINESS — SENATE**

**S.J.R. 101** (one hundred one) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 375, engrossed  
insert

Jack A. Hammond II, 102 Maple Lane, Covington, Virginia 24426, Member, effective July 1, 2003, for a term of four years, ending June 30, 2007, to succeed Thomas P. Dean.

On motion of Senator Martin, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**SENATE BILLS ON THIRD READING**

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 73** (seventy-three).

**S.B. 208** (two hundred eight).

**S.B. 326** (three hundred twenty-six).

**S.B. 335** (three hundred thirty-five).

**S.B. 341** (three hundred forty-one).

**S.B. 495** (four hundred ninety-five).

**S.B. 497** (four hundred ninety-seven).

**S.B. 513** (five hundred thirteen).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 73** (seventy-three).
- S.B. 208** (two hundred eight).
- S.B. 326** (three hundred twenty-six).
- S.B. 335** (three hundred thirty-five).
- S.B. 341** (three hundred forty-one).
- S.B. 495** (four hundred ninety-five).
- S.B. 497** (four hundred ninety-seven).
- S.B. 513** (five hundred thirteen).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 688** (six hundred eighty-eight), on motion of Senator Edwards, was passed by for the day.

**S.B. 670** (six hundred seventy), on motion of Senator Newman, was passed by for the day.

**S.B. 435** (four hundred thirty-five) was read by title the third time and, on motion of Senator Wagner, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Reynolds--1.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- H.B. 24** (twenty-four).
- H.B. 37** (thirty-seven).
- H.B. 53** (fifty-three).
- H.B. 57** (fifty-seven).
- H.B. 75** (seventy-five).
- H.B. 141** (one hundred forty-one).
- H.B. 240** (two hundred forty).
- H.B. 241** (two hundred forty-one).
- H.B. 249** (two hundred forty-nine).

**H.B. 317** (three hundred seventeen).  
**H.B. 373** (three hundred seventy-three).  
**H.B. 533** (five hundred thirty-three).  
**H.B. 550** (five hundred fifty).  
**H.B. 741** (seven hundred forty-one).  
**H.B. 744** (seven hundred forty-four).  
**H.B. 767** (seven hundred sixty-seven).  
**H.B. 823** (eight hundred twenty-three).  
**H.B. 850** (eight hundred fifty).  
**H.B. 1266** (one thousand two hundred sixty-six).  
**H.B. 1363** (one thousand three hundred sixty-three).  
**H.B. 58** (fifty-eight).  
**H.B. 434** (four hundred thirty-four).  
**H.B. 484** (four hundred eighty-four).  
**H.B. 737** (seven hundred thirty-seven).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 24** (twenty-four).  
**H.B. 37** (thirty-seven).  
**H.B. 53** (fifty-three).  
**H.B. 57** (fifty-seven).  
**H.B. 75** (seventy-five).  
**H.B. 141** (one hundred forty-one).  
**H.B. 240** (two hundred forty).  
**H.B. 241** (two hundred forty-one).  
**H.B. 249** (two hundred forty-nine).  
**H.B. 317** (three hundred seventeen).  
**H.B. 373** (three hundred seventy-three).  
**H.B. 533** (five hundred thirty-three).  
**H.B. 550** (five hundred fifty).  
**H.B. 741** (seven hundred forty-one).  
**H.B. 744** (seven hundred forty-four).  
**H.B. 767** (seven hundred sixty-seven).  
**H.B. 823** (eight hundred twenty-three).  
**H.B. 850** (eight hundred fifty).  
**H.B. 1266** (one thousand two hundred sixty-six).  
**H.B. 1363** (one thousand three hundred sixty-three).  
**H.B. 58** (fifty-eight).  
**H.B. 434** (four hundred thirty-four).

**H.B. 484** (four hundred eighty-four).

**H.B. 737** (seven hundred thirty-seven).

### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 242** (two hundred forty-two).

**S.B. 558** (five hundred fifty-eight).

**S.B. 618** (six hundred eighteen).

**S.B. 663** (six hundred sixty-three).

The motion was agreed to.

**S.B. 242** (two hundred forty-two) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 161, introduced, after *disaster*;

strike

*and*

2. Line 165, introduced, after *unconscionable*

strike

. (period)

insert

*; and*

*4. Whether the increase in the amount charged by the supplier was attributable solely to a regular seasonal or holiday adjustment in the price charged for the good or service. Proof that the supplier regularly increased the price for a particular good or service during portions of the period covered by the time of disaster would be prima facie evidence that the price increase was not unconscionable during those periods.*

3. Line 171, introduced, after *been found*.

insert

*Subject to the disclosures allowed by this section, it shall be the duty of the Attorney General, the attorney for the Commonwealth, or the attorney for any city, county or town, or their designees, that investigates any complaint for violation of § 59.1-527 to maintain the confidentiality of all evidence, testimony, documents, or other results of such investigations, including the names of the complainant, and the individual, corporation or other entity that is the subject of the investigation. Nothing herein contained shall be construed to prevent the presentation and disclosure of any such investigative evidence in an action or proceeding brought under this chapter.*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**S.B. 558** (five hundred fifty-eight) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 66, introduced, after *subsection B*,  
insert  
*in*

2. Line 72, introduced, after *B*.  
strike  
remainder of line 72 and all of lines 73 and 74  
insert

*If the employer is required to institute an action against any party to recover some or all of its lien pursuant to subsection D of § 65.2-309, the employer shall not be required to pay any share of the reasonable expenses associated with that portion of its lien that is not preserved by the employee, his personal representative or other person.*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**S.B. 618** (six hundred eighteen) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 77, introduced, after enrollment and  
strike  
~~make available~~  
insert  
make available

2. Line 84, introduced, after year  
insert  
*if in paper form, and monthly if in electronic form*

The reading of the amendments was waived.

On motion of Senator Wagner, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

- S.B. 242** (two hundred forty-two) as amended.
- S.B. 558** (five hundred fifty-eight) as amended.
- S.B. 618** (six hundred eighteen) as amended.
- S.B. 663** (six hundred sixty-three).

S.B. 204 (two hundred four) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

Senator Quayle offered the following amendments to the substitute:

1. Line 27, substitute, after structure  
strike

*or otherwise shielded or screened from view*

2. Line 37, substitute, after locality.  
insert

*Notwithstanding the other provisions of this subsection, if the owner of such vehicle can demonstrate that he is actively restoring or repairing the vehicle, and if it is shielded or screened from view, the vehicle and one additional inoperative motor vehicle being used for the restoration or repair may remain on the property for a period of 6 months, or such longer period set out in the ordinance.*

3. Line 54, substitute, after *located*  
insert

*and is not visible by someone in or on a building located on adjoining property*

4. Line 71, substitute, after *located*  
insert

*and is not visible by someone in or on a building located on adjoining property*

5. Line 80, substitute, after structure  
strike

*or otherwise shielded or screened from view*

6. Line 82, substitute, after so.  
insert

*Notwithstanding the other provisions of this subsection, if the owner of such vehicle can demonstrate that he is actively restoring or repairing the vehicle, and if it is shielded or screened from view, the vehicle and one additional inoperative motor vehicle being used for the restoration or repair may remain on the property for a period of 6 months, or such longer period set out in the ordinance.*

On motion of Senator Quayle, the reading of the amendments was waived.

On motion of Senator Quayle, the amendments were agreed to.

On motion of Senator Quayle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 456** (four hundred fifty-six), on motion of Senator Whipple, was passed by for the day.

**S.B. 658** (six hundred fifty-eight), on motion of Senator Quayle, was passed by for the day.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 98** (ninety-eight).

**S.B. 124** (one hundred twenty-four).

**S.B. 232** (two hundred thirty-two).

**S.B. 268** (two hundred sixty-eight).

**S.B. 330** (three hundred thirty).

**S.B. 436** (four hundred thirty-six).

**S.B. 479** (four hundred seventy-nine).

**S.B. 516** (five hundred sixteen).

**S.B. 518** (five hundred eighteen).

**S.B. 565** (five hundred sixty-five).

**S.B. 628** (six hundred twenty-eight).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 98** (ninety-eight).

**S.B. 124** (one hundred twenty-four).

**S.B. 232** (two hundred thirty-two).

**S.B. 268** (two hundred sixty-eight).

**S.B. 330** (three hundred thirty).

**S.B. 436** (four hundred thirty-six).

**S.B. 479** (four hundred seventy-nine).

**S.B. 516** (five hundred sixteen).

**S.B. 518** (five hundred eighteen).

**S.B. 565** (five hundred sixty-five).

**S.B. 628** (six hundred twenty-eight).

#### HOUSE JOINT RESOLUTION ON SECOND READING

**H.J.R. 9** (nine) was read by title the second time.

**MEMORIAL RESOLUTIONS**

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

- H.J.R. 323** (three hundred twenty-three).
- H.J.R. 329** (three hundred twenty-nine).
- H.J.R. 330** (three hundred thirty).
- H.J.R. 343** (three hundred forty-three).
- H.J.R. 344** (three hundred forty-four).
- H.J.R. 345** (three hundred forty-five).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

- S.J.R. 154** (one hundred fifty-four).
- S.J.R. 171** (one hundred seventy-one).

**COMMENDING RESOLUTIONS**

**H.J.R. 284** (two hundred eighty-four), on motion of Senator Norment, was referred to the Committee on Rules.

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

- H.J.R. 324** (three hundred twenty-four).
- H.J.R. 325** (three hundred twenty-five).
- H.J.R. 326** (three hundred twenty-six).
- H.J.R. 327** (three hundred twenty-seven).
- H.J.R. 328** (three hundred twenty-eight).
- H.J.R. 331** (three hundred thirty-one).
- H.J.R. 332** (three hundred thirty-two).
- H.J.R. 333** (three hundred thirty-three).
- H.J.R. 334** (three hundred thirty-four).
- H.J.R. 335** (three hundred thirty-five).
- H.J.R. 336** (three hundred thirty-six).
- H.J.R. 337** (three hundred thirty-seven).
- H.J.R. 338** (three hundred thirty-eight).
- H.J.R. 339** (three hundred thirty-nine).
- H.J.R. 340** (three hundred forty).
- H.J.R. 341** (three hundred forty-one).
- H.J.R. 342** (three hundred forty-two).
- H.J.R. 346** (three hundred forty-six).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

- S.J.R. 155 (one hundred fifty-five).
- S.J.R. 156 (one hundred fifty-six).
- S.J.R. 157 (one hundred fifty-seven).
- S.J.R. 158 (one hundred fifty-eight).
- S.J.R. 159 (one hundred fifty-nine).
- S.J.R. 160 (one hundred sixty).
- S.J.R. 161 (one hundred sixty-one).
- S.J.R. 162 (one hundred sixty-two).
- S.J.R. 163 (one hundred sixty-three).
- S.J.R. 164 (one hundred sixty-four).
- S.J.R. 165 (one hundred sixty-five).
- S.J.R. 166 (one hundred sixty-six).
- S.J.R. 167 (one hundred sixty-seven).
- S.J.R. 168 (one hundred sixty-eight).
- S.J.R. 169 (one hundred sixty-nine).
- S.J.R. 172 (one hundred seventy-two).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, FEBRUARY 13, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Clifford B. Chambliss, Jr., Garland Avenue Baptist Church, Richmond, Virginia, offered the following prayer:

O Thou who art the light of the minds that know Thee,  
the life of the souls that love Thee,  
the strength of the hearts that serve Thee:  
Bless this Senate with Thy spirit and Thy wisdom.  
Hear our prayer. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Whipple, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 12, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 134.** A BILL to require that the Department of Corrections to promulgate regulations setting forth procedures to assure that no person sentenced to death shall be put to death while she is pregnant.

**H.B. 402.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to issuance of concealed handgun permits.

**H.B. 569.** A BILL to amend and reenact § 18.2-46.3 of the Code of Virginia, relating to recruitment of juveniles for criminal street gang; penalty.

- H.B. 580.** A BILL to amend and reenact §§ 16.1-340 and 16.1-341 of the Code of Virginia, relating to involuntary commitment of minors.
- H.B. 592.** A BILL to amend and reenact § 46.2-819.2 of the Code of Virginia, relating to failing to pay for motor fuel; penalty.
- H.B. 652.** A BILL to amend and reenact § 16.1-266 of the Code of Virginia, relating to duty to inform of right to counsel in certain juvenile court proceedings.
- H.B. 653.** A BILL to amend and reenact §§ 16.1-247 and 16.1-249 of the Code of Virginia, relating to custody and confinement for juvenile offenses.
- H.B. 787.** A BILL to amend and reenact § 16.1-305 of the Code of Virginia, relating to confidentiality of court records.
- H.B. 864.** A BILL to amend and reenact §§ 65.2-309 through 65.2-311 of the Code of Virginia, relating to perfection of employer's subrogation rights.
- H.B. 992.** A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to ballot forms and party designations of candidates on ballots.
- H.B. 1015.** A BILL to amend and reenact § 22.1-207.1 of the Code of Virginia, relating to family life education.
- H.B. 1039.** A BILL to amend and reenact § 2.2-4301 of the Code of Virginia, relating to the Virginia Public Procurement Act; contracts for professional services.
- H.B. 1057.** A BILL to amend and reenact §§ 9.1-102, 9.1-143, 16.1-77, 19.2-149, 38.2-1800, 38.2-1824, 38.2-2411, 38.2-2412 and 58.1-3724 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 11, consisting of sections numbered 9.1-185 through 9.1-199.4, and by adding sections numbered 38.2-2412.1 and 38.2-2412.2, and to repeal Article 4 (§§ 19.2-152.1 through 19.2-152.1:7) of Chapter 9 of Title 19.2 and Article 6.2 (§§ 38.2-1865.6 through 38.2-1865.13) of Chapter 18 of Title 38.2, relating to regulation of bail bondsmen; penalty.
- H.B. 1062.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to intake of juveniles.
- H.B. 1063.** A BILL to amend and reenact § 64.1-145 of the Code of Virginia, relating to damages resulting from legal malpractice concerning irrevocable trusts.
- H.B. 1080.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to notification of superintendent of certain crimes committed by juvenile.
- H.B. 1096.** A BILL to amend and reenact § 16.1-299 of the Code of Virginia, relating to juvenile fingerprints and photographs.
- H.B. 1129.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-187.2, relating to the audiovisual recording of motion pictures.

**H.B. 1157.** A BILL to amend and reenact §§ 46.2-819 and 46.2-819.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 8 of Title 46.2 a section numbered 46.2-819.3, relating to the use of toll facilities without payment of toll.

**H.B. 1355.** A BILL to amend and reenact § 16.1-278.8 of the Code of Virginia, relating to delinquent juveniles; disposition.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.  
NAYS--0.  
RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 134, H.B. 402, H.B. 569, H.B. 580, H.B. 652, H.B. 653, H.B. 787, H.B. 1057, H.B. 1062, H.B. 1063, H.B. 1080, H.B. 1096, H.B. 1129, and H.B. 1355** were referred to the Committee for Courts of Justice.

**H.B. 592** and **H.B. 1157** were referred to the Committee on Transportation.

**H.B. 864** was referred to the Committee on Commerce and Labor.

**H.B. 992** was referred to the Committee on Privileges and Elections.

**H.B. 1015** was referred to the Committee on Education and Health.

**H.B. 1039** was referred to the Committee on General Laws.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 35** (thirty-five).  
**S.B. 284** (two hundred eighty-four) with substitute.  
**S.B. 365** (three hundred sixty-five) with amendments.  
**S.B. 386** (three hundred eighty-six).  
**S.B. 458** (four hundred fifty-eight) with amendment.

- S.B. 547 (five hundred forty-seven).
- S.B. 605 (six hundred five) with amendment.
- S.B. 668 (six hundred sixty-eight).
- S.B. 678 (six hundred seventy-eight) with substitute.
- H.B. 246 (two hundred forty-six).
- H.B. 1084 (one thousand eighty-four).
- H.B. 1262 (one thousand two hundred sixty-two) with substitute.

The following bills and joint resolutions, having been considered by the committee in session, were reported by Senator Norment from the Committee on Rules:

- S.B. 267 (two hundred sixty-seven) with substitute.
- S.B. 381 (three hundred eighty-one) with substitute.
- S.B. 406 (four hundred six) with substitute.
- S.B. 407 (four hundred seven) with substitute.
- S.B. 434 (four hundred thirty-four).
- S.B. 566 (five hundred sixty-six) with amendment.
- S.B. 664 (six hundred sixty-four).
- S.B. 689 (six hundred eighty-nine) with amendments.
- S.J.R. 19 (nineteen).
- S.J.R. 24 (twenty-four) with substitute.
- S.J.R. 25 (twenty-five) with amendments.
- S.J.R. 38 (thirty-eight) with amendment.
- S.J.R. 39 (thirty-nine) with substitute.
- S.J.R. 49 (forty-nine) with amendments.
- S.J.R. 57 (fifty-seven) with substitute.
- S.J.R. 58 (fifty-eight).
- S.J.R. 64 (sixty-four) with substitute.
- S.J.R. 74 (seventy-four) with substitute.
- S.J.R. 75 (seventy-five) with amendments.
- S.J.R. 80 (eighty) with substitute.
- S.J.R. 81 (eighty-one) with amendments.
- S.J.R. 86 (eighty-six) with amendment.
- S.J.R. 88 (eighty-eight).
- S.J.R. 89 (eighty-nine) with amendments.
- S.J.R. 90 (ninety) with substitute.
- S.J.R. 95 (ninety-five) with substitute.
- S.J.R. 111 (one hundred eleven) with substitute.
- S.J.R. 115 (one hundred fifteen) with amendment.
- S.J.R. 122 (one hundred twenty-two).
- S.J.R. 130 (one hundred thirty) with amendments.
- S.J.R. 131 (one hundred thirty-one) with amendments.

The following joint resolutions, having been considered by the committee in session, were recommended for rereferral by the Committee on Rules pursuant to Senate Rule 20 (j):

- S.J.R. 29 (twenty-nine) with the recommendation that it be rereferred to the Committee on Finance.
- S.J.R. 48 (forty-eight) with the recommendation that it be rereferred to the Committee on Finance.
- S.J.R. 78 (seventy-eight) with the recommendation that it be rereferred to the Committee on Finance.
- S.J.R. 82 (eighty-two) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

- S.B. 21** (twenty-one) with substitute.
- S.B. 107** (one hundred seven) with substitute.
- S.B. 126** (one hundred twenty-six) with substitute.
- S.B. 148** (one hundred forty-eight) with substitute.
- S.B. 277** (two hundred seventy-seven) with substitute.
- S.B. 418** (four hundred eighteen) with amendments.
- S.B. 444** (four hundred forty-four) with substitute.
- H.B. 516** (five hundred sixteen) with amendments.

**S.J.R. 29, S.J.R. 48, S.J.R. 78, and S.J.R. 82** were rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Blevins introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 183.** Commending the Great Bridge High School baseball team.  
Patrons--Blevins; Delegate: Cosgrove

**S.J.R. 184.** Commending the Great Bridge High School wrestling team.  
Patrons--Blevins; Delegate: Cosgrove

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Devolites introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 185.** Commending Cox Communications.  
Patrons--Devolites, Cuccinelli, Howell, Mims, Obenshain, O'Brien, Puller and Saslaw; Delegates: Albo, Amundson, Callahan, Dillard, Hugo, Hull, Petersen, Plum, Reese, Rust, Scott, J.M., Shannon, Sickles and Watts

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Ticer introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 186.** On the death of Howard Worth Smith, Jr.  
Patrons--Ticer and Saslaw; Delegates: Ebbin, Moran and Van LANDINGHAM

**S.J.R. 187.** On the death of Clement Conger.  
Patrons--Ticer and Saslaw; Delegates: Ebbin, Moran and Van LANDINGHAM

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Houck introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 188.** Commending Cathy Herndon.  
Patrons--Houck and Chichester



strike

The mayor and no

insert

*Neither the mayor nor any*

The reading of the amendment was waived.

On motion of Senator Quayle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1363** (one thousand three hundred sixty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 24.2-943 and 24.2-944 of the Code of Virginia, relating to political campaign advertisements; basic requirements and additional requirements for radio and television advertisements.

The reading of the substitute was waived.

On motion of Senator Martin, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 24** (twenty-four).

**H.B. 37** (thirty-seven).

**H.B. 53** (fifty-three).

**H.B. 57** (fifty-seven).

**H.B. 75** (seventy-five).

**H.B. 141** (one hundred forty-one).

**H.B. 240** (two hundred forty) with amendment.

**H.B. 241** (two hundred forty-one) with amendment.

**H.B. 249** (two hundred forty-nine).

**H.B. 317** (three hundred seventeen).

**H.B. 373** (three hundred seventy-three).

**H.B. 533** (five hundred thirty-three).

**H.B. 550** (five hundred fifty).

**H.B. 744** (seven hundred forty-four).

**H.B. 767** (seven hundred sixty-seven).

**H.B. 823** (eight hundred twenty-three).

**H.B. 850** (eight hundred fifty).

**H.B. 1266** (one thousand two hundred sixty-six).

**H.B. 1363** (one thousand three hundred sixty-three) with substitute.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 741** (seven hundred forty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in certain counties and cities.

The reading of the substitute was waived.

Senator Watkins moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

**H.B. 741**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, Obenshain, O'Brien--3.

RULE 36--0.

**H.B. 58** (fifty-eight), on motion of Senator Quayle, was passed by temporarily.

**H.B. 434** (four hundred thirty-four), on motion of Senator Quayle, was passed by temporarily.

**H.B. 484** (four hundred eighty-four) was read by title the third time.

Senator Norment moved to rerefer **H.B. 484** to the Committee for Courts of Justice.

The question was put on rereferring **H.B. 484** to the Committee for Courts of Justice.

The motion was rejected.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 16, engrossed, after *Any*  
strike  
*such*
2. Line 16, engrossed, after *were*  
strike  
*copied*  
insert  
*created*
3. Line 17, engrossed, after *section*  
insert  
*that are in the custody of any county*
4. Line 17, engrossed, after *destroyed*  
strike  
*by the custodian of the records on or before July 1, 2005. The custodian*  
insert  
*no later than July 31, 2004. Upon destroying the records, the county*
5. Line 18, engrossed, after *that*  
strike  
*it has been accomplished*  
insert  
*such destruction has been completed*
6. Line 19, engrossed, after 2.  
strike  
That § 15.2-1207 of the Code of Virginia is repealed.  
3.

The reading of the amendments was waived.

On motion of Senator Cuccinelli, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 484**, on motion of Senator Cuccinelli, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--31.

NAYS--Howell, Locke, Lucas, Marsh, Puller, Saslaw, Ticer, Whipple--8.

RULE 36--0.

**H.B. 737** (seven hundred thirty-seven), on motion of Senator Quayle, was passed by temporarily.

**RECONSIDERATION**

Senator Norment moved to reconsider the vote by which **H.B. 484** (four hundred eighty-four) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 484**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--29.

NAYS--Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--10.

RULE 36--0.

**SENATE BILLS ON THIRD READING**

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 242** (two hundred forty-two).

**S.B. 558** (five hundred fifty-eight).

**S.B. 618** (six hundred eighteen).

**S.B. 663** (six hundred sixty-three).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 242** (two hundred forty-two).

**S.B. 558** (five hundred fifty-eight).

**S.B. 618** (six hundred eighteen).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 663** (six hundred sixty-three), on motion of Senator Wagner, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Deeds, Locke, Puller, Reynolds--4.

RULE 36--0.

**S.B. 688** (six hundred eighty-eight) was taken up.

#### RECONSIDERATION

Senator Edwards moved to reconsider the vote by which **S.B. 688** (six hundred eighty-eight) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Edwards offered the following amendment to the substitute:

1. Line 18, substitute, after entity *and*  
strike  
*in compliance*  
insert  
*consistent*

On motion of Senator Edwards, the reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

Senator Edwards moved that the Rules be suspended and the third reading of the title of **S.B. 688** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Edwards moved that **S.B. 688** be passed with its title.

The question was put on passing **S.B. 688** with its title.

**S.B. 688** was defeated with its title.

The recorded vote is as follows:

YEAS--15. NAYS--24. RULE 36--0.

YEAS--Bolling, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Reynolds, Saslaw, Ticer, Whipple--15.

NAYS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--24.

RULE 36--0.

**S.B. 670** (six hundred seventy) was read by title the third time and, on motion of Senator Newman, was passed with its title.

The recorded vote is as follows:

YEAS--23. NAYS--15. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--23.

NAYS--Colgan, Deeds, Edwards, Hanger, Houck, Howell, Lambert, Locke, Marsh, Miller, Puller, Reynolds, Saslaw, Ticer, Whipple--15.

RULE 36--0.

**S.B. 204** (two hundred four) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Colgan, Puller, Ticer--3.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 688** (six hundred eighty-eight) was defeated with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Norment moved that **S.B. 688** be passed with its title.

The question was put on passing **S.B. 688** with its title.

**S.B. 688** was defeated with its title.

The recorded vote is as follows:

YEAS--15. NAYS--22. RULE 36--0.

YEAS--Bolling, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Miller, Puller, Reynolds, Stolle, Ticer, Whipple--15.

NAYS--Chichester, Colgan, Cuccinelli, Hanger, Hawkins, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Saslaw, Stosch, Wagner, Wampler, Watkins, Williams--22.

RULE 36--0.

### STATEMENT ON VOTE

Senator Devolites stated that she voted yea on the question of the passage of **S.B. 688**, whereas she intended to vote nay.

### STATEMENT ON VOTE

Senator Saslaw stated that he voted nay on the question of the passage of **S.B. 688**, whereas he intended to vote yea.

## STATEMENT ON VOTE

Senator Stolle stated that he voted yea on the question of the passage of **S.B. 688**, whereas he intended to vote nay.

## HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- H.B. 6** (six).
- H.B. 7** (seven).
- H.B. 8** (eight).
- H.B. 9** (nine).
- H.B. 10** (ten).
- H.B. 11** (eleven).
- H.B. 12** (twelve).
- H.B. 22** (twenty-two).
- H.B. 23** (twenty-three).
- H.B. 203** (two hundred three).
- H.B. 206** (two hundred six).
- H.B. 211** (two hundred eleven).
- H.B. 573** (five hundred seventy-three).
- H.B. 577** (five hundred seventy-seven).
- H.B. 623** (six hundred twenty-three).
- H.B. 626** (six hundred twenty-six).
- H.B. 633** (six hundred thirty-three).
- H.B. 783** (seven hundred eighty-three).
- H.B. 875** (eight hundred seventy-five).
- H.B. 876** (eight hundred seventy-six).
- H.B. 877** (eight hundred seventy-seven).
- H.B. 878** (eight hundred seventy-eight).
- H.B. 879** (eight hundred seventy-nine).
- H.B. 1296** (one thousand two hundred ninety-six).
- H.B. 14** (fourteen).
- H.B. 15** (fifteen).
- H.B. 309** (three hundred nine).

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 6** (six).  
**H.B. 7** (seven).  
**H.B. 8** (eight).  
**H.B. 9** (nine).  
**H.B. 10** (ten).  
**H.B. 11** (eleven).  
**H.B. 12** (twelve).  
**H.B. 22** (twenty-two).  
**H.B. 23** (twenty-three).  
**H.B. 203** (two hundred three).  
**H.B. 206** (two hundred six).  
**H.B. 211** (two hundred eleven).  
**H.B. 573** (five hundred seventy-three).  
**H.B. 577** (five hundred seventy-seven).  
**H.B. 623** (six hundred twenty-three).  
**H.B. 626** (six hundred twenty-six).  
**H.B. 633** (six hundred thirty-three).  
**H.B. 783** (seven hundred eighty-three).  
**H.B. 875** (eight hundred seventy-five).  
**H.B. 876** (eight hundred seventy-six).  
**H.B. 877** (eight hundred seventy-seven).  
**H.B. 878** (eight hundred seventy-eight).  
**H.B. 879** (eight hundred seventy-nine).  
**H.B. 14** (fourteen).  
**H.B. 15** (fifteen).  
**H.B. 309** (three hundred nine).

**H.B. 1296** (one thousand two hundred ninety-six) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:  
YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.  
RULE 36--0.

#### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 98** (ninety-eight).  
**S.B. 124** (one hundred twenty-four).

- S.B. 232 (two hundred thirty-two).
- S.B. 268 (two hundred sixty-eight).
- S.B. 330 (three hundred thirty).
- S.B. 436 (four hundred thirty-six).
- S.B. 479 (four hundred seventy-nine).
- S.B. 516 (five hundred sixteen).
- S.B. 518 (five hundred eighteen).
- S.B. 565 (five hundred sixty-five).
- S.B. 628 (six hundred twenty-eight).

The motion was agreed to.

S.B. 98 (ninety-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

The following amendment proposed by the Committee on Finance to the substitute was offered:

1. Line 21, substitute, after line 20  
insert
  2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor.

The reading of the amendment was waived.

On motion of Senator Devolites, the amendment was agreed to.

S.B. 232 (two hundred thirty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 51.1, consisting of sections numbered 2.2-5105 through 2.2-5108, relating to the Virginia Economic Development Incentive Act.

The reading of the substitute was waived.

On motion of Senator Lambert, the substitute was agreed to.

Senator Lambert offered the following amendment to the substitute:

1. Line 26, substitute, after *after*  
strike  
*July*  
insert  
*January*

On motion of Senator Lambert, the reading of the amendment was waived.

On motion of Senator Lambert, the amendment was agreed to.

**S.B. 268** (two hundred sixty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 24.2-901, 24.2-914, and 24.2-929 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-919.1 relating to campaign finance disclosure; definitions, disclosure reports, and certain in-kind contributions and independent expenditures; penalties.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

**S.B. 330** (three hundred thirty) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 6, introduced, Title, after *19.2-163.01*  
strike  
remainder of line 6 and through *19.20163.4:1*, and on line 7  
insert  
*through 19.2-163.04 and 19.2-163.4:1 and*
2. Line 16, introduced, after 19.2-163.01  
strike  
remainder of line 16 and through as on line 17  
insert  
through 19.2-163.04 and 19.2-163.4:1 as
3. Line 359, introduced, after line 358  
insert
4. That the provisions of § 19.2-163.03 shall become effective July 1, 2005.

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

**S.B. 436** (four hundred thirty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 63.2-2002 of the Code of Virginia, relating to Neighborhood Assistance Act tax credit.

The reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

**S.B. 479** (four hundred seventy-nine) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 1156, introduced  
strike

all of lines 1156 through 1159

insert

2. Any standard of quality set forth in this act that is not required as of June 30, 2004, and for which state funding is required, shall not take effect unless the state's share of funding that standard is included in the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor.

The reading of the amendment was waived.

On motion of Senator Potts, the amendment was agreed to.

**S.B. 516** (five hundred sixteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to authorize the Governor to sell and convey former Staunton Correctional Center.

The reading of the substitute was waived.

On motion of Senator Hanger, the substitute was agreed to.

**S.B. 565** (five hundred sixty-five) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 54, introduced, after *data-sharing partners*  
insert

*and one local social services representative to be selected by the Virginia League of Social Service Executives*

The reading of the amendment was waived.

Senator Lambert moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to develop a reference database of statewide health-related data; Secretary of Health and Human Resources.

The reading of the substitute was waived.

On motion of Senator Lambert, the substitute was agreed to.

**S.B. 628** (six hundred twenty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 51.1-1110 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.

The reading of the substitute was waived.

On motion of Senator Devolites, the substitute was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 98** (ninety-eight) as amended.

**S.B. 124** (one hundred twenty-four).

**S.B. 232** (two hundred thirty-two) as amended.

**S.B. 268** (two hundred sixty-eight) as amended.

**S.B. 330** (three hundred thirty) as amended.

**S.B. 436** (four hundred thirty-six) as amended.

**S.B. 479** (four hundred seventy-nine) as amended.

**S.B. 516** (five hundred sixteen) as amended.

**S.B. 518** (five hundred eighteen).

**S.B. 565** (five hundred sixty-five) as amended.

**S.B. 628** (six hundred twenty-eight) as amended.

**S.B. 456** (four hundred fifty-six), on motion of Senator Whipple, was passed by for the day.

**S.B. 658** (six hundred fifty-eight) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 53.1-159 of the Code of Virginia, relating to mandatory release on parole.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

On motion of Senator Quayle, the bill was ordered to be engrossed and read by title the third time.

### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 172 (one hundred seventy-two).
- S.B. 241 (two hundred forty-one).
- S.B. 385 (three hundred eighty-five).
- S.B. 397 (three hundred ninety-seven).
- S.B. 486 (four hundred eighty-six).
- S.B. 504 (five hundred four).
- S.B. 505 (five hundred five).
- S.B. 575 (five hundred seventy-five).
- S.B. 576 (five hundred seventy-six).
- S.B. 601 (six hundred one).
- S.B. 685 (six hundred eighty-five).
- S.B. 276 (two hundred seventy-six).
- S.B. 297 (two hundred ninety-seven).
- S.B. 336 (three hundred thirty-six).
- S.B. 477 (four hundred seventy-seven).
- S.B. 493 (four hundred ninety-three).
- S.B. 521 (five hundred twenty-one).
- S.B. 587 (five hundred eighty-seven).
- S.B. 660 (six hundred sixty).
- S.B. 669 (six hundred sixty-nine).

The motion was agreed to.

The recorded vote is as follows:

YEAS--33. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--33.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

- S.B. 172 (one hundred seventy-two).
- S.B. 241 (two hundred forty-one).
- S.B. 385 (three hundred eighty-five).
- S.B. 397 (three hundred ninety-seven).
- S.B. 486 (four hundred eighty-six).
- S.B. 504 (five hundred four).
- S.B. 505 (five hundred five).
- S.B. 575 (five hundred seventy-five).
- S.B. 576 (five hundred seventy-six).

**S.B. 601** (six hundred one).  
**S.B. 685** (six hundred eighty-five).  
**S.B. 276** (two hundred seventy-six).  
**S.B. 297** (two hundred ninety-seven).  
**S.B. 336** (three hundred thirty-six).  
**S.B. 477** (four hundred seventy-seven).  
**S.B. 493** (four hundred ninety-three).  
**S.B. 521** (five hundred twenty-one).  
**S.B. 587** (five hundred eighty-seven).  
**S.B. 660** (six hundred sixty).  
**S.B. 669** (six hundred sixty-nine).

### HOUSE JOINT RESOLUTION ON THIRD READING

**H.J.R. 9** (nine) was read by title the third time.

#### HOUSE JOINT RESOLUTION NO. 9

Proposing an amendment to Section 16 of Article V of the Constitution of Virginia, relating to succession to the office of Governor.

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2003 and referred to this, the next regular session held after the 2003 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 16 of Article V of the Constitution of Virginia as follows:

#### ARTICLE V EXECUTIVE

Section 16. Succession to the office of Governor.

When the Governor-elect is disqualified, resigns, or dies following his election but prior to taking office, the Lieutenant Governor-elect shall succeed to the office of Governor for the full term. When the Governor-elect fails to assume office for any other reason, the Lieutenant Governor-elect shall serve as Acting Governor.

Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Delegates his written declaration that he is unable to discharge the powers and duties of his office and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as Acting Governor.

Whenever the Attorney General, the President pro tempore of the Senate, and the Speaker of the House of Delegates, or a majority of the total membership of the General Assembly, transmit to the Clerk of the Senate and the Clerk of the House of Delegates their written declaration that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall immediately assume the powers and duties of the office as Acting Governor.

Thereafter, when the Governor transmits to the Clerk of the Senate and the Clerk of the House of Delegates his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Attorney General, the President pro tempore of the Senate, and the Speaker of the House of Delegates, or a majority of the total membership of the General Assembly, transmit within four days to the Clerk of the Senate and the Clerk of the House of Delegates their written declaration that the Governor is unable to discharge the powers and duties of his office. Thereupon the General Assembly shall decide the issue, convening within forty-eight hours for that purpose if not already in session. If within twenty-one days after receipt of the latter declaration or, if the General Assembly is not in session, within twenty-one days after the General Assembly is required to convene, the General Assembly determines by three-fourths vote of the elected membership of each house of the General Assembly that the Governor is unable to discharge the powers and duties of his office, the Lieutenant Governor shall become Governor; otherwise, the Governor shall resume the powers and duties of his office.

In the case of the removal of the Governor from office or in the case of his disqualification, death, or resignation, the Lieutenant Governor shall become Governor.

If a vacancy exists in the office of Lieutenant Governor when the Lieutenant Governor is to succeed to the office of Governor or to serve as Acting Governor, the Attorney General, if he is eligible to serve as Governor, shall succeed to the office of Governor for the unexpired term or serve as Acting Governor. If the Attorney General is ineligible to serve as Governor, the Speaker of the House of Delegates, if he is eligible to serve as Governor, shall succeed to the office of Governor for the unexpired term or serve as Acting Governor. If a vacancy exists in the office of the Speaker of the House of Delegates or if the Speaker of the House of Delegates is ineligible to serve as Governor, the House of Delegates shall convene and fill the vacancy.

*In the event of an emergency or enemy attack upon the soil of Virginia and a resulting inability of the House of Delegates to convene to fill the vacancy, the Speaker of the House, the person designated to act in his stead as prescribed in the Rules of the House of Delegates, the President pro tempore of the Senate, or the majority leader of the Senate, in that designated order, shall serve as Acting Governor until such time as the House of Delegates convenes to elect a Governor.*

*The General Assembly may provide by law for the waiver of the eligibility requirements for the Attorney General, Speaker of the House, or acting Speaker to serve as Governor or Acting Governor in the event of an emergency or enemy attack upon the soil of Virginia as evidenced by a proclamation of the Governor or alternative authority prescribed by law.*

**H.J.R. 9**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--35.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

**H.B. 58** (fifty-eight) was taken up, read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--35.

NAYS--0.

RULE 36--0.

**H.B. 434** (four hundred thirty-four) was taken up, read by title the third time and, on motion of Senator Whipple, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Potts, Puller, Quayle, Rerras, Reynolds, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--29.

NAYS--Cuccinelli, Martin, Mims, Obenshain, O'Brien, Ruff--6.

RULE 36--0.

**H.B. 737** (seven hundred thirty-seven) was taken up, read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--35.

NAYS--0.

RULE 36--0.

#### MESSAGE FROM THE HOUSE IMMEDIATE CONSIDERATION

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 377** (three hundred seventy-seven), as follows; in which it requested the concurrence of the Senate:

#### HOUSE JOINT RESOLUTION NO. 377

Expressing appreciation for the hospitality extended by the Colonial Williamsburg Foundation and The College of William and Mary in Virginia.

WHEREAS, on February seventh, two thousand and four, the General Assembly met in the Reconstructed Capitol at Williamsburg as guests of the Colonial Williamsburg Foundation; and

WHEREAS, during this Twenty-third Commemorative Session, the Colonial Williamsburg Foundation presented to the members of the General Assembly participating in the Commemorative Session a copy of Gordon S. Wood's *The American Revolution A History*; and

WHEREAS, it is fitting that this body express its appreciation for the generous hospitality extended by the Colonial Williamsburg Foundation and The College of William and Mary in Virginia, which jointly hosted a luncheon; and

WHEREAS, it is appropriate that this body also express its appreciation for the reception, dinner, and breakfast hosted by the Colonial Williamsburg Foundation; and

WHEREAS, it was additionally the observance of Charter Day for The College of William and Mary in Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby records its appreciation of the many courtesies extended this body, its members, and guests by the Colonial Williamsburg Foundation upon the occasion of the holding of the session of the General Assembly of Virginia in the Reconstructed Capitol at Williamsburg on February seventh, two thousand and four; and, be it

RESOLVED FURTHER, That the General Assembly hereby records its appreciation of the many courtesies extended this body, its members, and guests by The College of William and Mary in Virginia; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Colonial Williamsburg Foundation and to The College of William and Mary in Virginia as a token of the appreciation of the General Assembly of the Commonwealth of Virginia.

Senator Norment moved that the Rules be suspended, the readings of the title of **H.J.R. 377** be waived, and the joint resolution be taken up for immediate consideration.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--35.

NAYS--0.

RULE 36--0.

**H.J.R. 377**, on motion of Senator Norment, was agreed to.

Senator Norment was ordered to inform the House of Delegates thereof.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Whipple introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 189.** Commending the Arlington Committee of 100.

Patrons--Whipple and Ticer; Delegates: Brink, Ebbin, Eisenberg and Van Landingham

**OTHER BUSINESS**

Pursuant to Senate Rule 26 (f), the Clerk reported that Senators Bell, Blevins, Bolling, Cuccinelli, Deeds, Hanger, Mims, Newman, O'Brien, Rerras, and Wagner had been added as co-patrons of **S.J.R. 79** (seventy-nine).

On motion of Senator Reynolds, a leave of absence for the day was granted Senator Puckett on account of pressing personal business.

On motion of Senator Chichester, the Senate adjourned until Monday, February 16, 2004, at 10:00 a.m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee reports.

**COMMITTEE REPORT**

The following bill, having been considered by the committee in session, was reported by Senator Chichester from the Committee on Finance:

**S.B. 230** (two hundred thirty).

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and flows across the line.

Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, FEBRUARY 16, 2004

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. Donald D. Binder, Historic Pohick Episcopal Church, Lorton, Virginia, offered the following prayer:

Almighty God, on this day we remember before You those who have served as President of these United States and have shouldered the heavy burden of this office. We thank You for their stewardship of our nation and pray that in our time we may draw inspiration from the best of their qualities: from their courage, their wisdom, their compassion, their perseverance.

Bless especially with these gifts our Governor, Lieutenant Governor, and the Senators and Delegates of this General Assembly, inspiring within them a unity of purpose that transcends differences and seeks solely the greater good of the Commonwealth.

And may we all find the grace to heed Your immortal call to do justice, love mercy, and walk humbly with our Creator—and so foster for ourselves and for our world the blessings of liberty and peace. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Bolling notified the Clerk of his presence.

On motion of Senator Marsh, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates  
February 13, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 20.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites.

- H.B. 43.** A BILL to amend and reenact § 18.2-271.1 of the Code of Virginia, relating to a person, who is entered into an alcohol safety action program, operating a motor vehicle with a restricted permit.
- H.B. 71.** A BILL to amend and reenact § 19.2-152.1 of the Code of Virginia, relating to certification of property bail bondsmen.
- H.B. 127.** A BILL to amend and reenact § 18.2-268.4 of the Code of Virginia, relating to sanctions for refusal to submit to blood or breath test.
- H.B. 148.** A BILL to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.
- H.B. 162.** A BILL to amend and reenact § 57-27.1 of the Code of Virginia, relating to access to cemeteries located on private property; injunctive relief.
- H.B. 167.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying concealed weapons; penalty.
- H.B. 217.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.
- H.B. 253.** A BILL to amend and reenact §§ 16.1-69.40:1 and 46.2-878.2 of the Code of Virginia, relating to prepayable fines for local speeding offenses.
- H.B. 320.** A BILL to amend and reenact § 16.1-278.16 of the Code of Virginia, relating to capias for nonsupport.
- H.B. 321.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 7 of Title 17.1 a section numbered 17.1-705.1, relating to civil immunity for investigation of commissioners of accounts.
- H.B. 350.** A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, relating to the Department of the Treasury; risk management plans; inclusion of guardians.
- H.B. 421.** A BILL to amend and reenact § 20-23 of the Code of Virginia, relating to marriage celebrants.
- H.B. 504.** A BILL to amend and reenact § 53.1-120 of the Code of Virginia, relating to courthouse security fee.
- H.B. 508.** A BILL to amend and reenact § 2.2-2012 of the Code of Virginia, relating to VITA; contracts for personal computers.
- H.B. 509.** A BILL to amend and reenact § 17.1-213 of the Code of Virginia, relating to the circuit court clerk's disposition of papers in ended cases.
- H.B. 511.** A BILL to amend and reenact §§ 20-60.3 and 20-108.2 of the Code of Virginia, relating to child support; extraordinary medical expenses.
- H.B. 537.** A BILL to amend and reenact § 11-33.2 of the Code of Virginia, relating to improper use of payment device numbers.

- H.B. 543.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-3808.3, relating to use of unique identifying numbers on public records.
- H.B. 546.** A BILL to amend and reenact §§ 2.2-205, 2.2-225, 2.2-2651, 2.2-2669, 23-231.9, and 30-198 of the Code of Virginia, relating to duties of the Secretary of Technology.
- H.B. 557.** A BILL to amend and reenact §§ 18.2-272, 46.2-301 and 46.2-329 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.
- H.B. 593.** A BILL to amend and reenact § 46.2-392 of the Code of Virginia, relating to penalties for aggressive driving.
- H.B. 594.** A BILL to amend and reenact § 19.2-390 of the Code of Virginia, relating to reports to be made by law-enforcement officers to the Central Criminal Records Exchange.
- H.B. 600.** A BILL to amend and reenact §§ 16.1-250, 16.1-266, and 16.1-267 and to repeal § 16.1-250.1 of the Code of Virginia, relating to detention hearings.
- H.B. 614.** A BILL to amend and reenact §§ 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9 and 18.2-268.10 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-266.2, relating to driving motor vehicle, engine, etc., while having a Schedule I or Schedule II drug in bloodstream.
- H.B. 642.** A BILL to amend and reenact § 2 of the first enactment of Chapter 319 of the Acts of Assembly of 2002, relating to The Miller School of Albemarle.
- H.B. 651.** A BILL to amend and reenact §§ 16.1-69.22:1, 17.1-105 and 17.1-106 of the Code of Virginia, relating to retired judges and judges sitting by designation.
- H.B. 654.** A BILL to amend and reenact §§ 18.2-268.5, 19.2-310.3 and 46.2-341.26:5 of the Code of Virginia, relating to the qualifications of persons authorized to take blood samples.
- H.B. 664.** A BILL to amend and reenact § 19.2-81 of the Code of Virginia, relating to arrest without warrant for drunk driving.
- H.B. 676.** A BILL to amend and reenact § 46.2-391 of the Code of Virginia, relating to revocation of license for multiple convictions of driving while intoxicated.
- H.B. 689.** A BILL to amend and reenact §§ 59.1-510, 59.1-511, 59.1-513, and 59.1-514 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-513.1, relating to the Virginia Telephone Privacy Protection Act.
- H.B. 751.** A BILL to amend the Code of Virginia by adding in Chapter 2 of Title 20 a section numbered 20-12.1, relating to the Affirmation of Marriage Act for the Commonwealth of Virginia.
- H.B. 771.** A BILL to amend and reenact §§ 17.1-900 and 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; jurisdiction.
- H.B. 977.** A BILL to amend and reenact § 17.1-276 of the Code of Virginia, relating to remote access fee.
- H.B. 979.** A BILL to amend and reenact § 8.01-513 of the Code of Virginia, relating to service of process.

- H.B. 982.** A BILL to amend and reenact §§ 16.1-69.48:5, 16.1-107 and 16.1-112 of the Code of Virginia, relating to fees for services of district courts.
- H.B. 983.** A BILL to amend and reenact § 26-7.2 of the Code of Virginia, relating to mailing of notice, etc., by clerk.
- H.B. 984.** A BILL to amend and reenact § 37.1-134.6 of the Code of Virginia, relating to guardians and conservators.
- H.B. 985.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.
- H.B. 1012.** A BILL to amend and reenact §§ 19.2-120 and 19.2-299 of the Code of Virginia, relating to gang crimes; presumption against bail; presentence report.
- H.B. 1040.** A BILL to amend and reenact § 2.2-4301 of the Code of Virginia, relating to the Virginia Public Procurement Act; public notice of Request for Proposals.
- H.B. 1041.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.
- H.B. 1042.** A BILL to amend and reenact § 53.1-262 of the Code of Virginia, relating to state correctional facilities; private contracts.
- H.B. 1083.** A BILL to amend and reenact § 19.2-295.3 of the Code of Virginia, relating to admission of victim impact testimony.
- H.B. 1085.** A BILL to amend and reenact § 42.1-15.1 of the Code of Virginia, relating to the State Library Board; use of state funds.
- H.B. 1103.** A BILL to amend and reenact § 37.1-137.4 of the Code of Virginia, relating to powers of a conservator.
- H.B. 1107.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.
- H.B. 1111.** A BILL to amend and reenact § 20-107.3 of the Code of Virginia, relating to divorce; property distribution.
- H.B. 1124.** A BILL to amend and reenact §§ 2.2-1153 and 2.2-1156 of the Code of Virginia, relating to the Division of Engineering and Buildings; surplus real property.
- H.B. 1125.** A BILL to amend and reenact § 18.2-374.3 of the Code of Virginia, relating to criminal computer use by adults; definition of adult for that purpose.
- H.B. 1132.** A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.
- H.B. 1137.** A BILL to amend and reenact §§ 15.2-1716.1 and 46.2-417 of the Code of Virginia, relating to reimbursement for response to emergency calls.

- H.B. 1138.** A BILL to amend and reenact § 18.2-270.1 of the Code of Virginia, relating to mandatory ignition interlock for DUI conviction.
- H.B. 1139.** A BILL to amend and reenact §§ 19.2-35, 19.2-36 and 19.2-38 of the Code of Virginia, relating to appointment of magistrates.
- H.B. 1145.** A BILL to amend and reenact §§ 2.2-4310 and 2.2-4343 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-965.1, relating to participation of small, women- and minority-owned businesses in government procurement.
- H.B. 1172.** A BILL to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.
- H.B. 1201.** A BILL to amend and reenact § 2.2-1111 of the Code of Virginia, relating to regulations of the Division of Purchases and Supply; outsourcing.
- H.B. 1213.** A BILL to amend the Code of Virginia by adding in Chapter 27 of Title 2.2 an article numbered 7, consisting of sections numbered 2.2-2720 through 2.2-2724, relating to the Center for Rural Virginia.
- H.B. 1230.** A BILL to amend and reenact § 3.1-6.1 of the Code of Virginia, to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 42.1, consisting of sections numbered 3.1-1064.1 through 3.1-1064.7, and to repeal Chapter 42 (§§ 3.1-1057 through 3.1-1064) of Title 3.1 of the Code of Virginia, relating to establishment of the Virginia Wine Board and the Virginia Wine Promotion Fund.
- H.B. 1234.** A BILL to amend and reenact § 20-15 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.1, relating to domestic violence; fund for prosecutions.
- H.B. 1245.** A BILL to amend and reenact § 36-96.3 of the Code of Virginia, relating to the Virginia Fair Housing Law; evidence of unlawful discriminatory practices.
- H.B. 1264.** A BILL to amend and reenact § 55-59.1 of the Code of Virginia, relating to notice of sale; reference to instrument of appointment.
- H.B. 1274.** A BILL to amend and reenact § 16.1-275 of the Code of Virginia, relating to temporary custody of juveniles.
- H.B. 1309.** A BILL to amend and reenact § 4.1-305 of the Code of Virginia, relating to community-based probation for underage alcohol offenders.
- H.B. 1316.** A BILL to amend and reenact § 4.1-201 of the Code of Virginia, relating to alcoholic beverage control; conduct not prohibited by licensed wineries and farm wineries.
- H.B. 1330.** A BILL to amend and reenact §§ 2.2-603 and 2.2-2009 of the Code of Virginia, relating to the security of state government databases and data communications.
- H.B. 1337.** A BILL to amend and reenact § 11-9.1 of the Code of Virginia, relating to power of attorney; revocation, suspension, limitation.

- H.B. 1394.** A BILL to amend and reenact § 4.1-230 of the Code of Virginia, relating to alcoholic beverage control; application for licenses; shippers' licenses.
- H.B. 1396.** A BILL to amend and reenact §§ 2.2-3705 and 2.2-3711 of the Code of Virginia, relating to the Freedom of Information Act; record and meeting exemptions for the Virginia Commission on Military Bases.
- H.B. 1441.** A BILL to amend and reenact § 2.2-1120 of the Code of Virginia, relating to the Department of General Services; Division of Purchases and Supply; direct purchase by charitable corporations.
- H.B. 1447.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-1822.1, relating to the Department of Accounts; recovery audits of state contracts.
- H.B. 1448.** A BILL to amend and reenact § 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; taxes on local licenses.
- H.B. 1483.** A BILL to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

- H.J.R. 117.** Encouraging school boards to use performance-based contracts to evaluate division superintendents.
- H.J.R. 163.** Requesting the Secretary of Transportation, the Commonwealth Transportation Board, the Department of Transportation, the Department of Rail and Public Transportation, the County of Fairfax, the 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 working together to ensure that a coordinated transportation plan is implemented for the Reston community.
- H.J.R. 168.** Designating March 27 and 28 in 2004 as the Great Virginia Teach-In in the Commonwealth and supporting the establishment of the Electronic Job Bank and Hiring Hall.
- H.J.R. 288.** Encouraging the Supreme Court of Virginia to amend the Rules of Court on electronic filing.
- H.J.R. 291.** Memorializing the Commonwealth Transportation Board and the Virginia Department of Transportation to include construction of "truck climbing" lanes in their plans for widening and improving Interstate Route 81 in Virginia.
- H.J.R. 347.** On the death of Victoria Wesson Crow.
- H.J.R. 348.** On the death of George Mason Green, Jr.
- H.J.R. 349.** Commending Charlie Whetzel.
- H.J.R. 350.** Commending Steven Raymond Majewski.

**H.J.R. 351.** Commending the Charlottesville-Albemarle Rescue Squad, Inc.

**H.J.R. 352.** Commending Breaks Interstate Park.

**H.J.R. 353.** On the death of Dr. Nora Kizer Bell.

**H.J.R. 355.** Commending the Monticello High School football team.

**H.J.R. 356.** Commending the Lafayette High School field hockey team.

**H.J.R. 357.** Commending the W. T. Woodson High School field hockey team.

**H.J.R. 358.** Commending Ray C. Goodwin.

**H.J.R. 360.** Commending Bryant Stith.

**H.J.R. 362.** Commending the Mount Vernon-Lee Chamber of Commerce.

**H.J.R. 363.** Celebrating the life of Dr. Wybe Kroontje.

**H.J.R. 364.** On the death of Judge Ernest Wade Ballou.

**H.J.R. 365.** On the death of Eugene Barbour Pendleton, Jr.

**H.J.R. 366.** Commending Robert Brown.

**H.J.R. 367.** Commending A. Victor Thomas.

**H.J.R. 368.** Commending Darryl J. Pirok, DDS.

**H.J.R. 369.** Commending Joseph M. Nichols.

**H.J.R. 370.** On the death of General Click D. Smith, Jr.

**H.J.R. 371.** Commending the River Basin Grand Winners of the Clean Water Farm and Bay Friendly Farm Awards.

**H.J.R. 372.** Commending the agencies, companies, organizations, and individuals who assisted the citizens of Virginia in the aftermath of Hurricane Isabel.

**H.J.R. 373.** Commending W. Bruce Wingo.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 144.** Commending William E. Ward.

**S.J.R. 145.** Commending Dr. Patty Hale.

**S.J.R. 146.** Commemorating the 46th anniversary of the founding of Frederick Military Academy.

**S.J.R. 147.** Commending Sharon E. Bennett and Evan C. Wooton.

**S.J.R. 148.** Celebrating the life of Dr. Theodore R. Coots Brown, Sr.

**S.J.R. 149.** Commending Mount Olivet United Methodist Church.

**S.J.R. 150.** On the death of Marvin Donald Brady.

**S.J.R. 151.** Celebrating the life of Andrew B. Outlaw.

**S.J.R. 152.** Celebrating the life of Ernestine Jackson.

**S.J.R. 153.** Commending Richard Bausch, J. Douglas Smith, Charles Wright, and Louis D. Rubin, Jr.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

In the House of Delegates  
February 14, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 52.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.

**H.B. 150.** A BILL to amend and reenact § 53.1-131.3 of the Code of Virginia, relating to fees paid by inmates in jail.

**H.B. 151.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 33.1 an article numbered 3.1, consisting of sections numbered 33.1-56.1 through 33.1-56.5, relating to High-Occupancy Toll Lanes.

**H.B. 380.** A BILL to amend and reenact §§ 2.2-3109, 22.1-212.5, 22.1-212.6, 22.1-212.8, 22.1-212.9, 22.1-212.11, and 22.1-212.12 of the Code of Virginia, relating to the Charter School Excellence and Accountability Act.

**H.B. 390.** A BILL to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

**H.B. 429.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to reflectors or reflective material on the rear of certain trailers; study by Transportation Research Council.

**H.B. 447.** A BILL to amend and reenact §§ 16.1-278.15 and 20-103 of the Code of Virginia, relating to mandatory parenting classes; exception.

**H.B. 460.** A BILL to amend and reenact §§ 38.2-2416 through 38.2-2419 of the Code of Virginia, relating to powers of attorney for fidelity and surety insurers and surety bail bondsmen.

**H.B. 548.** A BILL to amend and reenact §§ 59.1-501.2, 59.1-501.3, 59.1-501.5, 59.1-501.6, 59.1-501.12, 59.1-502.7, 59.1-502.9, 59.1-503.7, 59.1-504.1, 59.1-504.4 and 59.1-504.5 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 59.1-501.4:1, 59.1-501.13:1,

59.1-501.14:1, 59.1-501.15, 59.1-501.16, 59.1-501.17 and 59.1-504.10, and to repeal §§ 59.1-501.4, 59.1-501.13, 59.1-501.14, 59.1-502.11, and 59.1-503.8 of the Code of Virginia, relating to the Uniform Computer Information Transactions Act.

**H.B. 556.** A BILL to amend and reenact § 46.2-892 of the Code of Virginia, relating to amber warning lights on vehicles used to deliver or collect the United States mail.

**H.B. 609.** A BILL to amend and reenact § 38.2-2125 of the Code of Virginia, relating to fire insurance; notices required involving flood coverage.

**H.B. 639.** A BILL to amend and reenact §§ 10.1-1408.4 and 10.1-1408.5 of the Code of Virginia, relating to siting of landfills.

**H.B. 685.** A BILL to amend and reenact § 62.1-44.15:5 of the Code of Virginia, relating to the Virginia Water Protection Permit.

**H.B. 686.** A BILL to amend and reenact § 59.1-200 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 46, consisting of sections numbered 59.1-525 through 59.1-529, relating to price gouging.

**H.B. 692.** A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 30 a section numbered 30-170.1, relating to the Joint Commission on Health Care.

**H.B. 817.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**H.B. 931.** A BILL to amend and reenact § 15.2-1416 of the Code of Virginia, relating to meetings of governing bodies.

**H.B. 988.** A BILL to amend and reenact § 15.2-852 of the Code of Virginia, relating to disclosures in land use proceedings.

**H.B. 997.** A BILL to designate the entire length of Fairfax Station Road in Fairfax County a Virginia byway.

**H.B. 998.** A BILL to designate Virginia Route 609 (Pleasant Valley Road between U.S. Route 29 (Lee Highway)) and Blue Spring Drive in Fairfax County a Virginia byway.

**H.B. 1007.** A BILL to amend the Code of Virginia by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2127, relating to insurance; permitted exclusions.

**H.B. 1044.** A BILL to amend and reenact § 29.1-521 of the Code of Virginia, relating to the baiting of wild birds or wild animals.

**H.B. 1154.** A BILL to designate a portion of U.S. Route 17 a Virginia byway.

**H.B. 1190.** A BILL to amend and reenact § 15.2-2903 of the Code of Virginia, relating to duties of the Commission on Local Government.

**H.B. 1211.** A BILL to amend and reenact § 15.2-5158 of the Code of Virginia, relating to community development authorities.

- H.B. 1255.** A BILL to amend the Code of Virginia by adding in Chapter 9 of Title 15.2, a section numbered 15.2-975, relating to use of cash proffers.
- H.B. 1291.** A BILL to require the Virginia Department of Transportation to assert the property rights of the Commonwealth with respect to Woodlawn Road in Fairfax County and Fort Belvoir.
- H.B. 1312.** A BILL to amend and reenact § 46.2-700 of the Code of Virginia, relating to specialized mobile safety equipment.
- H.B. 1335.** A BILL to amend and reenact § 46.2-1022 of the Code of Virginia, relating to flashing blue, red and blue, blue and white, or red, white, and blue warning lights on certain vehicles.
- H.B. 1350.** A BILL to amend and reenact §§ 10.1-1322, 10.1-1402, 10.1-1402.1, as it shall become effective July 1, 2004, and 62.1-44.15:6, as it is currently effective until July 1, 2004, of the Code of Virginia, and to amend and reenact the third enactment of Chapter 822 of the Act of Assembly of Virginia as it applies to § 62.1-44.15:6 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 10.1-1402.1:1, relating to environmental permit fees.
- H.B. 1369.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.
- H.B. 1373.** A BILL to amend and reenact § 15.2-2403 of the Code of Virginia, relating to service districts; road construction.
- H.B. 1413.** A BILL to designate Interstate Route 64 in Virginia the “Korean War Veterans Memorial Highway,” Interstate Route 81 in Virginia the “World War II Veterans Memorial Highway,” and Interstate Route 95 in Virginia the “Vietnam Veterans Memorial Highway.”
- H.B. 1419.** A BILL to amend the Code of Virginia by adding in Title 33.1 a chapter numbered 16, consisting of sections numbered 33.1-447 through 33.1-463, relating to creation of a local transportation district within the City of Charlottesville and Albemarle County.
- H.B. 1423.** A BILL to amend and reenact § 46.2-1530.2 of the Code of Virginia, relating to dealer’s transaction fee; emergency.
- H.B. 1443.** A BILL to amend and reenact §§ 22.1-3 and 22.1-270 of the Code of Virginia, relating to admission of certain persons to the public schools.
- H.B. 1444.** A BILL to designate Virginia Route 199 the “Humelsine Parkway.”
- H.B. 1445.** A BILL to amend and reenact § 46.2-834 of the Code of Virginia, relating to school crossing guard; use of hand-held stop signs to control traffic.
- H.B. 1450.** A BILL to amend and reenact § 62.1-44.34:11 of the Code of Virginia, relating to disbursements from the Petroleum Storage Tank Fund.
- H.B. 1474.** A BILL to designate a certain bridge “The Stuart Finley Bridge.”
- H.B. 1475.** A BILL to amend the Code of Virginia by adding a section numbered § 2.2-3310.2, relating to the Vietnamese-American Heritage Flag.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 194.** Rescinding past resolutions of the General Assembly calling for a constitutional convention to amend the Constitution of the United States.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 20, H.B. 43, H.B. 71, H.B. 127, H.B. 167, H.B. 217, H.B. 253, H.B. 320, H.B. 321, H.B. 421, H.B. 504, H.B. 509, H.B. 511, H.B. 557, H.B. 594, H.B. 600, H.B. 614, H.B. 651, H.B. 654, H.B. 664, H.B. 676, H.B. 751, H.B. 771, H.B. 977, H.B. 979, H.B. 982, H.B. 983, H.B. 1012, H.B. 1041, H.B. 1083, H.B. 1107, H.B. 1111, H.B. 1125, H.B. 1132, H.B. 1138, H.B. 1139, H.B. 1172, H.B. 1234, H.B. 1264, H.B. 1274, and H.B. 1337** were referred to the Committee for Courts of Justice.

**H.B. 148, H.B. 162, H.B. 350, H.B. 508, H.B. 537, H.B. 543, H.B. 546, H.B. 985, H.B. 1040, H.B. 1085, H.B. 1124, H.B. 1145, H.B. 1201, H.B. 1245, H.B. 1330, H.B. 1396, H.B. 1441, and H.B. 1447** were referred to the Committee on General Laws.

**H.B. 593** and **H.B. 1137** were referred to the Committee on Transportation.

**H.B. 642, H.B. 984, H.B. 1103, and H.B. 1483** were referred to the Committee on Education and Health.

**H.B. 689** was referred to the Committee on Commerce and Labor.

**H.B. 1042, H.B. 1309, H.B. 1316, H.B. 1394, and H.B. 1448** were referred to the Committee on Rehabilitation and Social Services.

**H.B. 1213** was referred to the Committee on Rules.

**H.B. 1230** was referred to the Committee on Agriculture, Conservation and Natural Resources.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 117, H.J.R. 163, H.J.R. 168, H.J.R. 288, and H.J.R. 291** were referred to the Committee on Rules.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 347, H.J.R. 348, H.J.R. 349, H.J.R. 350, H.J.R. 351, H.J.R. 352, H.J.R. 353, H.J.R. 355, H.J.R. 356, H.J.R. 357, H.J.R. 358, H.J.R. 360, H.J.R. 362, H.J.R. 363, H.J.R. 364, H.J.R. 365, H.J.R. 366, H.J.R. 367, H.J.R. 368, H.J.R. 369, H.J.R. 370, H.J.R. 371, H.J.R. 372, and H.J.R. 373.**

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 52, H.B. 931, H.B. 988, H.B. 1190, H.B. 1211, H.B. 1255, H.B. 1369, and H.B. 1373** were referred to the Committee on Local Government.

**H.B. 150 and H.B. 447** were referred to the Committee for Courts of Justice.

**H.B. 151, H.B. 429, H.B. 556, H.B. 997, H.B. 998, H.B. 1154, H.B. 1312, H.B. 1335, H.B. 1413, H.B. 1419, H.B. 1423, H.B. 1444, H.B. 1445, and H.B. 1474** were referred to the Committee on Transportation.

**H.B. 380 and H.B. 1443** were referred to the Committee on Education and Health.

**H.B. 390, H.B. 460, H.B. 609, H.B. 686, and H.B. 1007** were referred to the Committee on Commerce and Labor.

**H.B. 548** was referred to the Committee on General Laws.

**H.B. 639, H.B. 685, H.B. 1044, H.B. 1350, and H.B. 1450** were referred to the Committee on Agriculture, Conservation and Natural Resources.

**H.B. 692, H.B. 817, H.B. 1291, and H.B. 1475** were referred to the Committee on Rules.

The House joint resolution, communicated as agreed to by the House of Delegates, the first reading of its title having been waived, was referred as follows:

**H.J.R. 194** was referred to the Committee on Rules.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Blevins introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 190.** Commending the Deep Creek High School boys' indoor track and field team.  
Patrons--Blevins; Delegate: Jones, S.C.

**S.J.R. 191.** Commending the Deep Creek High School boys' outdoor track and field team.  
Patrons--Blevins; Delegate: Jones, S.C.



strike  
~~Except where specifically provided herein, The~~  
insert  
Except where specifically provided herein, the

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 878** (eight hundred seventy-eight) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 160, engrossed, after C.  
strike  
*Except as specifically provided herein, the*  
insert  
The

2. Line 164, engrossed, after 2.  
strike  
~~Except where specifically provided herein, The~~  
insert  
Except where specifically provided herein, the

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 879** (eight hundred seventy-nine) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 82, engrossed, after C.  
strike  
*Except as specifically provided herein, the*  
insert  
The

2. Line 86, engrossed, after 2.  
strike  
~~Except where specifically provided herein, The~~  
insert  
Except where specifically provided herein, the

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 6** (six).  
**H.B. 7** (seven).  
**H.B. 8** (eight).  
**H.B. 9** (nine).  
**H.B. 10** (ten).  
**H.B. 11** (eleven).  
**H.B. 12** (twelve).  
**H.B. 22** (twenty-two).  
**H.B. 23** (twenty-three).  
**H.B. 203** (two hundred three).  
**H.B. 206** (two hundred six).  
**H.B. 211** (two hundred eleven).  
**H.B. 573** (five hundred seventy-three).  
**H.B. 577** (five hundred seventy-seven).  
**H.B. 623** (six hundred twenty-three).  
**H.B. 626** (six hundred twenty-six).  
**H.B. 633** (six hundred thirty-three).  
**H.B. 783** (seven hundred eighty-three).  
**H.B. 875** (eight hundred seventy-five).  
**H.B. 876** (eight hundred seventy-six).  
**H.B. 877** (eight hundred seventy-seven) with amendments.  
**H.B. 878** (eight hundred seventy-eight) with amendments.  
**H.B. 879** (eight hundred seventy-nine) with amendments.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 14** (fourteen) was read by title the third time.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 4, engrossed, Title, after 2.2-2820.1  
strike  
, (comma)  
insert  
*and*

2. Line 4, engrossed, Title, after 3.1-362  
strike

*and 22.1-289.1*

3. Line 208, engrossed, after 2.2-2820.1  
strike

, (comma)

insert

and

4. Line 208, engrossed, after 3.1-362  
strike

*and 22.1-289.1*

5. Line 211, engrossed  
strike

*all of lines 211 and 212*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 14**, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 15** (fifteen) was read by title the third time and, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Miller--1.

RULE 36--0.

**H.B. 309** (three hundred nine) was read by title the third time.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 19, engrossed, after *obtain*  
insert  
*initial*
2. Line 38, engrossed, after *approved for*  
insert  
*initial*
3. Line 56, engrossed  
insert  
*initial*

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 309**, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Martin--1.

RULE 36--0.

### SENATE BILLS ON THIRD READING

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- S.B. 98** (ninety-eight).
- S.B. 124** (one hundred twenty-four).
- S.B. 232** (two hundred thirty-two).
- S.B. 268** (two hundred sixty-eight).
- S.B. 330** (three hundred thirty).
- S.B. 436** (four hundred thirty-six).
- S.B. 479** (four hundred seventy-nine).
- S.B. 516** (five hundred sixteen).
- S.B. 518** (five hundred eighteen).
- S.B. 565** (five hundred sixty-five).
- S.B. 628** (six hundred twenty-eight).

The motion was agreed to.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 98** (ninety-eight).

**S.B. 124** (one hundred twenty-four).

**S.B. 232** (two hundred thirty-two).

**S.B. 330** (three hundred thirty).

**S.B. 436** (four hundred thirty-six).

**S.B. 479** (four hundred seventy-nine).

**S.B. 516** (five hundred sixteen).

**S.B. 518** (five hundred eighteen).

**S.B. 565** (five hundred sixty-five).

**S.B. 628** (six hundred twenty-eight).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 268** (two hundred sixty-eight), on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 658** (six hundred fifty-eight) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--12. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stosch, Ticer, Wampler, Watkins, Whipple--28.

NAYS--Bell, Bolling, Cuccinelli, Martin, Mims, Obenshain, O'Brien, Rerras, Ruff, Stolle, Wagner, Williams--12.

RULE 36--0.

**HOUSE BILLS ON SECOND READING**

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 516** (five hundred sixteen).

**H.B. 1084** (one thousand eighty-four).

**H.B. 1262** (one thousand two hundred sixty-two).

**H.B. 246** (two hundred forty-six).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 516** (five hundred sixteen).

**H.B. 1084** (one thousand eighty-four).

**H.B. 1262** (one thousand two hundred sixty-two).

**H.B. 246** (two hundred forty-six).

**SENATE BILLS ON SECOND READING**

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 172** (one hundred seventy-two).

**S.B. 241** (two hundred forty-one).

**S.B. 385** (three hundred eighty-five).

**S.B. 397** (three hundred ninety-seven).

**S.B. 486** (four hundred eighty-six).

**S.B. 504** (five hundred four).

**S.B. 505** (five hundred five).

**S.B. 575** (five hundred seventy-five).

**S.B. 576** (five hundred seventy-six).

**S.B. 601** (six hundred one).

**S.B. 685** (six hundred eighty-five).

The motion was agreed to.

**S.B. 241** (two hundred forty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-3808.2 and 17.1-279 of the Code of Virginia, relating to Technology Trust Fund Fee.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

**S.B. 385** (three hundred eighty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 8.01-581.17 of the Code of Virginia, relating to peer review entities; privileged communications.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

**S.B. 486** (four hundred eighty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.

The reading of the substitute was waived.

On motion of Senator Obenshain, the substitute was agreed to.

**S.B. 505** (five hundred five) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 55-66.3 of the Code of Virginia, relating to release of deed of trust or other lien.

The reading of the substitute was waived.

On motion of Senator Mims, the substitute was agreed to.

**S.B. 575** (five hundred seventy-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-902 and 18.2-374.3 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.

The reading of the substitute was waived.

On motion of Senator Obenshain, the substitute was agreed to.

**S.B. 576** (five hundred seventy-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.

The reading of the substitute was waived.

On motion of Senator Obenshain, the substitute was agreed to.

**S.B. 601** (six hundred one) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-1839.1, relating to risk management plans; physicians and community hospitals.

The reading of the substitute was waived.

Senator Newman moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Newman offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-1839.1, relating to risk management plans; physicians and community hospitals.

On motion of Senator Newman, the reading of the substitute was waived.

On motion of Senator Newman, the substitute was agreed to.

Senator Newman offered the following amendment to the substitute:

1. Line 66, substitute, after *2004*,  
strike  
*and*  
insert  
*or*

On motion of Senator Newman, the reading of the amendment was waived.

On motion of Senator Newman, the amendment was agreed to.

**S.B. 685** (six hundred eighty-five) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 7, introduced, Title, after *isolation*  
insert  
*; emergency*
2. Line 519, introduced, after *Title 32.1*  
insert  
*; this provision shall not, however, be construed to prohibit the disclosure of statistical summaries, abstracts or other information in aggregate form*
3. Line 740, introduced, after *measures*  
insert  
*or that the individuals have failed or refused to comply voluntarily with the control measures directed by the State Health Commissioner in response to a communicable disease of public health threat*
4. Line 770, introduced, after *impairment*  
insert  
*; this definition shall not, however, be construed to include human immunodeficiency viruses or tuberculosis, unless used as a bioterrorism weapon*
5. Line 780, introduced, after *reasonably*  
strike  
*believed*  
insert  
*suspected*
6. Line 794, introduced, after *Prior to*  
strike  
*declaring any order of quarantine or preparing*  
insert  
*issuing any order of quarantine or*
7. Line 824, introduced, after *may have been*  
strike  
*in all probability*
8. Line 850, introduced, after *copy of*

strike § 32.1-48.08  
insert § 32.1-48.10

9. Line 883, introduced, after *materials*

insert  
*to the extent necessary to protect public health and safety*

10. Line 916, introduced, after *quarantine*

strike  
*in camera and*

11. Line 919, introduced, after § 17.1-503.

insert  
*The court may, for good cause shown, hold all or any portion of the hearings in camera upon motion of any party or upon the court's own motion.*

12. Line 920, introduced, after *vacate*

strike  
*, confirm*

13. Line 922, introduced, after *vacate*

strike  
*, confirm*

14. Line 962, introduced, after *reasonably be*

strike  
*expected to become*

insert  
*suspected to be*

15. Line 1003, introduced, after *affected by the*

strike  
*quarantine*

insert  
*isolation*

16. Line 1030, introduced, after *materials*

insert  
*to the extent necessary to protect public health and safety*

17. Line 1061, introduced, after *isolation*

strike  
*in camera and*

18. Line 1063, introduced, after § 17.1-503.

insert  
*The court may, for good cause shown, hold all or any portion of the hearings in camera upon motion of any party or the court's own motion.*

19. Line 1064, introduced, after *vacate*



**S.B. 601** (six hundred one) as amended.

**S.B. 685** (six hundred eighty-five) as amended.

**S.B. 172** (one hundred seventy-two) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 86, introduced, after *required of*  
strike  
*all appellants collectively*  
insert  
*an appellant and all of its affiliates*
2. Line 88, introduced, after assets  
insert  
*or insufficient assets*
3. Line 90, introduced, after subsection J,  
insert  
*(i)*
4. Line 90, introduced, after assets or  
insert  
*(ii)*
5. Line 91, introduced, after judgment,  
insert  
*or (iii) has insufficient assets to pay the judgment that are subject to the jurisdiction of the United States courts and has substantial assets that are not subject to such jurisdiction*
6. Line 118, introduced, after line 117  
insert  
2. That the provisions of this act are procedural and not substantive in nature.

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

### RECONSIDERATION

Senator Stolle moved to reconsider the vote by which the committee amendments to **S.B. 172** (one hundred seventy-two) were agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 172**, on motion of Senator Stolle, was passed by temporarily.

**S.B. 456** (four hundred fifty-six) was taken up.

Senator Whipple moved that **S.B. 456** be ordered to be engrossed and advanced to its third reading.

Senator Stolle moved, as a substitute motion, that **S.B. 456** be recommitted to the Committee on Education and Health and continued to the 2005 Regular Session of the General Assembly, pursuant to Senate Rule 20 (f).

The question was put on recommitting **S.B. 456** to the Committee on Education and Health and continuing the bill to the 2005 Regular Session of the General Assembly, pursuant to Senate Rule 20 (f).

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--24. NAYS--14. RULE 36--1.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--24.

NAYS--Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Reynolds, Saslaw, Ticer, Whipple--14.

RULE 36--Newman--1.

The substitute motion was agreed to.

**S.B. 276** (two hundred seventy-six) was read by title the second time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 20, introduced, after *member*;

insert

*or*

2. Line 22, introduced, after *time*  
strike  
remainder of line 22, all of line 23, and through *member* on line 24

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

On motion of Senator Wampler, the bill was ordered to be engrossed and read by title the third time.

**S.B. 297** (two hundred ninety-seven) was read by title the second time.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 57, introduced, after *Records of*  
insert  
*a law enforcement agency to the extent that they disclose*
2. Line 58, introduced, after *devices provided*  
strike  
*by a law enforcement agency*

The reading of the amendments was waived.

On motion of Senator O'Brien, the amendments were agreed to.

On motion of Senator O'Brien, the bill was ordered to be engrossed and read by title the third time.

**S.B. 336** (three hundred thirty-six) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; confidentiality.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 477** (four hundred seventy-seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-361 and 18.2-371 of the Code of Virginia, relating to crimes against nature.

The reading of the substitute was waived.

On motion of Senator Ticer, the substitute was agreed to.

**S.B. 477**, on motion of Senator Stolle, was recommitted to the Committee for Courts of Justice and continued to the 2005 Regular Session of the General Assembly, pursuant to Senate Rule 20 (f).

**S.B. 493** (four hundred ninety-three) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens and unidentified people.

The reading of the substitute was waived.

On motion of Senator Mims, the substitute was agreed to.

On motion of Senator Mims, the bill was ordered to be engrossed and read by title the third time.

**S.B. 521** (five hundred twenty-one) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to foreign identification documents; verification required; penalty.

The reading of the substitute was waived.

On motion of Senator Hanger, the substitute was agreed to.

On motion of Senator Hanger, the bill was ordered to be engrossed and read by title the third time.

**S.B. 587** (five hundred eighty-seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 6.1-2.25 and 17.1-223 of the Code of Virginia, relating to duty of clerk to record writings; title insurance.

The reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

On motion of Senator Deeds, the bill was ordered to be engrossed and read by title the third time.

**S.B. 660** (six hundred sixty) was read by title the second time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 13, introduced, after *propel a*  
strike  
*missle*  
insert  
*missile*
2. Line 14, introduced, after *silencer*,  
strike  
*missle*  
insert  
*missile*
3. Line 21, introduced, after *official*,  
insert  
*or*
4. Line 21, introduced, after *warden*  
strike  
remainder of line 21

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

Senator Edwards offered the following amendment:

1. Line 21, introduced, after *warden*,  
insert  
*or to a conservator of the peace if such conservator is employed by an airport authority,*

Senator Edwards withdrew his amendment.

Senator Stolle offered the following amendment:

1. Line 21, introduced, after *warden*  
insert  
*, or conservator of the peace employed by the air carrier airport,*

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 669** (six hundred sixty-nine) was read by title the second time and, on motion of Senator Obenshain, was ordered to be engrossed and read by title the third time.

#### SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 35** (thirty-five).  
**S.B. 107** (one hundred seven).  
**S.B. 126** (one hundred twenty-six).  
**S.B. 148** (one hundred forty-eight).  
**S.B. 230** (two hundred thirty).  
**S.B. 267** (two hundred sixty-seven).  
**S.B. 365** (three hundred sixty-five).  
**S.B. 381** (three hundred eighty-one).  
**S.B. 406** (four hundred six).  
**S.B. 407** (four hundred seven).  
**S.B. 434** (four hundred thirty-four).  
**S.B. 547** (five hundred forty-seven).  
**S.B. 566** (five hundred sixty-six).  
**S.B. 605** (six hundred five).  
**S.B. 689** (six hundred eighty-nine).  
**S.B. 21** (twenty-one).  
**S.B. 277** (two hundred seventy-seven).  
**S.B. 284** (two hundred eighty-four).  
**S.B. 386** (three hundred eighty-six).  
**S.B. 418** (four hundred eighteen).  
**S.B. 444** (four hundred forty-four).  
**S.B. 458** (four hundred fifty-eight).  
**S.B. 664** (six hundred sixty-four).  
**S.B. 668** (six hundred sixty-eight).  
**S.B. 678** (six hundred seventy-eight).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 35** (thirty-five).  
**S.B. 107** (one hundred seven).  
**S.B. 126** (one hundred twenty-six).  
**S.B. 148** (one hundred forty-eight).  
**S.B. 230** (two hundred thirty).  
**S.B. 267** (two hundred sixty-seven).  
**S.B. 365** (three hundred sixty-five).  
**S.B. 381** (three hundred eighty-one).  
**S.B. 406** (four hundred six).  
**S.B. 407** (four hundred seven).  
**S.B. 434** (four hundred thirty-four).  
**S.B. 547** (five hundred forty-seven).

- S.B. 566 (five hundred sixty-six).
- S.B. 605 (six hundred five).
- S.B. 689 (six hundred eighty-nine).
- S.B. 21 (twenty-one).
- S.B. 277 (two hundred seventy-seven).
- S.B. 284 (two hundred eighty-four).
- S.B. 386 (three hundred eighty-six).
- S.B. 418 (four hundred eighteen).
- S.B. 444 (four hundred forty-four).
- S.B. 458 (four hundred fifty-eight).
- S.B. 664 (six hundred sixty-four).
- S.B. 668 (six hundred sixty-eight).
- S.B. 678 (six hundred seventy-eight).

**SENATE JOINT RESOLUTIONS ON FIRST READING**

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate joint resolutions be waived:

- S.J.R. 19 (nineteen).
- S.J.R. 24 (twenty-four).
- S.J.R. 25 (twenty-five).
- S.J.R. 38 (thirty-eight).
- S.J.R. 39 (thirty-nine).
- S.J.R. 49 (forty-nine).
- S.J.R. 57 (fifty-seven).
- S.J.R. 58 (fifty-eight).
- S.J.R. 64 (sixty-four).
- S.J.R. 74 (seventy-four).
- S.J.R. 75 (seventy-five).
- S.J.R. 80 (eighty).
- S.J.R. 81 (eighty-one).
- S.J.R. 86 (eighty-six).
- S.J.R. 88 (eighty-eight).
- S.J.R. 89 (eighty-nine).
- S.J.R. 90 (ninety).
- S.J.R. 95 (ninety-five).
- S.J.R. 111 (one hundred eleven).
- S.J.R. 115 (one hundred fifteen).
- S.J.R. 122 (one hundred twenty-two).
- S.J.R. 130 (one hundred thirty).
- S.J.R. 131 (one hundred thirty-one).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate joint resolutions were passed by for the day:

**S.J.R. 19** (nineteen).

**S.J.R. 24** (twenty-four).

**S.J.R. 25** (twenty-five).

**S.J.R. 38** (thirty-eight).

**S.J.R. 39** (thirty-nine).

**S.J.R. 49** (forty-nine).

**S.J.R. 57** (fifty-seven).

**S.J.R. 58** (fifty-eight).

**S.J.R. 64** (sixty-four).

**S.J.R. 74** (seventy-four).

**S.J.R. 75** (seventy-five).

**S.J.R. 80** (eighty).

**S.J.R. 81** (eighty-one).

**S.J.R. 86** (eighty-six).

**S.J.R. 88** (eighty-eight).

**S.J.R. 89** (eighty-nine).

**S.J.R. 90** (ninety).

**S.J.R. 95** (ninety-five).

**S.J.R. 111** (one hundred eleven).

**S.J.R. 115** (one hundred fifteen).

**S.J.R. 122** (one hundred twenty-two).

**S.J.R. 130** (one hundred thirty).

**S.J.R. 131** (one hundred thirty-one).

#### SENATE BILLS ON SECOND READING

**S.B. 172** (one hundred seventy-two) was taken up.

Senator Mims moved that amendments Nos. 3, 4, and 5 be rejected.

The question was put on agreeing to amendments Nos. 3, 4, and 5.

Amendments Nos. 3, 4, and 5 were rejected.

On motion of Senator Mims, amendments Nos. 1, 2, and 6 were agreed to.

Senator Mims offered the following amendment:

1. Line 98, introduced, after judgment.

insert

*In addition, if the appellee proves by a preponderance of evidence that an appellant, for whom the appeal bond or irrevocable letter of credit requirement has been limited or waived pursuant to subsection J, has insufficient assets to pay the judgment that are subject to the jurisdiction of the United States courts and has substantial assets that are not subject to such jurisdiction, the court may impose additional conditions or may require the appellant to post a bond or irrevocable letter of credit in an amount up to the full amount of the judgment.*

On motion of Senator Mims, the reading of the amendment was waived.

On motion of Senator Mims, the amendment was agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

Senator Norment moved that the Rules be suspended and the third reading of the title of **S.B. 172** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 172**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Norment moved that the Rules be suspended and the third reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 241** (two hundred forty-one).

**S.B. 385** (three hundred eighty-five).

**S.B. 397** (three hundred ninety-seven).

**S.B. 486** (four hundred eighty-six).

**S.B. 504** (five hundred four).

**S.B. 505** (five hundred five).

**S.B. 575** (five hundred seventy-five).

**S.B. 576** (five hundred seventy-six).  
**S.B. 601** (six hundred one).  
**S.B. 685** (six hundred eighty-five).  
**S.B. 276** (two hundred seventy-six).  
**S.B. 297** (two hundred ninety-seven).  
**S.B. 336** (three hundred thirty-six).  
**S.B. 493** (four hundred ninety-three).  
**S.B. 521** (five hundred twenty-one).  
**S.B. 587** (five hundred eighty-seven).  
**S.B. 660** (six hundred sixty).  
**S.B. 669** (six hundred sixty-nine).

The motion was agreed to.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 241** (two hundred forty-one).  
**S.B. 385** (three hundred eighty-five).  
**S.B. 397** (three hundred ninety-seven).  
**S.B. 486** (four hundred eighty-six).  
**S.B. 504** (five hundred four).  
**S.B. 505** (five hundred five).  
**S.B. 575** (five hundred seventy-five).  
**S.B. 576** (five hundred seventy-six).  
**S.B. 601** (six hundred one).  
**S.B. 685** (six hundred eighty-five).

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

**S.B. 276** (two hundred seventy-six), on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 297** (two hundred ninety-seven), on motion of Senator O'Brien, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 336** (three hundred thirty-six), on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 493** (four hundred ninety-three), on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Locke, Miller, Stolle--3.

RULE 36--0.

**S.B. 521** (five hundred twenty-one) was taken up.

Senator Hanger moved that **S.B. 521** be passed with its title.

**S.B. 521**, on motion of Senator Edwards, was passed by for the day.

**S.B. 587** (five hundred eighty-seven), on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 660** (six hundred sixty), on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--30.

NAYS--Bell, Bolling, Cuccinelli, Hanger, Houck, Lucas, Newman, Obenshain, Reynolds, Ruff--10.

RULE 36--0.

**S.B. 669** (six hundred sixty-nine), on motion of Senator Obenshain, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Cuccinelli, Deeds--2.

RULE 36--0.

### SENATE BILL ON THIRD READING RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 658** (six hundred fifty-eight) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 658**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--13. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--26.

NAYS--Bell, Bolling, Lucas, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Reynolds, Ruff, Stolle, Williams--13.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Cuccinelli stated that he was recorded as not voting on the question of the passage of **S.B. 658**, whereas he intended to vote nay.

#### STATEMENT ON VOTE

Senator Wagner stated that he voted yea on the question of the passage of **S.B. 658**, whereas he intended to vote nay.

#### SENATE BILL ON SECOND READING RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 660** (six hundred sixty) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 660**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Howell, Lambert, Locke, Marsh, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--30.

NAYS--Bell, Bolling, Cuccinelli, Hanger, Houck, Lucas, Martin, Obenshain, Reynolds, Ruff--10.

RULE 36--0.

**COMMENDING RESOLUTION  
IMMEDIATE CONSIDERATION**

On motion of Senator Whipple, the Rules were suspended and **S.J.R. 175** (one hundred seventy-five), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 175**, on motion of Senator Whipple, was ordered to be engrossed and was agreed to.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Edwards introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 192.** Commending Dennis Schuler, Sr., and Larry J. Delp.

Patron--Edwards

**S.J.R. 193.** Commending James F. Prater.

Patron--Edwards

**S.J.R. 194.** Celebrating the life of Mel Street.

Patron--Edwards

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Hanger introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 195.** Commending Ashley Shiflett, Veronica Paulson, and Kristin Windle.

Patrons--Hanger, Mims and Potts

**OTHER BUSINESS**

Pursuant to Senate Rule 26 (f), the Clerk reported that Senator O'Brien had been added as a co-patron of **S.J.R. 91** (ninety-one).

**LEGISLATION SIGNED BY PRESIDING OFFICER**

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bill that had been passed by both houses and duly enrolled:

February 16, 2004

**H.B. 1296.** An Act to facilitate restorations at James Madison University due to fire damage.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee reports.

**COMMITTEE REPORTS**

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

- S.B. 432** (four hundred thirty-two).
- S.B. 549** (five hundred forty-nine) with substitute.
- S.B. 586** (five hundred eighty-six) with amendment.
- S.B. 606** (six hundred six) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

- S.B. 428** (four hundred twenty-eight) with amendments.
- S.B. 687** (six hundred eighty-seven) with amendments.
- H.B. 231** (two hundred thirty-one).
- H.B. 474** (four hundred seventy-four).

The following bill, having been considered by the committee in session, was reported by Senator Stosch from the Committee on General Laws:

- S.B. 693** (six hundred ninety-three) with amendment.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, FEBRUARY 17, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Fred L. Gray, Jr., Open Door Baptist Church, Richmond, Virginia, offered the following prayer:

Dear God, we thank You for this wonderful day that You have created. We thank You for life, health and strength that You have once again blessed us with this day. We recognize that You are God and that there is none like You. Therefore, we come before You today seeking wisdom for this day. The Word of God is clear that if any one lacks wisdom we simply need to ask and it will be given. We ask that You give divine wisdom to those here who will be making many decisions today. May You give them discernment, understanding, patience and courage to do what is right in Your eyes. We thank You for hearing and answering our prayer. And now may the One who loved us and gave His life for us pour out His blessing upon us this day. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Howell, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 16, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 17.** A BILL to amend and reenact §§ 58.1-2201, 58.1-2204, 58.1-2216, 58.1-2237, 58.1-2266, 58.1-2271, and 58.1-2283 of the Code of Virginia, relating to fuels tax.

**H.B. 55.** A BILL to amend and reenact § 46.2-1156 of the Code of Virginia, relating to posting of penalties for violations involving transportation of municipal solid waste.

- H.B. 180.** A BILL to amend and reenact § 46.2-629 of the Code of Virginia, relating to odometer reading disclosures.
- H.B. 237.** A BILL to amend and reenact § 63.2-2002 of the Code of Virginia, relating to Neighborhood Assistance Act tax credit.
- H.B. 282.** A BILL to amend and reenact § 58.1-339.4 of the Code of Virginia, relating to qualified equity and subordinated debt investments tax credit.
- H.B. 464.** A BILL to amend and reenact §§ 58.1-3103, 58.1-3983.1, 58.1-3984, and 58.1-3993 of the Code of Virginia, relating to local taxes; appeals.
- H.B. 465.** A BILL to amend and reenact § 58.1-3172.1 of the Code of Virginia, relating to remote access fees; treasurers.
- H.B. 549.** A BILL to amend and reenact § 58.1-812 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 58.1 a section numbered 58.1-817, relating to open-space preservation fees.
- H.B. 812.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511, relating to sale of veterans' monuments.
- H.B. 834.** A BILL to amend and reenact § 33.1-120 of the Code of Virginia, relating to allowing the owner of property condemned by the Commonwealth Transportation Commissioner to receive payment before the owner is forced to vacate.
- H.B. 902.** A BILL to amend and reenact §§ 58.1-305 and 58.1-306 of the Code of Virginia, relating to filing income tax returns.
- H.B. 1016.** A BILL to amend and reenact § 38.2-3525 of the Code of Virginia, relating to group accident and sickness insurance; persons covered.
- H.B. 1067.** A BILL to amend and reenact § 59.1-274 of the Code of Virginia, relating to enterprise zone designations.
- H.B. 1122.** A BILL to amend and reenact §§ 58.1-3703.1 and 58.1-3983.1 of the Code of Virginia, relating to local business taxes; appeals.
- H.B. 1174.** A BILL to establish a schedule for, and initiate Virginia's transition to, a new system for taxing telecommunications services in the Commonwealth.
- H.B. 1263.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to landfill gas pipelines; notice to certain counties by Virginia Department of Transportation.
- H.B. 1346.** A BILL to amend and reenact § 46.2-803.1 of the Code of Virginia, relating to lane restrictions for certain commercial vehicles on certain highways.
- H.B. 1376.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to imposition and collection of tolls adjusted to encourage travel during off-peak hours.

**H.B. 1390.** A BILL to amend and reenact §§ 62.1-198, 62.1-199, and 62.1-203 of the Code of Virginia, and to amend the Code of Virginia by adding in Part B of Subtitle II of Title 2.2 a chapter numbered 51.1, consisting of sections numbered 2.2-5105 through 2.2-5116, relating to the Virginia Resources Authority for financing of cultural facilities and economic development projects; the creation of the Virginia Cultural Economic Development Revolving Fund and funding for it by an increase in the state vehicle rental tax.

**H.B. 1486.** A BILL to amend the Code of Virginia by adding sections numbered 30-19.1:10 and 58.1-344.3, relating to procedures for evaluating and granting voluntary contributions of refunds legislation.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 285.** Memorializing the Congress of the United States to continue to preserve Virginia's sovereignty related to public expressions of religious faith in the Commonwealth.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 17, H.B. 237, H.B. 282, H.B. 464, H.B. 465, H.B. 549, H.B. 902, H.B. 1067, H.B. 1122, H.B. 1174, H.B. 1390, and H.B. 1486** were referred to the Committee on Finance.

**H.B. 55, H.B. 180, H.B. 834, H.B. 1263, H.B. 1346, and H.B. 1376** were referred to the Committee on Transportation.

**H.B. 812** was referred to the Committee for Courts of Justice.

**H.B. 1016** was referred to the Committee on Commerce and Labor.

The House joint resolution, communicated as agreed to by the House of Delegates, the first reading of its title having been waived, was referred as follows:

**H.J.R. 285** was referred to the Committee on Rules.

**COMMITTEE REPORTS**

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

- S.B. 36** (thirty-six) with substitute.
- S.B. 39** (thirty-nine) with substitute.
- S.B. 413** (four hundred thirteen) with substitute.
- S.B. 465** (four hundred sixty-five) with substitute.
- S.B. 514** (five hundred fourteen).
- S.B. 526** (five hundred twenty-six).
- S.B. 537** (five hundred thirty-seven) with substitute.
- S.B. 635** (six hundred thirty-five) with substitute.
- S.B. 681** (six hundred eighty-one) with substitute.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Finance pursuant to Senate Rule 20 (j):

**H.B. 632** (six hundred thirty-two) with the recommendation that it be rereferred to the Committee for Courts of Justice.

The following joint resolutions, having been considered by the committee in session, were reported by Senator Norment from the Committee on Rules:

- S.J.R. 77** (seventy-seven) with amendment.
- S.J.R. 79** (seventy-nine) with amendments.
- S.J.R. 91** (ninety-one) with substitute.

**H.B. 632** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

**CALENDAR****HOUSE BILLS ON THIRD READING**

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- H.B. 516** (five hundred sixteen).
- H.B. 1084** (one thousand eighty-four).
- H.B. 1262** (one thousand two hundred sixty-two).

The motion was agreed to.

**H.B. 516** (five hundred sixteen) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 5, engrossed, Title, after *service*  
insert  
*; emergency*

2. Line 20, engrossed, after purpose of  
insert

(i)

3. Line 21, engrossed, after ~~major~~  
strike

loss of utility services,

4. Line 22, engrossed, after disaster  
insert

*or (ii) engaging in the provision or restoration of utility services when the loss of such service is unexpected, unplanned or unscheduled*

5. Line 67, engrossed, after line 66  
insert

2. That an emergency exists and this act is in force from its passage.

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1262** (one thousand two hundred sixty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for film, video, audio in Virginia.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 516** (five hundred sixteen) with amendments.

**H.B. 1084** (one thousand eighty-four).

**H.B. 1262** (one thousand two hundred sixty-two) with substitute.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 246** (two hundred forty-six) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--8. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Norment, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--31.

NAYS--Bolling, Cuccinelli, Martin, Miller, Mims, Newman, Obenshain, O'Brien--8.

RULE 36--Potts--1.

#### SENATE BILL ON THIRD READING

**S.B. 521** (five hundred twenty-one) was taken up and, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Locke, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--36.

NAYS--Howell, Lucas, Miller, Whipple--4.

RULE 36--0.

#### HOUSE BILLS ON SECOND READING

**H.B. 231** (two hundred thirty-one) was read by title the second time.

**H.B. 474** (four hundred seventy-four) was read by title the second time.

#### SENATE BILLS ON SECOND READING

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate bills, the titles of the bills having been printed in the Calendar for their second reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**S.B. 35** (thirty-five).  
**S.B. 107** (one hundred seven).  
**S.B. 126** (one hundred twenty-six).  
**S.B. 148** (one hundred forty-eight).  
**S.B. 230** (two hundred thirty).  
**S.B. 267** (two hundred sixty-seven).  
**S.B. 365** (three hundred sixty-five).  
**S.B. 381** (three hundred eighty-one).  
**S.B. 406** (four hundred six).  
**S.B. 407** (four hundred seven).  
**S.B. 434** (four hundred thirty-four).  
**S.B. 547** (five hundred forty-seven).  
**S.B. 566** (five hundred sixty-six).  
**S.B. 605** (six hundred five).  
**S.B. 689** (six hundred eighty-nine).

The motion was agreed to.

**S.B. 35** (thirty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 63.2-100 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9 of Title 63.2 a section numbered 63.2-913, relating to subsidized custody for children.

The reading of the substitute was waived.

On motion of Senator Miller, the substitute was agreed to.

**S.B. 107** (one hundred seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to authorize the release of personal data by the Department of Motor Vehicles to toll facility operators and toll technology entities.

The reading of the substitute was waived.

On motion of Senator Williams, the substitute was agreed to.

**S.B. 126** (one hundred twenty-six) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 29, introduced, after *The*  
strike  
*North Carolina-Virginia*  
insert  
*Virginia-North Carolina*

2. Line 33, introduced, after *on*  
strike  
*Privileges and Elections*  
insert  
*Rules*

3. Line 34, introduced, after *two*  
insert  
*members of the Senate*

4. Line 35, introduced, after *two*  
insert  
*members of the House of Representatives*

The reading of the amendments was waived.

Senator Watkins moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to establish the Virginia-North Carolina Interstate High-Speed Rail Compact.

The reading of the substitute was waived.

On motion of Senator Watkins, the substitute was agreed to.

**S.B. 148** (one hundred forty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 33.1 a section numbered 33.1-252.2, relating to disclosure of certain information relating to use of toll facilities.

The reading of the substitute was waived.

On motion of Senator Cuccinelli, the substitute was agreed to.

**S.B. 230** (two hundred thirty) was taken up.

The following amendment proposed by the Committee on Finance was offered:

- 1. Line 182, introduced, after line 181  
insert

5. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor.

The reading of the amendment was waived.

On motion of Senator Lambert, the amendment was agreed to.

**S.B. 267** (two hundred sixty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 62.1 a chapter numbered 5.6, consisting of sections numbered 62.1-69.45 through 62.1-69.52, relating to the Rivanna River Basin Commission.

The reading of the substitute was waived.

On motion of Senator Deeds, the substitute was agreed to.

**S.B. 365** (three hundred sixty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 10.1-1322, 10.1-1402, 10.1-1402.1, as it shall become effective July 1, 2004, and 62.1-44.15:6, as it is currently effective until July 1, 2004, of the Code of Virginia, and to amend and reenact the third enactment of Chapter 822 of the Act of Assembly of Assembly as it applies to § 62.1-44.15:6 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 10.1-1402.1:1, relating to environmental permit fees.

The reading of the substitute was waived.

On motion of Senator Watkins, the substitute was agreed to.

The following amendments proposed by the Committee on Finance to the substitute were offered:

- 1. Line 46, substitute, after House Committee on  
strike

Conservation

insert

*Agriculture, Chesapeake*

- 2. Line 323, substitute, after *impacts*  
strike

\$2,4000

insert

\$2,400

The reading of the amendments was waived.

On motion of Senator Watkins, the amendments were agreed to.

**S.B. 381** (three hundred eighty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

The reading of the substitute was waived.

On motion of Senator Puller, the substitute was agreed to.

**S.B. 406** (four hundred six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 62.1-69.34 of the Code of Virginia, relating to membership of the Virginia Roanoke River Basin Advisory Committee.

The reading of the substitute was waived.

On motion of Senator Ruff, the substitute was agreed to.

**S.B. 407** (four hundred seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 27 of Title 2.2 an article numbered 7, consisting of sections numbered 2.2-2720 through 2.2-2724, relating to the Center for Rural Virginia.

The reading of the substitute was waived.

On motion of Senator Ruff, the substitute was agreed to.

**S.B. 547** (five hundred forty-seven) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 160, introduced, after *Commonwealth*  
insert

*, who shall be deemed employees of the Commonwealth for the purposes of this title*

2. Line 283, introduced, after *temporary*,

strike

*and*

The reading of the amendments was waived.

On motion of Senator Puckett, the amendments were agreed to.

**S.B. 566** (five hundred sixty-six) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 19, introduced, after line 18

insert

2. That this act shall not be construed to affect existing appointments for which the terms have not expired. However, any new appointments or appointments to fill vacancies made after the effective date of this act shall be made in accordance with the provisions of this act.

3. That an emergency exists and this act is in force from its passage.

The reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

**S.B. 605** (six hundred five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 28.2 a chapter numbered 16, consisting of articles numbered 1, 2 and 3, containing sections numbered 28.2-1600 through 28.2-1623, relating to water column leases for aquaculture.

The reading of the substitute was waived.

On motion of Senator Bolling, the substitute was agreed to.

The following amendment proposed by the Committee on Finance to the substitute was offered:

1. Line 182, substitute, after line 181

insert

2. That the provisions of this act shall be effective July 1, 2005.

The reading of the amendment was waived.

On motion of Senator Bolling, the amendment was agreed to.

**S.B. 689** (six hundred eighty-nine) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 21, introduced, after *by*

strike  
                  *a nonprofit organization for*  
insert  
                  *any person for only news,*

2. Line 22, introduced, after *Senate*

strike  
                  remainder of line 22 and through *organization* on line 23

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 35** (thirty-five) as amended.  
**S.B. 107** (one hundred seven) as amended.  
**S.B. 126** (one hundred twenty-six) as amended.  
**S.B. 148** (one hundred forty-eight) as amended.  
**S.B. 230** (two hundred thirty) as amended.  
**S.B. 267** (two hundred sixty-seven) as amended.  
**S.B. 365** (three hundred sixty-five) as amended.  
**S.B. 381** (three hundred eighty-one) as amended.  
**S.B. 406** (four hundred six) as amended.  
**S.B. 407** (four hundred seven) as amended.  
**S.B. 434** (four hundred thirty-four).  
**S.B. 547** (five hundred forty-seven) as amended.  
**S.B. 566** (five hundred sixty-six) as amended.  
**S.B. 605** (six hundred five) as amended.  
**S.B. 689** (six hundred eighty-nine) as amended.

Senator Norment moved that the Rules be suspended and the third reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 35** (thirty-five).  
**S.B. 107** (one hundred seven).  
**S.B. 126** (one hundred twenty-six).  
**S.B. 148** (one hundred forty-eight).  
**S.B. 230** (two hundred thirty).  
**S.B. 267** (two hundred sixty-seven).  
**S.B. 365** (three hundred sixty-five).  
**S.B. 381** (three hundred eighty-one).  
**S.B. 406** (four hundred six).  
**S.B. 407** (four hundred seven).  
**S.B. 434** (four hundred thirty-four).  
**S.B. 547** (five hundred forty-seven).  
**S.B. 566** (five hundred sixty-six).  
**S.B. 605** (six hundred five).  
**S.B. 689** (six hundred eighty-nine).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 35** (thirty-five).

**S.B. 107** (one hundred seven).

**S.B. 126** (one hundred twenty-six).

**S.B. 148** (one hundred forty-eight).

**S.B. 230** (two hundred thirty).

**S.B. 267** (two hundred sixty-seven).

**S.B. 365** (three hundred sixty-five).

**S.B. 381** (three hundred eighty-one).

**S.B. 406** (four hundred six).

**S.B. 407** (four hundred seven).

**S.B. 434** (four hundred thirty-four).

**S.B. 547** (five hundred forty-seven).

**S.B. 566** (five hundred sixty-six).

**S.B. 605** (six hundred five).

**S.B. 689** (six hundred eighty-nine).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

## RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following Senate bills were passed en bloc with their titles:

**S.B. 35** (thirty-five).

**S.B. 107** (one hundred seven).

**S.B. 126** (one hundred twenty-six).

**S.B. 148** (one hundred forty-eight).

**S.B. 230** (two hundred thirty).

- S.B. 267 (two hundred sixty-seven).
- S.B. 365 (three hundred sixty-five).
- S.B. 381 (three hundred eighty-one).
- S.B. 406 (four hundred six).
- S.B. 407 (four hundred seven).
- S.B. 434 (four hundred thirty-four).
- S.B. 547 (five hundred forty-seven).
- S.B. 566 (five hundred sixty-six).
- S.B. 605 (six hundred five).
- S.B. 689 (six hundred eighty-nine).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

- S.B. 35 (thirty-five).
- S.B. 107 (one hundred seven).
- S.B. 126 (one hundred twenty-six).
- S.B. 148 (one hundred forty-eight).
- S.B. 230 (two hundred thirty).
- S.B. 267 (two hundred sixty-seven).
- S.B. 365 (three hundred sixty-five).
- S.B. 381 (three hundred eighty-one).
- S.B. 406 (four hundred six).
- S.B. 407 (four hundred seven).
- S.B. 434 (four hundred thirty-four).
- S.B. 547 (five hundred forty-seven).
- S.B. 566 (five hundred sixty-six).
- S.B. 605 (six hundred five).
- S.B. 689 (six hundred eighty-nine).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

S.B. 21 (twenty-one) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 46.2-749.43:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal § 46.2-749.43 of the Code of Virginia, relating to special license plates; the 200th anniversary of the Town of Occoquan; the POW/MIA logo; supporters of Virginia agriculture; the 275th anniversary of the County of Prince William; supporters of the Blue Ridge Parkway Foundation; organ donor programs; barbershop quartet singing enthusiasts; supporters of the Washington D.C. United soccer team; supporters of the Canine Health Foundation; supporters of children with special needs; fees.

The reading of the substitute was waived.

On motion of Senator Puller, the substitute was agreed to.

On motion of Senator Puller, the bill was ordered to be engrossed and read by title the third time.

Senator Puller moved that the Rules be suspended and the third reading of the title of **S.B. 21** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 21**, on motion of Senator Puller, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--37.

NAYS--Blevins, Martin, Watkins--3.

RULE 36--0.

**S.B. 277** (two hundred seventy-seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to maintenance of property acquired by Virginia Department of Transportation for construction of transportation projects.

The reading of the substitute was waived.

On motion of Senator Wampler, the substitute was agreed to.

On motion of Senator Wampler, the bill was ordered to be engrossed and read by title the third time.

Senator Wampler moved that the Rules be suspended and the third reading of the title of **S.B. 277** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 277**, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 284** (two hundred eighty-four) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-400 through 9.1-404, 27-40.1:1, and 51.1-815 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 4 of Title 9.1 a section numbered 9.1-407, and to repeal §§ 9.1-405 and 9.1-406 of the Code of Virginia, relating to the Line of Duty Act.

The reading of the substitute was waived.

On motion of Senator Wampler, the substitute was agreed to.

On motion of Senator Wampler, the bill was ordered to be engrossed and read by title the third time.

Senator Wampler moved that the Rules be suspended and the third reading of the title of **S.B. 284** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 284**, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 386** (three hundred eighty-six) was read by title the second time and, on motion of Senator Norment, was ordered to be engrossed and read by title the third time.

Senator Norment moved that the Rules be suspended and the third reading of the title of **S.B. 386** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 386**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 418** (four hundred eighteen), on motion of Senator Wagner, was passed by temporarily.

**S.B. 444** (four hundred forty-four) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Virginia Sheriffs' Institute; fees.

The reading of the substitute was waived.

On motion of Senator Rerras, the substitute was agreed to.

On motion of Senator Rerras, the bill was ordered to be engrossed and read by title the third time.

Senator Rerras moved that the Rules be suspended and the third reading of the title of **S.B. 444** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 444**, on motion of Senator Rerras, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 458** (four hundred fifty-eight) was read by title the second time.

The following amendment proposed by the Committee on Finance was offered:

1. Line 14, introduced

strike

Chapter 21 (§ 58.1-2100 et seq.)

insert

*Chapter 22 (§ 58.1-2200 et seq.)*

The reading of the amendment was waived.

On motion of Senator Whipple, the amendment was agreed to.

On motion of Senator Whipple, the bill was ordered to be engrossed and read by title the third time.

Senator Whipple moved that the Rules be suspended and the third reading of the title of **S.B. 458** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 458**, on motion of Senator Whipple, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--1.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Stolle, Ticer, Wampler, Watkins, Whipple, Williams--27.

NAYS--Bell, Bolling, Cuccinelli, Hanger, Martin, Newman, Obenshain, O'Brien, Rerras, Ruff, Stosch, Wagner--12.

RULE 36--Saslaw--1.

**S.B. 664** (six hundred sixty-four) was read by title the second time.

**THE PRESIDENT PRO TEMPORE PRESIDING**

At the request of the President, the President pro tempore, Senator Chichester, took the Chair.

On motion of Senator Wagner, the bill was ordered to be engrossed and read by title the third time.

Senator Wagner moved that the Rules be suspended and the third reading of the title of **S.B. 664** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**THE PRESIDENT PRESIDING**

The President resumed the Chair.

**S.B. 664**, on motion of Senator Wagner, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Miller--1.

RULE 36--0.

**S.B. 668** (six hundred sixty-eight) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 8.01-184.1, relating to declaratory judgment to adjudicate constitutional nexus.

The reading of the substitute was waived.

On motion of Senator Mims, the substitute was agreed to.

On motion of Senator Mims, the bill was ordered to be engrossed and read by title the third time.

Senator Mims moved that the Rules be suspended and the third reading of the title of **S.B. 668** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 668**, on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 678** (six hundred seventy-eight) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-512 of the Code of Virginia, relating to tax credits for land conveyed to a conservation agency for conservation or preservation purposes.

The reading of the substitute was waived.

On motion of Senator Hanger, the substitute was agreed to.

On motion of Senator Hanger, the bill was ordered to be engrossed and read by title the third time.

Senator Hanger moved that the Rules be suspended and the third reading of the title of **S.B. 678** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 678**, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--11. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Lambert, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Watkins, Williams--28.

NAYS--Bolling, Deeds, Edwards, Howell, Locke, Lucas, Marsh, Mims, Puller, Ticer, Whipple--11.

RULE 36--Wampler--1.

#### STATEMENT ON VOTE

Senator Rerras stated that he voted yea on the question of the passage of **S.B. 678**, whereas he intended to vote nay.

#### SENATE BILL ON THIRD READING

#### RECONSIDERATION

Senator Edwards moved to reconsider the vote by which **S.B. 521** (five hundred twenty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 521**, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Locke, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--33.

NAYS--Edwards, Lambert, Lucas, Marsh, Miller, Ticer, Whipple--7.

RULE 36--0.

#### SENATE BILL ON SECOND READING RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 678** (six hundred seventy-eight) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 678**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--13. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Watkins, Williams--26.

NAYS--Bolling, Deeds, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Obenshain, Puller, Ticer, Whipple--13.

RULE 36--Wampler--1.

#### STATEMENT ON VOTE

Senator Edwards stated that he voted yea on the question of the passage of **S.B. 678**, whereas he intended to vote nay.

#### STATEMENT ON VOTE

Senator Rerras stated that he voted yea on the question of the passage of **S.B. 678**, whereas he intended to vote nay.

## SENATE BILLS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

- S.B. 432** (four hundred thirty-two).
- S.B. 549** (five hundred forty-nine).
- S.B. 693** (six hundred ninety-three).
- S.B. 428** (four hundred twenty-eight).
- S.B. 586** (five hundred eighty-six).
- S.B. 606** (six hundred six).
- S.B. 687** (six hundred eighty-seven).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Norment moved that the engrossment of the Senate bills that follow be considered en bloc.

The motion was agreed to.

The following Senate bill was read by title the second time:

**S.B. 432** (four hundred thirty-two).

**S.B. 549** (five hundred forty-nine) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

The reading of the substitute was waived.

On motion of Senator Puckett, the substitute was agreed to.

**S.B. 693** (six hundred ninety-three) was read by title the second time.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 42, introduced, after *enforcement of*  
strike  
*mandatory evacuations and*

The reading of the amendment was waived.

On motion of Senator Rerras, the amendment was agreed to.

On motion of Senator Norment, the following Senate bills were ordered en bloc to be engrossed and read by title the third time:

**S.B. 432** (four hundred thirty-two).

**S.B. 549** (five hundred forty-nine) as amended.

**S.B. 693** (six hundred ninety-three) as amended.

Senator Norment moved that the Rules be suspended and the third reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 432** (four hundred thirty-two).

**S.B. 549** (five hundred forty-nine).

**S.B. 693** (six hundred ninety-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Norment moved that the passage of the Senate bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate bills were passed en bloc with their titles:

**S.B. 432** (four hundred thirty-two).

**S.B. 549** (five hundred forty-nine).

**S.B. 693** (six hundred ninety-three).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 428** (four hundred twenty-eight) was read by title the second time.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 15, introduced, after *require*  
insert  
*, by ordinance, policy or resolution,*
2. Line 15, introduced, after *of a*  
strike  
*minimum*

The reading of the amendments was waived.

On motion of Senator Wagner, the amendments were agreed to.

On motion of Senator Wagner, the bill was ordered to be engrossed and read by title the third time.

Senator Wagner moved that the Rules be suspended and the third reading of the title of **S.B. 428** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Wagner moved that **S.B. 428** be passed with its title.

The question was put on passing **S.B. 428** with its title.

**S.B. 428** was defeated with its title.

The recorded vote is as follows:

YEAS--17. NAYS--23. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Cuccinelli, Devolites, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Ruff, Stolle, Stosch, Wagner, Watkins, Williams--17.

NAYS--Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Ticer, Wampler, Whipple--23.

RULE 36--0.

**S.B. 586** (five hundred eighty-six) was read by title the second time.

The following amendment proposed by the Committee on Agriculture, Conservation and Natural Resources was offered:

1. Line 48, introduced, after line 47  
insert

2. That the provisions of this act are declaratory of existing law.

The reading of the amendment was waived.

On motion of Senator Puckett, the amendment was agreed to.

Senator Puckett offered the following amendment:

1. Line 48, introduced, after line 47  
insert

3. Provisions of this act shall not become effective unless re-enacted by 2005 Session of General Assembly.

On motion of Senator Puckett, the reading of the amendment was waived.

On motion of Senator Puckett, the amendment was agreed to.

On motion of Senator Puckett, the bill was ordered to be engrossed and read by title the third time.

Senator Puckett moved that the Rules be suspended and the third reading of the title of **S.B. 586** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 586**, on motion of Senator Puckett, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **S.B. 586** (five hundred eighty-six) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 586**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 606** (six hundred six) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 28.2-1205, 28.2-1206, 28.2-1208, and 28.2-1306 of the Code of Virginia, relating to royalties for use of state-owned bottomland.

The reading of the substitute was waived.

Senator Bolling moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Bolling offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.

On motion of Senator Bolling, the reading of the substitute was waived.

On motion of Senator Bolling, the substitute was agreed to.

On motion of Senator Bolling, the bill was ordered to be engrossed and read by title the third time.

Senator Bolling moved that the Rules be suspended and the third reading of the title of **S.B. 606** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 606**, on motion of Senator Bolling, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 687** (six hundred eighty-seven) was read by title the second time.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 105, introduced, after annual  
strike  
\$250
2. Line 105, introduced, after assessment  
insert  
*under this subsection*
3. Line 145, introduced, after subsection D.  
strike  
An  
insert  
*The*
4. Line 145, introduced, after annual assessment  
strike  
up to \$250

The reading of the amendments was waived.

On motion of Senator Devolites, the amendments were agreed to.

On motion of Senator Devolites, the bill was ordered to be engrossed and read by title the third time.

Senator Devolites moved that the Rules be suspended and the third reading of the title of **S.B. 687** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 687**, on motion of Senator Devolites, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--39.

NAYS--Watkins--1.

RULE 36--0.

#### SENATE JOINT RESOLUTIONS ON SECOND READING

Senator Norment moved that the engrossment of the Senate joint resolutions that follow be considered en bloc.

The motion was agreed to.

Senator Norment moved that the following Senate joint resolutions, the titles of the joint resolutions having been printed in the Calendar for their second reading, be placed before the Senate by number only:

**S.J.R. 19** (nineteen).

**S.J.R. 24** (twenty-four).

**S.J.R. 25** (twenty-five).

**S.J.R. 38** (thirty-eight).

**S.J.R. 39** (thirty-nine).

**S.J.R. 49** (forty-nine).

**S.J.R. 57** (fifty-seven).

**S.J.R. 58** (fifty-eight).

**S.J.R. 64** (sixty-four).

**S.J.R. 74** (seventy-four).

**S.J.R. 75** (seventy-five).

**S.J.R. 80** (eighty).

**S.J.R. 81** (eighty-one).



**S.J.R. 39** (thirty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Recognizing the need for various transit options in the U.S. Route 1 corridor in Fairfax and Prince William Counties. Report.

The reading of the substitute was waived.

On motion of Senator Puller, the substitute was agreed to.

**S.J.R. 49** (forty-nine) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 31, introduced, after by the  
strike  
House of Delegates, the Senate  
insert  
Senate, the House of Delegates
2. Line 33, introduced, after of the  
strike  
House of Delegates  
insert  
Senate
3. Line 34, introduced, after to  
strike  
remainder of line 34, all of line 35, and through that on line 36
4. Line 36, introduced, after Governor  
insert  
, requesting that he

The reading of the amendments was waived.

On motion of Senator Puckett, the amendments were agreed to.

**S.J.R. 57** (fifty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Requesting the Department of Agriculture and Consumer Services to study ways to enhance the economic development of Virginia's horse industry. Report.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

**S.J.R. 64** (sixty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study manufacturing needs and the future of manufacturing in Virginia. Report.

The reading of the substitute was waived.

On motion of Senator Wagner, the substitute was agreed to.

**S.J.R. 74** (seventy-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study public funding of higher education in Virginia.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

**S.J.R. 75** (seventy-five) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 27, introduced, after groups  
strike

and businesses

insert

, farm and forest landowner association representatives and forest industry  
association representatives

2. Line 29, introduced, after forestland  
insert

for the environmental and economic benefit of the Commonwealth

The reading of the amendments was waived.

On motion of Senator Ticer, the amendments were agreed to.

**S.J.R. 80** (eighty) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Directing 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. Report.

The reading of the substitute was waived.

On motion of Senator Newman, the substitute was agreed to.

**S.J.R. 81** (eighty-one) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 27, introduced, after Senate  
strike  
of Virginia, the House  
insert  
, the House of Delegates
2. Line 30, introduced, after detention  
strike  
by incorporating  
insert  
. The Department is requested to incorporate
3. Line 31, introduced, after programs  
insert  
and continue the activities of its Forensic Work Group

The reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

**S.J.R. 86** (eighty-six) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 33, introduced, after (i)  
insert  
solicit input from and

The reading of the amendment was waived.

On motion of Senator Reynolds, the amendment was agreed to.

**S.J.R. 89** (eighty-nine) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 27, introduced, after on  
strike  
Privileges and Elections  
insert  
Rules
2. Line 32, introduced, after on  
strike  
Privileges and Elections

insert

Rules

The reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

**S.J.R. 90** (ninety) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study the administrative and financial relationships between the Commonwealth and its institutions of higher education. Report.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

**S.J.R. 95** (ninety-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Directing the Virginia Housing Study Commission to study the impact of absentee landlords who own blighted or deteriorated properties in older urban communities as part of the Commission's study on the development of a statewide housing policy. Report.

The reading of the substitute was waived.

On motion of Senator Lucas, the substitute was agreed to.

**S.J.R. 111** (one hundred eleven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study measures to improve and enhance economic development in the Southwest region of the Commonwealth. Report.

The reading of the substitute was waived.

On motion of Senator Puckett, the substitute was agreed to.

**S.J.R. 115** (one hundred fifteen) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 28, introduced, after concurring,

insert

That the members of the National Guard and Reserve be recognized and supported by conducting awareness programs and by holding Military Appreciation Day and other ceremonies; and, be it  
RESOLVED FURTHER,

The reading of the amendment was waived.

On motion of Senator O'Brien, the amendment was agreed to.

**S.J.R. 130** (one hundred thirty) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 17, introduced, after by the  
strike  
House of Delegates, the Senate  
insert  
Senate, the House of Delegates
2. Line 19, introduced, after of the  
strike  
House of Delegates  
insert  
Senate

The reading of the amendments was waived.

On motion of Senator Devolites, the amendments were agreed to.

**S.J.R. 131** (one hundred thirty-one) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 29, introduced, after assault  
strike  
by  
insert  
. The Department shall examine the responses and prevention programs and activities of
2. Line 30, introduced, after system and  
strike  
to
3. Line 39, introduced  
strike  
all of line 39 and through and on line 40  
insert  
The Department of Criminal Justice Services shall provide primary assistance to the Department of Health. Technical assistance shall be provided by

The reading of the amendments was waived.

On motion of Senator Watkins, the amendments were agreed to.

On motion of Senator Norment, the following Senate joint resolutions were ordered en bloc to be engrossed and read by title the third time:

- S.J.R. 19** (nineteen).
- S.J.R. 24** (twenty-four) as amended.
- S.J.R. 25** (twenty-five) as amended.
- S.J.R. 38** (thirty-eight) as amended.
- S.J.R. 39** (thirty-nine) as amended.
- S.J.R. 49** (forty-nine) as amended.
- S.J.R. 57** (fifty-seven) as amended.
- S.J.R. 58** (fifty-eight).
- S.J.R. 64** (sixty-four) as amended.
- S.J.R. 74** (seventy-four) as amended.
- S.J.R. 75** (seventy-five) as amended.
- S.J.R. 80** (eighty) as amended.
- S.J.R. 81** (eighty-one) as amended.
- S.J.R. 86** (eighty-six) as amended.
- S.J.R. 88** (eighty-eight).
- S.J.R. 89** (eighty-nine) as amended.
- S.J.R. 90** (ninety) as amended.
- S.J.R. 95** (ninety-five) as amended.
- S.J.R. 111** (one hundred eleven) as amended.
- S.J.R. 115** (one hundred fifteen) as amended.
- S.J.R. 122** (one hundred twenty-two).
- S.J.R. 130** (one hundred thirty) as amended.
- S.J.R. 131** (one hundred thirty-one) as amended.

Senator Norment moved that the Rules be suspended and the third reading of the titles of the following Senate joint resolutions be waived:

- S.J.R. 19** (nineteen).
- S.J.R. 24** (twenty-four).
- S.J.R. 25** (twenty-five).
- S.J.R. 38** (thirty-eight).
- S.J.R. 39** (thirty-nine).
- S.J.R. 49** (forty-nine).
- S.J.R. 57** (fifty-seven).
- S.J.R. 58** (fifty-eight).
- S.J.R. 64** (sixty-four).
- S.J.R. 74** (seventy-four).
- S.J.R. 75** (seventy-five).
- S.J.R. 80** (eighty).
- S.J.R. 81** (eighty-one).
- S.J.R. 86** (eighty-six).
- S.J.R. 88** (eighty-eight).
- S.J.R. 89** (eighty-nine).
- S.J.R. 90** (ninety).
- S.J.R. 95** (ninety-five).

- S.J.R. 111 (one hundred eleven).
- S.J.R. 115 (one hundred fifteen).
- S.J.R. 122 (one hundred twenty-two).
- S.J.R. 130 (one hundred thirty).
- S.J.R. 131 (one hundred thirty-one).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Norment moved that the questions on agreeing to the Senate joint resolutions that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following Senate joint resolutions were agreed to en bloc:

- S.J.R. 19 (nineteen).
- S.J.R. 24 (twenty-four).
- S.J.R. 25 (twenty-five).
- S.J.R. 38 (thirty-eight).
- S.J.R. 39 (thirty-nine).
- S.J.R. 49 (forty-nine).
- S.J.R. 57 (fifty-seven).
- S.J.R. 58 (fifty-eight).
- S.J.R. 64 (sixty-four).
- S.J.R. 74 (seventy-four).
- S.J.R. 75 (seventy-five).
- S.J.R. 81 (eighty-one).
- S.J.R. 86 (eighty-six).
- S.J.R. 88 (eighty-eight).
- S.J.R. 89 (eighty-nine).
- S.J.R. 90 (ninety).
- S.J.R. 95 (ninety-five).
- S.J.R. 111 (one hundred eleven).
- S.J.R. 115 (one hundred fifteen).
- S.J.R. 122 (one hundred twenty-two).
- S.J.R. 130 (one hundred thirty).
- S.J.R. 131 (one hundred thirty-one).

S.J.R. 80 (eighty), on motion of Senator Newman, was agreed to.

## SENATE BILL ON SECOND READING

**S.B. 418** (four hundred eighteen) was taken up and read by title the second time.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 29, introduced, after *under*  
strike  
*code*

2. Line 32, introduced, after *may award*.  
insert

*If the title of ownership changes during the term of storage which resulted after removal and towing, it shall be the responsibility of that new owner to file with the court appropriate requests for reimbursement of costs associated with the removal and storage. This filing shall be done on behalf of and for payment to the entity responsible for the removal and storage of the motor vehicle, trailer or semi-trailer at such time that possession is granted.*

The reading of the amendments was waived.

Senator Wagner requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

Senator Wagner moved that amendment No. 1 be rejected.

The question was put on agreeing to amendment No. 1.

Amendment No. 1 was rejected.

On motion of Senator Wagner, amendment No. 2 was agreed to.

Senator Stolle offered the following amendment:

1. Line 28, introduced, after costs.  
strike

remainder of line 28, all of lines 29 through 31, and through *may award*. on line 32

insert

*If the owner produces (i) a valid motor vehicle registration and (ii) a copy of the stolen car report to the employees of the facility wherein the car is being stored, and possession of the vehicle is not returned forthwith to the owner, without payment of any costs, then the owner shall be entitled to recover his costs including such reasonable attorney fees and loss of diminished value during the pendency of the storage facility's possession of the vehicle, as the court may award in any action brought by the owner against the storage facility to recover possession of the vehicle.*

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

On motion of Senator Wagner, the bill was ordered to be engrossed and read by title the third time.

Senator Wagner moved that the Rules be suspended and the third reading of the title of **S.B. 418** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Puckett--1.

RULE 36--0.

**S.B. 418**, on motion of Senator Wagner, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--30.

NAYS--Deeds, Edwards, Houck, Miller, Puckett, Puller, Rerras, Reynolds, Ruff, Whipple--10.

RULE 36--0.

At 2:35 p.m., Senator Norment moved that the Senate recess until 2:50 p.m.

The motion was agreed to.

The hour of 2:50 p.m. having arrived, the Chair was resumed.

### **SUPPLEMENTAL CALENDAR NO. 1**

#### **SENATE BILL ON FIRST READING**

**S.B. 413** (four hundred thirteen) was read by title the first time.

Senator Edwards moved that the Rules be suspended and the second reading of the title of **S.B. 413** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-2101 of the Code of Virginia, as it is currently effective and as it shall become effective, and to amend the Code of Virginia by adding in Title 33.1 a chapter numbered 10.2, consisting of sections numbered 33.1-391.6 through 33.1-391.10, and to repeal Chapter 1041 of the Acts of Assembly of 2003, relating to the Rail Transportation Development Authority.

The reading of the substitute was waived.

Senator Edwards moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-2101 of the Code of Virginia, as it is currently effective and as it shall become effective, and to amend the Code of Virginia by adding in Title 33.1 a chapter numbered 10.2, consisting of sections numbered 33.1-391.6 through 33.1-391.10, and to repeal Chapter 1041 of the Acts of Assembly of 2003, relating to the Rail Transportation Development Authority.

The reading of the substitute was waived.

On motion of Senator Edwards, the substitute was agreed to.

Senator Edwards offered the following amendment to the substitute:

1. Line 103, substitute

strike

all of lines 103 through 118

insert

*The Authority shall consist of nine voting members appointed by the Governor, subject to confirmation by the General Assembly, who shall serve for terms of four years and may be reappointed for one additional term. Two members shall represent passenger rail interests in the Commonwealth including high-speed rail, inner-city passenger rail and commuter rail, and Virginia Railway Express. One member shall represent Class I railroad interests in the Commonwealth, and one member shall represent short line railroad interests in the Commonwealth.*

*For the initial appointments only, four of the appointments may be for terms of two years so as to allow for staggered terms. Such initial two-year terms shall not count against the term limitation. Vacancies shall be filled by gubernatorial appointment for any unexpired term.*

*The Authority shall annually elect from its membership a chairman and vice chairman, who shall continue to hold such office until their respective successors are elected. Five members of the authority shall constitute a quorum.*

On motion of Senator Edwards, the reading of the amendment was waived.

On motion of Senator Edwards, the amendment was agreed to.

On motion of Senator Edwards, the bill was ordered to be engrossed and read by title the third time.

Senator Edwards moved that the Rules be suspended and the third reading of the title of **S.B. 413** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 413**, on motion of Senator Edwards, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### SENATE JOINT RESOLUTIONS ON FIRST READING

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate joint resolutions be waived:

**S.J.R. 79** (seventy-nine).

**S.J.R. 77** (seventy-seven).

**S.J.R. 91** (ninety-one).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 79** (seventy-nine) was read by title the second time.

The following amendments proposed by the Committee on Rules were offered:

1. Line 4, introduced, after *to*  
strike  
remainder of line 4 and all of line 5  
insert  
*promptly enact the State Waste Empowerment and Enforcement Provision Act of 2003 (HR 1123)*
2. Line 33, introduced, after *manage*  
insert  
and promulgate appropriate fee structuring relating to
3. Line 35, introduced, after *by*  
strike  
remainder of line 35, all of line 36, and through *Wolf* on line 37  
insert  
the Congresswoman representing Virginia's First Congressional District and co-sponsored by a majority of Virginia's Congressional delegation
4. Line 39, introduced, after; and  
insert  
WHEREAS, the State Empowerment and Enforcement Act of 2003 provides states with protection from constitutional challenges to common sense regulation of trash haulers, which have previously been ruled to violate the Commerce Clause, and the power to require inspectors at landfills, incinerators, and transfer stations that accept out of state municipal solid waste; and
5. Line 45, introduced, after (HR 1123)  
strike  
remainder of line 45, all of lines 46 and 47, and through *waste* on line 48

The reading of the amendments was waived.

On motion of Senator Obenshain, the amendments were agreed to.

Senator Obenshain moved that the joint resolution be ordered to be engrossed and read by title the third time.

**S.J.R. 79**, on motion of Senator Norment, was passed by temporarily.

**S.J.R. 77** (seventy-seven) was read by title the second time.

The following amendment proposed by the Committee on Rules was offered:

1. Line 60, introduced, after and, be it  
insert

RESOLVED FURTHER, That any action anticipated to enforce No Child Left Behind be deferred until full funding to implement the law has been authorized; and, be it

The reading of the amendment was waived.

On motion of Senator Hanger, the amendment was agreed to.

On motion of Senator Hanger, the joint resolution was ordered to be engrossed and read by title the third time.

Senator Hanger moved that the Rules be suspended and the third reading of the title of **S.J.R. 77** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 77**, on motion of Senator Hanger, was agreed to.

**S.J.R. 91** (ninety-one) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Memorializing the Congress of the United States to propose a federal marriage amendment to the Constitution of the United States.

The reading of the substitute was waived.

On motion of Senator Cuccinelli, the substitute was agreed to.

On motion of Senator Cuccinelli, the joint resolution was ordered to be engrossed and read by title the third time.

Senator Cuccinelli moved that the Rules be suspended and the third reading of the title of **S.J.R. 91** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Cuccinelli moved that **S.J.R. 91** be agreed to.

The question was put on agreeing to **S.J.R. 91**.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--29.

NAYS--Deeds, Edwards, Howell, Lambert, Locke, Lucas, Marsh, Miller, Saslaw, Ticer, Whipple--11.

RULE 36--0.

**S.J.R. 91** was agreed to.

**S.J.R. 79** (seventy-nine) was taken up.

On motion of Senator Obenshain, the joint resolution was ordered to be engrossed and read by title the third time.

Senator Obenshain moved that the Rules be suspended and the third reading of the title of **S.J.R. 79** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 79**, on motion of Senator Obenshain, was agreed to.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Deeds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 196.** Commending Adam Loan.

Patron--Deeds

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Martin introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 197.** Commending Calvin Thomas Eaves, Sr.

Patron--Martin

**LEGISLATION SIGNED BY PRESIDING OFFICER**

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

February 17, 2004

**H.B. 31.** An Act to authorize the issuance of bonds to finance \$137,700,600 in previously authorized projects and \$117,616,000 in new projects for a total of up to \$255,316,600, plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring, constructing and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.

**H.B. 32.** An Act to authorize the issuance of bonds, in an amount up to \$5,700,000 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring a revenue-producing capital project to be administered by the Department of General Services, to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital project and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.

**H.B. 143.** An Act to amend and reenact § 58.1-3506 of the Code of Virginia, relating to classifications of personal property for taxation; vehicles owned or leased by certain members of volunteer rescue squads, volunteer fire departments, volunteer rescue squad auxiliaries, and volunteer fire department auxiliaries.

**H.B. 154.** An Act to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real estate tax exemptions for the elderly and disabled.

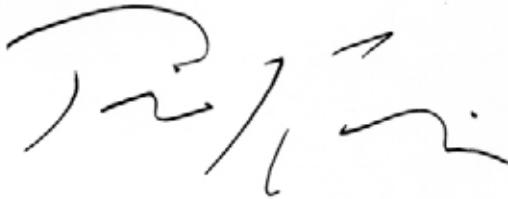
**H.B. 403.** An Act to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.

**H.B. 739.** An Act to amend and reenact § 58.1-3819 of the Code of Virginia, relating to imposing the transient occupancy tax at certain tax rates.

**H.B. 743.** An Act to amend and reenact §§ 58.1-3814 and 58.1-3816.2 of the Code of Virginia, relating to local consumer utility taxes.

**H.B. 1001.** An Act to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in Fairfax County.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, FEBRUARY 18, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend N. Burton Brooks, Jr., Shady Grove United Methodist Church, Glen Allen, Virginia, offered the following prayer:

Almighty and everlasting God, we give You thanks for this new day of possibilities and opportunities. And we especially give You thanks for this great Commonwealth, its people, its beauty, and its spirit. We come before You now to ask Your blessings upon this body of women and men who have been called to lead and to serve Your people. Be with this Senate as it moves into the business of the day. Give to all gathered here wisdom and guidance in their debates, patience in their deliberations, and affirmation in their decisions. Let truth and integrity and a genuine concern for the well-being of all our citizens be the benchmark for all things said and done this day. In Your name we pray, Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Bolling and Cuccinelli notified the Clerk of their presence.

On motion of Senator Saslaw, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
February 17, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 34.** A BILL to amend and reenact § 19.2-163.2 of the Code of Virginia, relating to creation of Chesapeake Public Defender's office.

**H.B. 49.** A BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to providing documents to opposing party.

- H.B. 59.** A BILL to amend and reenact § 56-580 of the Code of Virginia, relating to electrical generating facility certificates.
- H.B. 67.** A BILL to amend and reenact § 18.2-433.1 of the Code of Virginia, relating to definition of law-enforcement officer.
- H.B. 120.** A BILL to amend and reenact § 19.2-265.4 of the Code of Virginia, relating to discovery in misdemeanor cases in circuit court.
- H.B. 176.** A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02, 18.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.
- H.B. 214.** A BILL to amend and reenact § 52-34.3 of the Code of Virginia, relating to use of the Amber Alert system.
- H.B. 250.** A BILL to amend and reenact § 46.2-868 of the Code of Virginia, relating to reckless driving; penalties.
- H.B. 293.** A BILL to amend the Code of Virginia by adding in Article 5 of Chapter 39 of Title 58.1 a section numbered 58.1-3994, relating to offers in compromise with respect to local taxes.
- H.B. 295.** A BILL to amend and reenact § 58.1-3983.1 of the Code of Virginia, relating to appeals and rulings of certain local business taxes.
- H.B. 298.** A BILL to amend the Code of Virginia by adding in Article 5 of Chapter 39 of Title 58.1 a section numbered 58.1-3994, relating to the effect of applications for correction of assessment and appeals of local taxes upon applications for local permits and licenses.
- H.B. 303.** A BILL to amend and reenact § 15.2-1716 of the Code of Virginia, relating to reimbursement of certain traffic incident expenses.
- H.B. 311.** A BILL to amend and reenact § 58.1-609.11 of the Code of Virginia, relating to exemptions for nonprofit entities.
- H.B. 326.** A BILL to amend and reenact §§ 20-74, 20-108, 20-109, and 20-112 of the Code of Virginia, relating to child and spousal support.
- H.B. 344.** A BILL to amend and reenact §§ 16.1-69.48:5 and 16.1-296 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-296.2, relating to fees for custody and visitation proceedings.
- H.B. 354.** A BILL to amend and reenact §§ 51.5-53 and 51.5-56 of the Code of Virginia, relating to Assistive Technology Loan Fund Authority; powers.
- H.B. 415.** A BILL to amend the Code of Virginia by adding a section numbered 44-146.17:2, relating to the Emergency Services and Disaster Law; annual statewide drill.

- H.B. 441.** A BILL to amend and reenact § 20-124.3 of the Code of Virginia, relating to the best interests of the child in visitation and custody.
- H.B. 466.** A BILL to amend and reenact § 55-210.18 of the Code of Virginia, relating to the State Treasurer; sale of abandoned property.
- H.B. 485.** A BILL to amend and reenact § 33.1-23.4 of the Code of Virginia, relating to allocation of funds for secondary system highway construction.
- H.B. 493.** A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.
- H.B. 529.** A BILL to amend and reenact §§ 60.2-219, 60.2-528, and 60.2-618 of the Code of Virginia, relating to definition of employment.
- H.B. 534.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to civil immunity.
- H.B. 545.** A BILL to require the State Council of Higher Education for Virginia to conduct a feasibility study on building academic research and advanced education enterprises in northern Virginia and in Hampton Roads.
- H.B. 555.** A BILL to amend and reenact § 55-79.81 of the Code of Virginia, relating to the Condominium Act; insurance.
- H.B. 570.** A BILL to amend and reenact §§ 19.2-74, 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of certain illegal aliens and unidentified people.
- H.B. 576.** A BILL to amend and reenact § 22.1-199.1 of the Code of Virginia and to amend the Code of Virginia by adding in Title 51.1 a chapter numbered 6.2, consisting of sections numbered 51.1-617 and 51.1-618, relating to employment and retirement benefits for certain employees of local public school boards.
- H.B. 583.** A BILL to amend and reenact § 19.2-163.2 of the Code of Virginia, establishing a public defender office in the City of Newport News.
- H.B. 584.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to immunity for skydiving operators and professionals.
- H.B. 624.** A BILL to amend and reenact § 8.01-380 of the Code of Virginia, relating to medical malpractice actions; nonsuits.
- H.B. 638.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.
- H.B. 644.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-221.1:1.1, relating to the Railway Preservation and Development Fund.

- H.B. 660.** A BILL to amend and reenact § 18.2-67.3 of the Code of Virginia, relating to aggravated sexual battery.
- H.B. 663.** A BILL to amend and reenact § 18.2-386.1 of the Code of Virginia, relating to unlawful filming, videotaping or photographing of another; penalty.
- H.B. 667.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense; prior conviction.
- H.B. 668.** A BILL to amend and reenact §§ 4.1-305 and 4.1-306 of the Code of Virginia, relating to juvenile alcohol offenses.
- H.B. 669.** A BILL to amend and reenact § 18.2-268.2 of the Code of Virginia, relating to implied consent to post-arrest chemical test to determine drug or alcohol content of blood.
- H.B. 718.** A BILL to amend and reenact § 18.2-67.10 of the Code of Virginia, relating to definition of sexual abuse.
- H.B. 754.** A BILL to amend and reenact §§ 56-1, 56-49, and 56-265.1 of the Code of Virginia, relating to public service corporations; limited liability companies.
- H.B. 755.** A BILL to amend and reenact § 19.2-264.5 of the Code of Virginia, relating to sentencing in death penalty cases.
- H.B. 760.** A BILL to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 a section numbered 18.2-46.3:1 relating to criminal street gang crimes.
- H.B. 774.** A BILL to amend and reenact § 46.2-301 of the Code of Virginia, relating to driving while license, permit, or privilege to drive suspended or revoked.
- H.B. 801.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-55.1, relating to hazing of youth gang members.
- H.B. 828.** A BILL to amend and reenact § 36-105 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 36-105.1:1, relating to the Uniform Statewide Building Code; enforcement; rental inspections.
- H.B. 848.** A BILL for the relief of Julius Earl Ruffin.
- H.B. 861.** A BILL to amend and reenact § 63.2-100 of the Code of Virginia, relating to permanency planning for children in foster care.
- H.B. 862.** A BILL to amend and reenact §§ 3.1-336.2, 3.1-336.3, 58.1-1000, 58.1-1003, 58.1-1009, 58.1-1010, 58.1-1011, and 58.1-1013 of the Code of Virginia and to repeal §§ 58.1-1004, 58.1-1005, and 58.1-1014 of the Code of Virginia, relating to tax stamping of cigarettes and enforcement of cigarette sales reporting requirements.
- H.B. 863.** A BILL to amend and reenact § 18.2-57.2 of the Code of Virginia, relating to third offense of assault and battery against a family or household member; penalty.
- H.B. 871.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-67.4:2, relating to sexual activity while infected with HIV.

- H.B. 889.** A BILL to amend and reenact §§ 18.2-270 and 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.
- H.B. 908.** A BILL to amend and reenact §§ 24.2-303.2 and 24.2-304.02 of the Code of Virginia, relating to certain Senate and House of Delegates districts respectively.
- H.B. 909.** A BILL to designate portions of certain highways “Virginia’s Heritage Music Trail: The Crooked Road.”
- H.B. 910.** A BILL to designate a portion of U.S. Route 23 the “Country Music Highway.”
- H.B. 916.** A BILL to amend and reenact §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35 of the Code of Virginia, relating to criminal history records search; justices; judges and substitute judges; magistrates.
- H.B. 918.** A BILL to amend and reenact § 35.1-1 of the Code of Virginia, relating to regulation of restaurants; definition.
- H.B. 920.** A BILL to amend and reenact § 56-265.1 of the Code of Virginia, relating to direct sales of natural gas to certain public schools.
- H.B. 926.** A BILL to amend and reenact § 58.1-3528 of the Code of Virginia, relating to the Personal Property Tax Relief Act of 1998.
- H.B. 928.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-3916.02, relating to real estate taxes; alternative payment schedules.
- H.B. 935.** A BILL to amend and reenact §§ 38.2-4214 and 38.2-4319 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 34 of Title 38.2 an article numbered 2.1, consisting of sections numbered 38.2-3419.2 through 38.2-3419.8, relating to state-mandated health benefits.
- H.B. 938.** A BILL to amend the Code of Virginia by adding a section numbered 56-235.5:1, relating to telecommunications services; local exchange telephone service competition policy.
- H.B. 942.** A BILL to amend and reenact § 19.2-194 of the Code of Virginia, relating to summoning of grand jurors.
- H.B. 948.** A BILL to amend and reenact §§ 8.01-446.1, 8.01-449, 8.01-487.1, 8.01-511 and 8.01-512.3 of the Code of Virginia, relating to writs of fieri facias, docketed judgments, and garnishment summons; social security numbers.
- H.B. 950.** A BILL to amend and reenact § 19.2-163.2 of the Code of Virginia, establishing a public defender office in the County of Arlington and the City of Falls Church.
- H.B. 952.** A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.
- H.B. 993.** A BILL to amend and reenact § 46.2-867 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-865.1, relating to certain racing conduct punishable as involuntary manslaughter.

- H.B. 1005.** A BILL to amend and reenact §§ 33.1-268, 33.1-269, and 33.1-277 of the Code of Virginia, relating to the State Revenue Bond Act; issuance of Commonwealth of Virginia transportation credit assistance revenue bonds for the purpose of funding a portion of the Dulles Corridor mass transit project.
- H.B. 1013.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-199.4, relating to the At-Risk Student Academic Achievement Program and Fund.
- H.B. 1043.** A BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 through 2.2-5514, relating to the creation of the Competitive Government Act.
- H.B. 1053.** A Bill to amend and reenact §§ 8.01-44.4, 9.1-902, 9.1-908, 9.1-910, 16.1-69.48:1, 16.1-260, 16.1-269.1, 16.1-301, 17.1-275.1, 17.1-275.2, 17.1-275.7, 17.1-805, 18.2-9, 18.2-10, 18.2-25, 18.2-31, 18.2-32, 18.2-46.1, 18.2-46.5, 18.2-46.6, 18.2-49, 18.2-49.1, 18.2-53, 18.2-53.1, 18.2-54.1, 18.2-54.2, 18.2-55, 18.2-57, 18.2-57.02, 18.2-57.2, 18.2-67.1, 18.2-67.2, 18.2-67.9, 18.2-67.10, 18.2-128, 18.2-144, 18.2-147.1, 18.2-289, 18.2-300, 18.2-370.2, 18.2-427, 18.2-481, 19.2-163, 19.2-215.1, 19.2-218.1, 19.2-218.2, 19.2-264.4, 19.2-270.1, 19.2-297.1, 19.2-298.01, 19.2-299, 19.2-303.4, 19.2-327.2, 19.2-327.3, 19.2-335, 19.2-336, 53.1-40.01, 53.1-131.2, 53.1-151, 54.1-2989, 63.2-1719 and 63.2-1726 of the Code of Virginia, and to amend the Code of Virginia by adding sections numbered 18.2-47.1 through 18.2-47.5, and by adding sections numbered 18.2-48.01, 18.2-48.02, 18.2-51.01 through 18.2-51.05, 18.2-52.01, 18.2-52.02, and to repeal sections 18.2-47, 18.2-48, 18.2-48.1, 18.2-51, 18.2-51.1, 18.2-51.2, and 18.2-67.2:1 of the Code of Virginia, relating to various crimes and penalties.
- H.B. 1054.** A BILL to amend and reenact §§ 9.1-902, 15.2-1724, 16.1-272, 17.1-805, 18.2-62, 18.2-63, 18.2-67.5:2, 18.2-67.8, 18.2-345, 18.2-346, 18.2-346.1, 18.2-348, 18.2-356, 18.2-359, 18.2-360, 18.2-370, 18.2-370.1, 18.2-370.2, 18.2-371, 18.2-374.3, 19.2-268.2, 19.2-271.2, 19.2-299, 32.1-58, 32.1-126.01, 32.1-162.9:1, 37.1-20.3, 37.1-183.3, 37.1-197.2, 63.2-1719, 63.2-1726, and 63.2-1727 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 8 of Title 18.2 a section numbered 18.2-361.1 and to repeal § 18.2-344 of the Code of Virginia, relating to sex offenses; penalties.
- H.B. 1056.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 10 of Title 19.2 a section numbered 19.2-163.01, relating to standards of conduct for court-appointed counsel.
- H.B. 1095.** A BILL to amend and reenact § 19.2-265.1 of the Code of Virginia, relating to exclusion of witnesses in criminal trials.
- H.B. 1112.** A BILL to amend and reenact § 7 of Chapter 712 of the Acts of Assembly of 1952, which provided a charter for the City of Harrisonburg, relating to the mayor.
- H.B. 1123.** A BILL to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.
- H.B. 1127.** A BILL to amend and reenact § 8.01-262 of the Code of Virginia, relating to venue.
- H.B. 1130.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to forfeiture of vehicle for third DUI offense.

- H.B. 1136.** A BILL to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to administrative suspension of license or privilege to operate a motor vehicle.
- H.B. 1141.** A BILL to amend and reenact § 16.1-69.48:1 of the Code of Virginia, relating to fixed fee for misdemeanors, etc.
- H.B. 1143.** A BILL to amend and reenact §§ 18.2-271.1 and 46.2-411 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-270.01, relating to DUI offenders; payment to Trauma Center Fund; payment to the Commonwealth Neurotrauma Initiative Trust Fund.
- H.B. 1146.** A BILL to amend and reenact §§ 16.1-269.6 and 16.1-296 of the Code of Virginia, relating to appeals of cases involving juveniles.
- H.B. 1147.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.
- H.B. 1149.** A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by criminal street gangs; penalty.
- H.B. 1159.** A BILL to amend and reenact § 58.1-9 of the Code of Virginia, relating to electronic filing requirements for tax preparers; penalty.
- H.B. 1167.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 24.2 a section numbered 24.2-201.1, relating to taking of office following certain vacancies.
- H.B. 1179.** A BILL to amend the Code of Virginia by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1208 relating to long-term care insurance.
- H.B. 1193.** A BILL to amend and reenact §§ 9.1-138 and 9.1-139 of the Code of Virginia, relating to private security services and detector canine handlers.
- H.B. 1194.** A BILL to amend and reenact § 2.2-1151.1 of the Code of Virginia, relating to the Virginia Department of Transportation; right-of-way easements; damage to adjacent property.
- H.B. 1209.** A BILL to amend and reenact § 16.1-248.1 of the Code of Virginia, relating to criteria for detention or shelter care.
- H.B. 1231.** A BILL to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the 2003 Acts of Assembly; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of a sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of

sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the 1964 Acts of Assembly, Chapter 449 of the 1968 Acts of Assembly, Chapters 295 and 422 of the 1972 Acts of Assembly, Chapters 251 and 520 of the 1974 Acts of Assembly, Chapter 141 of the 1976 Acts of Assembly, Chapter 144 of the 1980 Acts of Assembly, Chapter 227 of the 1981 Acts of Assembly, and Chapter 149 of the 1989 Acts of Assembly, relating to requirements of collegial bodies; reports.

**H.B. 1233.** A BILL to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault, and violation of provisions of protective orders; penalty.

**H.B. 1237.** A BILL to amend and reenact §§ 37.1-70.3 and 37.1-70.5 through 37.1-70.9 of the Code of Virginia, relating to civil commitment of sexually violent predators.

**H.B. 1241.** A BILL to amend and reenact § 58.1-615 of the Code of Virginia, relating to filing sales and use tax returns of dealers.

**H.B. 1246.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain records of the Department of Criminal Justice Services.

**H.B. 1265.** A BILL to amend and reenact §§ 8.01-499 and 17.1-272 of the Code of Virginia, relating to sheriff's fees.

**H.B. 1293.** A BILL to amend and reenact § 18.2-359 of the Code of Virginia, relating to venue for criminal sexual assault.

**H.B. 1298.** A BILL to amend and reenact § 2.2-1509 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to the Budget Bill.

**H.B. 1299.** A BILL to amend and reenact § 15.2-1706 of the Code of Virginia, relating to law-enforcement officer certification.

**H.B. 1307.** A BILL to amend and reenact § 18.2-57.3 of the Code of Virginia, relating to persons charged with first offense of assault and battery against a family or household member.

**H.B. 1308.** A BILL to amend and reenact §§ 19.2-152.2, 53.1-95.8 and 53.1-109 of the Code of Virginia, relating to pretrial programs.

**H.B. 1315.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-73.1 relating to abortion performed after first trimester.

**H.B. 1360.** A BILL to amend and reenact § 2.2-2012 of the Code of Virginia, relating to accessibility standards for information technology and telecommunications procurements.

**H.B. 1361.** A BILL to amend and reenact §§ 58.1-302 and 58.1-402 of the Code of Virginia, relating to Virginia corporate income tax.

**H.B. 1370.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-421.1, relating to lobbying; special reports of certain receipts and expenditures.

- H.B. 1372.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.6, relating to product liability; products containing open and obvious dangers.
- H.B. 1379.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-15.2, relating to the Servicemembers Civil Relief Act.
- H.B. 1383.** A BILL to amend and reenact § 46.2-208 of the Code of Virginia, relating to release of information by the Department of Motor Vehicles to persons who conduct insurance claims investigations, or perform rating and underwriting activities.
- H.B. 1388.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 15.1 of Title 55 a section numbered 55-277.4:1, relating to trusts; total return investing.
- H.B. 1393.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.
- H.B. 1403.** A BILL to amend and reenact § 54.1-2969 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2969.1, relating to the morning-after pill; penalty.
- H.B. 1407.** A BILL to amend and reenact §§ 38.2-5001, 38.2-5009, 38.2-5020 and 38.2-5021 of the Code of Virginia, relating to the Virginia Birth-Related Neurological Injury Compensation Act; assessment of participating hospitals and participating physicians.
- H.B. 1408.** A BILL to amend and reenact §§ 38.2-3540.1 and 38.2-4319 of the Code of Virginia relating to accident and sickness insurance; claims experience.
- H.B. 1410.** A BILL to amend and reenact § 43-3 of the Code of Virginia, relating to mechanic's lien; easements.
- H.B. 1414.** A BILL to amend the Code of Virginia by adding a section numbered 23-7.5:1, relating to the morning-after pill.
- H.B. 1426.** A BILL to amend and reenact § 58.1-3713 of the Code of Virginia, relating to local coal and gas road improvement tax.
- H.B. 1427.** A BILL to amend and reenact § 24.2-304.02 of the Code of Virginia, relating to House of Delegates districts.
- H.B. 1430.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.
- H.B. 1432.** A BILL to amend and reenact §§ 2, 9 and 10 of Chapter 1 of the Acts of Assembly of 1879, relating to the Lovettsville Union Cemetery Company.
- H.B. 1435.** A BILL to amend and reenact §§ 55-429, 55-460, 55-462, 55-467, 55-478, 55-479, 55-484, and 55-486 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-473.1, relating to the Virginia Real Estate Cooperative Act.
- H.B. 1453.** A BILL to amend and reenact § 58.1-3967 of the Code of Virginia, relating to procedures for collecting delinquent real estate taxes.

- H.B. 1454.** A BILL to amend and reenact § 19.2-163.2 of the Code of Virginia, establishing a public defender office in the City of Hampton.
- H.B. 1456.** A BILL to amend and reenact §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1 of the Code of Virginia, relating to nuisance abatement; tax delinquent properties.
- H.B. 1460.** A BILL to amend and reenact §§ 6.1-330.53, 6.1-330.54, and 8.01-382 of the Code of Virginia, relating to interest rates.
- H.B. 1463.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-184.1, relating to declaratory judgment to adjudicate constitutional nexus for imposition of sales and use tax.
- H.B. 1480.** A BILL to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.
- H.B. 1481.** A BILL to amend and reenact § 8.01-44.5 of the Code of Virginia, relating to exemplary damages for persons injured by intoxicated drivers.
- H.B. 1482.** A BILL to amend and reenact §§ 27-95, 27-97, and 59.1-137 of the Code of Virginia, relating to definition of explosives.
- H.B. 1485.** A BILL to amend and reenact § 15.2-1518 of the Code of Virginia, relating to liability insurance for localities.
- H.B. 1488.** A BILL to amend and reenact § 58.1-609.3 of the Code of Virginia, relating to sales and use tax exemptions; commercial and industrial exemptions.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

- H.J.R. 6.** Establishing a joint subcommittee to study the Virginia Public Records Act, electronic records, and their effect on the state depository system. Report.
- H.J.R. 13.** Establishing a joint subcommittee to study the appropriate balance of power between the legislative and executive branches to support a two-term Governor in the Commonwealth. Report.
- H.J.R. 34.** Establishing a joint subcommittee to study the Virginia Retirement System and benefits for public safety officers under the Virginia Line of Duty Act. Report.
- H.J.R. 71.** Requesting the Secretary of Health and Human Resources to convene a cross-secretarial committee to develop a comprehensive plan to ensure the efficient and cost-effective provision of information and services to Virginia's limited English speaking residents, who are lawfully in the United States. Report.
- H.J.R. 72.** Directing the Joint Legislative Audit and Review Commission to study the effectiveness of the implementation, performance, and enforcement of Virginia's nutrient management plans. Report.
- H.J.R. 79.** Directing the Virginia State Crime Commission to study mistaken identification in criminal cases. Report.
- H.J.R. 82.** Requesting the Department of Taxation to collect information pertaining to the economic impact of nonstate agency cultural institutions on the Commonwealth. Report.

- H.J.R. 103.** Directing the Joint Legislative Audit and Review Commission to study the impact of Virginia's aging population on the demand for state agency services. Report.
- H.J.R. 105.** Establishing a joint subcommittee to study the level of the Commonwealth's assistance to localities that is necessary for developing adequate K-12 school infrastructure. Report.
- H.J.R. 114.** Requesting 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. Report
- H.J.R. 120.** Directing the Joint Commission on Technology and Science to identify nanotechnology research and related economic development opportunities for the Commonwealth. Report.
- H.J.R. 124.** Continuing the Commission to Review, Study, and Reform Educational Leadership. Report.
- H.J.R. 125.** Requesting the Board of Education, the State Community College Board, and the State Council of Higher Education for Virginia to develop a template for a statewide articulation agreement. Report.
- H.J.R. 132.** Recognizing the Entrepreneurial Education Region of Virginia and requesting the Virginia Department of Transportation to place signs marking the entrances to Virginia's Entrepreneurial Region.
- H.J.R. 133.** Directing the Joint Legislative Audit and Review Commission to study pre-hospital emergency medical services in Virginia. Report.
- H.J.R. 134.** Directing 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). Report.
- H.J.R. 142.** Establishing a joint subcommittee to study the feasibility of the consolidation of the Cities of Norfolk and Portsmouth. Report.
- H.J.R. 152.** Directing the Virginia Housing Study Commission, with the assistance of the Virginia Housing Development Authority and the Virginia Department of Housing and Community Development, to study certain housing-related issues. Report.
- H.J.R. 153.** Directing the State Corporation Commission to study the placement of utility lines underground in urban areas. Report.
- H.J.R. 162.** Establishing a joint subcommittee to study the desirability and feasibility of issuing "smart" driver's licenses and identification cards in Virginia. Report.
- H.J.R. 164.** Directing the Joint Commission on Health Care to collect information concerning infant screening program for metabolic disorders. Report.
- H.J.R. 170.** Continuing the Commission on Growth and Economic Development. Report.
- H.J.R. 172.** Directing the Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced income tax revenues with sales and use tax revenues. Report.

**H.J.R. 174.** Establishing a joint subcommittee to study the certification process for voting equipment and matters related to the performance and proper deployment of voting equipment. Report.

**H.J.R. 176.** Establishing a joint subcommittee to study the impact of collecting remote sales taxes on the economy of the Commonwealth. Report.

**H.J.R. 183.** Directing the Joint Legislative Audit and Review Commission to study the use and financing of trauma centers in the Commonwealth's hospitals. Report.

**H.J.R. 185.** Continuing the U.S. Route 460 Communications Committee until commencement of construction of the U.S. 460 upgrade project. Report.

**H.J.R. 186.** Establishing a joint subcommittee to study conflicts of interests and lobbyist disclosure filings. Report.

**H.J.R. 193.** Directing the Joint Legislative Audit and Review Commission to study the operation and performance of the Commonwealth's social services system. Report.

**H.J.R. 195.** Requesting James Madison University to study the status, impact, and utilization of community health workers. Report.

**H.J.R. 196.** Requesting the Virginia State Crime Commission, in conjunction with the Virginia Sentencing Commission and the Office of the Executive Secretary of the Supreme Court, to develop an implementation plan for the revisions to Title 18.2. Report.

**H.J.R. 197.** Requesting 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. Report.

**H.J.R. 205.** Requesting the Board of Nursing to collect information on nurse practitioner prescriptive authority. Report.

**H.J.R. 225.** Directing the Virginia State Crime Commission to conduct a statewide study of the operations of the offices of Commonwealth's Attorneys. Report.

**H.J.R. 226.** Requesting 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. Report.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 240.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

**H.B. 241.** A BILL to amend and reenact § 2.08, as amended, of Chapter 240 of the Acts of Assembly of 1954, which provided a charter for the Town of Christiansburg, relating to mayor and council.

**H.B. 484.** A BILL to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal § 15.2-1207 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to reporting of gun sales.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 1363.** A BILL to amend and reenact § 24.2-944 of the Code of Virginia, relating to campaign advertisements; requirements for radio and television advertisements.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 175.** Commending Laurie J. Sullivan.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 34, H.B. 49, H.B. 67, H.B. 120, H.B. 214, H.B. 326, H.B. 344, H.B. 441, H.B. 466, H.B. 493, H.B. 534, H.B. 570, H.B. 583, H.B. 584, H.B. 624, H.B. 638, H.B. 660, H.B. 663, H.B. 667, H.B. 668, H.B. 669, H.B. 718, H.B. 755, H.B. 760, H.B. 801, H.B. 863, H.B. 871, H.B. 889, H.B. 916, H.B. 942, H.B. 948, H.B. 950, H.B. 1053, H.B. 1054, H.B. 1056, H.B. 1095, H.B. 1123, H.B. 1127, H.B. 1130, H.B. 1141, H.B. 1143, H.B. 1146, H.B. 1147, H.B. 1149, H.B. 1209, H.B. 1233, H.B. 1237, H.B. 1265, H.B. 1293, H.B. 1307, H.B. 1308, H.B. 1372, H.B. 1379, H.B. 1388, H.B. 1410, H.B. 1430, H.B. 1454, H.B. 1460, H.B. 1463, and H.B. 1481** were referred to the Committee for Courts of Justice.

**H.B. 59, H.B. 529, H.B. 754, H.B. 920, H.B. 935, H.B. 938, H.B. 1407, and H.B. 1408** were referred to the Committee on Commerce and Labor.

**H.B. 176, H.B. 303, H.B. 1112, H.B. 1299, H.B. 1393, H.B. 1456, and H.B. 1485** were referred to the Committee on Local Government.

**H.B. 250, H.B. 485, H.B. 644, H.B. 774, H.B. 909, H.B. 910, H.B. 993, H.B. 1005, H.B. 1136, H.B. 1194, and H.B. 1383** were referred to the Committee on Transportation.

**H.B. 293, H.B. 295, H.B. 298, H.B. 311, H.B. 354, H.B. 848, H.B. 862, H.B. 926, H.B. 928, H.B. 1159, H.B. 1179, H.B. 1241, H.B. 1298, H.B. 1361, H.B. 1426, H.B. 1453, and H.B. 1488** were referred to the Committee on Finance.

**H.B. 415, H.B. 555, H.B. 828, H.B. 1043, H.B. 1193, H.B. 1246, H.B. 1360, H.B. 1432, H.B. 1435, H.B. 1480, and H.B. 1482** were referred to the Committee on General Laws.

**H.B. 545** and **H.B. 1231** were referred to the Committee on Rules.

**H.B. 576, H.B. 1013, H.B. 1315, H.B. 1403, and H.B. 1414** were referred to the Committee on Education and Health.

**H.B. 861** and **H.B. 952** were referred to the Committee on Rehabilitation and Social Services.

**H.B. 908, H.B. 1167, H.B. 1370, and H.B. 1427** were referred to the Committee on Privileges and Elections.

**H.B. 918** was referred to the Committee on Agriculture, Conservation and Natural Resources.

The House joint resolutions, communicated as agreed to by the House of Delegates, the first reading of their titles having been waived, were referred as follows:

**H.J.R. 6, H.J.R. 13, H.J.R. 34, H.J.R. 71, H.J.R. 72, H.J.R. 79, H.J.R. 82, H.J.R. 103, H.J.R. 105, H.J.R. 114, H.J.R. 120, H.J.R. 124, H.J.R. 125, H.J.R. 132, H.J.R. 133, H.J.R. 134, H.J.R. 142, H.J.R. 152, H.J.R. 153, H.J.R. 162, H.J.R. 164, H.J.R. 170, H.J.R. 172, H.J.R. 174, H.J.R. 176, H.J.R. 183, H.J.R. 185, H.J.R. 186, H.J.R. 193, H.J.R. 195, H.J.R. 196, H.J.R. 197, H.J.R. 205, H.J.R. 225, and H.J.R. 226** were referred to the Committee on Rules.

#### COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

- H.B. 16** (sixteen).
- H.B. 94** (ninety-four).
- H.B. 97** (ninety-seven).
- H.B. 163** (one hundred sixty-three).
- H.B. 199** (one hundred ninety-nine).
- H.B. 200** (two hundred).
- H.B. 201** (two hundred one).
- H.B. 235** (two hundred thirty-five).
- H.B. 334** (three hundred thirty-four).
- H.B. 356** (three hundred fifty-six).
- H.B. 551** (five hundred fifty-one).
- H.B. 699** (six hundred ninety-nine).
- H.B. 700** (seven hundred) with amendment.
- H.B. 701** (seven hundred one).
- H.B. 702** (seven hundred two).
- H.B. 703** (seven hundred three).
- H.B. 925** (nine hundred twenty-five).
- H.B. 1030** (one thousand thirty) with amendment.

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puller introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 198.** Celebrating the life of Emily W. Myatt.

Patrons--Puller and Ticer; Delegates: Amundson, Sickles and Van Landingham

### GUEST PRESENTED

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

Senator Stosch presented Lora Robins, Outstanding Virginian for 2004, to the Senate.

### CALENDAR

#### HOUSE BILLS ON THIRD READING

**H.B. 231** (two hundred thirty-one) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 474** (four hundred seventy-four) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**RECONSIDERATION**

Senator Norment moved to reconsider the vote by which **H.B. 231** (two hundred thirty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 231**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**SENATE BILLS ON FIRST READING**

Senator Norment moved that the Rules be suspended and the first reading of the titles of the following Senate bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**S.B. 36** (thirty-six).

**S.B. 39** (thirty-nine).

**S.B. 526** (five hundred twenty-six).

**S.B. 635** (six hundred thirty-five).

**S.B. 465** (four hundred sixty-five).

**S.B. 514** (five hundred fourteen).

**S.B. 537** (five hundred thirty-seven).

**S.B. 681** (six hundred eighty-one).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 36** (thirty-six).

**S.B. 39** (thirty-nine).

**S.B. 526** (five hundred twenty-six).

**S.B. 635** (six hundred thirty-five).

**S.B. 465** (four hundred sixty-five).

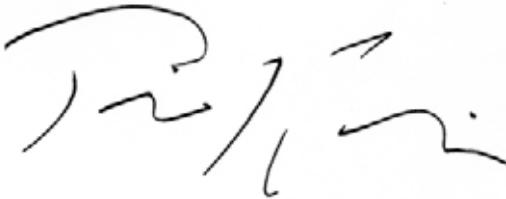
**S.B. 514** (five hundred fourteen).

**S.B. 537** (five hundred thirty-seven).

**S.B. 681** (six hundred eighty-one).

On motion of Senator Lambert, a leave of absence for the day was granted Senator Houck on account of illness.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read 'Timothy M. Kaine', written in a cursive style.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read 'Susan Clarke Schaar', written in a cursive style.

Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, FEBRUARY 19, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Kristen Jacobson, St. Mary's Hospital, Richmond, Virginia, offered the following prayer:

Creator God, answer us in our call to You as we seek Your guidance to better this world. Hear the prayers of all Your people who suffer on this day in mind, body or spirit. We especially ask that You bless those who are serving our country and comfort their families with Your presence.

Be gracious, O God, to all who gather in this room today. Grant Your kind wisdom and peace to the thoughts of Your servants and lead them to resolve with justice the issues that surface in this time and place.

Inspire us all to seek Your truth and live as channels of Your grace. Remind us that Your steadfast love extends to the heavens and Your faithfulness to the clouds. Keep us each faithful in our vocations, save us from corruption, and make of us beacons of light for Your people.

All this we pray in great certainty of Your presence. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Williams, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 18, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 14.** A BILL to amend and reenact §§ 2.2-216, 2.2-2634, 10.1-200, 10.1-1118, 10.1-1155, 23-31, and 51.5-75 of the Code of Virginia and to repeal §§ 2.2-2820.1 and 3.1-362 of the Code of Virginia, the fifth enactment clause of Chapters 755 and 914 of the 1996 Acts of Assembly, and the third enactment clause of Chapter 891 of the 1998 Acts of Assembly, relating to the elimination of obsolete agency reporting requirements.

**H.B. 309.** A BILL to amend and reenact §§ 54.1-2956.1, 54.1-2956.3, 54.1-2956.4 and 54.1-2956.5 of the Code of Virginia, relating to the practice of occupational therapy.

**H.B. 877.** A BILL to amend and reenact §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; procedure for certain patients to obtain access to their records.

**H.B. 878.** A BILL to amend and reenact §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, and 37.1-134.21 of the Code of Virginia, relating to access to health records and information for guardians ad litem and attorneys representing minors and certain adults in certain court proceedings.

**H.B. 879.** A BILL to amend and reenact § 32.1-127.1:03 of the Code of Virginia, relating to health records privacy.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**H.B. 20** (twenty) with amendments.

**H.B. 118** (one hundred eighteen).

**H.B. 119** (one hundred nineteen).

**H.B. 286** (two hundred eighty-six).

**H.B. 324** (three hundred twenty-four).

**H.B. 414** (four hundred fourteen) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 503** (five hundred three).

**H.B. 569** (five hundred sixty-nine) with substitute.

**H.B. 640** (six hundred forty) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 643** (six hundred forty-three) with amendment.

**H.B. 645** (six hundred forty-five) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 647** (six hundred forty-seven) with amendment.

**H.B. 650** (six hundred fifty).

**H.B. 653** (six hundred fifty-three) with amendment.

**H.B. 656** (six hundred fifty-six) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 705** (seven hundred five).

**H.B. 759** (seven hundred fifty-nine) with substitute.

**H.B. 786** (seven hundred eighty-six).

**H.B. 976** (nine hundred seventy-six) with amendment.

**H.B. 1012** (one thousand twelve).

**H.B. 1080** (one thousand eighty) with substitute.

**H.B. 1093** (one thousand ninety-three) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1148** (one thousand one hundred forty-eight) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

**H.B. 82** (eighty-two) with amendment.

**H.B. 159** (one hundred fifty-nine).

**H.B. 224** (two hundred twenty-four).

**H.B. 270** (two hundred seventy) with amendments.

**H.B. 318** (three hundred eighteen) with substitute.

**H.B. 391** (three hundred ninety-one).

**H.B. 433** (four hundred thirty-three) with substitute.

**H.B. 494** (four hundred ninety-four).

**H.B. 501** (five hundred one).

**H.B. 524** (five hundred twenty-four).

**H.B. 575** (five hundred seventy-five) with amendments.

**H.B. 589** (five hundred eighty-nine) with substitute.

**H.B. 617** (six hundred seventeen).

**H.B. 627** (six hundred twenty-seven).

**H.B. 642** (six hundred forty-two).

**H.B. 690** (six hundred ninety).

**H.B. 745** (seven hundred forty-five) with substitute.

**H.B. 769** (seven hundred sixty-nine) with amendment.

**H.B. 792** (seven hundred ninety-two) with substitute.

**H.B. 836** (eight hundred thirty-six) with amendment.

**H.B. 851** (eight hundred fifty-one).

**H.B. 855** (eight hundred fifty-five).

**H.B. 869** (eight hundred sixty-nine).

**H.B. 891** (eight hundred ninety-one).

**H.B. 932** (nine hundred thirty-two).

**H.B. 933** (nine hundred thirty-three).

**H.B. 984** (nine hundred eighty-four) with substitute.

**H.B. 989** (nine hundred eighty-nine).

- H.B. 1029 (one thousand twenty-nine).
- H.B. 1038 (one thousand thirty-eight) with substitute.
- H.B. 1108 (one thousand one hundred eight) with amendment.
- H.B. 1198 (one thousand one hundred ninety-eight).
- H.B. 1202 (one thousand two hundred two) with substitute.
- H.B. 1256 (one thousand two hundred fifty-six) with substitute.
- H.B. 1257 (one thousand two hundred fifty-seven).
- H.B. 1313 (one thousand three hundred thirteen).
- H.B. 1331 (one thousand three hundred thirty-one).
- H.B. 1336 (one thousand three hundred thirty-six).
- H.B. 1483 (one thousand four hundred eighty-three) with amendments.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Education and Health pursuant to Senate Rule 20 (j):

- H.B. 1 (one) with the recommendation that it be rereferred to the Committee for Courts of Justice.

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

- H.B. 69 (sixty-nine).
- H.B. 153 (one hundred fifty-three).
- H.B. 234 (two hundred thirty-four).
- H.B. 283 (two hundred eighty-three).
- H.B. 302 (three hundred two).
- H.B. 355 (three hundred fifty-five) with substitute.
- H.B. 357 (three hundred fifty-seven) with amendment.
- H.B. 422 (four hundred twenty-two).
- H.B. 423 (four hundred twenty-three).
- H.B. 448 (four hundred forty-eight).
- H.B. 449 (four hundred forty-nine) with amendments.
- H.B. 454 (four hundred fifty-four) with amendment.
- H.B. 462 (four hundred sixty-two) with amendments.
- H.B. 463 (four hundred sixty-three).
- H.B. 467 (four hundred sixty-seven).
- H.B. 470 (four hundred seventy) with amendment.
- H.B. 478 (four hundred seventy-eight).
- H.B. 618 (six hundred eighteen).
- H.B. 622 (six hundred twenty-two).
- H.B. 749 (seven hundred forty-nine) with substitute.
- H.B. 782 (seven hundred eighty-two).
- H.B. 824 (eight hundred twenty-four).
- H.B. 825 (eight hundred twenty-five).
- H.B. 829 (eight hundred twenty-nine).
- H.B. 831 (eight hundred thirty-one).
- H.B. 849 (eight hundred forty-nine).
- H.B. 852 (eight hundred fifty-two).
- H.B. 854 (eight hundred fifty-four).
- H.B. 857 (eight hundred fifty-seven).
- H.B. 873 (eight hundred seventy-three) with amendment.
- H.B. 894 (eight hundred ninety-four).
- H.B. 959 (nine hundred fifty-nine).

**H.B. 974** (nine hundred seventy-four).  
**H.B. 981** (nine hundred eighty-one).  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five) with amendment.

**H.B. 1** was rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

**H.B. 414, H.B. 640, H.B. 645, H.B. 656, H.B. 1093, and H.B. 1148** were rereferred to the Committee on Finance.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Bell introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 199.** On the death of Lee Eddy.

Patrons--Bell and Edwards; Delegates: Fralin, Griffith and Ware, O.

### CALENDAR

#### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 16** (sixteen).  
**H.B. 94** (ninety-four).  
**H.B. 97** (ninety-seven).  
**H.B. 163** (one hundred sixty-three).  
**H.B. 199** (one hundred ninety-nine).  
**H.B. 200** (two hundred).  
**H.B. 201** (two hundred one).  
**H.B. 235** (two hundred thirty-five).  
**H.B. 334** (three hundred thirty-four).  
**H.B. 356** (three hundred fifty-six).  
**H.B. 551** (five hundred fifty-one).  
**H.B. 699** (six hundred ninety-nine).  
**H.B. 700** (seven hundred).  
**H.B. 701** (seven hundred one).  
**H.B. 702** (seven hundred two).  
**H.B. 703** (seven hundred three).  
**H.B. 925** (nine hundred twenty-five).  
**H.B. 1030** (one thousand thirty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 16** (sixteen).

**H.B. 94** (ninety-four).

**H.B. 97** (ninety-seven).

**H.B. 163** (one hundred sixty-three).

**H.B. 199** (one hundred ninety-nine).

**H.B. 200** (two hundred).

**H.B. 201** (two hundred one).

**H.B. 235** (two hundred thirty-five).

**H.B. 334** (three hundred thirty-four).

**H.B. 356** (three hundred fifty-six).

**H.B. 551** (five hundred fifty-one).

**H.B. 699** (six hundred ninety-nine).

**H.B. 700** (seven hundred).

**H.B. 701** (seven hundred one).

**H.B. 702** (seven hundred two).

**H.B. 703** (seven hundred three).

**H.B. 925** (nine hundred twenty-five).

**H.B. 1030** (one thousand thirty).

#### SENATE BILLS ON SECOND READING

**S.B. 36** (thirty-six) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

On motion of Senator Norment, the bill was ordered to be engrossed and read by title the third time.

**S.B. 39** (thirty-nine) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to provide for certain projects to be financed by the Virginia Public Building Authority.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

On motion of Senator Stolle, the bill was ordered to be engrossed and read by title the third time.

**S.B. 526** (five hundred twenty-six) was read by title the second time and, on motion of Senator Hanger, was ordered to be engrossed and read by title the third time.

**S.B. 635** (six hundred thirty-five) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706, and 58.1-3833 of the Code of Virginia; to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.2 consisting of a section numbered 10.1-2135, by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, by adding in Chapter 22 of Title 58.1 an article number 8.1, consisting of a section numbered 58.1-2288.1; and to repeal the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000, relating to the revenues of the Commonwealth.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

**S.B. 635**, on motion of Senator Wampler, was passed by temporarily.

**S.B. 465** (four hundred sixty-five) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-1001, 58.1-1009, and 58.1-1018 of the Code of Virginia; to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 and 32.1-367, and to amend the Code of Virginia by adding in Chapter 10 of Title 58.1 an article numbered 2.1, consisting of sections numbered 58.1-1021.01 through 58.1-1021.05; relating to state taxation of cigarettes and other tobacco products.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

Senator O'Brien offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-1001, 58.1-1018, and 58.1-3840 of the Code of Virginia, to amend the Code of Virginia by adding in Article 1 of Chapter 10 of Title 58.1 a section numbered 58.1-1017.1, and to repeal Article 7 (§§ 58.1-3830, 58.1-3831, and 58.1-3832) of Chapter 38 of Title 58.1 of the Code of Virginia, relating to the taxation of cigarettes.

Senator O'Brien moved that the substitute be agreed to.

#### POINT OF ORDER

Senator Norment raised a point of order as to whether the substitute offered by Senator O'Brien to **S.B. 465** was properly before the Senate at this time, the committee substitute to **S.B. 465** having been agreed to.

The Chair stated that the substitute offered by Senator O'Brien to **S.B. 465** was not properly before the Senate at this time, the committee substitute to **S.B. 465** having been agreed to.

#### PARLIAMENTARY INQUIRY

Senator O'Brien propounded a parliamentary inquiry as to whether the substitute offered by Senator O'Brien to **S.B. 465** was properly drawn to the committee substitute to **S.B. 465**.

The Chair stated that the substitute offered by Senator O'Brien to **S.B. 465** was not properly drawn to the committee substitute to **S.B. 465**.

**S.B. 465**, on motion of Senator O'Brien, was passed by temporarily.

**S.B. 514** (five hundred fourteen) was read by title the second time.

Senator Cuccinelli offered the following amendments:

1. Line 730, introduced  
insert  
*3. Transportation, shipping and handling charges.*
2. Line 731, introduced  
strike  
3  
insert  
4
3. Line 732, introduced  
strike  
4  
insert  
5
4. Line 733, introduced  
strike  
5  
insert  
6
5. Line 735, introduced

strike  
6  
insert  
7

On motion of Senator Cuccinelli, the reading of the amendments was waived.

Senator Cuccinelli moved that the amendments be agreed to.

The question was put on agreeing to the amendments.

The amendments were rejected.

On motion of Senator Hanger, the bill was ordered to be engrossed and read by title the third time.

**S.B. 537** (five hundred thirty-seven) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 13 of Chapter 3 of Title 58.1 a section numbered 58.1-439.12:01, relating to a credit against corporate income taxes for cigarettes manufactured and exported.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

On motion of Senator Stosch, the bill was ordered to be engrossed and read by title the third time.

**S.B. 681** (six hundred eighty-one) was read by title the second time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-2628 and 58.1-2674.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 58.1-400.3, relating to a distribution receipts tax on certain electric suppliers.

The reading of the substitute was waived.

Senator Watkins moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Watkins offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-2628 and 58.1-2674.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 58.1-400.3, relating to a minimum tax on certain electric suppliers.

On motion of Senator Watkins, the reading of the substitute was waived.

On motion of Senator Watkins, the substitute was agreed to.

On motion of Senator Watkins, the bill was ordered to be engrossed and read by title the third time.

### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 347** (three hundred forty-seven).

**H.J.R. 353** (three hundred fifty-three).

**H.J.R. 363** (three hundred sixty-three).

**H.J.R. 364** (three hundred sixty-four).

**H.J.R. 370** (three hundred seventy).

**H.J.R. 348** (three hundred forty-eight) was taken up, as follows:

#### HOUSE JOINT RESOLUTION NO. 348

On the death of George Mason Green, Jr.

WHEREAS, George Mason Green, Jr., of McLean, who represented Arlington in the House of Delegates for two terms, died on January 4, 2004; and

WHEREAS, a native of Washington, D.C., Mason Green was a direct descendant of founding father George Mason of Gunston Hall; and

WHEREAS, a lifelong resident of Northern Virginia, Mason Green was educated in the Arlington County public schools, Episcopal High School, and the University of South Carolina; and

WHEREAS, a principal in three successful Northern Virginia firms, Mason Green began his political career as chairman of the Virginia Young Republicans and was a delegate to the 1968 Republican National Convention; and

WHEREAS, elected to the House of Delegates in 1969, Mason Green represented the citizens of Arlington from 1970 to 1974; and

WHEREAS, while a member of the House of Delegates, Mason Green served on the Roads and Internal Navigation, Labor, and Counties, Cities and Towns Committees; and

WHEREAS, Mason Green was a member of the Children of the American Revolution and the Sons of Confederate Veterans and was the founder of the Southern Literary Alliance, an organization dedicated to the history of the South; and

WHEREAS, Mason Green served the citizens of Arlington with distinction in the House of Delegates, and his contributions to Northern Virginia will be long remembered; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of a distinguished Virginian, George Mason Green, Jr.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of George Mason Green, Jr., as an expression of the esteem in which his memory is held by the members of the General Assembly and the citizens of Virginia.

**H.J.R. 348**, on motion of Senator Norment, was agreed to by a unanimous standing vote.

**H.J.R. 365** (three hundred sixty-five) was taken up, as follows:

## HOUSE JOINT RESOLUTION NO. 365

On the death of Eugene Barbour Pendleton, Jr.

WHEREAS, Eugene Barbour “Bob” Pendleton, Jr., of Louisa County, a former member of the House of Delegates and former Treasurer of Virginia, died on January 23, 2004; and

WHEREAS, a native of the Louisa County village of Cuckoo, Bob Pendleton was the sixth-generation owner of the family home, “Cuckoo House”; and

WHEREAS, Bob Pendleton attended the Virginia Military Institute and Hampden-Sydney College and was elected to the Louisa County Board of Supervisors before serving in the United States Navy during World War II; and

WHEREAS, soon after returning home from the war, Bob Pendleton was elected Treasurer of Louisa County, a post he held for 10 years; and

WHEREAS, in 1957 Bob Pendleton was appointed Treasurer of Virginia by Governor Thomas B. Stanley and was reappointed to the position by Governor J. Lindsay Almond, Jr.; and

WHEREAS, well respected throughout state government, Bob Pendleton was elected to the House of Delegates, representing Henrico County and the City of Richmond, in 1965 and served two terms; and

WHEREAS, a conservative Democrat, Bob Pendleton was one of the few who voted against Virginia's first general bond issue in 1968, believing that one should not get what one cannot pay for; and

WHEREAS, among his many leadership roles, Bob Pendleton was a 10-year member and former chairman of the Virginia Welfare Board and served on the boards of the State Fair of Virginia, the Richmond Home for Boys, the Richmond Symphony, Lewis Ginter Botanical Garden, and the Virginia Thanksgiving Festival; and

WHEREAS, over a long career of public service, Bob Pendleton remained true to his principles and served the citizens of the Commonwealth with grace and effectiveness in a variety of roles; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby note with great sadness the loss of a distinguished Virginian, Eugene Barbour Pendleton, Jr.; and, be it

RESOLVED FURTHER, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the family of Eugene Barbour Pendleton, Jr., as an expression of the esteem in which his memory is held by the members of the General Assembly and the citizens of Virginia.

**H.J.R. 365**, on motion of Senator Norment, was agreed to by a unanimous standing vote.

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

**S.J.R. 143** (one hundred forty-three).

**S.J.R. 174** (one hundred seventy-four).

- S.J.R. 176 (one hundred seventy-six).
- S.J.R. 186 (one hundred eighty-six).
- S.J.R. 187 (one hundred eighty-seven).
- S.J.R. 194 (one hundred ninety-four).

#### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

- H.J.R. 349 (three hundred forty-nine).
- H.J.R. 350 (three hundred fifty).
- H.J.R. 351 (three hundred fifty-one).
- H.J.R. 352 (three hundred fifty-two).
- H.J.R. 355 (three hundred fifty-five).
- H.J.R. 356 (three hundred fifty-six).
- H.J.R. 357 (three hundred fifty-seven).
- H.J.R. 358 (three hundred fifty-eight).
- H.J.R. 359 (three hundred fifty-nine).
- H.J.R. 360 (three hundred sixty).
- H.J.R. 362 (three hundred sixty-two).
- H.J.R. 366 (three hundred sixty-six).
- H.J.R. 367 (three hundred sixty-seven).
- H.J.R. 368 (three hundred sixty-eight).
- H.J.R. 369 (three hundred sixty-nine).
- H.J.R. 371 (three hundred seventy-one).
- H.J.R. 372 (three hundred seventy-two).
- H.J.R. 373 (three hundred seventy-three).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

- S.J.R. 173 (one hundred seventy-three).
- S.J.R. 177 (one hundred seventy-seven).
- S.J.R. 178 (one hundred seventy-eight).
- S.J.R. 179 (one hundred seventy-nine).
- S.J.R. 180 (one hundred eighty).
- S.J.R. 181 (one hundred eighty-one).
- S.J.R. 182 (one hundred eighty-two).
- S.J.R. 183 (one hundred eighty-three).
- S.J.R. 184 (one hundred eighty-four).
- S.J.R. 185 (one hundred eighty-five).
- S.J.R. 188 (one hundred eighty-eight).
- S.J.R. 189 (one hundred eighty-nine).
- S.J.R. 190 (one hundred ninety).
- S.J.R. 191 (one hundred ninety-one).

**S.J.R. 192** (one hundred ninety-two).  
**S.J.R. 193** (one hundred ninety-three).  
**S.J.R. 195** (one hundred ninety-five).  
**S.J.R. 196** (one hundred ninety-six).  
**S.J.R. 197** (one hundred ninety-seven).

#### SENATE BILLS ON SECOND READING

**S.B. 465** (four hundred sixty-five) was taken up.

#### RECONSIDERATION

Senator O'Brien moved to reconsider the vote by which the committee substitute to **S.B. 465** (four hundred sixty-five) was agreed to.

The motion was agreed to.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.  
RULE 36--0.

Senator O'Brien moved that the committee substitute be rejected.

#### PARLIAMENTARY INQUIRY

Senator Stolle propounded a parliamentary inquiry as to whether the motion to agree to the committee substitute to **S.B. 465** would have to be reconsidered for a second time with unanimous consent if the motion to agree to the committee substitute to **S.B. 465** was rejected.

The Chair stated that the motion to reconsider for a second time the motion to agree to the committee substitute to **S.B. 465** would require a unanimous vote of the Senate.

The question was put on agreeing to the committee substitute.

The committee substitute was agreed to.

The committee substitute having been agreed to, the substitute offered by Senator O'Brien was not taken up.

On motion of Senator Chichester, the bill was ordered to be engrossed and read by title the third time.

**S.B. 635** (six hundred thirty-five) was taken up.

#### RECONSIDERATION

Senator Cuccinelli moved to reconsider the vote by which the committee substitute to **S.B. 635** was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Lambert--1.

On motion of Senator Chichester, the committee substitute was agreed to.

Senator Cuccinelli offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-611.1, 58.1-615, 58.1-638, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, and 58.1-2706 of the Code of Virginia; to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.2 consisting of a section numbered 10.1-2135, by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, by adding in Chapter 22 of Title 58.1 an article number 8.1, consisting of a section numbered 58.1-2288.1; and to repeal the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000, relating to the revenues of the Commonwealth.

The committee substitute having been agreed to, the substitute offered by Senator Cuccinelli was not taken up.

Senator Cuccinelli offered the following amendment to the committee substitute:

1. Line 2644, substitute, after line 2643

insert

5. The question of the effectiveness of this act shall be submitted to the qualified voters of the Commonwealth at the general election to be held on Tuesday, November 2, 2004. The referendum shall be supervised and held, notice thereof given, ballots prepared, returns made and certified, votes canvassed and results ascertained and made known, as provided by law. The ballots to be used at the election, shall pose the question in substantially the following form:

QUESTION: Shall Chapter \_\_\_\_, Acts of Assembly of 2004, changing Virginia's tax structure take effect?

After the general election, the State Board of Elections shall without delay make out, certify, and transmit to the Governor an official copy of the report of the whole number of votes cast at the election for and against the act.

If a majority of those voting thereon shall vote in favor of this act, this act shall take effect. If a majority of those voting thereon shall vote against this act, this act shall not take effect.

The expenses incurred in conducting this election shall be defrayed as in the case of the election of members of the General Assembly.

Notwithstanding any other provision of this act, this act shall become effective beginning January 1, 2005, provided that the referendum question herein is approved as required.

## PARLIAMENTARY INQUIRY

Senator Cuccinelli propounded a parliamentary inquiry as to in what order the floor amendments to the committee substitute to **S.B. 635** would be taken up.

The Chair stated that floor amendments to the committee substitute to **S.B. 635** would be taken up in the order in which they were filed.

On motion of Senator Cuccinelli, the reading of the amendment was waived.

Senator Cuccinelli moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Obenshain offered the following amendments to the committee substitute:

1. Line 13, substitute, Title, after *10.1-2135*,

insert

*by adding in Chapter 3 of Title 58.1 an article numbered 3.1, consisting of sections numbered 58.1-339.11 through 58.1-339.15,*

2. Line 42, substitute, after *10.1-2135*,

insert

*by adding in Chapter 3 of Title 58.1 an article numbered 3.1, consisting of sections numbered 58.1-339.11 through 58.1-339.15,*

3. Line 1183, substitute, after line 1182

insert

Article 3.1.

Virginia Educational Choice Act.

§ 58.1-339.11. Definitions.

For the purposes of this chapter:

“Academic instruction” means instruction in reading, writing, mathematics, science, history (including art and music history), geography, social studies (including government and citizenship), literature, philosophy, and foreign languages.

“Poverty guidelines” means the poverty guidelines for the 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673 (2) of the Omnibus Budget Reconciliation Act of 1981.

“Qualified school” means either (i) a public elementary or secondary school charging tuition pursuant to subdivision A 2 of § 22.1-5 or § 22.1-269.1, or (ii) a nonprofit nonsectarian educational program, including home instruction, that satisfies the compulsory school attendance requirements of § 22.1-254.

“Qualifying educational expenses” means, with respect to a qualified school, tuition and other instructional fees charged by the qualified school and the cost of textbooks, workbooks, curricula, and other written materials used primarily for academic instruction.

“Total combined federal adjusted gross income” means the sum of the federal adjusted gross incomes for married taxpayers and, for an individual, such person’s federal adjusted gross income.

§ 58.1-339.12. Tax credit for certain qualifying educational expenses.

A. For taxable years beginning on and after January 1, 2004, a taxpayer shall be allowed a refundable credit against any tax imposed pursuant to § 58.1-320 for qualifying educational expenses during the taxable year on behalf of each child of the taxpayer who (i) was eligible to be enrolled in a public school free of charge pursuant to § 22.1-3; (ii) qualifies as the taxpayer's dependent for federal income tax purposes; (iii) was a student at a qualified school in grades kindergarten through 12 during the taxable year; and (iv) does not attend a free public school during the semester or other portion of the school year for which such qualifying educational expenses were paid.

B. For taxable years beginning on and after January 1, 2004, the amount of the refundable credit for qualifying educational expenses paid shall be, on a per child basis, the lesser of the qualifying educational expenses paid during the taxable year for such child or \$1,000.

C. Only those taxpayers with a total combined federal adjusted gross income (excluding combat pay for certain members of the Armed Forces of the United States as provided in § 112 of the Internal Revenue Code as may be amended), not in excess of 200 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the most recent poverty guidelines for the taxable year, may use the credit provided under this article.

D. Amounts claimed under this section shall not also be claimed as an itemized deduction when computing the taxpayer's liability for taxes under § 58.1-320.

§ 58.1-339.13. Forms; regulations.

A. The Department of Taxation is authorized to require a taxpayer to submit with the tax return copies of such receipts or similar financial documentation as is necessary to confirm the taxpayer's claim of the credit.

B. The Department of Taxation shall promulgate regulations required to implement this article. The regulations shall (i) modify the state individual tax forms, directions, and worksheets to provide a convenient way for taxpayers to claim a credit under this article, and (ii) provide a format for a standardized receipt to be issued by qualified schools at the conclusion of a student's period of instruction for which qualifying educational expenses have been paid, including the date of the receipt, the dates of the student's enrollment for which expenses are being paid, the name of the person paying the expense, the total expenses, the portion of the amount paid toward qualifying educational expenses, the name of the qualified school, and the printed name and signature of the agent issuing the receipt on behalf of the qualified school.

C. Regardless of what documentation the Department of Taxation may require for purposes of allowing credit for payments of qualifying educational expenses, no school or other organization shall be required to provide such documentation or otherwise act to facilitate taxpayers' access to credits under this article, except that qualified schools may be required to fulfill a prior agreement to a taxpayer to provide such information.

§ 58.1-339.14. Limitation on regulations.

Eligibility of a school or other educational program to be considered a qualified school under this article shall not be conditioned on a school's compliance with any state law or regulation not applicable to all private schools in the Commonwealth, with the exception of the financial documentation requirements authorized by § 58.1-339.13.

The credits authorized by this article shall not result in any additional regulation of public or nonpublic schools or taxpayers' decisions about the education of their dependent children, except to the minimal extent necessary to provide for the prevention of fraud and the efficient administration of the credits.

§ 58.1-339.15.

Every child for which credit is taken under this article shall be counted in the average daily membership of the locality in which the child resides for purposes of funding for public education.

On motion of Senator Obenshain, the reading of the amendments was waived.

Senator Obenshain moved that the amendments be agreed to.

#### **RULING OF THE CHAIR**

Senator Stolle propounded a parliamentary inquiry as to whether the amendments offered by Senator Obenshain to the committee substitute to **S.B. 635** were germane.

The Chair ruled that the amendments offered by Senator Obenshain to the committee substitute to **S.B. 635** were not germane, citing Article IV, Section 12, of the Constitution, which states, "No law shall embrace more than one object, which shall be expressed in its title."

Senator Obenshain appealed from the Ruling of the Chair.

The question was put on sustaining the Ruling of the Chair.

The Ruling of the Chair was sustained.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--27.

NAYS--Bell, Bolling, Cuccinelli, Hanger, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Ruff, Williams--12.

RULE 36--0.

Senator O'Brien offered the following amendment to the committee substitute:

1. Line 2644, substitute, after line 2643  
insert

5. That (i) the provisions of this act amending §§ 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, and 58.1-2706 and adding §§ 46.2-702.1 and 58.1-2288.1; and (ii) the third and fourth enactments of this act shall only become effective, and on January 1, 2007, if an amendment to the Virginia constitution providing that all proceeds of the Transportation Trust Fund shall be used only for purposes of constructing, improving, and maintaining the roads embraced in the systems of state highways for the Commonwealth and its localities and furthering the interests of the Commonwealth in the areas of highways, public transportation, railways, seaports, and airports is approved by a majority of those voting at the election in November 2006.

On motion of Senator O'Brien, the reading of the amendment was waived.

Senator O'Brien moved that the amendment be agreed to.

## PARLIAMENTARY INQUIRY

Senator Watkins propounded a parliamentary inquiry as to whether the amendment offered by Senator O'Brien to the committee substitute to **S.B. 635** was properly before the Senate, the Senate having already considered the amendment offered by Senator Cuccinelli to the committee substitute to **S.B. 635**. Senator Watkins stated further that both amendments related to referendums.

The Chair stated that the amendment offered by Senator O'Brien to the committee substitute to **S.B. 635** and the amendment offered by Senator Cuccinelli to the committee substitute to **S.B. 635** were different questions. The Chair stated further that pursuant to Senate Rule 47, the amendment offered by Senator O'Brien to the committee substitute to **S.B. 635** could be considered.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Rerras offered the following amendments to the committee substitute:

1. Line 1009, substitute, after *exceeds*  
strike  
    \$40,000  
insert  
    \$100,000
2. Line 1010, substitute, after *and*  
strike  
    \$64,000  
insert  
    \$140,000
3. Line 1012, substitute, after *excess of*  
strike  
    \$64,000  
insert  
    \$140,000
4. Line 1014, substitute, after *income exceeds*  
strike  
    \$64,000  
insert  
    \$140,000

On motion of Senator Rerras, the reading of the amendments was waived.

Senator Rerras moved that the amendments be agreed to.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Mims offered the following amendments to the committee substitute:

1. Line 764, substitute  
strike  
*or after January 1, 1990, but before January 1, 2004;*  
insert  
after January 1, 1990.
2. Line 765, substitute  
strike  
all of lines 765 through 770
3. Line 764, substitute  
strike  
all of lines 764 through 770  
insert  
after January 1, 1990.

Senator Mims withdrew amendments Nos. 1 and 2.

On motion of Senator Mims, the reading of amendment No. 3 was waived.

Senator Mims moved that amendment No. 3 be agreed to.

The question was put on agreeing to amendment No. 3.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:  
YEAS--9. NAYS--30. RULE 36--0.

YEAS--Bolling, Cuccinelli, Devolites, Martin, Mims, Newman, Obenshain, O'Brien, Rerras--9.  
NAYS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--30.  
RULE 36--0.

Amendment No. 3 was rejected.

On motion of Senator Chichester, the bill was ordered to be engrossed and read by title the third time.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Obenshain introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 200.** Commending Lizzie Mae Funkhouser Miller.

Patrons--Obenshain, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams; Delegates: Louderback and Weatherholtz

On motion of Senator Lambert, a leave of absence for the day was granted Senator Houck.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 10:30 a.m.

A handwritten signature in black ink, appearing to read "Tim Kaine". The signature is fluid and cursive, with a large initial "T" and a long horizontal stroke.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly cursive and elegant, with a large initial "S" and a long horizontal stroke.

Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, FEBRUARY 20, 2004

The Senate met at 10:30 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Michael Robinson, New Covenant Baptist Church, Richmond, Virginia, offered the following prayer:

Almighty God, we honor You as the Giver and Sustainer of all life and of all that is good that we enjoy throughout our land. We offer to You the adoration and praise that You alone deserve for the gift of this day.

Accept our invitation, we pray, to be present in these chambers. Guide and protect each member of this body and each guest present here. Give to our legislature courage and wisdom for their moments of deliberation and decision. Bless them with clarity of thought and sensitivity of heart that they may serve our great Commonwealth well.

Spread the protective wings of Your grace across our state as well as our entire nation. Keep us forever safe and strong! In the name of our Lord we pray. Amen!

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

**STATEMENT ON VOTE**

Senator Marsh was granted a leave of absence for the day; however, he was inadvertently recorded as being present on the roll call.

On motion of Senator Norment, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 19, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 376.** Commending David L. Bernd.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 516.** A BILL to amend and reenact § 52-8.4 of the Code of Virginia, relating to commercial motor vehicle safety; hours of service; emergency.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The House joint resolution, communicated as agreed to by the House of Delegates, was laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 376.**

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hanger from the Committee on Rehabilitation and Social Services:

**H.B. 239** (two hundred thirty-nine).

**H.B. 420** (four hundred twenty).

**H.B. 805** (eight hundred five) with amendment.

**H.B. 907** (nine hundred seven) with amendment.

**H.B. 952** (nine hundred fifty-two) with substitute.

**H.B. 995** (nine hundred ninety-five).

**H.B. 1042** (one thousand forty-two) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1109** (one thousand one hundred nine).

**H.B. 1135** (one thousand one hundred thirty-five).

**H.B. 1309** (one thousand three hundred nine) with amendment.

**H.B. 1314** (one thousand three hundred fourteen).

**H.B. 1316** (one thousand three hundred sixteen) with amendments.

**H.B. 1394** (one thousand three hundred ninety-four).

**H.B. 1448** (one thousand four hundred forty-eight).

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

**H.B. 2** (two).  
**H.B. 83** (eighty-three).  
**H.B. 85** (eighty-five).  
**H.B. 86** (eighty-six).  
**H.B. 87** (eighty-seven).  
**H.B. 145** (one hundred forty-five).  
**H.B. 180** (one hundred eighty).  
**H.B. 232** (two hundred thirty-two).  
**H.B. 257** (two hundred fifty-seven).  
**H.B. 319** (three hundred nineteen).  
**H.B. 340** (three hundred forty) with amendments.  
**H.B. 408** (four hundred eight).  
**H.B. 477** (four hundred seventy-seven).  
**H.B. 532** (five hundred thirty-two).  
**H.B. 552** (five hundred fifty-two) with substitute.  
**H.B. 556** (five hundred fifty-six).  
**H.B. 564** (five hundred sixty-four) with amendment.  
**H.B. 721** (seven hundred twenty-one).  
**H.B. 834** (eight hundred thirty-four).  
**H.B. 835** (eight hundred thirty-five).  
**H.B. 847** (eight hundred forty-seven).  
**H.B. 866** (eight hundred sixty-six).  
**H.B. 887** (eight hundred eighty-seven).  
**H.B. 899** (eight hundred ninety-nine).  
**H.B. 900** (nine hundred).  
**H.B. 904** (nine hundred four).  
**H.B. 1002** (one thousand two).  
**H.B. 1119** (one thousand one hundred nineteen).  
**H.B. 1120** (one thousand one hundred twenty) with amendment.  
**H.B. 1157** (one thousand one hundred fifty-seven).  
**H.B. 1305** (one thousand three hundred five) with amendment.  
**H.B. 1335** (one thousand three hundred thirty-five).  
**H.B. 1445** (one thousand four hundred forty-five) with amendments.

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Transportation pursuant to Senate Rule 20 (j):

**H.B. 360** (three hundred sixty) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 592** (five hundred ninety-two) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 593** (five hundred ninety-three) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 658** (six hundred fifty-eight) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 1137** (one thousand one hundred thirty-seven) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 360, H.B. 592, H.B. 593, H.B. 658, and H.B. 1137** were rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

**H.B. 1042** was rereferred to the Committee on Finance.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Whipple introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 201.** Commending Mary Ellen Shaw.

Patrons--Whipple; Delegates: Hull and Scott, J.M.

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Houck introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 202.** On the death of Paul C. Slayton, Jr.

Patron--Houck

**CALENDAR****HOUSE BILLS ON THIRD READING**

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 16** (sixteen).

**H.B. 94** (ninety-four).

**H.B. 97** (ninety-seven).

**H.B. 163** (one hundred sixty-three).

**H.B. 199** (one hundred ninety-nine).

**H.B. 200** (two hundred).

**H.B. 201** (two hundred one).

**H.B. 235** (two hundred thirty-five).

**H.B. 334** (three hundred thirty-four).

**H.B. 356** (three hundred fifty-six).

**H.B. 551** (five hundred fifty-one).

**H.B. 699** (six hundred ninety-nine).

**H.B. 700** (seven hundred).

**H.B. 701** (seven hundred one).

**H.B. 702** (seven hundred two).

**H.B. 703** (seven hundred three).

**H.B. 925** (nine hundred twenty-five).

**H.B. 1030** (one thousand thirty).

The motion was agreed to.

**H.B. 700** (seven hundred) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 76, engrossed, after *of*  
insert  
*employment-related*

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1030** (one thousand thirty) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 114, engrossed, after *subdivision A II*  
insert  
*of § 58.1-3505*

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

Senator Hanger offered the following amendment:

1. Line 33, engrossed, after *are*  
insert  
*primarily*

On motion of Senator Hanger, the reading of the amendment was waived.

On motion of Senator Hanger, the amendment was agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 16** (sixteen).
- H.B. 94** (ninety-four).
- H.B. 97** (ninety-seven).
- H.B. 163** (one hundred sixty-three).
- H.B. 199** (one hundred ninety-nine).
- H.B. 200** (two hundred).
- H.B. 201** (two hundred one).
- H.B. 235** (two hundred thirty-five).
- H.B. 334** (three hundred thirty-four).
- H.B. 356** (three hundred fifty-six).
- H.B. 551** (five hundred fifty-one).
- H.B. 699** (six hundred ninety-nine).
- H.B. 700** (seven hundred) with amendment.
- H.B. 701** (seven hundred one).
- H.B. 702** (seven hundred two).
- H.B. 703** (seven hundred three).
- H.B. 925** (nine hundred twenty-five).
- H.B. 1030** (one thousand thirty) with amendments.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### SENATE BILLS ON THIRD READING

**S.B. 36** (thirty-six) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 39** (thirty-nine) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--2.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--Norment, Stolle--2.

**S.B. 526** (five hundred twenty-six) was read by title the third time and, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 635** (six hundred thirty-five) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--27.

NAYS--Bell, Bolling, Cuccinelli, Deeds, Devolites, Martin, Newman, Obenshain, O'Brien, Rerras, Wagner, Williams--12.

RULE 36--0.

**S.B. 465** (four hundred sixty-five) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--12. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Locke, Lucas, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Ticer, Wagner, Whipple, Williams--26.

NAYS--Bolling, Cuccinelli, Hawkins, Lambert, Martin, Newman, Obenshain, O'Brien, Reynolds, Ruff, Wampler, Watkins--12.

RULE 36--Stosch--1.

**S.B. 514** (five hundred fourteen) was read by title the third time and, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--11. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stosch, Ticer, Wampler, Watkins, Whipple, Williams--27.

NAYS--Bolling, Cuccinelli, Devolites, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Stolle, Wagner--11.

RULE 36--Ruff--1.

**S.B. 537** (five hundred thirty-seven) was read by title the third time.

Senator Stosch moved that **S.B. 537** be passed with its title.

Senator Mims moved, as a substitute motion, that **S.B. 537** be recommitted to the Committee on Finance and continued to the 2005 Regular Session of the General Assembly, pursuant to Senate Rule 20 (f).

The question was put on recommitting **S.B. 537** to the Committee on Finance and continuing the bill to the 2005 Regular Session of the General Assembly, pursuant to Senate Rule 20 (f).

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--18. NAYS--20. RULE 36--0.

YEAS--Bell, Cuccinelli, Deeds, Devolites, Howell, Lucas, Miller, Mims, Obenshain, O'Brien, Puckett, Puller, Quayle, Reynolds, Saslaw, Ticer, Whipple, Williams--18.

NAYS--Blevins, Bolling, Chichester, Colgan, Edwards, Hanger, Hawkins, Houck, Lambert, Locke, Martin, Norment, Potts, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins--20.

RULE 36--0.

The substitute motion was rejected.

**S.B. 537**, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Lambert, Lucas, Martin, Miller, Newman, Norment, Potts, Rerras, Ruff, Stosch, Wagner, Wampler, Watkins--22.

NAYS--Bell, Cuccinelli, Devolites, Howell, Locke, Mims, Obenshain, O'Brien, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Ticer, Whipple, Williams--17.

RULE 36--0.

**S.B. 681** (six hundred eighty-one) was read by title the third time.

Senator Watkins moved that **S.B. 681** be passed with its title.

The question was put on passing **S.B. 681** with its title.

**S.B. 681** was defeated with its title, having failed to receive the necessary affirmative votes required by Article IV, Section 13, of the Constitution.

The recorded vote is as follows:

YEAS--29. NAYS--6. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Miller, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--29.

NAYS--Cuccinelli, Martin, Mims, Obenshain, O'Brien, Ruff--6.

RULE 36--Lambert--1.

### RECONSIDERATION

Senator Martin moved to reconsider the vote by which **S.B. 681** (six hundred eighty-one) was defeated with its title.

The motion was agreed to.

The recorded vote is as follows:  
YEAS--34. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--34.  
NAYS--0.  
RULE 36--Lambert--1.

Senator Watkins moved that **S.B. 681** be passed with its title.

#### POINT OF ORDER

Senator Norment raised a point of order as to whether **S.B. 681** had passed the Senate. Senator Norment propounded a parliamentary inquiry as to whether the subsequent motions after the initial ruling that **S.B. 681** was defeated were out of order.

The Chair stated that **S.B. 681** had passed the Senate because it received the necessary affirmative votes required by Article IV, Section 13, of the Constitution (four-fifths of the members voting); therefore, after the initial ruling that **S.B. 681** was defeated, the subsequent motions to reconsider the vote by which **S.B. 681** was defeated with its title and to pass **S.B. 681** were out of order.

#### RECONSIDERATION

Senator Devolites moved to reconsider the vote by which **S.B. 681** (six hundred eighty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:  
YEAS--36. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--36.  
NAYS--0.  
RULE 36--Lambert--1.

Senator Watkins moved that **S.B. 681** be passed with its title.

Senator Norment moved, as a substitute motion, that **S.B. 681** be passed by temporarily.

The substitute motion was agreed to.

#### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 20** (twenty).  
**H.B. 69** (sixty-nine).  
**H.B. 82** (eighty-two).  
**H.B. 118** (one hundred eighteen).  
**H.B. 119** (one hundred nineteen).  
**H.B. 153** (one hundred fifty-three).  
**H.B. 159** (one hundred fifty-nine).

**H.B. 224** (two hundred twenty-four).  
**H.B. 234** (two hundred thirty-four).  
**H.B. 270** (two hundred seventy).  
**H.B. 283** (two hundred eighty-three).  
**H.B. 286** (two hundred eighty-six).  
**H.B. 302** (three hundred two).  
**H.B. 318** (three hundred eighteen).  
**H.B. 324** (three hundred twenty-four).  
**H.B. 357** (three hundred fifty-seven).  
**H.B. 391** (three hundred ninety-one).  
**H.B. 422** (four hundred twenty-two).  
**H.B. 423** (four hundred twenty-three).  
**H.B. 448** (four hundred forty-eight).  
**H.B. 449** (four hundred forty-nine).  
**H.B. 454** (four hundred fifty-four).  
**H.B. 462** (four hundred sixty-two).  
**H.B. 463** (four hundred sixty-three).  
**H.B. 467** (four hundred sixty-seven).  
**H.B. 470** (four hundred seventy).  
**H.B. 478** (four hundred seventy-eight).  
**H.B. 494** (four hundred ninety-four).  
**H.B. 503** (five hundred three).  
**H.B. 524** (five hundred twenty-four).  
**H.B. 569** (five hundred sixty-nine).  
**H.B. 575** (five hundred seventy-five).  
**H.B. 589** (five hundred eighty-nine).  
**H.B. 617** (six hundred seventeen).  
**H.B. 618** (six hundred eighteen).  
**H.B. 622** (six hundred twenty-two).  
**H.B. 627** (six hundred twenty-seven).  
**H.B. 642** (six hundred forty-two).  
**H.B. 643** (six hundred forty-three).  
**H.B. 647** (six hundred forty-seven).  
**H.B. 650** (six hundred fifty).  
**H.B. 653** (six hundred fifty-three).  
**H.B. 690** (six hundred ninety).  
**H.B. 705** (seven hundred five).  
**H.B. 745** (seven hundred forty-five).  
**H.B. 749** (seven hundred forty-nine).  
**H.B. 759** (seven hundred fifty-nine).  
**H.B. 769** (seven hundred sixty-nine).  
**H.B. 782** (seven hundred eighty-two).  
**H.B. 786** (seven hundred eighty-six).  
**H.B. 792** (seven hundred ninety-two).  
**H.B. 824** (eight hundred twenty-four).  
**H.B. 825** (eight hundred twenty-five).  
**H.B. 831** (eight hundred thirty-one).  
**H.B. 836** (eight hundred thirty-six).  
**H.B. 849** (eight hundred forty-nine).  
**H.B. 851** (eight hundred fifty-one).  
**H.B. 852** (eight hundred fifty-two).  
**H.B. 854** (eight hundred fifty-four).

**H.B. 855** (eight hundred fifty-five).  
**H.B. 857** (eight hundred fifty-seven).  
**H.B. 869** (eight hundred sixty-nine).  
**H.B. 873** (eight hundred seventy-three).  
**H.B. 891** (eight hundred ninety-one).  
**H.B. 894** (eight hundred ninety-four).  
**H.B. 932** (nine hundred thirty-two).  
**H.B. 933** (nine hundred thirty-three).  
**H.B. 959** (nine hundred fifty-nine).  
**H.B. 974** (nine hundred seventy-four).  
**H.B. 976** (nine hundred seventy-six).  
**H.B. 981** (nine hundred eighty-one).  
**H.B. 984** (nine hundred eighty-four).  
**H.B. 989** (nine hundred eighty-nine).  
**H.B. 1012** (one thousand twelve).  
**H.B. 1029** (one thousand twenty-nine).  
**H.B. 1038** (one thousand thirty-eight).  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1080** (one thousand eighty).  
**H.B. 1108** (one thousand one hundred eight).  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1198** (one thousand one hundred ninety-eight).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1256** (one thousand two hundred fifty-six).  
**H.B. 1257** (one thousand two hundred fifty-seven).  
**H.B. 1313** (one thousand three hundred thirteen).  
**H.B. 1331** (one thousand three hundred thirty-one).  
**H.B. 1336** (one thousand three hundred thirty-six).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five).  
**H.B. 1483** (one thousand four hundred eighty-three).  
**H.B. 355** (three hundred fifty-five).  
**H.B. 433** (four hundred thirty-three).  
**H.B. 501** (five hundred one).  
**H.B. 829** (eight hundred twenty-nine).  
**H.B. 1202** (one thousand two hundred two).

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--Lambert--1.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 20** (twenty).  
**H.B. 69** (sixty-nine).  
**H.B. 82** (eighty-two).  
**H.B. 118** (one hundred eighteen).  
**H.B. 119** (one hundred nineteen).  
**H.B. 153** (one hundred fifty-three).  
**H.B. 159** (one hundred fifty-nine).  
**H.B. 224** (two hundred twenty-four).  
**H.B. 234** (two hundred thirty-four).  
**H.B. 270** (two hundred seventy).  
**H.B. 283** (two hundred eighty-three).  
**H.B. 286** (two hundred eighty-six).  
**H.B. 302** (three hundred two).  
**H.B. 318** (three hundred eighteen).  
**H.B. 324** (three hundred twenty-four).  
**H.B. 357** (three hundred fifty-seven).  
**H.B. 391** (three hundred ninety-one).  
**H.B. 422** (four hundred twenty-two).  
**H.B. 423** (four hundred twenty-three).  
**H.B. 448** (four hundred forty-eight).  
**H.B. 449** (four hundred forty-nine).  
**H.B. 454** (four hundred fifty-four).  
**H.B. 462** (four hundred sixty-two).  
**H.B. 463** (four hundred sixty-three).  
**H.B. 467** (four hundred sixty-seven).  
**H.B. 470** (four hundred seventy).  
**H.B. 478** (four hundred seventy-eight).  
**H.B. 494** (four hundred ninety-four).  
**H.B. 503** (five hundred three).  
**H.B. 524** (five hundred twenty-four).  
**H.B. 569** (five hundred sixty-nine).  
**H.B. 575** (five hundred seventy-five).  
**H.B. 589** (five hundred eighty-nine).  
**H.B. 617** (six hundred seventeen).  
**H.B. 618** (six hundred eighteen).  
**H.B. 622** (six hundred twenty-two).  
**H.B. 627** (six hundred twenty-seven).  
**H.B. 642** (six hundred forty-two).  
**H.B. 643** (six hundred forty-three).  
**H.B. 647** (six hundred forty-seven).  
**H.B. 650** (six hundred fifty).  
**H.B. 653** (six hundred fifty-three).  
**H.B. 690** (six hundred ninety).  
**H.B. 705** (seven hundred five).  
**H.B. 749** (seven hundred forty-nine).  
**H.B. 759** (seven hundred fifty-nine).  
**H.B. 769** (seven hundred sixty-nine).  
**H.B. 782** (seven hundred eighty-two).  
**H.B. 786** (seven hundred eighty-six).  
**H.B. 792** (seven hundred ninety-two).  
**H.B. 824** (eight hundred twenty-four).  
**H.B. 825** (eight hundred twenty-five).

**H.B. 831** (eight hundred thirty-one).  
**H.B. 836** (eight hundred thirty-six).  
**H.B. 849** (eight hundred forty-nine).  
**H.B. 851** (eight hundred fifty-one).  
**H.B. 852** (eight hundred fifty-two).  
**H.B. 854** (eight hundred fifty-four).  
**H.B. 855** (eight hundred fifty-five).  
**H.B. 857** (eight hundred fifty-seven).  
**H.B. 869** (eight hundred sixty-nine).  
**H.B. 873** (eight hundred seventy-three).  
**H.B. 891** (eight hundred ninety-one).  
**H.B. 894** (eight hundred ninety-four).  
**H.B. 932** (nine hundred thirty-two).  
**H.B. 933** (nine hundred thirty-three).  
**H.B. 959** (nine hundred fifty-nine).  
**H.B. 974** (nine hundred seventy-four).  
**H.B. 976** (nine hundred seventy-six).  
**H.B. 981** (nine hundred eighty-one).  
**H.B. 984** (nine hundred eighty-four).  
**H.B. 989** (nine hundred eighty-nine).  
**H.B. 1012** (one thousand twelve).  
**H.B. 1029** (one thousand twenty-nine).  
**H.B. 1038** (one thousand thirty-eight).  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1080** (one thousand eighty).  
**H.B. 1108** (one thousand one hundred eight).  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1198** (one thousand one hundred ninety-eight).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1256** (one thousand two hundred fifty-six).  
**H.B. 1257** (one thousand two hundred fifty-seven).  
**H.B. 1313** (one thousand three hundred thirteen).  
**H.B. 1331** (one thousand three hundred thirty-one).  
**H.B. 1336** (one thousand three hundred thirty-six).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five).  
**H.B. 1483** (one thousand four hundred eighty-three).  
**H.B. 355** (three hundred fifty-five).  
**H.B. 433** (four hundred thirty-three).  
**H.B. 501** (five hundred one).  
**H.B. 829** (eight hundred twenty-nine).  
**H.B. 1202** (one thousand two hundred two).

**H.B. 745** (seven hundred forty-five), on motion of Senator Norment, was recommitted to the Committee on Education and Health.

#### SENATE BILL ON THIRD READING

**S.B. 681** (six hundred eighty-one) was taken up and, on motion of Senator Watkins, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--35.

NAYS--0.

RULE 36--Lambert--1.

**LEGISLATION SIGNED BY PRESIDING OFFICER**

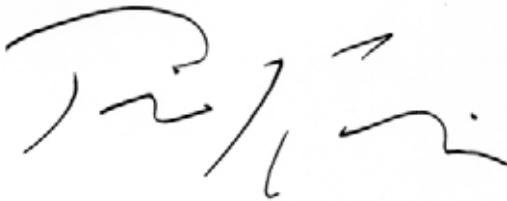
The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bill that had been passed by both houses and duly enrolled:

February 20, 2004

**H.B. 635.** An Act to authorize an exception to regulations for certain assisted living facilities.

On motion of Senator Howell, a leave of absence for the day was granted Senator Marsh.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, FEBRUARY 23, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend W. Henry Maxwell, Ivy Baptist Church, Newport News, Virginia, offered the following prayer:

Eternal God, our Heavenly Father  
Thou who are, the author and finisher of our faith  
Thou who are, the giver of every good and perfect gift  
In Thou divine presence we have come.

We have come together at this hour of the day in this Senate chamber to invoke Thy rich blessing and benedictions upon our Lt. Governor, our Senators, our clerks and staff, and our pages, as they do legislative business on behalf of the citizens of our great Commonwealth.

While they are here, let their souls be kept of Thy divine love and mercy.

While they are here, may they respect and consider each other's opinion during deliberation and debate.

While they are here, remove their selfishness, diminish their fears, strengthen their faith, and enlarge their hope and vision.

While they are here, grant unto them a deeper appreciation for working for the common good.

Now Father God, let the benediction of Your peace and the brightness of Your presence be upon this day that whatsoever thy doeth will be pleasing in Thou sight.

It is in Thou matchless and marvelous name we pray. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Rerras, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 20, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 54.** A BILL to amend the Code of Virginia by adding a section numbered 29.1-527.1, relating to the feeding of migratory and nonmigratory waterfowl; penalty.

**S.B. 200.** A BILL to amend and reenact § 3.1-610.26:1 of the Code of Virginia, relating to beekeeper assistance.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 105.** A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

**H.B. 106.** A BILL to amend and reenact §§ 58.1-2402 and 58.1-2425 of the Code of Virginia, relating to authorizing the Virginia Public Building Authority to finance the undertaking, development, acquisition and construction of the State Agency Radio System (STARS), Phase I and to impose a vehicle rental fee to fund the related debt service.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 354.** On the death of Stanley W. Smith.

**H.J.R. 374.** Commending the William Fleming High School football team.

**H.J.R. 375.** Commending Alexis Kuiper.

**H.J.R. 378.** On the death of Charles H. Pearce.

**H.J.R. 379.** Commending Alicia Harder.

**H.J.R. 380.** Commending Chapter 2092 of the Women of the Moose.

**H.J.R. 381.** Commending Oatlands on its bicentennial.

**H.J.R. 382.** Commending Dr. David M. Gring.

**H.J.R. 383.** On the death of Bradford Maurice Casas.

**H.J.R. 384.** On the death of Officer Scott Allen Hylton.

**H.J.R. 385.** Commending the Chesapeake Emergency Operations Center.

**H.J.R. 386.** Commending Linda Mitchell.

**H.J.R. 387.** Commending R. B. Thomas, Jr.

**H.J.R. 388.** On the death of Waverly G. King, Jr.

**H.J.R. 392.** On the death of Lawrence E. Adkins.

**H.J.R. 393.** On the death of Richard M. Simmons, Jr.

**H.J.R. 394.** Commending Dr. Judith E. Winston.

**H.J.R. 395.** Commending the Miss Virginia Senior America Pageant.

**H.J.R. 396.** Commending the City of Fairfax on the occasion of its bicentennial.

**H.J.R. 397.** Commending Senior Firefighter Patrick S. McLain.

**H.J.R. 398.** Commending Captain Joseph D. McLean.

**H.J.R. 399.** Commending Investigator Michael L. McAllister.

**H.J.R. 400.** Commending Callyn Lepine and Inova Health System.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 150.** A BILL to amend and reenact § 3.1-1075 of the Code of Virginia, relating to the Sheep Board.

**S.B. 199.** A BILL to amend and reenact §§ 29.1-352 and 29.1-355 of the Code of Virginia, relating to coverage for damages under the damage stamp program

**S.B. 262.** A BILL to amend and reenact §§ 2.2-204 and 3.1-426 of the Code of Virginia, relating to the Milk Commission.

**S.B. 310.** A BILL to amend and reenact § 3.1-6.1 of the Code of Virginia, to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 42.1, consisting of sections numbered 3.1-1064.1 through 3.1-1064.7, and to repeal Chapter 42 (§§ 3.1-1057 through 3.1-1064) of Title 3.1 of the Code of Virginia, relating to establishment of the Virginia Wine Board and the Virginia Wine Promotion Fund.

**S.B. 629.** A BILL to amend and reenact § 62.1-44.15:5 of the Code of Virginia, relating to wetlands mitigation banks.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 1262.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for film, video, audio in Virginia.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 154.** On the death of Samuel P. McNeil.

**S.J.R. 155.** Commending Willis Smith and Justine Smith.

**S.J.R. 156.** Commending Chris Dillow.

**S.J.R. 157.** Commending Debi Anderson.

**S.J.R. 158.** Commending Katie Suehs.

**S.J.R. 159.** Commending Jean Folsom.

**S.J.R. 160.** Commending the Rev. Canon J. Fletcher Lowe, Jr.

**S.J.R. 161.** Commending Stafford Efford.

**S.J.R. 162.** Commending the Mount Vernon-Lee Chamber of Commerce.

**S.J.R. 163.** Commending King's Kids of America, Inc.

**S.J.R. 164.** Commending Robert C. Claud, Sr.

**S.J.R. 165.** Commending Richard C. Thoesen.

**S.J.R. 166.** Commending The Herndon Woman's Club.

**S.J.R. 167.** Commending John M. De Noyer.

**S.J.R. 168.** Commending the Virginia Health Care Foundation on its service to the Commonwealth and its many successful efforts to enhance access to primary and preventive health care for Virginia's uninsured citizens over the last 11 years.

**S.J.R. 169.** Commending Edna Moore Drosick.

**S.J.R. 171.** On the death of Edwin W. Chittum.

**S.J.R. 172.** Commending Virginia Alpha Delta Kappa.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 105** and **H.B. 106** were referred to the Committee on Finance.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 354, H.J.R. 374, H.J.R. 375, H.J.R. 378, H.J.R. 379, H.J.R. 380, H.J.R. 381, H.J.R. 382, H.J.R. 383, H.J.R. 384, H.J.R. 385, H.J.R. 386, H.J.R. 387, H.J.R. 388, H.J.R. 392, H.J.R. 393, H.J.R. 394, H.J.R. 395, H.J.R. 396, H.J.R. 397, H.J.R. 398, H.J.R. 399, and H.J.R. 400.**

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

- H.B. 13** (thirteen).
- H.B. 25** (twenty-five).
- H.B. 26** (twenty-six).
- H.B. 27** (twenty-seven).
- H.B. 28** (twenty-eight).
- H.B. 40** (forty) with amendment.
- H.B. 54** (fifty-four).
- H.B. 76** (seventy-six).
- H.B. 77** (seventy-seven).
- H.B. 132** (one hundred thirty-two).
- H.B. 133** (one hundred thirty-three).
- H.B. 144** (one hundred forty-four) with amendments.
- H.B. 171** (one hundred seventy-one).
- H.B. 242** (two hundred forty-two).
- H.B. 301** (three hundred one).
- H.B. 440** (four hundred forty).
- H.B. 445** (four hundred forty-five).
- H.B. 489** (four hundred eighty-nine).
- H.B. 535** (five hundred thirty-five) with substitute.
- H.B. 536** (five hundred thirty-six).
- H.B. 603** (six hundred three).
- H.B. 639** (six hundred thirty-nine) with amendments.
- H.B. 685** (six hundred eighty-five).
- H.B. 713** (seven hundred thirteen).
- H.B. 809** (eight hundred nine).
- H.B. 883** (eight hundred eighty-three) with amendment.
- H.B. 947** (nine hundred forty-seven).
- H.B. 955** (nine hundred fifty-five).
- H.B. 1024** (one thousand twenty-four).
- H.B. 1044** (one thousand forty-four).
- H.B. 1069** (one thousand sixty-nine).
- H.B. 1177** (one thousand one hundred seventy-seven) with substitute.
- H.B. 1212** (one thousand two hundred twelve) with amendment.
- H.B. 1230** (one thousand two hundred thirty).
- H.B. 1271** (one thousand two hundred seventy-one).
- H.B. 1278** (one thousand two hundred seventy-eight).
- H.B. 1283** (one thousand two hundred eighty-three).
- H.B. 1338** (one thousand three hundred thirty-eight).
- H.B. 1350** (one thousand three hundred fifty).

**H.B. 1450** (one thousand four hundred fifty).

**H.B. 1452** (one thousand four hundred fifty-two).

The following bills, having been considered by the committee in session, were recommended for rereferal by the Committee on Agriculture, Conservation and Natural Resources pursuant to Senate Rule 20 (j):

**H.B. 158** (one hundred fifty-eight) with the recommendation that it be rereferred to the Committee on Education and Health.

**H.B. 784** (seven hundred eighty-four) with the recommendation that it be rereferred to the Committee on General Laws.

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**H.B. 1** (one) with amendment.

**H.B. 34** (thirty-four) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 43** (forty-three).

**H.B. 44** (forty-four).

**H.B. 45** (forty-five) with amendment.

**H.B. 46** (forty-six).

**H.B. 49** (forty-nine) with amendment.

**H.B. 67** (sixty-seven).

**H.B. 70** (seventy).

**H.B. 71** (seventy-one).

**H.B. 79** (seventy-nine) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 220** (two hundred twenty).

**H.B. 275** (two hundred seventy-five).

**H.B. 276** (two hundred seventy-six).

**H.B. 291** (two hundred ninety-one) with amendments.

**H.B. 344** (three hundred forty-four).

**H.B. 444** (four hundred forty-four).

**H.B. 493** (four hundred ninety-three).

**H.B. 534** (five hundred thirty-four) with amendments.

**H.B. 565** (five hundred sixty-five) with amendments.

**H.B. 570** (five hundred seventy) with substitute.

**H.B. 580** (five hundred eighty).

**H.B. 583** (five hundred eighty-three) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 594** (five hundred ninety-four).

**H.B. 605** (six hundred five).

**H.B. 717** (seven hundred seventeen).

**H.B. 734** (seven hundred thirty-four) with amendment.

**H.B. 776** (seven hundred seventy-six).

**H.B. 801** (eight hundred one) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 872** (eight hundred seventy-two) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 949** (nine hundred forty-nine).

**H.B. 950** (nine hundred fifty) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 977** (nine hundred seventy-seven).

**H.B. 979** (nine hundred seventy-nine).

**H.B. 980** (nine hundred eighty).

**H.B. 982** (nine hundred eighty-two) with substitute.

**H.B. 983** (nine hundred eighty-three).

**H.B. 1057** (one thousand fifty-seven) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1123** (one thousand one hundred twenty-three) with amendment.

**H.B. 1125** (one thousand one hundred twenty-five).

**H.B. 1132** (one thousand one hundred thirty-two) with amendment.

**H.B. 1143** (one thousand one hundred forty-three) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1149** (one thousand one hundred forty-nine) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1233** (one thousand two hundred thirty-three) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1234** (one thousand two hundred thirty-four) with substitute.

**H.B. 1265** (one thousand two hundred sixty-five).

**H.B. 1337** (one thousand three hundred thirty-seven).

**H.B. 1436** (one thousand four hundred thirty-six).

**H.B. 1460** (one thousand four hundred sixty).

**H.B. 1463** (one thousand four hundred sixty-three).

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**S.B. 29** (twenty-nine) with amendments.

**S.B. 30** (thirty) with amendments.

**H.B. 34, H.B. 79, H.B. 583, H.B. 801, H.B. 872, H.B. 950, H.B. 1057, H.B. 1143, H.B. 1149,** and **H.B. 1233** were rereferred to the Committee on Finance.

**H.B. 158** was rereferred to the Committee on Education and Health pursuant to Senate Rule 20 (j).

**H.B. 784** was rereferred to the Committee on General Laws pursuant to Senate Rule 20 (j).

## CALENDAR

### HOUSE BILLS ON THIRD READING

**H.B. 20** (twenty), on motion of Senator Norment, was passed by for the day.

**H.B. 589** (five hundred eighty-nine), on motion of Senator Norment, was passed by for the day.

**H.B. 643** (six hundred forty-three), on motion of Senator Stolle, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 69** (sixty-nine).

**H.B. 82** (eighty-two).

**H.B. 118** (one hundred eighteen).  
**H.B. 119** (one hundred nineteen).  
**H.B. 153** (one hundred fifty-three).  
**H.B. 159** (one hundred fifty-nine).  
**H.B. 224** (two hundred twenty-four).  
**H.B. 234** (two hundred thirty-four).  
**H.B. 270** (two hundred seventy).  
**H.B. 283** (two hundred eighty-three).  
**H.B. 286** (two hundred eighty-six).  
**H.B. 302** (three hundred two).  
**H.B. 318** (three hundred eighteen).  
**H.B. 324** (three hundred twenty-four).  
**H.B. 357** (three hundred fifty-seven).  
**H.B. 391** (three hundred ninety-one).  
**H.B. 422** (four hundred twenty-two).  
**H.B. 423** (four hundred twenty-three).  
**H.B. 448** (four hundred forty-eight).  
**H.B. 449** (four hundred forty-nine).  
**H.B. 454** (four hundred fifty-four).  
**H.B. 462** (four hundred sixty-two).  
**H.B. 463** (four hundred sixty-three).  
**H.B. 467** (four hundred sixty-seven).  
**H.B. 470** (four hundred seventy).  
**H.B. 478** (four hundred seventy-eight).  
**H.B. 494** (four hundred ninety-four).  
**H.B. 503** (five hundred three).  
**H.B. 524** (five hundred twenty-four).  
**H.B. 569** (five hundred sixty-nine).  
**H.B. 575** (five hundred seventy-five).  
**H.B. 617** (six hundred seventeen).  
**H.B. 618** (six hundred eighteen).  
**H.B. 622** (six hundred twenty-two).  
**H.B. 627** (six hundred twenty-seven).  
**H.B. 642** (six hundred forty-two).  
**H.B. 647** (six hundred forty-seven).  
**H.B. 650** (six hundred fifty).  
**H.B. 653** (six hundred fifty-three).  
**H.B. 690** (six hundred ninety).  
**H.B. 705** (seven hundred five).  
**H.B. 749** (seven hundred forty-nine).  
**H.B. 759** (seven hundred fifty-nine).  
**H.B. 769** (seven hundred sixty-nine).  
**H.B. 782** (seven hundred eighty-two).  
**H.B. 786** (seven hundred eighty-six).  
**H.B. 792** (seven hundred ninety-two).  
**H.B. 824** (eight hundred twenty-four).  
**H.B. 825** (eight hundred twenty-five).  
**H.B. 831** (eight hundred thirty-one).  
**H.B. 836** (eight hundred thirty-six).  
**H.B. 849** (eight hundred forty-nine).  
**H.B. 851** (eight hundred fifty-one).  
**H.B. 852** (eight hundred fifty-two).

**H.B. 854** (eight hundred fifty-four).  
**H.B. 855** (eight hundred fifty-five).  
**H.B. 857** (eight hundred fifty-seven).  
**H.B. 869** (eight hundred sixty-nine).  
**H.B. 873** (eight hundred seventy-three).  
**H.B. 891** (eight hundred ninety-one).  
**H.B. 894** (eight hundred ninety-four).  
**H.B. 932** (nine hundred thirty-two).  
**H.B. 933** (nine hundred thirty-three).  
**H.B. 959** (nine hundred fifty-nine).  
**H.B. 974** (nine hundred seventy-four).  
**H.B. 976** (nine hundred seventy-six).  
**H.B. 981** (nine hundred eighty-one).  
**H.B. 984** (nine hundred eighty-four).  
**H.B. 989** (nine hundred eighty-nine).  
**H.B. 1012** (one thousand twelve).  
**H.B. 1029** (one thousand twenty-nine).  
**H.B. 1038** (one thousand thirty-eight).  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1080** (one thousand eighty).  
**H.B. 1108** (one thousand one hundred eight).  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1198** (one thousand one hundred ninety-eight).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1256** (one thousand two hundred fifty-six).  
**H.B. 1257** (one thousand two hundred fifty-seven).  
**H.B. 1313** (one thousand three hundred thirteen).  
**H.B. 1331** (one thousand three hundred thirty-one).  
**H.B. 1336** (one thousand three hundred thirty-six).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five).  
**H.B. 1483** (one thousand four hundred eighty-three).

The motion was agreed to.

**H.B. 82** (eighty-two) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 86, engrossed, after *Tennessee*  
insert

*, if Tennessee has similar reciprocity provisions for persons domiciled in Virginia*

The reading of the amendment was waived.

On motion of Senator Potts, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 270** (two hundred seventy) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 22, engrossed, after *certified rehabilitation counselors (CRC)*

insert

*or by the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists (CCWAVES) as Certified Vocational Evaluation Specialists (CVE)*

2. Line 54, engrossed, after *certified rehabilitation counselor (CRC)*

insert

*or a person certified by the Commission on Certification of Work Adjustment and Vocational Evaluation Specialists (CCWAVES) as a Certified Vocational Evaluation Specialist (CVE)*

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 318** (three hundred eighteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 22.1-289.2, relating to compensation of public school employees called to active duty military service.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 357** (three hundred fifty-seven) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 35, engrossed, after C.

strike

remainder of line 35 and all of lines 36 through 38

insert

*No settlement under subsection A shall be made subject to a confidentiality agreement if such settlement requires that a matter or issue shall be the subject of (i) regulatory action pursuant to Article 2 (Section 2.2-4006 et seq.) of Chapter 40 of Title 2.2, or (ii) legislation proposed to be introduced in the General Assembly.*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 449** (four hundred forty-nine) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 169, engrossed, after *by the*  
insert

*Virginia*

2. Line 328, engrossed, after *by the*  
insert

*Virginia*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 454** (four hundred fifty-four) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 15, engrossed, after *responsibilities under*  
strike

*this chapter*

insert

*Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 462** (four hundred sixty-two) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 11, engrossed, after *licenses*  
insert

*or approvals*

2. Line 12, engrossed, after *a license*  
insert

*or the approval of any (i) accredited training program, (ii) training manager or (iii) principal instructor*

3. Line 15, engrossed, after *license*  
strike

*, certificate or registration*

insert

*or the approval of an accredited training program, training manager or principal instructor*

4. Line 17, engrossed, after *licensee*

insert

*or approved individual or training program*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 470** (four hundred seventy) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 111, engrossed, after *from a*

strike

*Schedule 70*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 569** (five hundred sixty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; multijurisdictional grand juries; penalties.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 575** (five hundred seventy-five) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 5, engrossed, Title, after *days*

insert

*; emergency*

2. Line 62, engrossed, after line 61  
insert

2. That an emergency exists and this act is in force from its passage.

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 653** (six hundred fifty-three) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 150, engrossed, after facility [  
strike

remainder of line 150, all of line 151, and through ~~facility~~ on line 152

insert

; however, if the predispositional detention is ordered for a violation of the terms and conditions of release from a juvenile correctional center, the judge, *intake officer or magistrate* may order such detention be in a juvenile facility

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 749** (seven hundred forty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 759** (seven hundred fifty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 9.1-902 and 18.2-374.3 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 769** (seven hundred sixty-nine) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 180, engrossed, after availability of  
insert

*dual enrollment and*

The reading of the amendment was waived.

On motion of Senator Potts, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 792** (seven hundred ninety-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 824** (eight hundred twenty-four) was taken up.

Senator Mims offered the following amendment:

1. Line 21, engrossed, after *existence of*  
strike

*any living or dead fungi or related products or parts, including spores, hyphae,  
and mycotoxins*

insert

*mold*

On motion of Senator Mims, the reading of the amendment was waived.

On motion of Senator Mims, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 836** (eight hundred thirty-six) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 20, engrossed, after *Health Insurance*  
insert  
*Program*

The reading of the amendment was waived.

On motion of Senator Potts, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 873** (eight hundred seventy-three) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 60, engrossed, after *warning*  
strike  
*system that is capable of disseminating*  
insert  
*plan for the dissemination of*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 976** (nine hundred seventy-six) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 37, engrossed, after *(ii)*  
strike  
*a*  
insert  
*any*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 984** (nine hundred eighty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 37.1-134.6 of the Code of Virginia, relating to guardians and conservators.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1038** (one thousand thirty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1080** (one thousand eighty) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to notification of superintendent of certain crimes committed by juvenile.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1108** (one thousand one hundred eight) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 16, engrossed, after institutions  
strike  
*and community-based programs as set forth in § 53.1-67.6*  
insert  
*and certain community-based programs for adults as set forth in § 53.1-67.6 to include state-operated day-reporting detention and diversion centers*

The reading of the amendment was waived.

Senator Howell moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Howell offered the following amendments:

1. Line 16, engrossed, after *programs*  
insert  
*for adults*
2. Line 16, engrossed, after *in*  
strike  
*§ 53.1-67.6*  
insert  
*§ 53.1-67.7 and § 53.1-67.8*
3. Line 22, engrossed, after *programs*  
insert  
*for adults*
4. Line 22, engrossed, after *in*  
strike  
*§ 53.1-67.6*  
insert  
*§ 53.1-67.7 and § 53.1-67.8*
5. Line 33, engrossed, after *programs*  
insert  
*for adults*
6. Line 33, engrossed, after *in*  
strike  
*§ 53.1-67.6*  
insert  
*§ 53.1-67.7 and § 53.1-67.8*

On motion of Senator Howell, the reading of the amendments was waived.

On motion of Senator Howell, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1256** (one thousand two hundred fifty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1405** (one thousand four hundred five) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 24, engrossed, after chairman.  
strike  
~~Five Six~~  
insert  
Five

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1483** (one thousand four hundred eighty-three) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 7, engrossed, Title, after *isolation*  
insert  
*; emergency*
2. Line 1763, engrossed, after line 1762  
insert
3. That there is an emergency and this act is in force from its passage.

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 69** (sixty-nine).
- H.B. 82** (eighty-two) with amendment.
- H.B. 118** (one hundred eighteen).
- H.B. 119** (one hundred nineteen).
- H.B. 153** (one hundred fifty-three).
- H.B. 159** (one hundred fifty-nine).
- H.B. 224** (two hundred twenty-four).
- H.B. 234** (two hundred thirty-four).
- H.B. 270** (two hundred seventy) with amendments.
- H.B. 283** (two hundred eighty-three).
- H.B. 286** (two hundred eighty-six).
- H.B. 302** (three hundred two).
- H.B. 318** (three hundred eighteen) with substitute.
- H.B. 324** (three hundred twenty-four).

**H.B. 357** (three hundred fifty-seven) with amendment.  
**H.B. 391** (three hundred ninety-one).  
**H.B. 422** (four hundred twenty-two).  
**H.B. 423** (four hundred twenty-three).  
**H.B. 448** (four hundred forty-eight).  
**H.B. 449** (four hundred forty-nine) with amendments.  
**H.B. 454** (four hundred fifty-four) with amendment.  
**H.B. 462** (four hundred sixty-two) with amendments.  
**H.B. 463** (four hundred sixty-three).  
**H.B. 467** (four hundred sixty-seven).  
**H.B. 470** (four hundred seventy) with amendment.  
**H.B. 478** (four hundred seventy-eight).  
**H.B. 494** (four hundred ninety-four).  
**H.B. 503** (five hundred three).  
**H.B. 524** (five hundred twenty-four).  
**H.B. 569** (five hundred sixty-nine) with substitute.  
**H.B. 575** (five hundred seventy-five) with amendments.  
**H.B. 617** (six hundred seventeen).  
**H.B. 618** (six hundred eighteen).  
**H.B. 622** (six hundred twenty-two).  
**H.B. 627** (six hundred twenty-seven).  
**H.B. 642** (six hundred forty-two).  
**H.B. 650** (six hundred fifty).  
**H.B. 653** (six hundred fifty-three) with amendment.  
**H.B. 690** (six hundred ninety).  
**H.B. 705** (seven hundred five).  
**H.B. 749** (seven hundred forty-nine) with substitute.  
**H.B. 759** (seven hundred fifty-nine) with substitute.  
**H.B. 769** (seven hundred sixty-nine) with amendment.  
**H.B. 782** (seven hundred eighty-two).  
**H.B. 786** (seven hundred eighty-six).  
**H.B. 792** (seven hundred ninety-two) with substitute.  
**H.B. 824** (eight hundred twenty-four) with amendment.  
**H.B. 825** (eight hundred twenty-five).  
**H.B. 831** (eight hundred thirty-one).  
**H.B. 836** (eight hundred thirty-six) with amendment.  
**H.B. 849** (eight hundred forty-nine).  
**H.B. 851** (eight hundred fifty-one).  
**H.B. 852** (eight hundred fifty-two).  
**H.B. 854** (eight hundred fifty-four).  
**H.B. 855** (eight hundred fifty-five).  
**H.B. 857** (eight hundred fifty-seven).  
**H.B. 869** (eight hundred sixty-nine).  
**H.B. 873** (eight hundred seventy-three) with amendment.  
**H.B. 891** (eight hundred ninety-one).  
**H.B. 894** (eight hundred ninety-four).  
**H.B. 932** (nine hundred thirty-two).  
**H.B. 933** (nine hundred thirty-three).  
**H.B. 959** (nine hundred fifty-nine).  
**H.B. 974** (nine hundred seventy-four).  
**H.B. 976** (nine hundred seventy-six) with amendment.  
**H.B. 981** (nine hundred eighty-one).

**H.B. 984** (nine hundred eighty-four) with substitute.  
**H.B. 989** (nine hundred eighty-nine).  
**H.B. 1012** (one thousand twelve).  
**H.B. 1038** (one thousand thirty-eight) with substitute.  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1080** (one thousand eighty) with substitute.  
**H.B. 1108** (one thousand one hundred eight) with amendments.  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1198** (one thousand one hundred ninety-eight).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1256** (one thousand two hundred fifty-six) with substitute.  
**H.B. 1257** (one thousand two hundred fifty-seven).  
**H.B. 1313** (one thousand three hundred thirteen).  
**H.B. 1331** (one thousand three hundred thirty-one).  
**H.B. 1336** (one thousand three hundred thirty-six).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five) with amendment.  
**H.B. 1483** (one thousand four hundred eighty-three) with amendments.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 647** (six hundred forty-seven) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 17, engrossed, after breach of  
     strike  
         the condition of appearance  
     insert  
         *any such condition*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

**H.B. 647**, on motion of Senator Cuccinelli, was passed by for the day.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following House bills were passed en bloc with their titles:

- H.B. 69 (sixty-nine).
- H.B. 82 (eighty-two) with amendment.
- H.B. 118 (one hundred eighteen).
- H.B. 119 (one hundred nineteen).
- H.B. 153 (one hundred fifty-three).
- H.B. 159 (one hundred fifty-nine).
- H.B. 224 (two hundred twenty-four).
- H.B. 234 (two hundred thirty-four).
- H.B. 270 (two hundred seventy) with amendments.
- H.B. 283 (two hundred eighty-three).
- H.B. 286 (two hundred eighty-six).
- H.B. 302 (three hundred two).
- H.B. 318 (three hundred eighteen) with substitute.
- H.B. 324 (three hundred twenty-four).
- H.B. 357 (three hundred fifty-seven) with amendment.
- H.B. 391 (three hundred ninety-one).
- H.B. 422 (four hundred twenty-two).
- H.B. 423 (four hundred twenty-three).
- H.B. 448 (four hundred forty-eight).
- H.B. 449 (four hundred forty-nine) with amendments.
- H.B. 454 (four hundred fifty-four) with amendment.
- H.B. 462 (four hundred sixty-two) with amendments.
- H.B. 463 (four hundred sixty-three).
- H.B. 467 (four hundred sixty-seven).
- H.B. 470 (four hundred seventy) with amendment.
- H.B. 478 (four hundred seventy-eight).
- H.B. 494 (four hundred ninety-four).
- H.B. 503 (five hundred three).
- H.B. 524 (five hundred twenty-four).
- H.B. 569 (five hundred sixty-nine) with substitute.
- H.B. 575 (five hundred seventy-five) with amendments.
- H.B. 617 (six hundred seventeen).
- H.B. 618 (six hundred eighteen).
- H.B. 622 (six hundred twenty-two).
- H.B. 627 (six hundred twenty-seven).
- H.B. 642 (six hundred forty-two).
- H.B. 650 (six hundred fifty).
- H.B. 653 (six hundred fifty-three) with amendment.
- H.B. 690 (six hundred ninety).
- H.B. 705 (seven hundred five).
- H.B. 749 (seven hundred forty-nine) with substitute.
- H.B. 759 (seven hundred fifty-nine) with substitute.
- H.B. 769 (seven hundred sixty-nine) with amendment.
- H.B. 782 (seven hundred eighty-two).
- H.B. 786 (seven hundred eighty-six).
- H.B. 792 (seven hundred ninety-two) with substitute.
- H.B. 824 (eight hundred twenty-four) with amendment.
- H.B. 825 (eight hundred twenty-five).
- H.B. 831 (eight hundred thirty-one).
- H.B. 836 (eight hundred thirty-six) with amendment.
- H.B. 849 (eight hundred forty-nine).
- H.B. 851 (eight hundred fifty-one).

**H.B. 852** (eight hundred fifty-two).  
**H.B. 854** (eight hundred fifty-four).  
**H.B. 855** (eight hundred fifty-five).  
**H.B. 857** (eight hundred fifty-seven).  
**H.B. 869** (eight hundred sixty-nine).  
**H.B. 873** (eight hundred seventy-three) with amendment.  
**H.B. 891** (eight hundred ninety-one).  
**H.B. 894** (eight hundred ninety-four).  
**H.B. 932** (nine hundred thirty-two).  
**H.B. 933** (nine hundred thirty-three).  
**H.B. 959** (nine hundred fifty-nine).  
**H.B. 974** (nine hundred seventy-four).  
**H.B. 976** (nine hundred seventy-six) with amendment.  
**H.B. 981** (nine hundred eighty-one).  
**H.B. 984** (nine hundred eighty-four) with substitute.  
**H.B. 989** (nine hundred eighty-nine).  
**H.B. 1012** (one thousand twelve).  
**H.B. 1038** (one thousand thirty-eight) with substitute.  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1080** (one thousand eighty) with substitute.  
**H.B. 1108** (one thousand one hundred eight) with amendments.  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1198** (one thousand one hundred ninety-eight).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1256** (one thousand two hundred fifty-six) with substitute.  
**H.B. 1257** (one thousand two hundred fifty-seven).  
**H.B. 1313** (one thousand three hundred thirteen).  
**H.B. 1331** (one thousand three hundred thirty-one).  
**H.B. 1336** (one thousand three hundred thirty-six).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five) with amendment.  
**H.B. 1483** (one thousand four hundred eighty-three) with amendments.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 449** (four hundred forty-nine), on motion of Senator Stosch, was passed by for the day.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 69** (sixty-nine).

**H.B. 82** (eighty-two) with amendment.

- H.B. 118 (one hundred eighteen).
- H.B. 119 (one hundred nineteen).
- H.B. 153 (one hundred fifty-three).
- H.B. 159 (one hundred fifty-nine).
- H.B. 224 (two hundred twenty-four).
- H.B. 234 (two hundred thirty-four).
- H.B. 270 (two hundred seventy) with amendments.
- H.B. 283 (two hundred eighty-three).
- H.B. 286 (two hundred eighty-six).
- H.B. 302 (three hundred two).
- H.B. 318 (three hundred eighteen) with substitute.
- H.B. 324 (three hundred twenty-four).
- H.B. 357 (three hundred fifty-seven) with amendment.
- H.B. 391 (three hundred ninety-one).
- H.B. 422 (four hundred twenty-two).
- H.B. 423 (four hundred twenty-three).
- H.B. 448 (four hundred forty-eight).
- H.B. 454 (four hundred fifty-four) with amendment.
- H.B. 462 (four hundred sixty-two) with amendments.
- H.B. 463 (four hundred sixty-three).
- H.B. 467 (four hundred sixty-seven).
- H.B. 470 (four hundred seventy) with amendment.
- H.B. 478 (four hundred seventy-eight).
- H.B. 494 (four hundred ninety-four).
- H.B. 503 (five hundred three).
- H.B. 524 (five hundred twenty-four).
- H.B. 569 (five hundred sixty-nine) with substitute.
- H.B. 575 (five hundred seventy-five) with amendments.
- H.B. 617 (six hundred seventeen).
- H.B. 618 (six hundred eighteen).
- H.B. 622 (six hundred twenty-two).
- H.B. 627 (six hundred twenty-seven).
- H.B. 642 (six hundred forty-two).
- H.B. 650 (six hundred fifty).
- H.B. 653 (six hundred fifty-three) with amendment.
- H.B. 690 (six hundred ninety).
- H.B. 705 (seven hundred five).
- H.B. 749 (seven hundred forty-nine) with substitute.
- H.B. 759 (seven hundred fifty-nine) with substitute.
- H.B. 769 (seven hundred sixty-nine) with amendment.
- H.B. 782 (seven hundred eighty-two).
- H.B. 786 (seven hundred eighty-six).
- H.B. 792 (seven hundred ninety-two) with substitute.
- H.B. 824 (eight hundred twenty-four) with amendment.
- H.B. 825 (eight hundred twenty-five).
- H.B. 831 (eight hundred thirty-one).
- H.B. 836 (eight hundred thirty-six) with amendment.
- H.B. 849 (eight hundred forty-nine).
- H.B. 851 (eight hundred fifty-one).
- H.B. 852 (eight hundred fifty-two).
- H.B. 854 (eight hundred fifty-four).
- H.B. 855 (eight hundred fifty-five).

**H.B. 857** (eight hundred fifty-seven).  
**H.B. 869** (eight hundred sixty-nine).  
**H.B. 873** (eight hundred seventy-three) with amendment.  
**H.B. 891** (eight hundred ninety-one).  
**H.B. 894** (eight hundred ninety-four).  
**H.B. 932** (nine hundred thirty-two).  
**H.B. 933** (nine hundred thirty-three).  
**H.B. 959** (nine hundred fifty-nine).  
**H.B. 974** (nine hundred seventy-four).  
**H.B. 976** (nine hundred seventy-six) with amendment.  
**H.B. 981** (nine hundred eighty-one).  
**H.B. 984** (nine hundred eighty-four) with substitute.  
**H.B. 989** (nine hundred eighty-nine).  
**H.B. 1012** (one thousand twelve).  
**H.B. 1038** (one thousand thirty-eight) with substitute.  
**H.B. 1047** (one thousand forty-seven).  
**H.B. 1080** (one thousand eighty) with substitute.  
**H.B. 1108** (one thousand one hundred eight) with amendments.  
**H.B. 1116** (one thousand one hundred sixteen).  
**H.B. 1176** (one thousand one hundred seventy-six).  
**H.B. 1198** (one thousand one hundred ninety-eight).  
**H.B. 1207** (one thousand two hundred seven).  
**H.B. 1256** (one thousand two hundred fifty-six) with substitute.  
**H.B. 1257** (one thousand two hundred fifty-seven).  
**H.B. 1313** (one thousand three hundred thirteen).  
**H.B. 1331** (one thousand three hundred thirty-one).  
**H.B. 1336** (one thousand three hundred thirty-six).  
**H.B. 1398** (one thousand three hundred ninety-eight).  
**H.B. 1405** (one thousand four hundred five) with amendment.  
**H.B. 1483** (one thousand four hundred eighty-three) with amendments.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1029** (one thousand twenty-nine), on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--32.

NAYS--Deeds, Hanger, Houck, Martin, Norment, Obenshain, O'Brien--7.

RULE 36--0.

**H.B. 355** (three hundred fifty-five) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership Authority; membership of the board of directors.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 355**, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 433** (four hundred thirty-three) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL relating to fringe benefits, expenses, and reimbursements for certain school board members.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 433**, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--33.

NAYS--Cuccinelli, Devolites, Hanger, Martin, Mims, Obenshain, O'Brien--7.

RULE 36--0.

**H.B. 501** (five hundred one) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--38.

NAYS--0.

RULE 36--Mims--1.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 501** (five hundred one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Mims--1.

**H.B. 501**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Mims--1.

**H.B. 829** (eight hundred twenty-nine) was read by title the third time and, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Hawkins, Martin, Ruff--3.

RULE 36--0.

**H.B. 1202** (one thousand two hundred two) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to the promotion of pharmaceutical assistance programs and pharmaceutical discount purchasing cards.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1202**, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Newman--1.

### RECONSIDERATION

Senator Bolling moved to reconsider the vote by which **H.B. 433** (four hundred thirty-three) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 433**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--29.

NAYS--Bell, Bolling, Cuccinelli, Devolites, Hanger, Martin, Mims, Obenshain, O'Brien, Rerras, Stosch--11.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 2** (two).

**H.B. 83** (eighty-three).

**H.B. 85** (eighty-five).

**H.B. 86** (eighty-six).

**H.B. 87** (eighty-seven).

**H.B. 145** (one hundred forty-five).

**H.B. 180** (one hundred eighty).

**H.B. 232** (two hundred thirty-two).

**H.B. 239** (two hundred thirty-nine).

**H.B. 257** (two hundred fifty-seven).

**H.B. 319** (three hundred nineteen).

**H.B. 340** (three hundred forty).

**H.B. 408** (four hundred eight).

**H.B. 420** (four hundred twenty).

**H.B. 477** (four hundred seventy-seven).

**H.B. 532** (five hundred thirty-two).

**H.B. 552** (five hundred fifty-two).

**H.B. 556** (five hundred fifty-six).

**H.B. 564** (five hundred sixty-four).

**H.B. 721** (seven hundred twenty-one).

**H.B. 805** (eight hundred five).

**H.B. 834** (eight hundred thirty-four).

**H.B. 835** (eight hundred thirty-five).

**H.B. 847** (eight hundred forty-seven).

**H.B. 866** (eight hundred sixty-six).

**H.B. 887** (eight hundred eighty-seven).

**H.B. 899** (eight hundred ninety-nine).

**H.B. 900** (nine hundred).

**H.B. 904** (nine hundred four).

**H.B. 907** (nine hundred seven).

**H.B. 952** (nine hundred fifty-two).

**H.B. 995** (nine hundred ninety-five).

**H.B. 1002** (one thousand two).

**H.B. 1109** (one thousand one hundred nine).

**H.B. 1119** (one thousand one hundred nineteen).

**H.B. 1135** (one thousand one hundred thirty-five).

**H.B. 1157** (one thousand one hundred fifty-seven).

**H.B. 1305** (one thousand three hundred five).  
**H.B. 1316** (one thousand three hundred sixteen).  
**H.B. 1335** (one thousand three hundred thirty-five).  
**H.B. 1394** (one thousand three hundred ninety-four).  
**H.B. 1445** (one thousand four hundred forty-five).  
**H.B. 1448** (one thousand four hundred forty-eight).  
**H.B. 1120** (one thousand one hundred twenty).  
**H.B. 1309** (one thousand three hundred nine).  
**H.B. 1314** (one thousand three hundred fourteen).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 2** (two).  
**H.B. 83** (eighty-three).  
**H.B. 85** (eighty-five).  
**H.B. 86** (eighty-six).  
**H.B. 87** (eighty-seven).  
**H.B. 145** (one hundred forty-five).  
**H.B. 180** (one hundred eighty).  
**H.B. 232** (two hundred thirty-two).  
**H.B. 239** (two hundred thirty-nine).  
**H.B. 257** (two hundred fifty-seven).  
**H.B. 319** (three hundred nineteen).  
**H.B. 340** (three hundred forty).  
**H.B. 408** (four hundred eight).  
**H.B. 420** (four hundred twenty).  
**H.B. 477** (four hundred seventy-seven).  
**H.B. 532** (five hundred thirty-two).  
**H.B. 552** (five hundred fifty-two).  
**H.B. 556** (five hundred fifty-six).  
**H.B. 564** (five hundred sixty-four).  
**H.B. 721** (seven hundred twenty-one).  
**H.B. 805** (eight hundred five).  
**H.B. 834** (eight hundred thirty-four).  
**H.B. 835** (eight hundred thirty-five).  
**H.B. 847** (eight hundred forty-seven).  
**H.B. 866** (eight hundred sixty-six).  
**H.B. 887** (eight hundred eighty-seven).  
**H.B. 899** (eight hundred ninety-nine).  
**H.B. 900** (nine hundred).

**H.B. 904** (nine hundred four).  
**H.B. 907** (nine hundred seven).  
**H.B. 952** (nine hundred fifty-two).  
**H.B. 995** (nine hundred ninety-five).  
**H.B. 1002** (one thousand two).  
**H.B. 1109** (one thousand one hundred nine).  
**H.B. 1119** (one thousand one hundred nineteen).  
**H.B. 1135** (one thousand one hundred thirty-five).  
**H.B. 1157** (one thousand one hundred fifty-seven).  
**H.B. 1305** (one thousand three hundred five).  
**H.B. 1316** (one thousand three hundred sixteen).  
**H.B. 1335** (one thousand three hundred thirty-five).  
**H.B. 1394** (one thousand three hundred ninety-four).  
**H.B. 1445** (one thousand four hundred forty-five).  
**H.B. 1448** (one thousand four hundred forty-eight).  
**H.B. 1120** (one thousand one hundred twenty).  
**H.B. 1309** (one thousand three hundred nine).  
**H.B. 1314** (one thousand three hundred fourteen).

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Watkins introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 203.** Commending Nationwide Insurance.  
Patron--Watkins

#### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

February 23, 2004

**H.B. 24.** An Act to repeal Chapter 227 of the Acts of Assembly of 1960, relating to the Rudee Inlet Authority.

**H.B. 37.** An Act to provide for the submission to the voters of a proposed amendment to Section 16 of Article V of the Constitution of Virginia, relating to succession to the office of Governor.

**H.B. 53.** An Act to amend and reenact § 14.01 of Chapter 39 of the Acts of Assembly of 1932, which provided a charter for the City of Winchester, relating to appointment of school trustees.

**H.B. 57.** An Act to amend and reenact § 12.04, as amended, of Chapter 155 of the Acts of Assembly of 1962, which provided a charter for the City of Franklin, relating to compensation of school board.

**H.B. 58.** An Act to establish the Luray-Page County Airport Authority.

**H.B. 75.** An Act to repeal Chapter 294 of the Acts of Assembly of 1948, as amended by Chapter 361 of the Acts of Assembly of 1952, relating to damage stamps in Craig County.

- H.B. 141.** An Act to amend the Code of Virginia by adding a section numbered 15.2-1213.1, relating to election of the county chairman; Page County.
- H.B. 249.** An Act to amend and reenact §§ 5.1 and 5.2, as amended, of Chapter 319 of the Acts of Assembly of 1966, which provided a charter for the City of Fairfax, relating to salaries.
- H.B. 317.** An Act to amend and reenact § 24.2-304.02 of the Code of Virginia, relating to composition of certain House of Delegates districts.
- H.B. 372.** An Act to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.
- H.B. 373.** An Act to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.
- H.B. 434.** An Act to amend and reenact §§ 15.2-710, 15.2-720.1 and 15.2-726 of the Code of Virginia, relating to the county manager plan of government; budget, constitutional officers and easements.
- H.B. 533.** An Act to amend and reenact §§ 15.2-6701 and 15.2-6703 of the Code of Virginia, relating to the Buchanan County Tourist Train Development Authority.
- H.B. 550.** An Act to amend and reenact § 2-2, as amended, and § 2-6 of Chapter 52 of the Acts of Assembly of 1968, which provided a charter for the Town of Purcellville in Loudoun County, and to amend Chapter 52 by adding a chapter numbered 4.1 consisting of a section numbered 4.1-1, relating to council vacancies and the board of architectural review.
- H.B. 737.** An Act to amend and reenact §§ 15.2-2110 and 15.2-2118 of the Code of Virginia, relating to water and sewage systems.
- H.B. 741.** An Act to amend and reenact § 58.1-3823 of the Code of Virginia, relating to additional transient occupancy tax for certain counties.
- H.B. 744.** An Act to amend and reenact §§ 15.2-6006 and 15.2-6011 of the Code of Virginia, relating to the Virginia Coalfield Economic Development Authority.
- H.B. 767.** An Act to amend and reenact § 24.2-310 of the Code of Virginia, relating to requirements for polling places.
- H.B. 823.** An Act to amend and reenact §§ 2, 12 and 114, as amended, of Chapter 34 of the Acts of Assembly of 1918, which provided a charter for the City of Norfolk, relating to design overlay districts, council meetings and certain officers.
- H.B. 850.** An Act to amend and reenact §§ 24.2-916, 24.2-917, and 24.2-923 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; filing schedules.
- H.B. 1266.** An Act to amend and reenact §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230, and 24.2-234 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 1 of Title 24.2 a section numbered 24.2-109.1, relating to powers and duties of the State Board of Elections and local electoral boards; appointments, terms, and removal of certain public officials, including general registrars.

**HONORARY ADJOURNMENT**

Senator Puller addressed the Senate in memory of George Washington.

Senator Puller requested that when the Senate adjourns today, it adjourn in memory of George Washington.

On motion of Senator Chichester, the Senate, in memory of George Washington, adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with a large initial "S".

Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, FEBRUARY 24, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. W. Scott Dillard, Wicomico Parish Church, Wicomico Church, Virginia, offered the following prayer:

O God, the fountain of wisdom and governor of all humankind, whose will is good and gracious, and whose law is truth: we beseech You so to guide and bless our Senators in the General Assembly of this great and good Commonwealth of Virginia, that they may enact such laws as shall please You. We ask that special attention be given to resolving the growing crisis in obstetrical and maternity care in the outlying counties of this Commonwealth for the protection of children yet unborn. These things we beseech You to grant to the glory of Your name and the welfare of the people of Virginia. Amen.

The roll was called and the following Senators answered to their names:

Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Mims notified the Clerk of his presence.

On motion of Senator Bolling, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates

February 23, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 62.** A BILL to amend and reenact §§ 63.2-903, 63.2-1200, 63.2-1221, 63.2-1222 and 63.2-1817 of the Code of Virginia, relating to child-placing agencies outside the Commonwealth.

**S.B. 139.** A BILL to require that any study by the Virginia Department of Transportation of possible improvements to a certain portion of Interstate Route 66 include consideration of High-Occupancy Toll (HOT) lanes; emergency.

**S.B. 327.** A BILL to amend and reenact § 16.1-69.33 of the Code of Virginia, relating to Committee on District Courts.

**S.B. 556.** A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to notice of certain facility for civil commitment of persons convicted of sexually violent offenses.

**S.B. 595.** A BILL to amend and reenact § 63.2-219 of the Code of Virginia, relating to grievance procedures of state and local social services employees.

**S.B. 619.** A BILL to amend and reenact §§ 8.01-293 and 15.2-1609.3 of the Code of Virginia, relating to sheriffs' fees.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE THE FOLLOWING SENATE BILL:

**S.B. 319.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 1.** A BILL to amend and reenact § 63.2-1527 of the Code of Virginia, relating to the Out-of-Family Investigations Advisory Committee.

**S.B. 5.** A BILL to repeal §§ 54.1-2922, 54.1-2923, and 54.1-3613 of the Code of Virginia, relating to the abolishment of psychological practices audit committees, medical practices audit committees, and medical complaint investigation committees.

**S.B. 25.** A BILL to amend and reenact § 37.1-134.21 of the Code of Virginia, relating to temporary detention orders.

**S.B. 26.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to use of summons in juvenile court; littering.

**S.B. 38.** A BILL to amend and reenact § 8.01-341.1 of the Code of Virginia, relating to exemptions from jury service upon request.

**S.B. 50.** A BILL to amend and reenact § 63.2-1528 of the Code of Virginia, relating to the duties of the Advisory Board on Child Abuse and Neglect.

**S.B. 78.** A BILL to amend and reenact §§ 63.2-100 and 63.2-900 of the Code of Virginia, relating to kinship care.

**S.B. 86.** A BILL to amend and reenact §§ 32.1-102.3 and 32.1-102.6 of the Code of Virginia, relating to criteria for determining need; local governing body to join with applicant under certain circumstances; certificate of public need for medical care facilities.

- S.B. 112.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-1993.67:2, relating to the repurchase of motorcycles, parts, and equipment to franchised motorcycle dealers by manufacturers.
- S.B. 125.** A BILL to amend and reenact § 32.1-176.4 of the Code of Virginia, relating to regulation of private wells.
- S.B. 158.** A BILL to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to dissemination of Medicare pharmaceutical benefits information and certain training of senior citizen volunteers.
- S.B. 185.** A BILL to amend and reenact § 63.2-1515 of the Code of Virginia, relating to central registry of founded complaints; checks for certain volunteer organizations.
- S.B. 197.** A BILL to amend and reenact § 32.1-102.1 of the Code of Virginia, relating to certificate of public need for intermediate care facilities for the mentally retarded.
- S.B. 223.** A BILL to amend and reenact §§ 32.1-262, 32.1-267, and 32.1-268 of the Code of Virginia, relating to reports of divorces and annulments, and adoption and marriage records.
- S.B. 273.** A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to regulation or prohibition by certain towns of parking of certain vehicles.
- S.B. 324.** A BILL to amend and reenact §§ 59.1-198 and 59.1-204 of the Code of Virginia, relating to cure offers for consumer disputes involving consumer purchases.
- S.B. 345.** A BILL to amend and reenact § 46.2-341.16:1 of the Code of Virginia, relating to endorsement authorizing driver to transport hazardous materials; fees; emergency.
- S.B. 364.** A BILL to amend and reenact § 33.1-12 of the Code of Virginia, relating to use of design-build contracts by the Director of the Department of Rail and Public Transportation.
- S.B. 387.** A BILL to amend and reenact § 46.2-1500 of the Code of Virginia, relating to motor vehicle dealers; certain mobile cranes.
- S.B. 388.** A BILL to amend and reenact Chapter 912 of the 2000 Acts of the Assembly, relating to amendment of certain certificate of public need.
- S.B. 402.** A BILL to amend and reenact § 46.2-330 of the Code of Virginia, relating to vision examinations for applicants for renewal of driver's licenses and learner's permits.
- S.B. 417.** A BILL to amend and reenact § 63.2-1716 of the Code of Virginia, relating to child day centers; religious exemption from licensure.
- S.B. 429.** A BILL to amend and reenact §§ 63.2-105 and 63.2-1503 of the Code of Virginia, relating to child abuse and neglect; multidisciplinary investigation teams.
- S.B. 499.** A BILL to amend and reenact § 46.2-393 of the Code of Virginia, relating to suspension of license for reckless driving.
- S.B. 513.** A BILL to amend and reenact § 8.01-356 of the Code of Virginia, relating to penalty for failure of juror to appear.

**S.B. 555.** A BILL to amend and reenact § 54.1-2972 of the Code of Virginia, relating to pronouncements of death under certain circumstances by physician assistants.

**S.B. 560.** A BILL to designate the Lynchburg Bypass bridge across the James River between Amherst County and the City of Lynchburg the “Monacan Bridge”.

**S.B. 563.** A BILL to amend and reenact §§ 33.1-23.5:1 and 33.1-41.1 of the Code of Virginia, relating to payments to cities and certain towns for maintenance of certain highways; payments to counties that elect to withdraw from the secondary system of state highways.

**S.B. 584.** A BILL to amend and reenact § 63.2-1502 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-1516.01, relating to child protective services; training and investigation procedures.

**S.B. 590.** A BILL to require the Virginia Department of Transportation to assert the property rights of the Commonwealth with respect to Woodlawn Road in Fairfax County and Fort Belvoir.

**S.B. 654.** A BILL to amend and reenact §§ 1 and 2, as amended, §§ 3 through 6, § 10, as amended, §§ 11, 13, 22 and 32, § 45, as amended, and §§ 48 and 49 of Chapter 66 of the Acts of Assembly of 1960, relating to the Hampton Roads Sanitation District.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### COMMUNICATION

The following communication was received:

SUPREME COURT OF VIRGINIA  
100 North Ninth Street  
Richmond, Virginia 23219-2334

February 17, 2004

The Honorable Kenneth W. Stolle  
Member, Senate of Virginia  
Chair, Senate Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 426  
Richmond, VA 23219

The Honorable Robert F. McDonnell  
Member, House of Delegates  
Chair, House Courts of Justice  
General Assembly Building  
910 Capitol Street, Room 529  
Richmond, VA 23219

Dear Senator Stolle and Delegate McDonnell:

This is to advise you of recent actions taken by the Committee on District Courts.

The Committee considered certifying the necessity to fill a vacancy in the office of judge in the General District Court of the Second Judicial District. Such vacancy exists because of the impending retirement of Judge J. Dale Bimson on March 1, 2004.

The Committee asked me to inform you that, after investigation, it has concluded that there is a necessity that this vacancy be filled. Therefore, pursuant to § 16.1-69.9:3, *Code of Virginia*, 1950, as amended, the Committee hereby certifies the necessity of filling the vacancy in the office of judge in the General District Court of the Second Judicial District.

With kind regards and best wishes,

Very truly yours,

/s/ Robert N. Baldwin  
Executive Secretary

The reading of the communication was waived.

The communication was referred to the Committee for Courts of Justice.

#### COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

- H.B. 221** (two hundred twenty-one).
- H.B. 288** (two hundred eighty-eight).
- H.B. 322** (three hundred twenty-two).
- H.B. 342** (three hundred forty-two).
- H.B. 363** (three hundred sixty-three).
- H.B. 460** (four hundred sixty).
- H.B. 553** (five hundred fifty-three).
- H.B. 596** (five hundred ninety-six).
- H.B. 625** (six hundred twenty-five).

**H.B. 628** (six hundred twenty-eight).  
**H.B. 687** (six hundred eighty-seven).  
**H.B. 689** (six hundred eighty-nine).  
**H.B. 864** (eight hundred sixty-four) with amendments.  
**H.B. 884** (eight hundred eighty-four).  
**H.B. 1181** (one thousand one hundred eighty-one).  
**H.B. 1183** (one thousand one hundred eighty-three).  
**H.B. 1186** (one thousand one hundred eighty-six).  
**H.B. 1187** (one thousand one hundred eighty-seven).  
**H.B. 1238** (one thousand two hundred thirty-eight).  
**H.B. 1267** (one thousand two hundred sixty-seven).  
**H.B. 1269** (one thousand two hundred sixty-nine).  
**H.B. 1327** (one thousand three hundred twenty-seven).  
**H.B. 1424** (one thousand four hundred twenty-four).

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**H.B. 237** (two hundred thirty-seven).  
**H.B. 293** (two hundred ninety-three).  
**H.B. 295** (two hundred ninety-five).  
**H.B. 298** (two hundred ninety-eight).  
**H.B. 354** (three hundred fifty-four) with amendment.  
**H.B. 848** (eight hundred forty-eight) with substitute.  
**H.B. 924** (nine hundred twenty-four).  
**H.B. 926** (nine hundred twenty-six).  
**H.B. 928** (nine hundred twenty-eight) with amendments.  
**H.B. 1179** (one thousand one hundred seventy-nine).  
**H.B. 1208** (one thousand two hundred eight).  
**H.B. 1241** (one thousand two hundred forty-one).  
**H.B. 1243** (one thousand two hundred forty-three).  
**H.B. 1486** (one thousand four hundred eighty-six).

## CALENDAR

### UNFINISHED BUSINESS — SENATE

**S.B. 54** (fifty-four) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 12, engrossed, after *waterfowl*  
strike  
*within its political boundaries*  
insert  
*in any subdivision or other area of such locality which, in the opinion of the governing body, is so heavily populated as to make the feeding of such waterfowl a threat to public health or the environment*

On motion of Senator Puller, the amendment was agreed to.

The recorded vote is as follows:

YEAS--32. NAYS--6. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Whipple, Williams--32.

NAYS--Martin, Mims, Norment, Obenshain, Wagner, Watkins--6.

RULE 36--0.

**S.B. 200** (two hundred) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 16, engrossed, after *colonies*.

strike

the remainder of line 16 and all of lines 17 through 19

On motion of Senator Reynolds, the amendment was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 20** (twenty).

**H.B. 589** (five hundred eighty-nine).

**H.B. 643** (six hundred forty-three).

**H.B. 2** (two).

**H.B. 83** (eighty-three).

**H.B. 85** (eighty-five).

**H.B. 86** (eighty-six).

**H.B. 87** (eighty-seven).

**H.B. 145** (one hundred forty-five).

**H.B. 180** (one hundred eighty).

**H.B. 232** (two hundred thirty-two).

**H.B. 239** (two hundred thirty-nine).

**H.B. 257** (two hundred fifty-seven).

**H.B. 319** (three hundred nineteen).

**H.B. 340** (three hundred forty).

**H.B. 408** (four hundred eight).

**H.B. 420** (four hundred twenty).

**H.B. 477** (four hundred seventy-seven).

**H.B. 532** (five hundred thirty-two).  
**H.B. 552** (five hundred fifty-two).  
**H.B. 556** (five hundred fifty-six).  
**H.B. 564** (five hundred sixty-four).  
**H.B. 721** (seven hundred twenty-one).  
**H.B. 805** (eight hundred five).  
**H.B. 834** (eight hundred thirty-four).  
**H.B. 835** (eight hundred thirty-five).  
**H.B. 847** (eight hundred forty-seven).  
**H.B. 866** (eight hundred sixty-six).  
**H.B. 887** (eight hundred eighty-seven).  
**H.B. 899** (eight hundred ninety-nine).  
**H.B. 900** (nine hundred).  
**H.B. 904** (nine hundred four).  
**H.B. 907** (nine hundred seven).  
**H.B. 952** (nine hundred fifty-two).  
**H.B. 995** (nine hundred ninety-five).  
**H.B. 1002** (one thousand two).  
**H.B. 1109** (one thousand one hundred nine).  
**H.B. 1119** (one thousand one hundred nineteen).  
**H.B. 1135** (one thousand one hundred thirty-five).  
**H.B. 1157** (one thousand one hundred fifty-seven).  
**H.B. 1305** (one thousand three hundred five).  
**H.B. 1316** (one thousand three hundred sixteen).  
**H.B. 1335** (one thousand three hundred thirty-five).  
**H.B. 1394** (one thousand three hundred ninety-four).  
**H.B. 1445** (one thousand four hundred forty-five).  
**H.B. 1448** (one thousand four hundred forty-eight).

The motion was agreed to.

**H.B. 589** (five hundred eighty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 37.1-67.01, 37.1-67.1 and 37.1-71 of the Code of Virginia, relating to transportation under emergency custody and temporary detention orders.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 340** (three hundred forty) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 6, engrossed, Title, after *requirements*  
insert  
; *emergency*

2. Line 152, engrossed, after line 151  
insert

2. That an emergency exists and this act is in force from its passage.

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 552** (five hundred fifty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015, and 46.2-1051 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.

The reading of the substitute was waived.

On motion of Senator Williams, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 564** (five hundred sixty-four) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 14, engrossed, after *operate any*  
strike  
*passenger car*  
insert  
*motor vehicle*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 805** (eight hundred five) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 48, engrossed, after *beverage*  
strike  
*made from fermented rice, barley or other grains*

insert

*distilled from rice, barley or sweet potatoes*

The reading of the amendment was waived.

On motion of Senator Hanger, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 907** (nine hundred seven) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 23, engrossed, after *application for*  
strike

*medicaid*

insert

*medical*

The reading of the amendment was waived.

On motion of Senator Hanger, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 952** (nine hundred fifty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-3705, 2.2-3711, 2.2-4002, 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 63.2-1607.1, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

The reading of the substitute was waived.

On motion of Senator Hanger, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 995** (nine hundred ninety-five) was taken up.

Senator Stosch offered the following amendment:

1. Line 45, engrossed, after 47,000

insert

*or (iii) has capacity for more than 9,500 persons and is located in a county operating under the county manager form of government*

On motion of Senator Stosch, the reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1305** (one thousand three hundred five) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 101, engrossed, after *section*  
insert  
*or § 58.1-2712.1*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1316** (one thousand three hundred sixteen) was taken up.

The following amendments proposed by the Committee on Rehabilitation and Social Services were offered:

1. Line 10, engrossed, after this  
strike  
chapter  
insert  
*title*
2. Line 11, engrossed, after This  
strike  
chapter  
insert  
*title*

The reading of the amendments was waived.

On motion of Senator Hanger, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1445** (one thousand four hundred forty-five) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 19, engrossed, after guards  
strike  
*equipped with hand-held stop signs*
2. Line 20, engrossed, after location.

insert

*Uniformed school crossing guards who are supplied by their local school division with hand-held stop signs shall use such signs whenever controlling traffic as authorized in this subsection.*

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 449** (four hundred forty-nine) with amendments.

**H.B. 589** (five hundred eighty-nine) with substitute.

**H.B. 2** (two).

**H.B. 83** (eighty-three).

**H.B. 85** (eighty-five).

**H.B. 86** (eighty-six).

**H.B. 87** (eighty-seven).

**H.B. 145** (one hundred forty-five).

**H.B. 180** (one hundred eighty).

**H.B. 232** (two hundred thirty-two).

**H.B. 239** (two hundred thirty-nine).

**H.B. 257** (two hundred fifty-seven).

**H.B. 319** (three hundred nineteen).

**H.B. 340** (three hundred forty) with amendments.

**H.B. 408** (four hundred eight).

**H.B. 420** (four hundred twenty).

**H.B. 477** (four hundred seventy-seven).

**H.B. 532** (five hundred thirty-two).

**H.B. 552** (five hundred fifty-two) with substitute.

**H.B. 556** (five hundred fifty-six).

**H.B. 564** (five hundred sixty-four) with amendment.

**H.B. 721** (seven hundred twenty-one).

**H.B. 805** (eight hundred five) with amendment.

**H.B. 834** (eight hundred thirty-four).

**H.B. 835** (eight hundred thirty-five).

**H.B. 847** (eight hundred forty-seven).

**H.B. 866** (eight hundred sixty-six).

**H.B. 887** (eight hundred eighty-seven).

**H.B. 899** (eight hundred ninety-nine).

**H.B. 900** (nine hundred).

**H.B. 904** (nine hundred four).

**H.B. 907** (nine hundred seven) with amendment.

**H.B. 952** (nine hundred fifty-two) with substitute.

**H.B. 995** (nine hundred ninety-five) with amendment.

**H.B. 1002** (one thousand two).



On motion of Senator Cuccinelli, the reading of the amendment was waived.

On motion of Senator Cuccinelli, the amendment was agreed to.

The amendments were ordered to be engrossed.

**H.B. 20**, on motion of Senator Cuccinelli, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 643** (six hundred forty-three) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 13, engrossed, after *Governor*  
strike  
*and the Attorney General*

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

**H.B. 643**, on motion of Senator Stolle, was passed by for the day.

**H.B. 647** (six hundred forty-seven), on motion of Senator Stolle, was recommitted to the Committee for Courts of Justice.

**H.B. 1120** (one thousand one hundred twenty) was read by title the third time.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 17, engrossed, after line 16  
insert  
*Violation of any provision of this section shall constitute a traffic infraction punishable by a fine of no more than \$50.*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1120**, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--3. RULE 36--0.

YEAS--Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--35.

NAYS--Bell, Devolites, Martin--3.

RULE 36--0.

**H.B. 1309** (one thousand three hundred nine) was read by title the third time.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 66, engrossed, after ~~may~~  
strike  
*shall*  
insert  
may

The reading of the amendment was waived.

On motion of Senator Hanger, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1309**, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 1314** (one thousand three hundred fourteen) was read by title the third time and, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--24. NAYS--13. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Miller, O'Brien, Puller, Quayle, Saslaw, Stolle, Ticer, Wagner, Whipple, Williams--24.

NAYS--Hanger, Martin, Mims, Newman, Norment, Obenshain, Potts, Puckett, Rerras, Reynolds, Ruff, Stosch, Watkins--13.

RULE 36--0.

**RECONSIDERATION**

Senator Deeds moved to reconsider the vote by which **H.B. 1120** (one thousand one hundred twenty) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 1120**, on motion of Senator Deeds, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--5. RULE 36--0.

YEAS--Bolling, Chichester, Colgan, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--33.

NAYS--Bell, Cuccinelli, Deeds, Devolites, Martin--5.

RULE 36--0.

**HOUSE BILLS ON SECOND READING**

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 13** (thirteen).

**H.B. 25** (twenty-five).

**H.B. 26** (twenty-six).

**H.B. 27** (twenty-seven).

**H.B. 28** (twenty-eight).

**H.B. 40** (forty).

**H.B. 43** (forty-three).

**H.B. 44** (forty-four).

**H.B. 45** (forty-five).

**H.B. 46** (forty-six).

**H.B. 49** (forty-nine).

**H.B. 67** (sixty-seven).

**H.B. 70** (seventy).

**H.B. 71** (seventy-one).

**H.B. 76** (seventy-six).

**H.B. 77** (seventy-seven).

**H.B. 132** (one hundred thirty-two).

**H.B. 133** (one hundred thirty-three).

**H.B. 171** (one hundred seventy-one).

- H.B. 220** (two hundred twenty).  
**H.B. 242** (two hundred forty-two).  
**H.B. 275** (two hundred seventy-five).  
**H.B. 276** (two hundred seventy-six).  
**H.B. 291** (two hundred ninety-one).  
**H.B. 301** (three hundred one).  
**H.B. 344** (three hundred forty-four).  
**H.B. 440** (four hundred forty).  
**H.B. 445** (four hundred forty-five).  
**H.B. 489** (four hundred eighty-nine).  
**H.B. 493** (four hundred ninety-three).  
**H.B. 534** (five hundred thirty-four).  
**H.B. 535** (five hundred thirty-five).  
**H.B. 536** (five hundred thirty-six).  
**H.B. 565** (five hundred sixty-five).  
**H.B. 580** (five hundred eighty).  
**H.B. 594** (five hundred ninety-four).  
**H.B. 603** (six hundred three).  
**H.B. 605** (six hundred five).  
**H.B. 685** (six hundred eighty-five).  
**H.B. 713** (seven hundred thirteen).  
**H.B. 717** (seven hundred seventeen).  
**H.B. 947** (nine hundred forty-seven).  
**H.B. 949** (nine hundred forty-nine).  
**H.B. 955** (nine hundred fifty-five).  
**H.B. 977** (nine hundred seventy-seven).  
**H.B. 979** (nine hundred seventy-nine).  
**H.B. 980** (nine hundred eighty).  
**H.B. 982** (nine hundred eighty-two).  
**H.B. 983** (nine hundred eighty-three).  
**H.B. 1024** (one thousand twenty-four).  
**H.B. 1069** (one thousand sixty-nine).  
**H.B. 1125** (one thousand one hundred twenty-five).  
**H.B. 1132** (one thousand one hundred thirty-two).  
**H.B. 1177** (one thousand one hundred seventy-seven).  
**H.B. 1212** (one thousand two hundred twelve).  
**H.B. 1230** (one thousand two hundred thirty).  
**H.B. 1234** (one thousand two hundred thirty-four).  
**H.B. 1265** (one thousand two hundred sixty-five).  
**H.B. 1278** (one thousand two hundred seventy-eight).  
**H.B. 1283** (one thousand two hundred eighty-three).  
**H.B. 1337** (one thousand three hundred thirty-seven).  
**H.B. 1338** (one thousand three hundred thirty-eight).  
**H.B. 1450** (one thousand four hundred fifty).  
**H.B. 1452** (one thousand four hundred fifty-two).  
**H.B. 1463** (one thousand four hundred sixty-three).  
**H.B. 1** (one).  
**H.B. 54** (fifty-four).  
**H.B. 144** (one hundred forty-four).  
**H.B. 444** (four hundred forty-four).  
**H.B. 570** (five hundred seventy).  
**H.B. 639** (six hundred thirty-nine).

**H.B. 734** (seven hundred thirty-four).  
**H.B. 776** (seven hundred seventy-six).  
**H.B. 809** (eight hundred nine).  
**H.B. 883** (eight hundred eighty-three).  
**H.B. 1044** (one thousand forty-four).  
**H.B. 1123** (one thousand one hundred twenty-three).  
**H.B. 1271** (one thousand two hundred seventy-one).  
**H.B. 1350** (one thousand three hundred fifty).  
**H.B. 1436** (one thousand four hundred thirty-six).  
**H.B. 1460** (one thousand four hundred sixty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 13** (thirteen).  
**H.B. 25** (twenty-five).  
**H.B. 26** (twenty-six).  
**H.B. 27** (twenty-seven).  
**H.B. 28** (twenty-eight).  
**H.B. 40** (forty).  
**H.B. 43** (forty-three).  
**H.B. 44** (forty-four).  
**H.B. 45** (forty-five).  
**H.B. 46** (forty-six).  
**H.B. 49** (forty-nine).  
**H.B. 67** (sixty-seven).  
**H.B. 70** (seventy).  
**H.B. 71** (seventy-one).  
**H.B. 76** (seventy-six).  
**H.B. 77** (seventy-seven).  
**H.B. 132** (one hundred thirty-two).  
**H.B. 133** (one hundred thirty-three).  
**H.B. 171** (one hundred seventy-one).  
**H.B. 220** (two hundred twenty).  
**H.B. 242** (two hundred forty-two).  
**H.B. 275** (two hundred seventy-five).  
**H.B. 276** (two hundred seventy-six).  
**H.B. 291** (two hundred ninety-one).  
**H.B. 301** (three hundred one).  
**H.B. 344** (three hundred forty-four).  
**H.B. 440** (four hundred forty).

**H.B. 445** (four hundred forty-five).  
**H.B. 489** (four hundred eighty-nine).  
**H.B. 493** (four hundred ninety-three).  
**H.B. 534** (five hundred thirty-four).  
**H.B. 535** (five hundred thirty-five).  
**H.B. 536** (five hundred thirty-six).  
**H.B. 565** (five hundred sixty-five).  
**H.B. 580** (five hundred eighty).  
**H.B. 594** (five hundred ninety-four).  
**H.B. 603** (six hundred three).  
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**H.B. 685** (six hundred eighty-five).  
**H.B. 713** (seven hundred thirteen).  
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**H.B. 947** (nine hundred forty-seven).  
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**H.B. 982** (nine hundred eighty-two).  
**H.B. 983** (nine hundred eighty-three).  
**H.B. 1024** (one thousand twenty-four).  
**H.B. 1069** (one thousand sixty-nine).  
**H.B. 1125** (one thousand one hundred twenty-five).  
**H.B. 1132** (one thousand one hundred thirty-two).  
**H.B. 1177** (one thousand one hundred seventy-seven).  
**H.B. 1212** (one thousand two hundred twelve).  
**H.B. 1230** (one thousand two hundred thirty).  
**H.B. 1234** (one thousand two hundred thirty-four).  
**H.B. 1265** (one thousand two hundred sixty-five).  
**H.B. 1278** (one thousand two hundred seventy-eight).  
**H.B. 1283** (one thousand two hundred eighty-three).  
**H.B. 1337** (one thousand three hundred thirty-seven).  
**H.B. 1338** (one thousand three hundred thirty-eight).  
**H.B. 1450** (one thousand four hundred fifty).  
**H.B. 1452** (one thousand four hundred fifty-two).  
**H.B. 1463** (one thousand four hundred sixty-three).  
**H.B. 1** (one).  
**H.B. 54** (fifty-four).  
**H.B. 144** (one hundred forty-four).  
**H.B. 444** (four hundred forty-four).  
**H.B. 570** (five hundred seventy).  
**H.B. 639** (six hundred thirty-nine).  
**H.B. 734** (seven hundred thirty-four).  
**H.B. 776** (seven hundred seventy-six).  
**H.B. 809** (eight hundred nine).  
**H.B. 883** (eight hundred eighty-three).  
**H.B. 1044** (one thousand forty-four).  
**H.B. 1123** (one thousand one hundred twenty-three).  
**H.B. 1271** (one thousand two hundred seventy-one).  
**H.B. 1350** (one thousand three hundred fifty).

**H.B. 1436** (one thousand four hundred thirty-six).

**H.B. 1460** (one thousand four hundred sixty).

### SENATE BILLS ON FIRST READING

**S.B. 29** (twenty-nine) was read by title the first time.

**S.B. 30** (thirty) was read by title the first time.

### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

February 24, 2004

**H.B. 6.** An Act to amend and reenact § 2.2-609 of the Code of Virginia, relating to state publications.

**H.B. 7.** An Act to amend and reenact § 54.1-3510 of the Code of Virginia and to repeal §§ 54.1-3511 and 54.1-3512 of the Code of Virginia, relating to the abolishment of the Advisory Board on Rehabilitation Providers.

**H.B. 8.** An Act to amend and reenact §§ 54.1-3600 and 54.1-3605 of the Code of Virginia and to repeal §§ 54.1-3609 and 54.1-3610 of the Code of Virginia, relating to the abolishment of the Advisory Committee on Certified Practices.

**H.B. 9.** An Act to amend and reenact § 2.2-2101, as it is currently effective and as it may become effective, and to repeal §§ 2.2-209 and 2.2-210 and Article 1 (§§ 2.2-2600, 2.2-2601 and 2.2-2602) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Advisory Council on the Virginia Business-Education Partnership Program and the Virginia Business-Education Partnership Program.

**H.B. 10.** An Act to repeal Chapter 45 (§§ 3.1-1104 and 3.1-1105) of Title 3.1 of the Code of Virginia, relating to the abolishment of the Virginia Charity Food Assistance Advisory Board.

**H.B. 11.** An Act to amend and reenact §§ 44-14 and 44-114 of the Code of Virginia and to repeal § 44-12 of the Code of Virginia, relating to the abolishment of the Board of Military Affairs.

**H.B. 12.** An Act to amend and reenact § 51.5-72 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 51.5-72.1, relating to consolidation of the Advisory Boards for the Virginia Industries for the Blind of Charlottesville and Richmond.

**H.B. 15.** An Act to amend and reenact § 2.2-2664 of the Code of Virginia and to repeal § 2.2-5302 of the Code of Virginia, relating to the abolishment of the Early Intervention Agencies Committee.

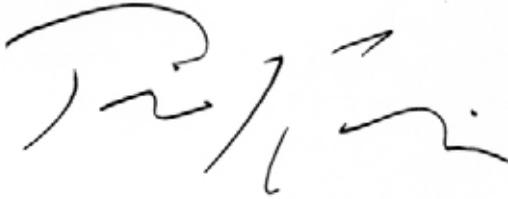
**H.B. 22.** An Act to amend and reenact §§ 2.2-212, as it is currently effective and as it shall become effective, and 60.2-113 of the Code of Virginia, relating to the Governor's Employment and Training Department.

- H.B. 23.** An Act to amend and reenact §§ 9.1-101 and 9.1-400 of the Code of Virginia, relating to appointment of certain agents, inspectors or investigators by the State Corporation Commission for the enforcement of motor vehicle carrier laws.
- H.B. 203.** An Act to amend and reenact § 2.2-612 of the Code of Virginia and to repeal Article 3 (§§ 2.2-2506 and 2.2-2507) of Chapter 25 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Virginia Advisory Commission on Intergovernmental Relations.
- H.B. 206.** An Act to repeal Article 13 (§§ 2.2-2640 and 2.2-2641) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Interagency Coordinating Council on Housing for the Disabled.
- H.B. 211.** An Act to repeal §§ 54.1-2922, 54.1-2923, and 54.1-3613 of the Code of Virginia, relating to the abolishment of psychological practices audit committees, medical practices audit committees, and medical complaint investigation committees.
- H.B. 573.** An Act to amend and reenact § 22.1-298 of the Code of Virginia, relating to licensure of principals.
- H.B. 577.** An Act to amend and reenact §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8, and to repeal §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615 of the Code of Virginia, relating to disciplinary proceedings by health regulatory boards.
- H.B. 623.** An Act to amend and reenact § 54.1-3321 of the Code of Virginia, relating to registration of pharmacy technicians in free clinics.
- H.B. 626.** An Act to amend and reenact §§ 54.1-2715, 54.1-2717, and 54.1-2718 of the Code of Virginia, relating to the practice of licensed dentists in certain dental clinics.
- H.B. 633.** An Act to amend and reenact §§ 32.1-127.1:03, 32.1-127.3, 54.1-105, 54.1-106, 54.1-111, 54.1-2400, 54.1-2400.2, 54.1-2401, 54.1-2403.01, 54.1-2403.1, 54.1-2403.2, 54.1-2408.1, 54.1-2409, 54.1-2409.1, 54.1-2906, 54.1-2907, 54.1-3000, 54.1-3005, 54.1-3008, 54.1-3009, 54.1-3016, 54.1-3019, and 63.2-1805 of the Code of Virginia, relating to any person holding a multistate licensure privilege to practice nursing in the Commonwealth.
- H.B. 783.** An Act to amend and reenact § 54.1-3404 of the Code of Virginia, relating to inventories of controlled substances required by the Board of Pharmacy; limited exception.
- H.B. 875.** An Act to amend and reenact § 54.1-2405 of the Code of Virginia, relating to copies of patient records when professional practice is closed, sold or relocated; notice; charges.
- H.B. 876.** An Act to amend and reenact §§ 37.1-226 through 37.1-230 of the Code of Virginia, relating to disclosure of mental health information.

On motion of Senator Ruff, a leave of absence for the day was granted Senator Blevins on account of a funeral.

On motion of Senator Chichester, a leave of absence for the day was granted Senator Wampler on account of personal business.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly cursive and elegant, with a large initial "S".

Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, FEBRUARY 25, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Arthur S. Jones, Third Street Bethel AME Church, Richmond, Virginia, offered the following prayer:

Our Heavenly Father, with deep humility we thank You for life—for our individual lives, for the lives of our families—and for the continuing life of this great deliberative body, the Senate of the Commonwealth of Virginia.

History weighs heavily upon this body and upon this Commonwealth. There is history to be proud of, in the historic and precedent-setting actions that laid many of the foundation stones of our great nation—and there is history to be ashamed of, because of the long era of denial of human rights and dignity for people of color in this Commonwealth.

Yet, we thank You, O God, that because of the struggles of courageous men and women, this body has come a long way toward the goal of representing the aspirations of all Virginians, regardless of race or gender. May such progress continue and grow!

All Virginians—and all Americans, stand at the threshold of uncertain dangers and certain opportunities. The dangers come from those insidious forces who wish to destroy our freedom, our system of government and our nation. A part of their destructive fury fell on our state on that unforgettable date of September 11, 2001.

The opportunities depend upon our ability as a people to move forward toward a new birth of freedom for all Virginians. As we strive toward this objective, we look to You, O God, to give us the strength to push back the dangers and to take full advantage of the opportunities.

Without Your help, we cannot succeed—with Your help we cannot fail. We pray that this Senate, in all its deliberations, whether in the mundane, but vital area of economic policy, or in the concerns of social equality and attention to needs of the poor, will be guided by the words of the great Hebrew prophet, Amos:

“Let justice roll down like the rivers, and righteousness as a mighty stream.” Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senator Mims notified the Clerk of his presence.

On motion of Senator Ruff, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
February 24, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 81.** A BILL to amend and reenact § 63.2-2004 of the Code of Virginia, relating to donations of professional services.

**S.B. 226.** A BILL to amend and reenact § 2.2-3101 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 2.2-3100.1, and to amend the Code of Virginia by adding in Chapter 31 of Title 2.2 an article numbered 8, consisting of sections numbered 2.2-3128 through 2.2-3131, relating to the State and Local Government Conflict of Interests Act and orientation programs for public personnel.

**S.B. 285.** A BILL to direct the Director of the Department of Professional and Occupational Regulation and the Board for Contractors to establish a pilot program for local enforcement of licensure.

**S.B. 409.** A BILL to amend and reenact § 63.2-1503 of the Code of Virginia, relating to child protective services; notification of parent.

**S.B. 463.** A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.

**S.B. 598.** A BILL to amend and reenact §§ 2.2-4310 and 2.2-4343 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-965.1, relating to participation of small, women- and minority-owned businesses in government procurement.

**S.B. 600.** A BILL to amend and reenact §§ 15.2-2110 and 15.2-2118 of the Code of Virginia, relating to local water and sewage systems.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

**S.B. 318.** A BILL to amend and reenact §§ 2.2-3705, 2.2-3711, 2.2-4002, 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 63.2-1607.1, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

**S.B. 468.** A BILL to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 2.** A BILL to amend and reenact § 2.2-609 of the Code of Virginia, relating to state publications.

- S.B. 8.** A BILL to repeal Article 13 (§§ 2.2-2640 and 2.2-2641) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Interagency Coordinating Council on Housing for the Disabled.
- S.B. 9.** A BILL to amend and reenact § 60.2-113 of the Code of Virginia, relating to the Virginia Employment Commission workforce plan for times of economic recession, natural disaster and military mobilization.
- S.B. 10.** A BILL to amend and reenact § 2.2-612 of the Code of Virginia and to repeal Article 3 (§§ 2.2-2506 and 2.2-2507) of Chapter 25 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Virginia Advisory Commission on Intergovernmental Relations.
- S.B. 44.** A BILL to repeal the fifth enactment of Chapter 941 of the 1999 Acts of Assembly, relating to insurance coverage for biologically based mental illness.
- S.B. 45.** A BILL to amend and reenact § 15.2-1508.3 of the Code of Virginia, relating to state and local health departments.
- S.B. 69.** A BILL to amend and reenact §§ 15.2-6701 and 15.2-6703 of the Code of Virginia, relating to the Buchanan County Tourist Train Development Authority.
- S.B. 90.** A BILL to amend and reenact § 15.2-1503.1 of the Code of Virginia, relating to criminal background checks.
- S.B. 97.** A BILL to amend and reenact §§ 5.1 and 5.2, as amended, of Chapter 319 of the Acts of Assembly of 1966, which provided a charter for the City of Fairfax, relating to salaries.
- S.B. 131.** A BILL to amend and reenact §§ 13.1-750 and 13.1-912 of the Code of Virginia, relating to corporations; articles of termination of corporate existence.
- S.B. 152.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.
- S.B. 154.** A BILL to amend and reenact § 38.2-401 of the Code of Virginia, relating to the Fire Programs Fund.
- S.B. 163.** A BILL to amend and reenact § 6.1-1.1 of the Code of Virginia, relating to confidentiality of information.
- S.B. 171.** A BILL to amend and reenact § 56-484.17 of the Code of Virginia, relating to the Wireless E-911 Fund.
- S.B. 203.** A BILL to amend Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, by adding a section numbered 5.02.1, and to repeal §§ 5.02, 5.04 and 8.02, §§ 8.03 and 8.07, as amended, §§ 8.09, 8.10 and 8.12, §§ 9.01 and 9.02, as amended, §§ 9.03 through 9.06, § 9.07, as amended, §§ 9.08 and 9.09, § 9.11, as amended, §§ 11.01 through 11.05 and § 12.01, § 12.02, as amended, §§ 12.03 through 12.06, § 12.07, as amended, §§ 12.08, 12.09 and 13.01 through 13.04, § 13.05, as amended, §§ 13.10, 14.01 and 14.02, § 14.03, as amended, §§ 14.04, 14.05 and 14.06, §§ 15.01 through 15.05, and §§ 16.01 through 16.04 of Chapter 323 of the Acts of Assembly of 1950, relating to personnel and city departments.

**S.B. 211.** A BILL to amend and reenact § 12.04, as amended, of Chapter 155 of the Acts of Assembly of 1962, which provided a charter for the City of Franklin, relating to compensation of school board.

**S.B. 212.** A BILL to amend and reenact §§ 37.1-255, 37.1-256 and 37.1-256.1 of the Code of Virginia, and to repeal § 37.1-257 of the Code of Virginia, relating to the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services.

**S.B. 261.** A BILL to amend the Code of Virginia by adding a section numbered 29.1-508.1, relating to the use of drugs on vertebrate wildlife; penalty.

**S.B. 323.** A BILL to amend and reenact § 65.2-801 of the Code of Virginia, relating to workers' compensation insurance; self-insurers.

**S.B. 355.** A BILL to amend and reenact § 38.2-1230 of the Code of Virginia, relating to insurance reciprocals.

**S.B. 372.** A BILL to amend and reenact §§ 38.2-4300, 38.2-4301, and 38.2-4302 of the Code of Virginia, relating to health maintenance organizations.

**S.B. 396.** A BILL to amend and reenact § 9, as amended, § 10, §§ 22.1 and 22.3, as amended, of Chapter 393 of the Acts of Assembly of 1932, which provided a charter for the City of Williamsburg, relating to utilities, school board, and oaths for board and commissions.

**S.B. 461.** A BILL to amend and reenact §§ 15.2-710, 15.2-720.1 and 15.2-726 of the Code of Virginia, relating to the county manager plan of government; budget, constitutional officers and easements.

**S.B. 480.** A BILL to amend and reenact §§ 15.2-6006 and 15.2-6011 of the Code of Virginia, relating to the Virginia Coalfield Economic Development Authority.

**S.B. 659.** A BILL to repeal §§ 18.2-341, 18.2-342, 18.2-343, and 40.1-28.5 of the Code of Virginia, relating to Sunday closing laws.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 700.** A BILL to amend and reenact § 51.1-1103 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; suspension of eligibility.

**H.B. 1030.** A BILL to amend and reenact §§ 58.1-3505 and 58.1-3506 of the Code of Virginia, relating to classifications of farm animals, farm products and equipment, and other tangible personal property for taxation.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 182.** Commending Sam Huff.

THE HOUSE OF DELEGATES HAS DEFEATED THE FOLLOWING SENATE BILL:

**S.B. 23.** A BILL to amend and reenact § 19.2-254.1 of the Code of Virginia, relating to prepayment of traffic infractions.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.  
RULE 36--0.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

- H.B. 105** (one hundred five) with substitute.
- H.B. 465** (four hundred sixty-five).
- H.B. 525** (five hundred twenty-five) with amendment.
- H.B. 975** (nine hundred seventy-five).
- H.B. 1185** (one thousand one hundred eighty-five).
- H.B. 1426** (one thousand four hundred twenty-six).
- H.B. 1453** (one thousand four hundred fifty-three).

The following bills, having been considered by the committee in session, were reported by Senator Quayle from the Committee on Local Government:

- H.B. 52** (fifty-two).
- H.B. 56** (fifty-six).
- H.B. 176** (one hundred seventy-six) with substitute.
- H.B. 300** (three hundred).
- H.B. 303** (three hundred three).
- H.B. 438** (four hundred thirty-eight).
- H.B. 559** (five hundred fifty-nine).
- H.B. 601** (six hundred one) with amendments.
- H.B. 679** (six hundred seventy-nine).
- H.B. 683** (six hundred eighty-three) with substitute.
- H.B. 714** (seven hundred fourteen).
- H.B. 715** (seven hundred fifteen).
- H.B. 819** (eight hundred nineteen).
- H.B. 827** (eight hundred twenty-seven).
- H.B. 874** (eight hundred seventy-four).
- H.B. 911** (nine hundred eleven).
- H.B. 919** (nine hundred nineteen).
- H.B. 931** (nine hundred thirty-one).

**H.B. 934** (nine hundred thirty-four).  
**H.B. 963** (nine hundred sixty-three).  
**H.B. 968** (nine hundred sixty-eight).  
**H.B. 970** (nine hundred seventy).  
**H.B. 994** (nine hundred ninety-four).  
**H.B. 1088** (one thousand eighty-eight).  
**H.B. 1112** (one thousand one hundred twelve).  
**H.B. 1206** (one thousand two hundred six).  
**H.B. 1248** (one thousand two hundred forty-eight).

The following bills and joint resolutions, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

**H.B. 316** (three hundred sixteen).  
**H.B. 410** (four hundred ten) with amendments.  
**H.B. 411** (four hundred eleven) with amendments.  
**H.B. 604** (six hundred four).  
**H.B. 682** (six hundred eighty-two).  
**H.B. 837** (eight hundred thirty-seven) with amendments.  
**H.B. 908** (nine hundred eight).  
**H.B. 986** (nine hundred eighty-six).  
**H.B. 1026** (one thousand twenty-six).  
**H.B. 1191** (one thousand one hundred ninety-one).  
**H.B. 1320** (one thousand three hundred twenty).  
**H.B. 1321** (one thousand three hundred twenty-one) with amendment.  
**H.B. 1340** (one thousand three hundred forty).  
**H.B. 1427** (one thousand four hundred twenty-seven) with substitute.  
**H.J.R. 275** (two hundred seventy-five) with amendment.  
**H.J.R. 276** (two hundred seventy-six) with amendment.  
**H.J.R. 312** (three hundred twelve).

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Privileges and Elections pursuant to Senate Rule 20 (j):

**H.B. 1167** (one thousand one hundred sixty-seven) with the recommendation that it be rereferred to the Committee on Rules.

**H.B. 1167** was rereferred to the Committee on Rules pursuant to Senate Rule 20 (j).

#### SENATE BILLS ON SECOND READING

#### SPECIAL AND CONTINUING ORDER

Senator Chichester moved that **S.B. 29** (twenty-nine) and **S.B. 30** (thirty) be made a special and continuing order for Thursday, February 26, 2004, at 12:30 p.m.

The motion was agreed to.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

## CALENDAR

### UNFINISHED BUSINESS — SENATE

**S.B. 62** (sixty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 28, engrossed, after years.  
strike  
*The signature of the parties to an*  
insert  
*An*
2. Line 29, engrossed, after *writing and*  
strike  
*acknowledged before a notary public*  
insert  
*notarized*
3. Line 58, engrossed  
strike  
*follow*  
insert  
*comply with*
4. Line 70, engrossed, after duress.  
strike  
*The signature of the parties to an*  
insert  
*An*
5. Line 71, engrossed, after *writing and*  
strike  
*acknowledged before a notary public*  
insert  
*notarized*
6. Line 100, engrossed, after *to*  
strike  
*follow*  
insert  
*comply with*

- 7. Line 111, engrossed, after *and*  
 strike  
     *acknowledged before a notary public*  
 insert  
     *notarized*

On motion of Senator Edwards, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 139** (one hundred thirty-nine) was taken up with the amendments proposed by the House of Delegates as follows:

- 1. Line 5, engrossed, title, after *lanes*  
 strike  
     [; *emergency*]
- 2. Line 18, engrossed  
 strike  
     all of line 18

On motion of Senator Cuccinelli, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 319** (three hundred nineteen) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--33. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Ticer, Wagner, Wampler, Watkins, Williams--33.

NAYS--Howell, Locke, Lucas, Puller, Saslaw, Whipple--6.

RULE 36--0.

**S.B. 327** (three hundred twenty-seven) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 13, engrossed  
strike

A.

2. Line 57, engrossed  
strike

lines 57 through 59

On motion of Senator Stolle, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 556** (five hundred fifty-six) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 28, engrossed, after *facility*.  
strike

the remainder of line 28 and all of lines 29 through 39

Senator Marsh moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The recorded vote is as follows:

YEAS--4. NAYS--36. RULE 36--0.

YEAS--Devolites, Wagner, Watkins, Williams--4.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Whipple--36.

RULE 36--0.

**S.B. 595** (five hundred ninety-five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 27, engrossed, after Commissioner  
     strike  
                     and  
     insert  
                     ; *however*;

On motion of Senator Howell, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 619** (six hundred nineteen) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 40, engrossed, after C.  
     unstrike  
                     all stricken language on lines 40 through 45

On motion of Senator Blevins, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**GUEST PRESENTED**

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senators Whipple and Ticer presented Laurie J. Sullivan, Virginia Teacher of the Year 2004, to the Senate.

### HOUSE BILLS ON THIRD READING

**H.B. 493** (four hundred ninety-three), on motion of Senator Stolle, was passed by for the day.

**H.B. 949** (nine hundred forty-nine), on motion of Senator Wagner, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 13** (thirteen).  
**H.B. 25** (twenty-five).  
**H.B. 26** (twenty-six).  
**H.B. 27** (twenty-seven).  
**H.B. 28** (twenty-eight).  
**H.B. 40** (forty).  
**H.B. 43** (forty-three).  
**H.B. 44** (forty-four).  
**H.B. 45** (forty-five).  
**H.B. 46** (forty-six).  
**H.B. 49** (forty-nine).  
**H.B. 67** (sixty-seven).  
**H.B. 70** (seventy).  
**H.B. 71** (seventy-one).  
**H.B. 76** (seventy-six).  
**H.B. 77** (seventy-seven).  
**H.B. 132** (one hundred thirty-two).  
**H.B. 133** (one hundred thirty-three).  
**H.B. 171** (one hundred seventy-one).  
**H.B. 220** (two hundred twenty).  
**H.B. 242** (two hundred forty-two).  
**H.B. 275** (two hundred seventy-five).  
**H.B. 276** (two hundred seventy-six).  
**H.B. 291** (two hundred ninety-one).  
**H.B. 301** (three hundred one).  
**H.B. 344** (three hundred forty-four).  
**H.B. 440** (four hundred forty).  
**H.B. 445** (four hundred forty-five).  
**H.B. 489** (four hundred eighty-nine).  
**H.B. 534** (five hundred thirty-four).  
**H.B. 535** (five hundred thirty-five).  
**H.B. 536** (five hundred thirty-six).  
**H.B. 565** (five hundred sixty-five).  
**H.B. 580** (five hundred eighty).  
**H.B. 594** (five hundred ninety-four).  
**H.B. 603** (six hundred three).  
**H.B. 605** (six hundred five).  
**H.B. 685** (six hundred eighty-five).  
**H.B. 713** (seven hundred thirteen).

- H.B. 717 (seven hundred seventeen).
- H.B. 947 (nine hundred forty-seven).
- H.B. 955 (nine hundred fifty-five).
- H.B. 977 (nine hundred seventy-seven).
- H.B. 979 (nine hundred seventy-nine).
- H.B. 980 (nine hundred eighty).
- H.B. 982 (nine hundred eighty-two).
- H.B. 983 (nine hundred eighty-three).
- H.B. 1024 (one thousand twenty-four).
- H.B. 1069 (one thousand sixty-nine).
- H.B. 1125 (one thousand one hundred twenty-five).
- H.B. 1132 (one thousand one hundred thirty-two).
- H.B. 1177 (one thousand one hundred seventy-seven).
- H.B. 1212 (one thousand two hundred twelve).
- H.B. 1230 (one thousand two hundred thirty).
- H.B. 1234 (one thousand two hundred thirty-four).
- H.B. 1265 (one thousand two hundred sixty-five).
- H.B. 1278 (one thousand two hundred seventy-eight).
- H.B. 1283 (one thousand two hundred eighty-three).
- H.B. 1337 (one thousand three hundred thirty-seven).
- H.B. 1338 (one thousand three hundred thirty-eight).
- H.B. 1450 (one thousand four hundred fifty).
- H.B. 1452 (one thousand four hundred fifty-two).
- H.B. 1463 (one thousand four hundred sixty-three).

The motion was agreed to.

H.B. 643 (six hundred forty-three) was taken up, the committee amendment having been agreed to on February 24, 2004.

The amendment was ordered to be engrossed.

H.B. 45 (forty-five) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

- 1. Line 15, engrossed, after against the  
strike  
parent  
insert  
*parents*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 49 (forty-nine) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 17, engrossed, after *concerning another party*  
strike  
*that otherwise are not available to either party*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 291** (two hundred ninety-one) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 33, engrossed, after agency  
strike  
~~following~~  
insert  
following
2. Line 33, engrossed, after agency ~~following~~  
strike  
remainder of line 33, all of lines 34 through 36, and through *residence*. on line  
37  
insert  
any change of residence, whether within or without the Commonwealth. *If his new residence is within the Commonwealth the person shall register in person with the local law-enforcement agency where his new residence is located within 10 days following his change in residence. If the new residence is located outside of the Commonwealth the person shall register in person with the local law-enforcement agency where he previously registered within 10 days prior to his change of residence.*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 534** (five hundred thirty-four) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 13, engrossed  
strike  
*Judges; probation*  
insert  
*Probation*
2. Line 20, engrossed, after *probation*  
insert  
*or community service*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 535** (five hundred thirty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 565** (five hundred sixty-five) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 12, engrossed, after *policy*  
insert  
*, health services plan*

2. Line 13, engrossed, after *company*  
insert  
*, health services plan*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 982** (nine hundred eighty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:5, 16.1-107 and 16.1-112 of the Code of Virginia, relating to fees for services of district courts.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1132** (one thousand one hundred thirty-two) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 38, engrossed, after § 46.2-341.24

strike

remainder of line 38 and all of lines 39 through 44

insert

*and the person has, within the past five years of the instant offense, been convicted three times on different dates of a violation of any combination of these Code sections, or any ordinance of any county, city, or town or the laws of any other state or of the United States substantially similar thereto, and has been at liberty between each conviction.*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1177** (one thousand one hundred seventy-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 10.1-603.2 through 10.1-603.9, 10.1-603.11 through 10.1-603.15, and 62.1-44.5 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 10.1-603.2:1, 10.1-603.2:2, 10.1-603.4:1, 10.1-603.12:1 through 10.1-603.12:7, and 10.1-603.13:1, and to repeal § 10.1-603.10 of the Code of Virginia, relating to the reorganization of stormwater management programs; penalty.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1212** (one thousand two hundred twelve) was taken up.

The following amendment proposed by the Committee on Agriculture, Conservation and Natural Resources was offered:

1. Line 67, engrossed

strike

all of lines 67 and 68

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1234** (one thousand two hundred thirty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:1 and 20-15 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.1, relating to domestic violence; fund for prosecutions.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 643** (six hundred forty-three) with amendment.  
**H.B. 13** (thirteen).  
**H.B. 25** (twenty-five).  
**H.B. 26** (twenty-six).  
**H.B. 27** (twenty-seven).  
**H.B. 28** (twenty-eight).  
**H.B. 43** (forty-three).  
**H.B. 44** (forty-four).  
**H.B. 45** (forty-five) with amendment.  
**H.B. 46** (forty-six).  
**H.B. 49** (forty-nine) with amendment.  
**H.B. 67** (sixty-seven).  
**H.B. 70** (seventy).  
**H.B. 71** (seventy-one).  
**H.B. 76** (seventy-six).  
**H.B. 77** (seventy-seven).  
**H.B. 132** (one hundred thirty-two).  
**H.B. 133** (one hundred thirty-three).  
**H.B. 171** (one hundred seventy-one).  
**H.B. 220** (two hundred twenty).  
**H.B. 242** (two hundred forty-two).  
**H.B. 275** (two hundred seventy-five).  
**H.B. 276** (two hundred seventy-six).  
**H.B. 291** (two hundred ninety-one) with amendments.  
**H.B. 301** (three hundred one).  
**H.B. 344** (three hundred forty-four).  
**H.B. 440** (four hundred forty).  
**H.B. 445** (four hundred forty-five).  
**H.B. 489** (four hundred eighty-nine).  
**H.B. 534** (five hundred thirty-four) with amendments.  
**H.B. 535** (five hundred thirty-five) with substitute.

**H.B. 536** (five hundred thirty-six).  
**H.B. 565** (five hundred sixty-five) with amendments.  
**H.B. 580** (five hundred eighty).  
**H.B. 594** (five hundred ninety-four).  
**H.B. 603** (six hundred three).  
**H.B. 605** (six hundred five).  
**H.B. 685** (six hundred eighty-five).  
**H.B. 713** (seven hundred thirteen).  
**H.B. 717** (seven hundred seventeen).  
**H.B. 947** (nine hundred forty-seven).  
**H.B. 955** (nine hundred fifty-five).  
**H.B. 977** (nine hundred seventy-seven).  
**H.B. 979** (nine hundred seventy-nine).  
**H.B. 980** (nine hundred eighty).  
**H.B. 982** (nine hundred eighty-two) with substitute.  
**H.B. 983** (nine hundred eighty-three).  
**H.B. 1024** (one thousand twenty-four).  
**H.B. 1069** (one thousand sixty-nine).  
**H.B. 1125** (one thousand one hundred twenty-five).  
**H.B. 1132** (one thousand one hundred thirty-two) with amendment.  
**H.B. 1177** (one thousand one hundred seventy-seven) with substitute.  
**H.B. 1212** (one thousand two hundred twelve) with amendment.  
**H.B. 1230** (one thousand two hundred thirty).  
**H.B. 1234** (one thousand two hundred thirty-four) with substitute.  
**H.B. 1265** (one thousand two hundred sixty-five).  
**H.B. 1278** (one thousand two hundred seventy-eight).  
**H.B. 1283** (one thousand two hundred eighty-three).  
**H.B. 1337** (one thousand three hundred thirty-seven).  
**H.B. 1338** (one thousand three hundred thirty-eight).  
**H.B. 1450** (one thousand four hundred fifty).  
**H.B. 1452** (one thousand four hundred fifty-two).  
**H.B. 1463** (one thousand four hundred sixty-three).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 40** (forty) was taken up.

The following amendment proposed by the Committee on Agriculture, Conservation and Natural Resources was offered:

1. Line 25, engrossed, after line 24  
insert

*C. In the event that additional funds are not allocated for these positions, the Department shall not be required to absorb the costs of these positions.*

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 40**, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Cuccinelli--1.

RULE 36--0.

**H.B. 1** (one) was read by title the third time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 16, engrossed  
strike  
all of lines 16 and 17

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--33.

NAYS--Howell, Locke, Lucas, Puller, Saslaw, Ticer, Whipple--7.

RULE 36--0.

**H.B. 54** (fifty-four), on motion of Senator Norment, was passed by temporarily.

### RECONSIDERATION

Senator Edwards moved to reconsider the vote by which **H.B. 1** (one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--29.

NAYS--Edwards, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--11.

RULE 36--0.

**H.B. 144** (one hundred forty-four) was read by title the third time.

The following amendments proposed by the Committee on Agriculture, Conservation and Natural Resources were offered:

1. Line 45, engrossed, after *agencies*

insert

*and sportsmen advocacy groups*

2. Line 57, engrossed, after *shall*

insert

*work to*

3. Line 58, engrossed, after *him*.

strike

*The*

insert

*Based on information provided by authorized training entities, the*

The reading of the amendments was waived.

On motion of Senator Hawkins, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 144**, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 444** (four hundred forty-four) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Marsh, Miller, Ticer--3.

RULE 36--0.

**H.B. 570** (five hundred seventy) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens and unidentified people.

The reading of the substitute was waived.

On motion of Senator Mims, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 570**, on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Miller, Stolle--2.

RULE 36--0.

**H.B. 639** (six hundred thirty-nine) was read by title the third time.

## STATEMENT BY SENATOR

Senator Deeds stated that his committee vote on the question of reporting **S.B. 639** from the Committee on Agriculture, Conservation and Natural Resources with amendments was incorrectly recorded in the Senate Calendar as yea, whereas he should have been recorded as voting nay.

## STATEMENT BY SENATOR

Senator Hawkins stated that his committee vote on the question of reporting **S.B. 639** from the Committee on Agriculture, Conservation and Natural Resources with amendments was incorrectly recorded in the Senate Calendar as nay, whereas he should have been recorded as voting yea.

The following amendments proposed by the Committee on Agriculture, Conservation and Natural Resources were offered:

1. Line 39, engrossed, after *an*

strike

all of lines 40 and 41, and through *Statement.* on line 42

insert

*environmental impact report being submitted to the Board. The environmental impact report shall address at a minimum the environmental impacts related to the exemption being requested from this section, and shall discuss alternatives to the requested exemption. The Board shall hold a public hearing on the environmental impact report prior to making any recommendations to the General Assembly concerning exceptions from the requirements of this section. The review of the environmental impact report does not relieve the applicant from any regulatory requirements and is to be completed prior to the applicant applying for a permit, permit amendment, or for siting approval.*

2. Line 70, engrossed, after *an*

strike

all of lines 71 and 72, and through *Statement.* on line 73

insert

*environmental impact report being submitted to the Board. The environmental impact report shall address at a minimum the environmental impacts related to the exemption being requested from this section, and shall discuss alternatives to the requested exemption. The Board shall hold a public hearing on the environmental impact report prior to making any recommendations to the General Assembly concerning exceptions from the requirements of this section. The review of the environmental impact report does not relieve the applicant from any regulatory requirements and is to be completed prior to the applicant applying for a permit, permit amendment, or for siting approval.*

The reading of the amendments was waived.

On motion of Senator Hawkins, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 639**, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Lambert, Locke, Marsh, Martin, Miller, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--32.

NAYS--Deeds, Edwards, Howell, Lucas, Mims, Obenshain, Puller, Whipple--8.

RULE 36--0.

**H.B. 734** (seven hundred thirty-four) was read by title the third time.

Senator Norment moved to recommit **H.B. 734** to the Committee for Courts of Justice.

The question was put on recommitting **H.B. 734** to the Committee for Courts of Justice.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--24. NAYS--15. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--24.

NAYS--Bell, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Ticer, Whipple--15.

RULE 36--0.

**H.B. 734** was recommitted to the Committee for Courts of Justice.

**H.B. 776** (seven hundred seventy-six) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--36.

NAYS--Lambert, Marsh, Miller, Whipple--4.

RULE 36--0.

**H.B. 809** (eight hundred nine) was read by title the third time.

#### STATEMENT BY SENATOR

Senator Hawkins stated that his committee vote on the question of reporting **S.B. 809** from the Committee on Agriculture, Conservation and Natural Resources was incorrectly recorded in the Senate Calendar as yea, whereas he should have been recorded as voting nay.

**H.B. 809**, on motion of Senator Bolling, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Chichester, Hanger, Hawkins, Puller--4.

RULE 36--0.

**H.B. 883** (eight hundred eighty-three) was read by title the third time.

The following amendment proposed by the Committee on Agriculture, Conservation and Natural Resources was offered:

1. Line 32, engrossed, after line 31

insert

2. That the provisions of this act shall expire on July 1, 2005.

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

**H.B. 883**, on motion of Senator Norment, was passed by for the day.

**H.B. 1044** (one thousand forty-four) was read by title the third time and, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Deeds--1.

RULE 36--0.

**H.B. 1123** (one thousand one hundred twenty-three) was read by title the third time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 88, engrossed, after *unlawful for any*

strike

*an*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1123**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1271** (one thousand two hundred seventy-one) was read by title the third time and, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Cuccinelli--1.

RULE 36--0.

**H.B. 1350** (one thousand three hundred fifty), on motion of Senator Whipple, was passed by for the day.

**H.B. 1436** (one thousand four hundred thirty-six) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--Lambert--1.

### RECONSIDERATION

Senator Lucas moved to reconsider the vote by which **H.B. 570** (five hundred seventy) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 570**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Marsh, Miller, Stolle--3.

RULE 36--0.

**H.B. 1460** (one thousand four hundred sixty) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 639** (six hundred thirty-nine) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 639**, on motion of Senator Williams, was passed by for the day.

**H.B. 54** (fifty-four) was taken up, read by title the third time and, on motion of Senator Bolling, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--Hanger, Hawkins, Williams--3.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 221** (two hundred twenty-one).  
**H.B. 237** (two hundred thirty-seven).  
**H.B. 288** (two hundred eighty-eight).  
**H.B. 293** (two hundred ninety-three).  
**H.B. 295** (two hundred ninety-five).  
**H.B. 298** (two hundred ninety-eight).  
**H.B. 322** (three hundred twenty-two).  
**H.B. 342** (three hundred forty-two).  
**H.B. 354** (three hundred fifty-four).  
**H.B. 363** (three hundred sixty-three).  
**H.B. 460** (four hundred sixty).  
**H.B. 553** (five hundred fifty-three).  
**H.B. 596** (five hundred ninety-six).  
**H.B. 625** (six hundred twenty-five).  
**H.B. 628** (six hundred twenty-eight).  
**H.B. 687** (six hundred eighty-seven).  
**H.B. 848** (eight hundred forty-eight).  
**H.B. 864** (eight hundred sixty-four).  
**H.B. 884** (eight hundred eighty-four).  
**H.B. 924** (nine hundred twenty-four).  
**H.B. 926** (nine hundred twenty-six).  
**H.B. 928** (nine hundred twenty-eight).  
**H.B. 1179** (one thousand one hundred seventy-nine).  
**H.B. 1181** (one thousand one hundred eighty-one).  
**H.B. 1183** (one thousand one hundred eighty-three).  
**H.B. 1186** (one thousand one hundred eighty-six).  
**H.B. 1187** (one thousand one hundred eighty-seven).  
**H.B. 1238** (one thousand two hundred thirty-eight).  
**H.B. 1241** (one thousand two hundred forty-one).  
**H.B. 1267** (one thousand two hundred sixty-seven).  
**H.B. 1269** (one thousand two hundred sixty-nine).  
**H.B. 1327** (one thousand three hundred twenty-seven).  
**H.B. 1424** (one thousand four hundred twenty-four).  
**H.B. 1486** (one thousand four hundred eighty-six).  
**H.B. 689** (six hundred eighty-nine).  
**H.B. 1208** (one thousand two hundred eight).  
**H.B. 1243** (one thousand two hundred forty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 221** (two hundred twenty-one).  
**H.B. 237** (two hundred thirty-seven).  
**H.B. 288** (two hundred eighty-eight).  
**H.B. 293** (two hundred ninety-three).  
**H.B. 295** (two hundred ninety-five).  
**H.B. 298** (two hundred ninety-eight).  
**H.B. 322** (three hundred twenty-two).  
**H.B. 342** (three hundred forty-two).  
**H.B. 354** (three hundred fifty-four).  
**H.B. 363** (three hundred sixty-three).  
**H.B. 460** (four hundred sixty).  
**H.B. 553** (five hundred fifty-three).  
**H.B. 596** (five hundred ninety-six).  
**H.B. 625** (six hundred twenty-five).  
**H.B. 628** (six hundred twenty-eight).  
**H.B. 687** (six hundred eighty-seven).  
**H.B. 848** (eight hundred forty-eight).  
**H.B. 864** (eight hundred sixty-four).  
**H.B. 884** (eight hundred eighty-four).  
**H.B. 924** (nine hundred twenty-four).  
**H.B. 926** (nine hundred twenty-six).  
**H.B. 928** (nine hundred twenty-eight).  
**H.B. 1179** (one thousand one hundred seventy-nine).  
**H.B. 1181** (one thousand one hundred eighty-one).  
**H.B. 1183** (one thousand one hundred eighty-three).  
**H.B. 1186** (one thousand one hundred eighty-six).  
**H.B. 1187** (one thousand one hundred eighty-seven).  
**H.B. 1238** (one thousand two hundred thirty-eight).  
**H.B. 1241** (one thousand two hundred forty-one).  
**H.B. 1267** (one thousand two hundred sixty-seven).  
**H.B. 1269** (one thousand two hundred sixty-nine).  
**H.B. 1327** (one thousand three hundred twenty-seven).  
**H.B. 1424** (one thousand four hundred twenty-four).  
**H.B. 1486** (one thousand four hundred eighty-six).  
**H.B. 689** (six hundred eighty-nine).  
**H.B. 1208** (one thousand two hundred eight).  
**H.B. 1243** (one thousand two hundred forty-three).

**SENATE BILLS ON SECOND READING**

**S.B. 29** (twenty-nine), on motion of Senator Chichester, was passed by for the day.

**S.B. 30** (thirty), on motion of Senator Chichester, was passed by for the day.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Marsh introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 204.** Commending Ruby Nell Bridges.

Patron--Marsh

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Ruff introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 205.** Celebrating the life of William L. Boswell, Jr.

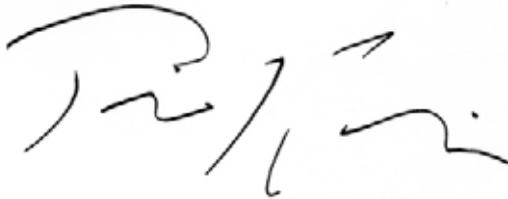
Patrons--Ruff, Blevins, Colgan, Potts and Quayle; Delegates: Griffith, Lingamfelter, May, McQuigg, Sherwood and Wright

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Potts introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 206.** Commending the Loudoun Valley High School softball team.

Patrons--Potts, Bell, Blevins, Bolling, Colgan, Devolites, Hawkins, Howell, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Rerras, Ruff, Saslaw, Stolle, Watkins and Williams

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, FEBRUARY 26, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. Bruce A. Gray, St. John's Episcopal Church, Richmond, Virginia, offered the following prayer:

It's all about choices, God.

To tax or not to tax, to spend or not to spend.

To make new laws, or to let the old ones stand.

To stand on principle, or be politically correct.

To be a lone voice in the wilderness, or work with colleagues to get the job done.

To seek to be reelected, or to risk a controversial stand.

To search for a compromise, or to be unbending and lose it all.

Some of the choices are easy, O God, some are nearly impossible.

Be with those who serve here, let them give thanks for the easy choices.

May they be challenged by the tough decisions and have the courage and wisdom to choose wisely.

Grant them, Lord, time for work and time for play.

May they always seek the well-being of all the people they serve, rich and poor alike, people who vote and those who don't.

May their work in this session, enrich and enlighten all our people. May their work support all our citizens and strengthen the Commonwealth of Virginia. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Cuccinelli and Reynolds notified the Clerk of their presence.

On motion of Senator Blevins, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates  
February 6, 2004

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILL:

**H.B. 1288.** A BILL to amend and reenact §§ 60.2-528 and 60.2-618 of the Code of Virginia, relating to unemployment compensation; voluntarily leaving employment to accompany military spouse.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

In the House of Delegates  
February 25, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 14.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

**S.B. 244.** A BILL to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.

**S.B. 283.** A BILL to amend and reenact § 23-7.4:2 of the Code of Virginia, relating to reduced tuition for certain students at the University of Virginia's College at Wise.

**S.B. 349.** A BILL to amend and reenact § 58.1-3506 of the Code of Virginia, relating to taxation; special classification of certain motor vehicles for local taxation.

**S.B. 399.** A BILL to amend and reenact § 58.1-807 of the Code of Virginia, relating to recordation taxes on leases.

**S.B. 546.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

**S.B. 585.** A BILL to amend and reenact §§ 58.1-3, 58.1-609.10, as it shall become effective, and 58.1-609.11 of the Code of Virginia, relating to sales and use tax exemptions for certain nonprofit entities.

**S.B. 684.** A BILL to amend and reenact §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842 of the Code of Virginia, relating to transient occupancy taxes and food and beverage taxes.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE THE FOLLOWING SENATE BILL:

**S.B. 627.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 355.** A BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership; board of directors; membership.

**H.B. 569.** A BILL to amend and reenact § 18.2-46.3 of the Code of Virginia, relating to recruitment of juveniles for criminal street gang; penalty.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 71.** A BILL to amend and reenact §§ 58.1-3814 and 58.1-3816.2 of the Code of Virginia, relating to local consumer utility taxes.

**S.B. 73.** A BILL to amend and reenact §§ 58.1-811 and 58.1-3606 of the Code of Virginia, relating to taxes upon incorporated churches.

**S.B. 120.** A BILL to amend and reenact § 58.1-2628 of the Code of Virginia, relating to filing annual reports by utilities.

**S.B. 122.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.

**S.B. 136.** A BILL to amend and reenact §§ 32.1-127.1:03 and 40.1-8 of the Code of Virginia, relating to disclosure of certain protected health information to the Commissioner of the Department of Labor and Industry or his designee.

**S.B. 153.** A BILL to amend and reenact § 23-231.15 of the Code of Virginia, relating to the Board of Trustees of the Roanoke Higher Education Authority.

**S.B. 165.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.

**S.B. 166.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.

**S.B. 173.** A BILL to amend and reenact §§ 23-276.1 and 23-276.2 of the Code of Virginia, relating to regulation of certain private and out-of-state institutions of higher education; exemptions.

**S.B. 231.** A BILL to amend and reenact § 58.1-439 of the Code of Virginia, relating to the major business facility job tax credit.

**S.B. 316.** A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

**S.B. 361.** A BILL to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.

**S.B. 366.** A BILL to amend and reenact § 58.1-2606 of the Code of Virginia, relating to local taxation of real and tangible personal property of public service corporations and other persons.

**S.B. 398.** A BILL to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to the entitlement of sales tax revenues generated from transactions in certain public facilities.

- S.B. 403.** A BILL to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.
- S.B. 464.** A BILL to amend and reenact §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91-35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43, and 23-91.44 of the Code of Virginia, relating to the University of Mary Washington.
- S.B. 533.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to media-related sales and use tax exemptions.
- S.B. 570.** A BILL to amend and reenact § 23-231.20 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.
- S.B. 571.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for film, video, audio in Virginia.
- S.B. 597.** A BILL to amend and reenact § 65.2-201 of the Code of Virginia, relating to Workers' Compensation Commission.
- S.B. 632.** A BILL to amend and reenact § 58.1-609.5 of the Code of Virginia, relating to sales and use tax exemption for electronic transmissions of software, data, content and other information services.
- S.B. 644.** A BILL to amend and reenact § 22.1-32 of the Code of Virginia, relating to salaries of certain school boards.
- S.B. 690.** A BILL to amend and reenact § 58.1-439.7 of the Code of Virginia, relating to tax credit for machinery and equipment used to produce personal property from recyclable materials.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

- H.B. 82.** A BILL to amend and reenact § 23-7.4:2 of the Code of Virginia, relating to reduced tuition for certain students at the University of Virginia's College at Wise.
- H.B. 270.** A BILL to amend and reenact §§ 54.1-3513 and 65.2-603 of the Code of Virginia, relating to certain vocational rehabilitation counselors.
- H.B. 357.** A BILL to amend and reenact § 2.2-514 of the Code of Virginia, relating to settlements involving the Commonwealth.
- H.B. 454.** A BILL to direct the Director of the Department of Professional and Occupational Regulation and the Board for Contractors to establish a pilot program for local enforcement of licensure.
- H.B. 462.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-516.1, relating to the Department of Professional and Occupational Regulation; Board for Asbestos, Lead, and Home Inspectors; summary suspension of licenses.
- H.B. 470.** A BILL to amend and reenact §§ 2.2-4303 and 2.2-4304 of the Code of Virginia, relating to procurement; online auctions and the General Services Administration.
- H.B. 575.** A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to reduction of aid for loss of school days; emergency.

**H.B. 769.** A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to career and technical education.

**H.B. 824.** A BILL to amend and reenact §§ 55-248.13 and 55-248.16 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-248.11:2, relating to the Virginia Residential Landlord and Tenant Act; disclosure of mold in dwelling unit.

**H.B. 836.** A BILL to amend and reenact § 32.1-351.2 of the Code of Virginia, relating to the Children's Health Insurance Advisory Committee.

**H.B. 873.** A BILL to amend and reenact § 44-146.19 of the Code of Virginia, relating to alert and warning systems for municipalities.

**H.B. 976.** A BILL to amend and reenact §§ 16.1-88.03 and 55-246.1 of the Code of Virginia, relating to pleadings and other papers and recovery of rent or possession by parties not represented by attorneys.

**H.B. 1405.** A BILL to amend and reenact § 2.2-2282 of the Code of Virginia, relating to the Small Business Financing Authority; membership; voting.

**H.B. 1483.** A BILL to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation; emergency.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 318.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-289.2, relating to compensation of public school employees called to active duty military service.

**H.B. 433.** A BILL relating to fringe benefits, expenses, and reimbursements for certain school board members.

**H.B. 749.** A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.

**H.B. 759.** A BILL to amend and reenact §§ 9.1-902 and 18.2-374.3 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.

**H.B. 792.** A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.

**H.B. 984.** A BILL to amend and reenact § 37.1-134.6 of the Code of Virginia, relating to guardians and conservators.

**H.B. 1038.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.

**H.B. 1080.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to notification of superintendent of certain crimes committed by juvenile.

**H.B. 1202.** A BILL to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to the promotion of pharmaceutical assistance programs and pharmaceutical discount purchasing cards.

**H.B. 1256.** A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid.

THE HOUSE OF DELEGATES HAS DEFEATED THE FOLLOWING SENATE BILLS:

**S.B. 63.** A BILL to amend and reenact § 22.1-208.01 of the Code of Virginia, relating to character education.

**S.B. 367.** A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to an additional transient occupancy tax in certain counties and cities.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The House bill communicated as passed by the House of Delegates, the first reading of its title required by the Constitution having been dispensed with, was referred as follows:

**H.B. 1288** was referred to the Committee on Commerce and Labor.

#### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**H.B. 167** (one hundred sixty-seven).

**H.B. 184** (one hundred eighty-four) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 214** (two hundred fourteen).

**H.B. 217** (two hundred seventeen).

**H.B. 238** (two hundred thirty-eight).

**H.B. 404** (four hundred four).

**H.B. 509** (five hundred nine).

**H.B. 510** (five hundred ten) with amendment with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 632** (six hundred thirty-two) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 638** (six hundred thirty-eight) with substitute.

**H.B. 654** (six hundred fifty-four) with amendments.

**H.B. 660** (six hundred sixty) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 663** (six hundred sixty-three) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 718** (seven hundred eighteen) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 760** (seven hundred sixty).

**H.B. 863** (eight hundred sixty-three) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1041** (one thousand forty-one) with substitute.

**H.B. 1056** (one thousand fifty-six) with substitute.

**H.B. 1062** (one thousand sixty-two).

**H.B. 1083** (one thousand eighty-three).

**H.B. 1095** (one thousand ninety-five).

**H.B. 1096** (one thousand ninety-six).

**H.B. 1107** (one thousand one hundred seven) with amendment.

**H.B. 1111** (one thousand one hundred eleven) with amendment.

**H.B. 1144** (one thousand one hundred forty-four) with substitute.

**H.B. 1261** (one thousand two hundred sixty-one) with amendments.

**H.B. 1274** (one thousand two hundred seventy-four).

**H.B. 1302** (one thousand three hundred two).

**H.B. 1355** (one thousand three hundred fifty-five).

**H.B. 1454** (one thousand four hundred fifty-four) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

**H.B. 64** (sixty-four) with substitute.

**H.B. 409** (four hundred nine).

**H.B. 513** (five hundred thirteen).

**H.B. 675** (six hundred seventy-five).

**H.B. 856** (eight hundred fifty-six) with substitute.

**H.B. 930** (nine hundred thirty).

**H.B. 978** (nine hundred seventy-eight).

**H.B. 1048** (one thousand forty-eight).

**H.B. 1049** (one thousand forty-nine).

**H.B. 1103** (one thousand one hundred three).

**H.B. 1117** (one thousand one hundred seventeen).

**H.B. 1133** (one thousand one hundred thirty-three).

**H.B. 1178** (one thousand one hundred seventy-eight).

**H.B. 1254** (one thousand two hundred fifty-four).

**H.B. 1326** (one thousand three hundred twenty-six).

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Education and Health pursuant to Senate Rule 20 (j):

**H.B. 1009** (one thousand nine) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

- H.B. 123** (one hundred twenty-three).
- H.B. 124** (one hundred twenty-four).
- H.B. 148** (one hundred forty-eight) with amendments.
- H.B. 152** (one hundred fifty-two).
- H.B. 162** (one hundred sixty-two).
- H.B. 350** (three hundred fifty) with amendment.
- H.B. 415** (four hundred fifteen) with amendment.
- H.B. 437** (four hundred thirty-seven) with amendment.
- H.B. 451** (four hundred fifty-one).
- H.B. 508** (five hundred eight).
- H.B. 527** (five hundred twenty-seven).
- H.B. 537** (five hundred thirty-seven).
- H.B. 543** (five hundred forty-three).
- H.B. 546** (five hundred forty-six).
- H.B. 548** (five hundred forty-eight).
- H.B. 555** (five hundred fifty-five).
- H.B. 598** (five hundred ninety-eight).
- H.B. 716** (seven hundred sixteen).
- H.B. 784** (seven hundred eighty-four).
- H.B. 828** (eight hundred twenty-eight).
- H.B. 985** (nine hundred eighty-five) with substitute.
- H.B. 1022** (one thousand twenty-two) with amendment.
- H.B. 1027** (one thousand twenty-seven).
- H.B. 1028** (one thousand twenty-eight).
- H.B. 1039** (one thousand thirty-nine) with substitute.
- H.B. 1085** (one thousand eighty-five).
- H.B. 1094** (one thousand ninety-four) with substitute.
- H.B. 1124** (one thousand one hundred twenty-four) with amendment.
- H.B. 1145** (one thousand one hundred forty-five).
- H.B. 1189** (one thousand one hundred eighty-nine).
- H.B. 1193** (one thousand one hundred ninety-three).
- H.B. 1201** (one thousand two hundred one) with substitute.
- H.B. 1330** (one thousand three hundred thirty) with amendment.
- H.B. 1360** (one thousand three hundred sixty).
- H.B. 1435** (one thousand four hundred thirty-five).
- H.B. 1441** (one thousand four hundred forty-one).
- H.B. 1447** (one thousand four hundred forty-seven) with amendment.
- H.B. 1480** (one thousand four hundred eighty).
- H.B. 1482** (one thousand four hundred eighty-two) with amendments.

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on General Laws pursuant to Senate Rule 20 (j):

**H.B. 1037** (one thousand thirty-seven) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 184, H.B. 510, H.B. 632, H.B. 660, H.B. 663, H.B. 718, H.B. 863, and H.B. 1454** were rereferred to the Committee on Finance.

**H.B. 1009** and **H.B. 1037** were rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puckett introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 207.** Commending Mally Paige Gent.

Patrons--Puckett; Delegate: Stump

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Reynolds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 208.** Celebrating the life of William Blankenship.

Patrons--Reynolds; Delegate: Armstrong

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Martin introduced a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 209.** Confirming appointments to the Tobacco Indemnification and Community Revitalization Commission.

Patron--Martin

Referred to Committee on Privileges and Elections

At 12:15 p.m., Senator Norment moved that the Senate recess until 12:30 p.m.

The motion was agreed to.

The hour of 12:30 p.m. having arrived, the Chair was resumed.

### PRIVILEGES OF THE FLOOR FOR SENATE FINANCE COMMITTEE STAFF MEMBERS

On motion of Senator Chichester, the Rules were suspended for the purpose of granting the privileges of the floor, during consideration of **S.B. 29** (twenty-nine) and **S.B. 30** (thirty), to Senate Finance Committee staff members.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment,

Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**SENATE BILLS ON SECOND READING**

**SPECIAL AND CONTINUING ORDER**

The hour of 12:30 p.m. having arrived, **S.B. 29** (twenty-nine) and **S.B. 30** (thirty), under special and continuing order, were taken up.

**S.B. 29** (twenty-nine) was read by title the second time.

The following amendments proposed by the Committee on Finance were offered:

Revenues	Item 0 #3s
Revenues	Language

Language:

Page 1, delete lines 30 through 44 and insert:

	First Year	Second Year	Total
Unreserved Balance, June 30, 2002	\$70,004,000	\$241,626,000	\$311,630,000
Additions to Balance	\$33,897,722	(\$242,103,277)	(\$208,205,555)
Official Revenue Estimates	\$10,806,719,319	11,578,212,479	\$22,384,931,798
Transfers	\$684,218,981	\$594,240,969	\$1,278,459,950
Revenue Stabilization Fund	\$245,900,000	\$0	\$245,900,000
Lottery Proceeds Fund	\$363,691,427	\$385,100,000	\$748,791,427
Total General Fund Resources Available for Appropriation	\$12,204,431,449	\$12,557,076,171	\$24,761,507,620

Page 1, delete lines 46 through 50 and insert:

	First Year	Second Year	Total
Balance, June 30, 2002	\$1,709,638,968	\$0	\$1,709,638,968
Official Revenue Estimates	\$13,530,535,470	\$14,960,922,399	\$28,491,457,869
Bond Proceeds	\$818,735,371	\$365,298,000	\$1,184,033,371
Total Nongeneral Fund Revenues Available for Appropriation	\$16,058,909,809	\$15,326,220,399	\$31,385,130,208
<b>TOTAL PROJECTED REVENUES</b>	<b>\$28,263,341,258</b>	<b>\$27,883,296,570</b>	<b>\$56,146,637,828</b>

Page 2, delete lines 1 through 4.

Executive Offices	Item 53 #2s
Division Of Debt Collection	Language

Language:

Page 13, strike lines 29-37 and insert:

“A.1. For collection of accounts receivable of \$3,000 or more that are 60 days or more past due, each state agency and institution shall forward those claims to the Office of Attorney General, Division of Debt Collection for collection. The Attorney General shall review forwarded accounts, determine the appropriate collection efforts if any, for each account, and take such actions on the accounts as he may so determine.

2. For collection of accounts receivable under \$3,000 that are 60 days or more past due, each agency and institution shall contract with a private collection agency for the collection of those debts. Prior to referring accounts receivable of less than \$3,000, agencies and institutions may refer such accounts to the Office of the Attorney General, Division of Debt Collection. The Attorney General may accept the account for collection or return it to the agency or institution for collection by a private collection agency.

B.1. There is hereby created on the books of the Comptroller a special nonreverting fund known as the “Debt Collection Recovery Fund.” The Division of Debt Collection shall deposit to the Fund all revenues generated by it from receivables collected on behalf of state agencies. This provision shall apply whether such payment is made directly to the affected agency or to the Office of the Attorney General. Amounts collected from receivables in trust or federal funds, however, shall be returned to such funds.

2. The Secretary of Finance may make exemptions from the required deposits to the Fund, as specified in B.1. above, upon his determination that such collections are more appropriately returned to the fund source in which such receivables are due. Any such exemptions shall be reported to the Chairmen of the Senate Finance and House Appropriations Committees within 30 days of such approval.

3. From the amounts deposited into the Fund, 30 percent, not to exceed \$1,800,000 in any fiscal year, shall be paid to the Division of Debt Collection.

4. Thirty percent shall be returned to the state agency for which the claim was collected. Out of the balance in the Fund, the State Comptroller shall transfer up to \$1,570,000 to the general fund on or before June 30, 2004. Any amount in excess of the transfer which remains in the Debt Collection Recovery Fund each year after the transfer shall be returned on a pro rata basis to all state agencies having claims collected by the Division of Debt Collection during the course of the year, to the extent that such collections contributed to the balance in the Fund.

5. The Division of Debt Collection in the Office of the Attorney General and the Department of Accounts shall promulgate rules necessary to implement these provisions.”

Administration  
Secretary Of Administration

Item 58 #1s

Language

Language:

Page 15, following line 28, insert:

“C.1. The Secretary of Administration and the Secretary of Education shall rely on the advice of a third party professional engineer with experience in the field of building environmental controls to make a definitive recommendation on the management of the environmental controls for the Library of Virginia. The Secretaries shall report their recommendations to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no later than August 1, 2004.

2. No later than August 1, 2004 the Attorney General shall take such legal action as is necessary to achieve an equitable resolution for the Commonwealth with regard to the serious environmental control issues in the Library of Virginia.”

Education: Elementary & Secondary			Item 147 #1s
Direct Aid To Public Education	FY 02-03	FY 03-04	
	\$0	(\$9,311,347)	GF

Language:

Page 57, line 38, strike “\$2,752,643,222” and insert “\$2,743,331,875”.

Education: Elementary & Secondary			Item 148 #1s
Direct Aid To Public Education	FY 02-03	FY 03-04	
	\$0	\$16,666,667	GF

Language:

Page 82, line 29, strike “\$1,233,899,374” and insert “\$1,250,566,041”.

Education: Elementary & Secondary			Item 150 #1s
Direct Aid To Public Education	FY 02-03	FY 03-04	
	\$0	\$383,565	GF

Language:

Page 84, line 5, strike “\$11,113,652” and insert “\$11,497,217”.

Education: Higher Education			Item 227 #1s
Virginia Commonwealth University	FY 02-03	FY 03-04	
	\$0	\$510,000	GF

Language:

Page 119, line 3, strike “\$281,032,447” and insert “\$281,542,447”.

Page 119, line 17, strike “\$6,801,470” and insert “\$8,501,470”.

Health And Human Resources			Item 305 #1s
Department Of Health	FY 02-03	FY 03-04	
	\$0	\$50,000	GF

Language:

Page 172, line 9, strike “\$12,538,129” and insert “\$12,588,129”.

Page 172, after line 51, insert:

“C. Out of this appropriation, \$50,000 the second year from the general fund shall be provided to the Virginia Primary Care Association to provide gap coverage for obstetrical services in rural communities at risk of losing obstetrical services.”

Health And Human Resources			Item 329 #1s
Department Of Mental Health, Mental Retardation And Substance Abuse Services			Language

Language:

Page 204, after line 33, insert:

“Q.1 Notwithstanding the Commissioner's discretion to grant licenses pursuant to this chapter or any Board regulation regarding licensing, no initial license shall be granted by the Commissioner to a provider of treatment for persons with opiate addiction through the use of the controlled substance,

methadone, or other opioid replacements, if such provider is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner of the Department of Mental Health, Mental Retardation or Substance Abuse Services or owned or operated by an agency of the Commonwealth.

2. Further, upon receiving notice of a proposal for or an application to obtain initial licensure from a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, the Commissioner shall, within 15 days of such receipt, notify the local governing body of and the community services board serving the jurisdiction in which the facility is to be located of such proposal or application and its proposed location.

Within 30 days of the date of the notice, local governing bodies and community services boards shall submit to the Commissioner comments on such proposals or applications. The local governing body shall notify the Commissioner within 30 days of the date of the notice concerning the compliance of the applicant with this section and any applicable local ordinances.

3. No license shall be issued by the Commissioner to such provider until the conditions of this section have been met, i.e., local governing body and community services board comments have been received and the local governing body has determined compliance with the provisions of this section and any relevant local ordinances.

4. No existing provider that has made application for licensure and obtained a certificate of occupancy or has received a license in accordance with the law and regulations in effect on January 1, 2004, shall be required to comply with the provisions of this section.

5. The provisions of this act shall not apply to the jurisdictions located in Planning District 8.”

Health And Human Resources			Item 329 #2s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 02-03	FY 03-04	
	\$0	\$1,000,000	GF

Language:

Page 199, line 42, strike “\$15,688,674” and insert “\$16,688,674”.

Page 204, after line 33 insert:

“P. Out of this appropriation, \$1,000,000 the second year from the general fund shall be used to provide substance abuse services through community services boards. In the event that funding in excess of this appropriation is necessary to prevent a reduction in federal funding from the Substance Abuse Prevention and Treatment block grant, the Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall transfer such funds as are necessary to prevent a reduction.”

Health And Human Resources		Item 329 #3s
Department Of Mental Health, Mental Retardation And Substance Abuse Services		Language

Language:

Page 204, after line 33, insert:

“Q. The Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall move expeditiously but no later than June 30, 2004 to approve Comprehensive Services Act programming to be provided by a private contractor in a state-owned building at the Southwest Virginia Mental Health Institute.”

Health And Human Resources		Item 345 #1s
Department Of Rehabilitative Services		Language

Language:

Page 207, after line 16, insert:

“The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning disabled persons in hospitals to rehabilitation facilities. As part of this expedited process, the Department of Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of referrals from local departments of social services.”

Natural Resources			Item 380 #1s
Department Of Conservation And Recreation	FY 02-03	FY 03-04	
	\$0	\$467,907	NGF

Language:

Page 218, line 40, strike “\$20,974,631” and insert “\$21,442,538”.

Page 220, line 33, strike “\$370,879 the first year” and insert “\$467,907 the second year”.

Public Safety		Item 401 #1s
Secretary Of Public Safety		Language

Language:

Page 226, after line 2, insert:

“E. Notwithstanding the provisions of Item 480 of Chapter 1042, of the Acts of Assembly of 2003, the Secretary of Public Safety, in coordination with the Secretary of Transportation, shall authorize the transfer, for consideration, of the motor vehicle dealer center adjacent to the Franconia Customer Service Center from the Department of Motor Vehicles to the Department of Alcoholic Beverage Control. Furthermore, notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from such transfer shall be deposited into the general fund.”

Public Safety		Item 408 #1s
Department Of Corrections, Central Activities		Language

Language:

Page 229, following line 26, insert:

“H. The Department of Corrections shall develop preliminary plans for construction of a medium security prison, in addition to those authorized in Senate Bill 39 of the 2004 General Assembly, and shall present such plans to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2004. The plans may consider either or both construction and operation of such prison under this act, the Public Private Education and Infrastructure Act, the Corrections Private Management Act, or such other means as may be appropriate. The Department shall give first priority consideration to locating such prison within the Mount Rogers Planning District. The next priority for the location of a subsequent facility shall be given to a location within Charlotte County.”

Public Safety		Item 417 #1s
Division Of Community Corrections		Language

Language:

Page 231, strike lines 7-20 and insert:

"D. The following projects are hereby exempted from the provisions of Paragraph C.1. in order to proceed in planning. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the governing bodies of these proposed facilities shall submit the required community-based corrections plans, facility specifications, and the expected financing costs to the Department of Corrections by May 1, 2004, in order that the Board of Corrections may complete its review of these projects prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such projects, for consideration by the General Assembly at its 2005 Session. The review by the Board of Corrections of each of these projects shall be consistent with Paragraphs D., E., and F. below.

1. The Pamunkey Regional Jail Authority.
2. The Hampton Roads Regional Jail Authority, for a planning study.
3. The Hampton Roads Regional Jail Authority, for a preliminary study of the feasibility of a specialized facility for mental health treatment.
4. The Portsmouth City Jail, for a replacement project consisting of additional space to be constructed at the Hampton Roads Regional Jail complex.
5. The Gloucester County Jail.
6. The Roanoke County-Salem Jail.
7. The Pittsylvania County Jail.
8. The Riverside Regional Jail Authority.
9. The Rappahannock Regional Jail Authority.
10. The Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center, for an expansion project involving the development of a new community corrections facility with approximately 204 beds, and a 120-bed expansion of the existing jail.

D. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility.

E. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security."

Page 231, line 21, strike "D" and insert "F".

Page 231, line 21, strike "may" and insert "shall".

Public Safety	Item 457 #1s
Department Of State Police	
	Language

Language:

Page 240, line 11, strike "State Agency Radio System" and insert "Statewide Agencies Radio System".

Central Appropriations			Item 512 #1s
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$225,000	GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,230,841".

Page 254, after line 35, insert:

“S. Out of this appropriation, \$225,000 the second year from the general fund is provided to the Department of General Services for unanticipated utility cost increases at the seat of government.”

Central Appropriations			Item 512 #3s
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$22,193	GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$24,028,034”.

Page 254, after line 35 insert:

“S. Out of this Item, \$22,193 the second year from the general fund shall be transferred to the Virginia Crime Commission (Item 18, Chapter 1042, 2003 Session) for the replacement of federal funds.”

Central Appropriations			Item 512 #5s
Central Appropriations			
			Language

Language:

Page 254, after line 35, insert:

“S. Under Item 491 A. of Chapter 1042, 2003 Acts of Assembly, available funding up to \$200,000 in the access road program shall be used to fund the planning and initial preliminary engineering costs for the transportation improvements required as part of the construction of the New Marine Terminal in the City of Portsmouth. Any such funding spent on the improvements shall be returned to the access road program once federal authorization of the project is received.”

Central Appropriations			Item 512 #6s
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$50,000	GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$24,055,841”.

Page 254, after line 35, insert:

“S. Included in the amount for Economic Contingency is \$50,000 from the general fund in the second year to match an equivalent amount from the Commonwealth of Kentucky for a celebration of the 50th anniversary of Breaks Interstate Park.”

Central Appropriations			Item 512 #7s
Central Appropriations			
			Language

Language:

Page 254, after line 35, insert:

“S. Under Item 398 of Chapter 1042, 2003 Acts of Assembly, on page 413, language beginning with “It is the intent of the General Assembly” and ending with “Code of Virginia.” is nullified.”

Central Appropriations			Item 512 #11s
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$100,000,000	GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$124,005,841”.

Page 254, after line 35, insert:

“S. Of this appropriation \$100,000,000 from the general fund in the second year is provided for a deposit to the Revenue Stabilization Fund (Item 278.10, Chapter 1042, 2003 Acts of Assembly).”

Central Appropriations Item 512 #12s  
Central Appropriations Language

Language:

Page 254, after line 35, insert:

“S. The Director of Department of Planning and Budget shall unallot \$127,500 the second year from the general fund in Item 142 of Chapter 1042, 2003 Acts of Assembly.”

Administration Item C-1.60 #1s  
Department Of General Services FY 02-03 FY 03-04  
\$0 \$15,596,000 NGF

Language:

Page 268, line 2, strike “\$13,528,000” and insert “\$29,124,000”.

Transportation Item C-129 #1s  
Department Of Transportation Language

Language:

Page 280, line 20, after “approve any such agreement.” insert:

“Not later than 30 days prior to the approval of such agreement, a report describing the proposed agreement shall be submitted to the Chairmen of the Senate Finance and House Appropriations Committees.”

Central Appropriations Item C-152.1 #1s  
Central Capital Outlay FY 02-03 FY 03-04  
\$0 \$7,500,000 NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Fitness Center \$7,500,000  
Fund Sources: Debt Service \$7,500,000”.  
Trust and Agency

Central Appropriations Item C-152.1 #2s  
Central Capital Outlay FY 02-03 FY 03-04  
\$0 \$31,600,000 NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Medical Research Building (MR-6) \$31,800,000  
Fund Sources: Bond Proceeds \$31,800,000”.

Central Appropriations Item C-152.1 #3s  
Central Capital Outlay Language

Language:

Page 281, following line 26

“C-152.1. Improvements: Rouss Hall (16747)

Fund Sources:

That the following provision shall be stricken from item C-47.20, Chapter 1042, 2003 Acts of Assembly, for the University of Virginia during enrolling of SB 29:

“The operation and maintenance of this facility shall be the responsibility of non-general fund sources.”

Central Appropriations			Item C-152.1 #4s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$1,000,000	NGF

Language:

Page 281, following line 26

“C-152.1. Improvements: Cocke Hall Renovation (207-16584)

\$1,000,000

Fund Sources: Higher Education Operating

\$1,000,000”.

Central Appropriations		Item C-152.1 #5s
Central Capital Outlay		Language

Language:

Page 281, following line 26

“C-152.1. New Construction: Student Housing

Fund Sources:

“A. Subject to 4-4.01x of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements for the development of one or more student housing projects on campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

B. The University is further authorized to enter into a ground lease through a Public-Private Partnership for a term not to exceed fifty years for the construction and development of on campus student housing. The Public-Private Partnership shall be deemed to be a purpose consistent with the general mission and auxiliary enterprises of the University within the meaning of 2.2-1155(B) of the Code of Virginia.”

Central Appropriations		Item C-152.1 #6s
Central Capital Outlay		Language

Language:

Page 281, following line 26

“C-152.1. Acquisition: Hospital Property (16882)

Fund Sources:

That the provision in italics shall be inserted in C-28.25, Chapter 1042, 2003 Acts of Assembly, during enrolling of SB 29:

“C-28.25 Acquire *and Renovate* Hospital Property”

Central Appropriations			Item C-152.1 #8s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$3,500,000	NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Ash Lawn Performance Facility \$3,500,000

Fund Sources: Higher Education Operating \$3,500,000”.

Central Appropriations

Central Capital Outlay

FY 02-03

FY 03-04

Item C-152.1 #9s

\$0

\$7,700,000

NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Medical Research Building (MR-6) \$7,700,000

Fund Sources: Bond Proceeds \$7,700,000”.

Transfers

Interfund Transfers

Item 3-1.01 #1s

Language

Language:

Page 295, line 26, strike “\$1,690,850” and insert “\$418,100” in the second year.

Transfers

Interfund Transfers

Item 3-1.01 #1s

Language

Language:

Page 292, line 25, strike “\$384,991,376” and insert “\$383,972,603.”

The reading of the amendments was waived.

On motion of Senator Chichester, the amendments were agreed to.

Senator Chichester moved that the Rules be suspended and the third reading of the title of **S.B. 29** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 29**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Cuccinelli, Martin--2.

RULE 36--0.

**S.B. 30** (thirty) was read by title the second time.

The following amendments proposed by the Committee on Finance were offered:

Revenues Item 0 #3s  
 Revenues Language

Language:

Page 1, strike lines 25 through 32 and insert:

	First Year	Second Year	Total
Unreserved Balance, June 30, 2004	\$232,861,556	\$0	\$232,861,556
Additions to Balance	(\$500,000)	(\$500,000)	(\$1,000,000)
Official Revenue Estimates	\$13,034,257,782	\$13,766,304,591	\$26,800,562,373
Lottery Proceeds Fund	\$395,000,000	\$402,000,000	\$797,000,000
Transfers	\$93,866,289	\$94,910,681	\$188,776,970
Total General Fund Resources Available for Appropriation	\$13,755,485,627	\$14,262,715,272	\$28,018,200,899

Page 1, strike lines 34 through 40 and insert:

	First Year	Second Year	Total
Balance, June 30, 2004	\$1,854,347,481	\$0	\$1,854,347,481
Official Revenue Estimates	\$16,049,825,419	\$16,931,147,512	\$32,980,972,931
Bond Proceeds	\$984,242,290	\$111,663,475	\$1,095,905,765
Total Nongeneral Fund Revenue Available for Appropriation	\$18,888,415,190	\$17,042,810,987	\$35,931,226,177
<b>TOTAL PROJECTED REVENUE</b>	<b>\$32,643,900,817</b>	<b>\$31,305,526,259</b>	<b>\$63,949,427,076</b>

Legislative Department Item 2 #1s  
 Auditor Of Public Accounts Language

Language:

Page 8, following line 13, insert:

“The Auditor of Public Accounts shall review the operations of the State Comptroller as they relate to the Commonwealth's financial accounting and control operations. The Secretary of Finance, State Comptroller, State Treasurer, Director of Planning and Budget and the Chief Information Officer will all provide any assistance and cooperation necessary for the Auditor to conduct this review. In conducting the review, the Auditor shall determine the factors that have led to the current structure of the Commonwealth's financial accounting and control operations, the Comptroller's responsibility for financial and internal controls, the impact of decentralization on the financial structure and internal controls, and whether the Commonwealth has a modern financial system and structure. Additionally, Auditor of Public Accounts shall provide the Chairmen of the Senate Finance Committee, the House Appropriations Committee and the House Finance Committee an assessment of information available to them, and how any changes in the Commonwealth's financial accounting and control operations could enhance their oversight and what resources would be necessary to accomplish this function. The Auditor shall submit a planning document to the Chairmen of Senate Finance and House Appropriations and Finance Committees outlining the scope of this review by July 15, 2004. A preliminary report of initial findings, recommendations and issues shall be available to the Governor and the General Assembly by December 1, 2004, and a final report by November 15, 2005 with recommendations for proposed budgetary and statutory changes.”

Legislative Department Item 2 #2s  
 Auditor Of Public Accounts Language

Language:

Page 8, following line 13, insert:

“The Auditor of Public Accounts shall conduct an audit to determine the amount of deferred maintenance costs in the Commonwealth in accordance with Item C-194.20 of this Act. The Auditor shall use the funding provided in Item C-194.20 of this Act to assist agencies and institutions to acquire the software and training necessary to accumulate the information to perform the audit.”

Legislative Department Item 10 #1s  
 Dr. Martin Luther King, Jr. Memorial FY 04-05 FY 05-06  
 Commission \$10,000 \$10,000 GF

Language:

Page 10, line 26, strike “\$40,000” and insert “\$50,000”.

Page 10, line 26, strike “\$40,000” and insert “\$50,000”.

Legislative Department Item 11 #1s  
 Joint Commission On Health Care Language

Language:

Page 10, after line 37, insert:

“The Joint Commission on Health Care should support the continuation of state funding of local initiatives to address the needs of adults and juveniles with mental health, mental retardation, or co-occurring disorders who come into contact with the criminal justice system.”

Legislative Department Item 13 #1s  
 Commissioners For Promotion Of FY 04-05 FY 05-06  
 Uniformity Of Legislation \$21,000 \$23,000 GF

Language:

Page 11, line 16, strike "\$39,500" and insert "\$60,500".

Page 11, line 16, strike "\$39,500" and insert "\$62,500".

Legislative Department			Item 18 #1s
Virginia Crime Commission	FY 04-05	FY 05-06	
	\$88,772	\$88,772	GF

Language:

Page 12, line 22, strike "\$500,436" and insert "\$589,208".

Page 12, line 22, strike "\$500,436" and insert "\$589,208".

Legislative Department			Item 18 #2s
Virginia Crime Commission			
			Language

Language:

Page 12, line 27, insert:

"The Virginia Crime Commission shall examine the statutory basis for computer crimes in the Code of Virginia, including a determination of the appropriate definitions and elements constituting offenses in this area."

Legislative Department			Item 23 #1s
Legislative Department Reversion	FY 04-05	FY 05-06	
Clearing Account	(\$300,000)	(\$300,000)	GF

Language:

Page 14, line 38, strike "(\$547,000)" and insert "(\$847,000)".

Page 14, line 38, strike "(\$547,000)" and insert "(\$847,000)".

Judicial Department			Item 26 #1s
Supreme Court			
			Language

Language:

Page 17, lines 11-13, strike "in lieu of travel and all other expenses incurred incident to the conduct of the business of the Court, except lodging expenses incurred while conducting the business of the Court," and insert "for expenses not otherwise reimbursed,".

Judicial Department			Item 31 #1s
Court Of Appeals Of Virginia			
			Language

Language:

Page 18, lines 29-32, strike "in lieu of travel and all other expenses incurred incident to the conduct of the business of the Court, except lodging expenses incurred while conducting the business of the Court," and insert "for expenses not otherwise reimbursed,".

Judicial Department			Item 32 #2s
Circuit Courts	FY 04-05	FY 05-06	
	\$1,065,645	\$1,045,645	GF
	5.00	5.00	FTE

Language:

Page 19, line 2, strike "\$75,756,553" and insert "\$76,822,198".

Page 19, line 2, strike "\$79,070,327" and insert "\$80,115,972".

Judicial Department			Item 32 #3s
Circuit Courts	FY 04-05	FY 05-06	
	(\$250,000)	(\$400,000)	GF

Language:

Page 19, line 2, strike "\$75,756,553" and insert "\$75,506,553".

Page 19, line 2, strike "\$79,070,327" and insert "\$78,670,327".

Judicial Department			Item 33 #1s
General District Courts	FY 04-05	FY 05-06	
	\$385,870	\$380,870	GF
	2.00	2.00	FTE

Language:

Page 20, line 2, strike "\$75,218,062" and insert "\$75,603,932".

Page 20, line 2, strike "\$75,218,062" and insert "\$75,598,932".

Judicial Department			Item 33 #2s
General District Courts	FY 04-05	FY 05-06	
	\$1,500,000	\$1,796,812	GF
	49.00	49.00	FTE

Language:

Page 20, line 2, strike "\$75,218,062" and insert "\$76,718,062".

Page 20, line 2, strike "\$75,218,062" and insert "\$77,014,874".

Judicial Department			Item 39 #1s
Public Defender Commission	FY 04-05	FY 05-06	
	\$258,542	\$355,770	GF
	4.00	6.00	FTE

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$23,937,460".

Page 25, line 33, strike "\$23,693,663" and insert "\$24,049,433".

Page 33, line 32, strike "PUBLIC DEFENDER COMMISSION" and insert:  
"INDIGENT DEFENSE COMMISSION"

Page 33, line 39, strike "Public Defender Commission" and insert:  
"Indigent Defense Commission"

Judicial Department			Item 39 #3s
Public Defender Commission	FY 04-05	FY 05-06	
	\$2,930,551	\$3,204,386	GF
	49.25	49.25	FTE

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$26,609,469".

Page 25, line 33, strike "\$23,693,663" and insert "\$26,898,049".

Judicial Department			Item 39 #4s
Public Defender Commission	FY 04-05	FY 05-06	
	\$402,100	\$0	GF

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$24,081,018".

Judicial Department			Item 39 #5s
Public Defender Commission	FY 04-05	FY 05-06	
	\$206,723	\$185,503	GF

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$23,885,641".

Page 25, line 33, strike "\$23,693,663" and insert "\$23,879,166".

Judicial Department			Item 41 #1s
Virginia State Bar	FY 04-05	FY 05-06	
	\$800,000	\$800,000	GF

Language:

Page 26, line 14, strike "\$5,423,515" and insert "\$6,223,515".

Page 26, line 14, strike "\$5,423,515" and insert "\$6,223,515".

Executive Offices			Item 51 #1s
Attorney General And Department Of Law	FY 04-05	FY 05-06	
	\$500,000	\$500,000	NGF

Language:

Page 30, line 27, strike "\$1,938,429" and insert "\$2,438,429".

Page 30, line 27, strike "\$1,938,429" and insert "\$2,438,429".

Page 30, line 32, strike "750,000" and insert "1,250,000".

Page 30, line 33, strike "750,000" and insert "1,250,000".

Page 30, strike line 34 and insert "Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust".

Page 30, line 36, after "1994" insert "and amended herein".

Page 30, line 37, after "fees" insert "civil penalties,".

Page 30, line 40, after "litigation" insert:

"or enforcement efforts pursuant to Article 5 (Section 3.1-336.1 et seq.) and Article 6 (Section 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia. In addition, the Department of Law is authorized to deposit to the Fund any attorneys' fees which from time to time may be obtained."

Page 30, line 43, strike "750,000" and insert "1,250,000".

Page 30, line 45, after "fund." insert:

"In addition to the uses of the Fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, a portion of the Fund not to exceed \$500,000 may be used to pay costs associated with enforcement efforts pursuant to Article 5 (Section 3.1-336.1 et seq.) and Article 6 (Section 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia, costs associated with litigation initiated by

the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Article 1.1 (Section 37.1-70.1 et seq.) of Chapter 2 of Title 37.1 of the Code of Virginia.”

Executive Offices

Item 53 #3s

Division Of Debt Collection

Language

Language:

Page 31, line 29, after “\$1,000.” insert:

“Notwithstanding any provision of the Code of Virginia, the University of Virginia Medical Center shall be exempt from participating in the Office of the Attorney General's debt collection process, provided that the University demonstrates to the Secretary of Finance that a change in the debt collection agent is cost effective, in which case the University of Virginia shall have the authority to collect its Medical Center accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to compromise, settle, and discharge Medical Center accounts receivable claims.”

Executive Offices

Item 53 #5s

Division Of Debt Collection

Language

Language:

Page 31, strike lines 24-33 and insert:

“A.1. For collection of accounts receivable of \$3,000 or more that are 60 days or more past due, each state agency and institution shall forward those claims to the Office of Attorney General, Division of Debt Collection for collection. The Attorney General shall review forwarded accounts, determine the appropriate collection efforts if any, for each account, and take such actions on the accounts as he may so determine.

2. For collection of accounts receivable under \$3,000 that are 60 days or more past due, each agency and institution shall contract with a private collection agency for the collection of those debts. Prior to referring accounts receivable of less than \$3,000, agencies and institutions may refer such accounts to the Office of the Attorney General, Division of Debt Collection. The Attorney General may accept the account for collection or return it to the agency or institution for collection by a private collection agency.

B.1. There is hereby created on the books of the Comptroller a special nonreverting fund known as the “Debt Collection Recovery Fund.” The Division of Debt Collection shall deposit to the Fund all revenues generated by it from receivables collected on behalf of state agencies. This provision shall apply whether such payment is made directly to the affected agency or to the Office of the Attorney General. Amounts collected from receivables in trust or federal funds, however, shall be returned to such funds.

2. The Secretary of Finance may make exemptions from the required deposits to the Fund, as specified in B.1. above, upon his determination that such collections are more appropriately returned to the fund source in which such receivables are due. Any such exemptions shall be reported to the Chairmen of the Senate Finance and House Appropriations Committees within 30 days of such approval.

3. From the amounts deposited into the Fund, 30 percent, not to exceed \$1,800,000 in any fiscal year, shall be paid to the Division of Debt Collection.

4. Thirty percent shall be returned to the state agency for which the claim was collected. Out of the balance in the Fund, the State Comptroller shall transfer up to \$3,454,000 to the general fund on or before June 30, 2005, and up to \$3,444,000 on or before June 30, 2006. Any amount in excess of the transfer which remains in the Debt Collection Recovery Fund each year after the transfer shall be returned on a pro rata basis to all state agencies having claims collected by the Division of Debt

Collection during the course of the year, to the extent that such collections contributed to the balance in the Fund.

5. The Division of Debt Collection of the Office of the Attorney General and the Department of Accounts shall promulgate rules necessary to implement these provisions.”

Administration Item 58 #1s  
Secretary Of Administration Language

Language:

Page 34, following line 5, insert:

“A. The Secretary of Administration and the Secretary of Education shall rely on the advice of a third party professional engineer with experience in the field of building environmental controls to make a definitive recommendation on the management of the environmental controls for the Library of Virginia. The Secretaries shall report their recommendations to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no later than August 1, 2004.

B. No later than August 1, 2004 the Attorney General shall take such legal action as is necessary to achieve an equitable resolution for the Commonwealth with regard to the serious environmental control issues in the Library of Virginia.”

Administration			Item 62 #1s
Commonwealth Competition Council	FY 04-05	FY 05-06	
	(\$262,297)	(\$262,297)	GF
	-3.00	-3.00	FTE

Language:

Page 35, line 40, strike “\$262,297” and insert “\$0”.

Page 35, line 40, strike “\$262,297” and insert “\$0”.

Page 35, strike lines 39 through 50.

Page 36, strike lines 1 through 26.

Administration Item 63 #1s  
Compensation Board Language

Language:

Page 37, line 6, strike “9,698” and “9,781” and insert “9,699” and “9,782”.

Page 37, line 14, strike “507” and insert “506”.

Page 37, line 15, strike “550” and insert “549”.

Administration Item 63 #3s  
Compensation Board Language

Language:

Page 37, line 11, strike “1,080” and “1,080” and insert “1,403” and “1,403”.

Administration Item 64 #2s  
Compensation Board Language

Language:

Page 40, line 54, strike:

“\$95,528” “\$95,528” “\$98,394” and insert “\$97,677” “\$97,677” “\$100,607”.

Administration

Compensation Board

Item 64 #3s

Language

Language:

Page 45, strike line 26 and insert:

“Financial Assistance for Administration (xxx)... \$9,486,236 \$9,486,236  
Financial Assistance for Local Law Enforcement..... \$247,393,166 \$249,610,616”

Administration

Compensation Board

FY 04-05

FY 05-06

Item 65 #1s

\$284,043

\$239,091

GF

Language:

Page 43, line 20, strike “\$43,866,915” and insert “\$44,150,958”.

Page 43, line 20, strike “\$43,866,915” and insert “\$44,106,006”.

Administration

Compensation Board

Item 65 #4s

Language

Language:

Page 45, strike line 26 and insert:

“Financial Assistance for Administration (xxx)... \$12,617,317 \$12,617,317  
Financial Assistance for Local Attorneys  
For the Commonwealth..... \$31,249,599 \$31,249,599”.

Administration

Compensation Board

FY 04-05

FY 05-06

Item 66 #1s

\$14,000

\$14,000

GF

Language:

Page 45, line 15, strike “\$39,514,522” and insert “\$39,528,522”.

Page 45, line 15, strike “\$39,514,522” and insert “\$39,528,522”.

Page 45, line 32, strike “100,000-249,999” and insert “100,000-174,999”.

Page 45, following line 32, insert “175,000-249,999 \$110,302 \$110,302 \$117,090”.

Administration

Compensation Board

FY 04-05

FY 05-06

Item 66 #3s

\$5,295,183

\$5,295,183

NGF

Language:

Page 45, line 15, strike “\$39,514,522” and insert “\$44,809,705”.

Page 45, line 15, strike “\$39,514,522” and insert “\$44,809,705”.

Page 45, strike line 16 and insert:

“Financial Assistance for Administration (xxx)... \$10,468,619 \$10,468,619  
Financial Assistance for Circuit Court Services... \$24,581,061 \$24,581,061  
Financial Assistance for Maintenance of Local Land Records..... \$9,760,025 \$9,760,025”  
Page 46, line 55, strike “\$1,489,213” and “\$1,489,213” and insert “\$9,760,025” and “\$9,760,025”

Page 46, line 56, strike "operating".

Page 47, strike line 1 and insert:

"personal services to process land records in accordance with the Board's staffing standards."

Administration			Item 67 #3s
Compensation Board	FY 04-05	FY 05-06	
	\$13,200,000	\$13,200,000	GF

Language:

Page 47, line 10, strike "\$62,303,558" and insert "\$75,503,558".

Page 47, line 10, strike "\$66,137,960" and insert "\$79,337,960".

Administration			Item 69 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$85,515	\$192,486	GF

Language:

Page 51, line 43, strike "\$21,801,282" and insert "\$21,886,797".

Page 51, line 43, strike "\$21,801,282" and insert "\$21,993,768".

Page 53, line 3, at the end of the line, insert a new paragraph D as follows:

"D.1. Out of the amounts in this Item shall be provided \$85,515 in the first year and \$192,486 in the second year from the general fund for the Compensation Board to implement a Deputy Treasurers' Career Development Plan. The Compensation Board shall adopt minimum criteria for the Deputy Treasurers' Career Development Plan by July 15, 2004. The minimum criteria shall include initial and continuing education requirements for the Deputy Treasurers and performance criteria. The Compensation Board shall submit the minimum criteria for Deputy Treasurers' Career Development Plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2004.

2. For each Deputy Treasurer selected by the Treasurer for participation in the Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 per cent, effective December 1, following receipt of the Treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the Treasurer as part of the annual budget request to the Compensation Board on February 1st of each year. The first period for Treasurers to make this certification and select Deputy Treasurers for participation in the Career Development Program will be on the budget request submitted to the Compensation Board on or before February 1, 2004, for a salary increase effective date of December 1, 2004. Subsequent new certifications and selections for participation will occur each year as a part of the annual budget request submission on or before February 1st of each year, for an effective date of salary increase of the following December 1st."

Administration			Item 69 #2s
Compensation Board	FY 04-05	FY 05-06	
	(\$5,536,713)	(\$5,536,713)	GF

Language:

Page 51, line 43, strike "\$21,801,282" and insert "\$16,264,569".

Page 51, line 43, strike "\$21,801,282" and insert "\$16,264,569".

Page 45, strike line 26 and insert:

"Financial Assistance for Administration (xxx)...	\$7,860,338	\$7,860,338	
Financial Assistance for Treasurers.....	\$7,384,347	\$7,384,347	

Financial Assistance for State Tax Services.... \$1,019,884 \$1,019,884”

Administration			Item 69.10 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$5,536,713	\$5,536,713	GF

Language:

Page 53, following line 3, insert:

“69.10. Revenue Administration Services (73210)	\$5,536,713	\$5,536,713
Fund Sources: General	\$5,536,713	\$5,536,713.”
Financial Assistance for Administration (xxx)...	\$515,271	\$515,271
Financial Assistance to Local Directors of Finance.....	\$5,021,442	\$5,021,442”

Administration			Item 70 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$97,161	\$238,840	GF

Language:

Page 53, line 4, strike “\$16,076,334” and insert “\$16,173,495”.

Page 53, line 4, strike “\$16,076,334” and insert “\$16,315,174”.

Page 53, following line 27, insert:

“C.1. Out of the amounts in this Item shall be provided \$76,888 in the first year and \$185,909 in the second year from the general fund for the Compensation Board to establish a Commissioners' Career Development Plan. The Compensation Board shall adopt minimum criteria for the Commissioners of the Revenue Career Development Plan by August 1, 2004. The minimum criteria shall include initial and continuing education requirements for the Commissioners of the Revenue and Deputy Commissioners of the Revenue; specify the base duties, state income tax duties, and real estate services performed by Commissioners to be considered as part of the Career Development Plan; and the adoption of certain Standards of Accountability to be attained by the Commissioners of the Revenue with respect to how the Commissioners' offices are managed and operated. The Compensation Board shall submit the minimum criteria for Commissioners of the Revenue Career Development Plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2004.

2. Following receipt of the Commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Plan have been met, and provided that such certification is received by the Compensation Board on or before November 1, 2004, the Compensation Board shall increase the annual salary shown in Paragraph A of this Item by the amount shown herein for a 12-month period effective December 1, 2004. Subsequent certifications shall be submitted by Commissioners of the Revenue as part of their annual budget request to the Compensation Board on February 1 of each year, with the salary increase becoming effective on the following December 1st for a 12-month period. The salary supplement will be based upon the levels of service offered by the Commissioner of the Revenue for his/her locality and will be in accordance with the following schedule:

- a. 4.7 per cent increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Plan;
- b. 2.3 per cent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Plan and provide State Income Tax or Real Estate services as described in the minimum criteria for the Commissioners of the Revenue Career Development Plan; and
- c. 2.3 per cent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career

Development Plan and provide State Income Tax and Real Estate services, as described in the minimum criteria for the Commissioners of the Revenue Career Development Plan.

D.1. Out of the amounts in this Item shall be provided \$20,273 in the first year and \$52,571 in the second year from the general fund for the Compensation Board to implement a Deputy Commissioners' Career Development Plan. The Compensation Board shall adopt minimum criteria for the Deputy Commissioners' Career Development Plan by July 15, 2004. The minimum criteria shall include initial and continuing education requirements for the Deputy Commissioners of the Revenue; specify the base duties, state income tax duties, and real estate services performed by Commissioners' offices to be considered as part of the Career Development Plan; and the adoption of certain Standards of Accountability to be attained by the Deputy Commissioners of the Revenue. The Compensation Board shall submit the minimum criteria for Deputy Commissioners of the Revenue Career Development Plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2004.

2. For each Deputy Commissioner selected by the Commissioner of the Revenue for participation in the Career Development Plan, the Compensation Board shall increase the annual salary established for that position by 9.3 per cent effective December 1, following receipt of the Commissioner of the Revenue's certification that the minimum requirements of the Deputy Commissioners' Career Development Plan have been met, and provided that such certification is submitted by the Commissioner of the Revenue as part of the annual budget request to the Compensation Board on February 1st of each year. The first period for Commissioners of the Revenue to make this certification and select deputy commissioners for participation in the Career Development Plan will be on the budget request submitted to the Compensation Board on or before February 1, 2004, for a salary increase effective date of December 1, 2004. Subsequent new certifications and selections for participation will occur each year as a part of the annual budget request submission on or before February 1st of each year, for an effective date of salary increase of the following December 1st.”.

Administration Item 70 #2s  
Compensation Board Language

Language:

Page 45, strike line 26 and insert:

“Financial Assistance for Administration (xxx)...	\$7,485,578	\$7,485,578
Financial Assistance for Local		
Commissioners of the Revenue.....	\$8,371,660	\$8,371,660
Financial Assistance for State Tax Services....	\$219,096	\$219,096”.

Administration Item 78 #1s  
Department Of General Services Language

Language:

Page 57, after line 19, insert:

“D. The Department of Accounts shall provide a treasury loan of up to \$5,000,000 to the Department of General Services to support expansion and the department's overview of the statewide Virginia Partners in Procurement (VaPP) spend management program for the purpose of creating savings for the Commonwealth's agencies and institutions by collaborating in areas where there is an overlap in purchasing. Such loan shall bear interest at a rate equal to the general fund composite investment rate and shall be repaid no later than June 30, 2008. Funding for repayment of this loan will be from rebates or surcharges collected and/or fees added to the statewide spend management contracts. The General Assembly strongly encourages all state agencies and

institutions of higher education to participate in the statewide spend management program authorized in this item.”

Administration Item 79 #1s  
Department Of General Services Language

Language:

Page 58, line 8, strike the first “\$200,000” and insert “\$158,513”.

Page 58, line 8, strike the second “\$200,000” and insert “\$158,513”.

Page 58, line 12, insert:

“Notwithstanding any other provision of law, the FY 2005 and FY 2006 service charge payment to the City of Richmond for the Museum of Fine Arts shall not exceed the amount listed in this item.”

Administration Item 79 #2s  
Department Of General Services Language

Language:

Page 57, line 42, strike “\$23,171,209” and insert “\$23,562,008”.

Page 57, line 43, strike “\$23,571,669” and insert “\$24,028,797”.

Administration Item 79 #4s  
Department Of General Services Language

Language:

Page 57, following line 43, insert:

“2. The internal service fund shall assess a special fee sufficient to meet the funding requirements of Virginia Public Building Authority’s Capital Repairs and Improvement Revolving Fund. The internal service fund shall transfer these funds to the Treasury Board for payment into the Virginia Public Building Authority’s Capital Repairs and Improvement Revolving Fund; none of these funds may be used for debt service related to any outstanding bonds. Should the internal fund borrow moneys from the Virginia Public Building Authority’s Capital Repairs and Improvement Revolving Fund, the rates of the fund shall be sufficient to repay any borrowing with interest.”

Administration Item 90 #1s  
Department Of Veterans Services Language

Language:

Page 62, line 36, following “Charlottesville” strike “, is contingent upon the”.

Page 62, strike lines 37 to 39.

Administration Item 94 #1s  
State Board Of Elections Language

Language:

Page 63, line 44, following “recent” insert “provisional”.

Administration Item 94 #2s  
State Board Of Elections Language

## Language:

Page 64, line 30, following "registrar" strike "by an amount up to 10 percent of the annual compensation set for the general registrar pursuant to this act."

Commerce And Trade

Item 95 #2s

Secretary Of Commerce And Trade

Language

## Language:

Page 68, after line 55, insert:

"C. Notwithstanding other provisions of this Act or the Code of Virginia, when assessing qualified applications for assistance, the highest priority for awards made under the Governor's Development Opportunity Fund, the various workforce services programs administered by the Department of Business Assistance, the small business incubator program, or the financial assistance programs administered by the Virginia Small Business Financing Authority shall be to applicants from economically distressed areas of the Commonwealth. Economic distressed areas are localities that (1) have average unemployment rates using the most recent 6-month average that are 200 percent higher than the most recent 6-month statewide average unemployment rate or (2) are within planning districts that have average unemployment rates for the most recent 6-month average that are at least one and one-half percent greater than the most recent 6-month statewide average."

Commerce And Trade

Item 97 #2s

Department Of Agriculture And Consumer Services

Language

## Language:

Page 69, line 22, insert "A." before "All".

Page 69, after line 23, insert:

"B. The department shall work with the Secretary of Commerce and Trade to develop performance goals and strategies to measure the impact of the department's activities in these areas: (1) marketing and promoting of products; (2) food safety and inspection services; (3) animal industry veterinary services and diagnostic laboratory services; and (4) plant pest and disease control services. The department shall submit these goals and measures by December 1, 2004, to the Chairmen of the Senate Finance and House Appropriations Committees. In addition, it is the intent of the General Assembly that the department incorporate these performance goals and strategies in budget amendments for review and approval by the 2005 Session."

Commerce And Trade

Item 99 #4s

Department Of Agriculture And Consumer Services

Language

## Language:

Page 70, line 40, strike "D." and insert "D.1."

Page 70, line 43, strike "Winegrowers Advisory Board" and insert "Wine Board".

Page 70, after line 44, insert:

"2. The Department of Alcoholic Beverage Control shall work with the Virginia Wine Board to report on the sales of Virginia-produced wines in the Commonwealth. The Virginia Wine Board shall report by January 12, 2005, to the Chairmen of the Senate Committees on Finance and Agriculture, Conservation and Natural Resources and to the Chairmen of the House Committees on



"2. However, any such entity that is subject to any permit fee, application fee, inspection fee, or similar fee, imposed by any locality shall not be subject to this registration fee."

Commerce And Trade			Item 104 #3s
Department Of Agriculture And	FY 04-05	FY 05-06	
Consumer Services	\$0	(\$500,000)	NGF

Language:

Page 72, line 1, strike "\$2,243,624" and insert "\$1,743,624".

Page 72, line 9, before "Notwithstanding", insert "A."

Page 72, line 11, after "\$9", insert "the first year and \$4 the second year".

Page 72, after line 14, insert:

"B. By December 30, 2004, the department shall report to the Chairmen of the Senate Finance and Agriculture, Conservation and Natural Resources Committees, and House Appropriations and Agriculture, Chesapeake and Natural Resources Committees on the number of devices by type, which are subject to the fee requirement."

Commerce And Trade			Item 107 #2s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$150,000	\$150,000	GF
	2.00	2.00	FTE

Language:

Page 73, line 18, strike "\$11,966,255" and insert "\$12,116,255".

Page 73, line 18, strike "\$11,966,255" and insert "\$12,116,255".

Commerce And Trade			Item 107 #3s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$300,000	\$0	GF

Language:

Page 73, line 18, strike "\$11,966,255" and insert "\$12,266,255".

Commerce And Trade			Item 107 #4s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$0	(\$148,700)	GF

Language:

Page 73, line 18, strike "\$11,966,255" and insert "\$11,817,555".

Page 73, line 36, strike "and".

Page 73, line 37, strike "\$148,700 the second year".

Commerce And Trade			Item 107 #5s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$534,605	\$563,571	GF
	\$1,065,924	\$1,065,924	NGF
	24.00	24.00	FTE

Language:

Page 73, line 18, strike "\$11,966,255" and insert "\$13,566,784".

Page 73, line 18, strike "\$11,966,255" and insert "\$13,595,750".

Page 74, after line 37, insert:

“F. To encourage equal opportunity in state procurement, the Department of Business Assistance shall recognize and fully implement the Governor’s Executive Order 29 issued on July 2, 2002.

G.1. The Department of Business Assistance shall continue the study authorized under Item 125 of Chapter 1042 of the 2003 Acts of Assembly.

2. However, any monies held in an institutional fund outside of the state treasury for the purpose of carrying out the study shall be transferred to the state treasury. Such monies shall be treated as special funds, and shall not be taken into consideration in, nor be used to reduce, state appropriations or payments, but such funds shall be used in accordance with the wishes of the donors to offset the costs of conducting analyses of the availability and utilization of minority business enterprises or otherwise strengthen the services rendered by the department to minority business enterprises in the Commonwealth. The Director, Department of Planning and Budget is authorized to establish a nongeneral fund appropriation for the purpose of expending revenues that are received for this study.

H. The Department of Business Assistance is authorized to relocate from its present location to another less-expensive location more accessible to the public.

I. In developing the operating plan for the consolidated agency, the Department of Business Assistance shall seek input from representatives of affected client and industry groups. Upon completion of the operating plan, the Director, Department of Business Assistance shall submit copies to the Chairmen of the Senate Finance and House Appropriations Committees for their review.

J. It is the intent of the General Assembly that proposed legislation in the 2005 Session to effectuate the merger shall ensure that the core operations of the Department of Minority Business Enterprise shall continue.”

Commerce And Trade			Item 108 #2s
Department Of Forestry	FY 04-05	FY 05-06	
	\$159,000	\$159,000	GF

Language:

Page 74, line 47, strike “\$23,769,792” and insert “\$23,928,792”.

Page 74, line 47, strike “\$23,766,671” and insert “\$23,925,671”.

Commerce And Trade			Item 108 #5s
Department Of Forestry	FY 04-05	FY 05-06	
	\$125,000	\$250,000	GF

Language:

Page 74, line 47, strike “\$23,769,792” and insert “\$23,894,792”.

Page 74, line 47, strike “\$23,766,671” and insert “\$24,016,671”.

Page 75, strike lines 34 through 36 and insert:

“G. The appropriation in the Forestry and Reforestation Incentives subprogram includes \$125,000 the first year and \$250,000 the second year from the general fund for the Reforestation of Timberlands Fund. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia.”

Commerce And Trade			Item 109 #1s
Department Of Housing And Community Development			Language

Language:

Page 76, after line 3, insert:

“As a condition of appropriation, the Department of Housing and Community Development shall work towards accomplishing these goals and strategies in the 2004-2006 biennium:

In the program area of economic development, the department shall target community economic development activities to distressed areas of the Commonwealth with a goal of creating or retaining jobs and new private investment. The goal is to create or retain 4,500 jobs and to stimulate \$110 million of investment that can be directly tied to the department's efforts in each year of the biennium.

In the program area of infrastructure development, the department shall provide access to new safe drinking water and approved wastewater disposal systems to households. The goal is to provide new water and/or wastewater service to 1,500 households through the department's funded projects in each year of the biennium.

In the program area of fire and building safety, the department shall increase fire safety in buildings subject to inspection by the State Fire Marshal's Office. The goal is to eliminate fire code violations by inspecting 4,000 buildings annually and bringing 95 percent of the buildings into compliance with the Statewide Fire Prevention Code in each year of the biennium.

In the program area of housing assistance, the department shall increase the availability of decent, safe and affordable housing to individuals and families at 60 percent of median income or below. The goal is to produce 100 units of new affordable rental housing, improve 2,950 units of substandard housing and provide homeownership opportunities to 400 households in each year of the biennium.

In the program area addressing homelessness, the department shall reduce the number of families and individuals experiencing homelessness. The goal is to prevent 2,400 households from becoming homeless and to move 5,000 homeless individuals and families into permanent housing in each year of the biennium.”

Commerce And Trade			Item 111 #6s
Department Of Housing And	FY 04-05	FY 05-06	
Community Development	\$200,000	\$200,000	GF

Language:

Page 77, line 2, strike “\$40,027,706” and insert “\$40,227,706”.

Page 77, line 2, strike “\$40,027,706” and insert “\$40,227,706”.

Page 79, after line 19, insert:

“H. Out of the amounts in this Item and contingent upon passage of Senate Bill 407 (2004 Session) shall be provided \$200,000 the first year and \$200,000 the second year from the general fund for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the status, needs and accomplishments of the Center.”

Commerce And Trade		Item 121 #1s
Department Of Mines, Minerals And Energy		
		Language

Language:

Page 81, line 44, strike “\$16,093” and insert “\$21,136”.

Page 81, line 45, strike “\$16,093” and insert “\$21,136”.

Commerce And Trade			Item 125 #1s
Department Of Minority Business	FY 04-05	FY 05-06	
Enterprise	(\$634,605)	(\$663,571)	GF
	(\$1,065,924)	(\$1,065,924)	NGF
	-24.00	-24.00	FTE

Language:

Page 83, line 7, strike "\$1,700,529" and insert "\$0".

Page 83, line 7, strike "\$1,729,495" and insert "\$0".

Page 83, strike lines 7 through 56 and insert:

"Notwithstanding Title 2.2, Part C, Chapter 14, Code of Virginia, the Department of Minority Business Enterprise will be merged into the Department of Business Assistance effective July 1, 2004. The powers and duties heretofore exercised by such agency shall hereafter be vested in the Department of Business Assistance."

Commerce And Trade			Item 128 #3s
Virginia Economic Development Partnership	FY 04-05 (\$250,000)	FY 05-06 (\$250,000)	GF

Language:

Page 84, line 33, strike "\$16,683,880" and insert "\$16,433,880".

Page 84, line 33, strike "\$16,151,939" and insert "\$15,901,939".

Page 86, strike lines 45 through 48.

Commerce And Trade			Item 128 #4s
Virginia Economic Development Partnership	FY 04-05 (\$500,000)	FY 05-06 \$0	GF

Language:

Page 84, line 33, strike "\$16,683,880" and insert "\$16,183,880".

Page 86, line 39, strike "\$1,000,000" and insert "\$500,000".

Page 86, line 41, after "the Commonwealth" strike "is contingent upon the passage into".

Page 86, strike lines 42 through 44 and insert: "The Partnership shall submit a plan to the Chairmen of the Senate Finance and House Appropriations Committees by January 12, 2005. The plan shall: (1) define distressed areas of the Commonwealth and set goals, strategies and outcomes for the special marketing program; (2) describe how the monies will be leveraged with local, private, federal, and other state dollars and in-kind assistance; (3) identify local and regional funding partners; and (4) identify other state economic development programs that can be targeted to distressed areas."

Commerce And Trade			Item 133 #2s
Virginia Racing Commission			Language

Language:

Page 89, line 37, after "year.", insert:

"In no event, however, shall any funds be expended for that purpose until obligations in § 59.1-392 D.6., Code of Virginia are funded."

Commerce And Trade			Item 134 #10s
Virginia Tourism Authority	FY 04-05 \$200,000	FY 05-06 \$0	GF

Language:

Page 89, line 43, strike "\$11,369,914" and insert "\$11,569,914".

Page 91, after line 12, insert:

"J. Out of the amounts provided for Tourist Promotion, \$200,000 the first year from the general fund shall be provided to "See Virginia First", a public-private partnership operated by the Virginia Association of Broadcasters to advertise Virginia tourism."

Commerce And Trade			Item 134 #11s
Virginia Tourism Authority	FY 04-05	FY 05-06	
	\$0	(\$150,000)	GF

## Language:

Page 89, line 43, strike "\$11,370,098" and insert "\$11,220,098".

Page 91, line 2, strike "and \$150,000 the".

Page 91, line 3, strike "second year".

Page 91, line 4, after "tourism.", insert: "The Virginia Tourism Authority shall submit to the Chairmen of the Senate Finance and House Appropriations Committees by January 12, 2005, the workplan and the results of the first year's funding for the outdoor resources tourism initiative. The report shall include information defining the initiative and the related tourism activities; the number of visitors participating in outdoor resources tourism; the economic impact of this tourism market in Virginia; and the growth potential of this market in relation to other segments of the Virginia tourism industry."

Commerce And Trade		Item 134 #12s
Virginia Tourism Authority		

Language

## Language:

Page 91, line 9, strike "is contingent upon the passage into".

Page 91, strike lines 10 through 12 and insert ".".

Commerce And Trade		Item 134 #13s
Virginia Tourism Authority		

Language

## Language:

Page 91, after line 12, insert:

"J. The Authority shall work with the Secretary of Commerce and Trade to develop performance goals and strategies to measure the impact of the Authority's programs and activities, specifically in the areas of (1) marketing and promotions, (2) customer service and industry relations, and (3) film and television productions in Virginia. The Authority shall submit these goals and measures by December 1, 2004, to the Chairmen of the Senate Finance and House Appropriations Committees. In addition, it is the intent of the General Assembly that the Authority incorporate these performance goals and strategies in budget amendments for review and approval by the 2005 Session."

Education: Elementary & Secondary		Item 135 #1s
Secretary Of Education		

Language

## Language:

Page 94, after line 4, insert:

“F. Senior institutions of higher education shall make arrangements with community colleges for the remediation of students accepted for admission by the senior institutions.”

Education: Elementary & Secondary			Item 135 #1s
Secretary Of Education	FY 04-05	FY 05-06	
	\$984,000	\$0	GF

Language:

Page 92, line 3, strike “\$621,136” and insert “\$1,605,136”.

Page 94, after line 4, insert:

“F. Out of this appropriation, \$984,000 the first year from the general fund is designated to support the continuation of the school efficiency reviews pilot, in cooperation with the Department of Planning and Budget.”.

Education: Elementary & Secondary			Item 135 #2s
Secretary Of Education	FY 04-05	FY 05-06	
	\$100,000	\$0	GF

Language:

Page 92, line 3, strike “\$621,136” and insert “\$721,136”.

Page 94, after line 4, insert:

“F. Out of this appropriation, \$100,000 the first year from the general fund is provided for the following capital needs assessment and feasibility study. In the pre-planning phase for the consolidation at a single campus, the Secretaries of Education, Health and Human Resources, Administration, and Finance, together with the State Board of Education, the Department of Education, the two schools for the deaf, blind, and multi-disabled, the Woodrow Wilson Rehabilitation Center, the Department of General Services, and the Department of Planning and Budget shall complete a capital needs assessment and feasibility study for consolidating the State's two existing schools for the deaf, blind, and multi-disabled on land at the Woodrow Wilson Rehabilitation Center. The Secretaries of Education, Health and Human Resources, Administration, and Finance shall submit a joint report on the capital needs assessment and feasibility study to the Governor and the Chairmen of the House Committees on Appropriations and Education, and the Senate Committees on Finance and Education and Health Committees by October 1, 2004. Building upon the work of the 2003 Consolidation Task Force, the report shall also include a suggested timeline of steps necessary to achieve a well-planned consolidation of the two existing schools at the new location no later than September 1, 2007, including the closing of the existing sites and disposition of the properties as well as a mechanism to assist the local school divisions with program development for those children who will not continue at the new school.”.

Education: Elementary & Secondary			Item 135 #4s
Secretary Of Education	FY 04-05	FY 05-06	
	(\$50,000)	\$0	GF

Language:

Page 92, line 3, strike “\$621,136” and insert “\$571,136”.

Page 94, line 1, strike “\$50,000 the first year from the general fund and”

Education: Elementary & Secondary			Item 135 #5s
Secretary Of Education			
			Language

Language:

Page 93, strike lines 15 through 60.

Education: Elementary & Secondary			Item 141 #1s
Department Of Education, Central	FY 04-05	FY 05-06	
Office Operations	(\$297,500)	(\$381,500)	GF

Language:

Page 97, line 18, strike "\$8,558,146" and insert "\$8,260,646".

Page 97, line 18, strike "\$8,779,646" and insert "\$8,398,146".

Page 99, line 2, strike "\$2,007,500 the first year and \$2,229,000 the second" and insert "\$1,710,000 the first year and \$1,847,500 the second".

Education: Elementary & Secondary			Item 141 #2s
Department Of Education, Central	FY 04-05	FY 05-06	
Office Operations	\$0	\$320,000	GF

Language:

Page 97, line 18, strike "\$8,779,646" and insert "\$9,099,646".

Page 98, line 55, after "certificate" strike "for".

Page 98, strike lines 56 through 60.

Page 98, line 61, strike "annually thereafter for the life of the certificate."

Page 99, line 2, strike "\$2,229,000" and insert "\$2,549,000".

Education: Elementary & Secondary			Item 144 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$600,000	\$600,000	GF

Language:

Page 100, line 2, strike "\$457,997,916" and insert "\$458,597,916".

Page 100, line 2, strike "\$465,142,441" and insert "\$465,742,441".

Education: Elementary & Secondary			Item 144 #2s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$908,500)	(\$1,408,500)	GF

Language:

Page 100, line 2, strike "\$457,997,916" and insert "\$457,089,416".

Page 100, line 2, strike "\$465,142,441" and insert "\$463,733,941".

Page 101, after line 3, insert:

"A. 1. This appropriation includes \$3,467,910 the first year and \$3,688,379 the second year from the general fund for targeted education initiatives to improve student achievement and teacher quality, including a mentoring program for teachers with no experience working in schools that are at-risk of not meeting adequate yearly progress, a middle school math teacher initiative in at-risk schools, and turnaround specialists in schools that have consistently failed to show improvement in student progress.

2. The Department of Education shall continue to work with the school divisions to estimate the cost impacts of the federal No Child Left Behind Act. The Superintendent of Public Instruction shall provide an update on expected local cost impacts, as well as State costs, to the Chairmen of the

House Appropriations and Senate Finance Committees by July 1, 2004 and subsequent updates as needed.”

Education: Elementary & Secondary			Item 145 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$22,112,566	\$253,093	GF

Language:

Page 103, line 40, strike “\$265,335,825” and insert “\$287,448,391”.

Page 103, line 40, strike “\$275,092,690” and insert “\$275,345,783”.

Education: Elementary & Secondary			Item 145 #2s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$24,909,601)	(\$27,487,057)	GF

Language:

Page 103, line 40, strike “\$265,335,825” and insert “\$240,426,224”.

Page 103, line 40, strike “\$275,092,690” and insert “\$247,605,633”.

Education: Elementary & Secondary			Item 146 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$208,047,357	\$209,787,477	GF

Language:

Page 105, line 15, strike “\$2,920,427,133” and insert “\$3,128,474,490”.

Page 105, line 15, strike “\$2,934,464,120” and insert “\$3,144,251,597”.

Page 111, after line 35, insert:

“10. Included in the amounts provided to update the Standards of Quality for the 2004-06 biennium, approximately \$350 million reflects growth in prevailing salaries and related fringe benefits. It is the desire of the General Assembly that on average local school divisions continue to improve the average salary for classroom teachers by at least three percent per year, the actual average annual rate increase in recent years.”.

Education: Elementary & Secondary			Item 146 #2s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$213,170,176	\$217,264,809	GF

Language:

Page 105, line 15, strike “\$2,920,427,133” and insert “\$3,133,597,309”.

Page 105, line 15, strike “\$2,934,464,120” and insert “\$3,151,728,929”.

Page 109, line 43, strike “Funding in support of an additional 9”.

Page 109, strike lines 44 through 47.

Page 111, after line 44, insert:

“By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected Average Daily Membership and the resulting impact on the education budget.

The Superintendent of Public Instruction shall submit to the Chairmen of the House Appropriations and Senate Finance Committees: (a) by September 1, 2004, an update on the Department of

Education's on-going efforts to increase consistency of Annual School Report (ASR) data submitted and used in estimating costs, including updated documentation for Annual School Report submissions by school divisions and the schedule for publishing the ASR-related tables in the Superintendent's Annual Report; (b) by September 1, 2005, updated comprehensive documentation of the Standards of Quality (SOQ) cost model and the schedule for publishing key SOQ model reports.”.

Education: Elementary & Secondary			Item 146 #3s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$49,274,224	\$49,555,079	GF

Language:

- Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,969,701,357”.
- Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,984,019,199”.
- Page 122, line 38, strike “unserved”.
- Page 122, strike line 39.
- Page 122, line 55, strike “\$5,400” and insert “\$6,000”.
- Page 122, strike line 56 and insert “the at-risk four-year-olds in”.
- Page 123, strike lines 1 through 10.

Education: Elementary & Secondary			Item 146 #4s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$41,010	\$7,506	GF

Language:

- Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,920,468,143”.
- Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,934,471,626”.
- Page 115, line 27, strike “\$64,567,263” and insert “\$64,608,273”.
- Page 115, line 28, strike “\$65,025,564” and insert “\$65,033,070”.

Education: Elementary & Secondary			Item 146 #5s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$469,788)	(\$483,033)	GF

Language:

- Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,919,957,345”.
- Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,933,981,087”.
- Page 117, line 46, strike “\$68,878,904” and insert “\$68,409,116”.
- Page 117, line 47, strike “\$69,033,753” and insert “\$68,550,720”.

Education: Elementary & Secondary			Item 146 #6s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$1,088,338)	(\$1,133,754)	GF

Language:

- Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,919,338,795”.
- Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,933,330,366”.
- Page 126, line 48, strike “failed the”.
- Page 126, strike line 49 and insert “qualify for the federal Free Lunch Program.”

Education: Elementary & Secondary			Item 146 #7s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$0	\$254,248	GF

Language:

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,934,718,368".

Page 114, line 50, strike "and \$400,000 the second year".

Page 115, line 2, after "City of Norton." insert "An additional state payment of \$200,000 the second year from the general fund is provided as a Small School Division Assistance grant for the school division of the City of Norton."

Education: Elementary & Secondary			Item 146 #8s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$22,814,336	\$23,095,322	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,943,241,469".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,957,559,442".

Page 113, strike lines 40 through 45.

Education: Elementary & Secondary			Item 146 #9s
Direct Aid To Public Education			
			Language

Language:

Page 128, line 23, strike "is contingent".

Page 128, strike lines 24 through 26.

Education: Elementary & Secondary			Item 146 #10s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$1,466,336)	(\$2,241,415)	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,918,960,797".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,932,222,705".

Page 115, strike lines 8 through 25.

Education: Elementary & Secondary			Item 146 #11s
Direct Aid To Public Education			
			Language

Language:

Page 114, line 1, strike "is contingent upon the passage".

Page 114, strike lines 2 through 4.

Education: Elementary & Secondary			Item 146 #29s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$12,263,573	\$5,240,323	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,932,690,706".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,939,704,443".

Education: Elementary & Secondary			Item 146 #30s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$5,814,667)	(\$7,168,942)	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,914,612,466".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,927,295,178".

Education: Elementary & Secondary			Item 147 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$10,322,268	\$12,724,788	GF

Language:

Page 128, line 28, strike "\$1,279,045,675" and insert "\$1,289,367,943".

Page 128, line 28, strike "\$1,328,043,698" and insert "\$1,340,768,486".

Education: Elementary & Secondary			Item 149 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$88,914	\$88,965	GF

Language:

Page 130, line 23, strike "\$12,781,908" and insert "\$12,870,822".

Page 130, line 23, strike "\$13,049,102" and insert "\$13,138,067".

Page 131, line 11, strike "1,300" and insert "1,400".

Page 131, line 35, strike "2002-2003" and insert "2003-2004".

Education: Elementary & Secondary			Item 151 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

Page 131, line 51, strike "\$2,700,000" and insert "\$2,900,000".

Page 131, line 51, strike "\$2,700,000" and insert "\$2,900,000".

Page 132, after line 3, insert:

"This appropriation includes \$200,000 each year from the general fund for the Jobs for Virginia Graduates program to place career specialists in schools."

Education: Higher Education			Item 163 #1s
State Council Of Higher Education For Virginia	FY 04-05	FY 05-06	
	\$1,699,302	\$1,418,847	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$49,224,767".

Page 136, line 24, strike "\$46,384,948" and insert "\$47,803,795".

Page 137, line 5, strike "\$39,891,082" and insert "\$41,590,384".

Page 137, line 6, strike "\$40,740,733" and insert "\$42,159,580".

Page 137, line 8, strike "Out of the amounts cited in this".

Page 137, strike lines 9 through 15.

Page 137, strike lines 28 through 33, and insert:

"1. Payments to students out of this appropriation shall not exceed \$2,500 for qualified undergraduate students and \$2,000 for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with §§ 23-38.12 through 23-38.19, Code of Virginia."

Education: Higher Education			Item 163 #3s
State Council Of Higher Education For Virginia	FY 04-05	FY 05-06	
	(\$1,990,168)	\$0	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$45,535,297".  
 Page 139, strike lines 7 through 25.

Education: Higher Education

State Council Of Higher Education For Virginia	FY 04-05 (\$160,000)	FY 05-06 (\$160,000)	Item 163 #4s GF
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Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$47,365,465".  
 Page 136, line 24, strike "\$46,384,948" and insert "\$46,224,948".  
 Page 138, strike lines 34 through 54.  
 Page 139, strike lines 1 through 6.

Education: Higher Education

State Council Of Higher Education For Virginia	FY 04-05 (\$432,297)	FY 05-06 (\$371,708)	Item 164 #1s GF
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Language:

Page 139, line 27, strike "\$6,680,728" and insert "\$6,248,431".  
 Page 139, line 27, strike "\$6,592,208" and insert "\$6,220,500".  
 Page 141, line 56, strike "\$5,606,894" and insert "\$5,174,597".  
 Page 141, line 57, strike "\$5,606,894" and insert "\$5,235,186".  
 Page 142, after "Library.", strike lines 4 through 10.

Education: Higher Education

State Council Of Higher Education For Virginia	FY 04-05 (\$135,290)	FY 05-06 (\$135,290)	Item 165 #4s GF
	-1.00	-1.00	FTE

Language:

Page 140, line 38, strike "\$9,842,470" and insert "\$9,707,180".  
 Page 140, line 38, strike "\$9,848,424" and insert "\$9,713,134".

Education: Higher Education

Christopher Newport University	FY 04-05 \$400,000	FY 05-06 \$400,000	Item 168 #3s GF
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Language:

Page 143, line 29, strike "\$34,870,597" and insert "\$35,270,597".  
 Page 143, line 29, strike "\$35,707,092" and insert "\$36,107,092".

Education: Higher Education

Christopher Newport University	FY 04-05 \$0	FY 05-06 \$162,682	Item 168 #8s GF
	\$0	\$87,603	NGF

Language:

Page 143, line 29, strike "\$35,707,092" and insert "\$35,957,377".

Education: Higher Education

Christopher Newport University			Item 168 #9s Language
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Language:

Page 144, line 5, insert:

“C. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$14,229,712 in nongeneral funds the first year and \$15,155,910 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 168 #10s
Christopher Newport University	FY 04-05	FY 05-06	
	\$213,830	\$394,763	GF
	\$219,781	\$405,749	NGF

Language:

Page 143, line 29, strike “\$34,870,597” and insert “\$35,304,208”.

Page 143, line 29, strike “\$35,707,092” and insert “\$36,507,604”.

Page 144, line 5, insert:

“C. Out of this appropriation, \$213,830 is provided in the first year and \$394,763 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”.

Education: Higher Education			Item 168 #11s
Christopher Newport University	FY 04-05	FY 05-06	
	\$3,311,789	\$3,311,789	GF
	\$565,868	\$1,154,371	NGF

Language:

Page 143, line 29, strike “\$34,870,597” and insert “\$38,748,254”.

Page 143, line 29, strike “\$35,707,092” and insert “\$40,173,252”.

Page 144, line 5, insert:

“C. Out of this appropriation, \$3,311,789 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 168 #12s
Christopher Newport University	FY 04-05	FY 05-06	
	(\$664,224)	(\$1,062,035)	GF
	(\$287,203)	(\$574,407)	NGF

Language:

Page 143, line 29, strike “\$34,870,597” and insert “\$33,919,170”.

Page 143, line 29, strike “\$35,707,092” and insert “\$34,070,650”.

Page 143, strike lines 44 through 49.

Page 144, strike lines 1 through 5.

Education: Higher Education			Item 169 #1s
Christopher Newport University	FY 04-05	FY 05-06	
	\$315,711	\$315,711	GF

Language:

Page 144, line 6, strike "\$2,490,787" and insert "\$2,806,498".

Page 144, line 6, strike "\$2,490,787" and insert "\$2,806,498".

Education: Higher Education			Item 172 #3s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$542,127	\$608,765	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$101,166,758".

Page 144, line 35, strike "\$100,285,985" and insert "\$100,894,750".

Education: Higher Education			Item 172 #4s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	(\$299,581)	(\$443,354)	GF
	(\$507,980)	(\$751,748)	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$99,817,070".

Page 144, line 35, strike "\$100,285,985" and insert "\$99,090,883".

Page 145, strike lines 23 through 34.

Education: Higher Education			Item 172 #5s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$2,227,638	\$2,227,638	GF
	\$2,484,176	\$5,002,503	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$105,336,445".

Page 144, line 35, strike "\$100,285,985" and insert "\$107,516,126".

Page 145, line 35, insert:

"E. Out of this appropriation, \$2,227,638 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 172 #6s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$399,070	\$736,745	GF
	\$925,720	\$1,709,022	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$101,949,421".

Page 144, line 35, strike "\$100,285,985" and insert "\$102,731,752".

Page 145, line 35, insert:

"E. Out of this appropriation, \$399,070 is provided in the first year and \$736,745 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education

Item 172 #7s

The College Of William And Mary In Virginia

Language

Language:

Page 145, line 35, insert:

"E. In conjunction with Senate Joint Resolution 90 of the 2004 General Assembly, the College of William and Mary may pursue the development of a prototype charter agreement to present to the joint subcommittee for its consideration in studying the administrative and financial relationships between the Commonwealth and its public institutions of higher education."

Education: Higher Education

Item 172 #8s

The College Of William And Mary In Virginia

Language

Language:

Page 145, line 35, insert:

"E. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$62,426,730 in nongeneral funds the first year and \$65,795,017 in nongeneral funds the second year in tuition and mandatory educational and general fee revenue."

Education: Higher Education

Item 172 #9s

The College Of William And Mary In Virginia

FY 04-05  
\$171,985

FY 05-06  
\$172,317

NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$100,796,616".

Page 144, line 35, strike "\$100,285,985" and insert "\$100,458,302".

Education: Higher Education

Item 172 #10s

The College Of William And Mary In Virginia

Language

Language:

Page 145, line 16, strike "The"

Page 145, strike lines 17 through 22.

Education: Higher Education

Item 176 #1s

Richard Bland College

Language

Language:

Page 147, line 4, insert:

“D. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$2,354,839 in nongeneral funds the first year and \$2,496,026 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 176 #2s
Richard Bland College	FY 04-05	FY 05-06	
	(\$63,000)	(\$63,000)	GF
	(\$44,000)	(\$44,000)	NGF

Language:

Page 146, line 34, strike “\$6,795,035” and insert “\$6,688,035”.

Page 146, line 34, strike “\$6,814,478” and insert “\$6,707,478”.

Page 146, strike lines 44 through 51.

Page 147, strike lines 1 through 3.

Education: Higher Education			Item 176 #3s
Richard Bland College	FY 04-05	FY 05-06	
	\$63,000	\$63,000	GF
	\$94,444	\$192,667	NGF

Language:

Page 146, line 34, strike “\$6,795,035” and insert “\$6,952,479”.

Page 146, line 34, strike “\$6,814,478” and insert “\$7,070,145”.

Page 143, line 44, insert:

“Out of this appropriation, \$63,000 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 176 #4s
Richard Bland College	FY 04-05	FY 05-06	
	\$44,445	\$82,052	GF
	\$39,290	\$72,536	NGF

Language:

Page 146, line 34, strike “\$6,795,035” and insert “\$6,878,770”.

Page 146, line 34, strike “\$6,814,478” and insert “\$6,969,066”.

Page 143, line 44, insert:

“B. Out of this appropriation, \$44,445 is provided in the first year and \$82,052 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment

and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 176 #5s
Richard Bland College	FY 04-05	FY 05-06	
	\$43,871	\$45,918	NGF

Language:

Page 146, line 34, strike “\$6,795,035” and insert “\$6,838,906”.

Page 146, line 34, strike “\$6,814,478” and insert “\$6,860,396”.

Education: Higher Education			Item 180 #4s
Virginia Institute Of Marine Science	FY 04-05	FY 05-06	
	\$373,627	\$373,627	GF

Language:

Page 147, line 30, strike “\$17,727,904” and insert “\$18,101,531”.

Page 147, line 30, strike “\$17,371,016” and insert “\$17,744,643”.

Page 148, strike lines 11 through 20.

Education: Higher Education			Item 180 #6s
Virginia Institute Of Marine Science	FY 04-05	FY 05-06	
	\$92,746	\$171,224	GF
	\$221,376	\$408,695	NGF

Language:

Page 147, line 30, strike “\$17,727,904” and insert “\$18,042,026”.

Page 147, line 30, strike “\$17,371,016” and insert “\$17,950,935”.

Page 148, line 21, insert:

“E. Out of this appropriation, \$92,746 is provided in the first year and \$171,224 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 182 #1s
George Mason University	FY 04-05	FY 05-06	
	\$139,352	\$150,200	GF
	\$129,703	\$139,800	NGF

Language:

Page 148, line 47, strike “\$215,677,704” and insert “\$215,946,759”.

Page 148, line 47, strike “\$215,490,073” and insert “\$215,780,073”.

Education: Higher Education			Item 182 #3s
George Mason University	FY 04-05	FY 05-06	
	\$3,260,000	\$3,260,000	NGF

Language:

Page 148, line 47, strike “\$215,677,704” and insert “\$218,937,704”.

Page 148, line 47, strike "\$215,490,073" and insert "\$218,750,073".

Education: Higher Education			Item 182 #4s
George Mason University	FY 04-05	FY 05-06	
	(\$3,642,662)	(\$4,021,514)	GF
	(\$352,622)	(\$705,244)	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$211,682,420".

Page 148, line 47, strike "\$215,490,073" and insert "\$210,763,315".

Page 149, strike lines 28 through 39.

Education: Higher Education			Item 182 #5s
George Mason University	FY 04-05	FY 05-06	
	\$6,684,010	\$6,684,010	GF
	\$5,124,670	\$10,454,328	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$227,486,384".

Page 148, line 47, strike "\$215,490,073" and insert "\$232,628,411".

Page 149, line 53, insert:

"F. Out of this appropriation, \$6,684,010 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 182 #6s
George Mason University	FY 04-05	FY 05-06	
	\$0	\$1,346,942	GF
	\$0	\$1,022,256	NGF

Language:

Page 148, line 47, strike "\$215,490,073" and insert "\$217,859,271".

Education: Higher Education			Item 182 #7s
George Mason University			Language

Language:

Page 149, line 53, insert:

"F. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$119,748,761 in nongeneral funds the first year and \$127,453,945 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 182 #8s
George Mason University	FY 04-05	FY 05-06	
	\$1,002,308	\$1,850,415	GF
	\$1,353,739	\$2,499,211	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$218,033,751".

Page 148, line 47, strike "\$215,490,073" and insert "\$219,839,699".

Page 149, line 53, insert:

"F. Out of this appropriation, \$1,002,308 is provided in the first year and \$1,850,415 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 182 #9s
George Mason University	FY 04-05	FY 05-06	
	\$140,482	\$140,482	GF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$215,818,186".

Page 148, line 47, strike "\$215,490,073" and insert "\$215,630,555".

Education: Higher Education			Item 182 #10s
George Mason University			
			Language

Language:

Page 149, line 46, strike "The"

Page 149, strike lines 47 through 52.

Education: Higher Education			Item 186 #2s
James Madison University	FY 04-05	FY 05-06	
	(\$1,389,648)	(\$2,067,449)	GF
	(\$931,412)	(\$1,862,825)	NGF

Language:

Page 150, line 31, strike "\$136,809,392" and insert "\$134,488,332".

Page 150, line 31, strike "\$138,108,694" and insert "\$134,178,420".

Page 150, strike lines 42 through 49.

Page 151, strike lines 1 through 4.

Education: Higher Education			Item 186 #3s
James Madison University	FY 04-05	FY 05-06	
	\$6,531,007	\$6,531,007	GF
	\$4,777,669	\$9,836,241	NGF

Language:

Page 150, line 31, strike "\$136,809,392" and insert "\$148,118,068".

Page 150, line 31, strike "\$138,108,694" and insert "\$154,475,942".

Page 151, line 13, insert:

"C. Out of this appropriation, \$6,531,007 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of

the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 186 #4s
James Madison University	FY 04-05	FY 05-06	
	\$0	\$1,088,860	GF
	\$0	\$1,238,158	NGF

Language:

Page 150, line 31, strike “\$138,108,694” and insert “\$140,435,712”.

Education: Higher Education			Item 186 #5s
James Madison University			
			Language

Language:

Page 151, line 13, insert:

“C. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$81,774,053 in nongeneral funds the first year and \$88,953,978 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 186 #6s
James Madison University	FY 04-05	FY 05-06	
	\$536,834	\$991,078	GF
	\$1,041,988	\$1,923,671	NGF

Language:

Page 150, line 31, strike “\$136,809,392” and insert “\$138,388,214”.

Page 150, line 31, strike “\$138,108,694” and insert “\$141,023,443”.

Page 151, line 13, insert:

“C. Out of this appropriation, \$536,834 is provided in the first year and \$991,078 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 186 #7s
James Madison University	FY 04-05	FY 05-06	
	\$966,185	\$967,697	NGF

Language:

Page 150, line 31, strike “\$136,809,392” and insert “\$137,775,577”.

Page 150, line 31, strike “\$138,108,694” and insert “\$139,076,391”.

Education: Higher Education			Item 190 #4s
Longwood University	FY 04-05	FY 05-06	
	\$155,316	\$155,652	NGF

Language:

Page 151, line 48, strike "\$32,086,391" and insert "\$32,241,707".  
 Page 151, line 48, strike "\$32,427,726" and insert "\$32,583,378".

Education: Higher Education			Item 190 #5s
Longwood University	FY 04-05	FY 05-06	
	(\$546,620)	(\$745,351)	GF
	(\$147,601)	(\$295,203)	NGF

Language:

Page 151, line 48, strike "\$32,086,391" and insert "\$31,392,170".  
 Page 151, line 48, strike "\$32,427,726" and insert "\$31,387,172".  
 Page 152, strike lines 29 through 39.

Education: Higher Education			Item 190 #6s
Longwood University	FY 04-05	FY 05-06	
	\$3,282,745	\$3,282,745	GF
	\$588,335	\$1,200,203	NGF

Language:

Page 151, line 48, strike "\$32,086,391" and insert "\$35,957,471".  
 Page 151, line 48, strike "\$32,427,726" and insert "\$36,910,674".  
 Page 152, line 40, insert:  
 "F. Out of this appropriation, \$3,282,745 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 190 #7s
Longwood University	FY 04-05	FY 05-06	
	\$0	\$513,199	GF
	\$0	\$284,856	NGF

Language:

Page 151, line 48, strike "\$32,427,726" and insert "\$33,225,781".

Education: Higher Education			Item 190 #8s
Longwood University			
			Language

Language:

Page 152, line 50, insert:  
 "F. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$14,542,951 in nongeneral funds the first year and \$15,589,831 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 190 #9s
Longwood University	FY 04-05	FY 05-06	
	\$162,910	\$300,758	GF
	\$177,061	\$326,881	NGF

Language:

Page 151, line 48, strike "\$32,086,391" and insert "\$32,426,362".

Page 151, line 48, strike "\$32,427,726" and insert "\$33,055,365".

Page 152, line 40, insert:

"F. Out of this appropriation, \$162,910 is provided in the first year and \$300,758 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education

Longwood University	FY 04-05	FY 05-06	Item 191 #1s
	\$109,472	\$109,472	GF

Language:

Page 152, line 40, strike "\$2,244,638" and insert "\$2,354,110".

Page 152, line 40, strike "\$2,244,638" and insert "\$2,354,110".

Education: Higher Education

Mary Washington College	FY 04-05	FY 05-06	Item 194 #3s
	\$2,820,805	\$2,821,284	NGF

Language:

Page 153, line 24, strike "\$36,497,598" and insert "\$39,318,403".

Page 153, line 24, strike "\$36,494,738" and insert "\$39,316,022".

Education: Higher Education

Mary Washington College	FY 04-05	FY 05-06	Item 194 #4s
	(\$409,437)	(\$409,437)	GF

Language:

Page 153, line 24, strike "\$36,497,598" and insert "\$36,088,161".

Page 153, line 24, strike "\$36,494,738" and insert "\$36,085,301".

Page 153, strike lines 35 through 44.

Education: Higher Education

Mary Washington College	FY 04-05	FY 05-06	Item 194 #5s
	\$1,147,002	\$1,147,002	GF
	\$989,445	\$2,018,468	NGF

Language:

Page 153, line 24, strike "\$36,497,598" and insert "\$38,634,045".

Page 153, line 24, strike "\$36,494,738" and insert "\$39,660,208".

Page 154, line 1, insert:

"C. Out of this appropriation, \$1,147,002 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain

existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education	Item 194 #6s
Mary Washington College	
	Language

Language:

Page 154, line 1, insert:

“C. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$22,538,396 in nongeneral funds the first year and \$23,793,475 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 194 #7s
Mary Washington College	FY 04-05	FY 05-06	
	\$156,959	\$289,771	GF
	\$266,590	\$492,166	NGF

Language:

Page 153, line 24, strike “\$36,497,598” and insert “\$36,921,147”.

Page 153, line 24, strike “\$36,494,738” and insert “\$37,276,675”.

Page 154, line 1, insert:

“C. Out of this appropriation, \$156,959 is provided in the first year and \$289,771 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 195 #1s
Mary Washington College	FY 04-05	FY 05-06	
	\$25,324	\$25,324	GF

Language:

Page 154, line 1, strike “\$1,016,397” and insert “\$1,041,721”.

Page 154, line 1, strike “\$1,016,397” and insert “\$1,041,721”.

Education: Higher Education			Item 198 #1s
Mary Washington College	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

Page 154, line 22, strike “\$202,575” and insert “\$302,575”.

Page 154, line 22, strike “\$202,575” and insert “\$302,575”.

Education: Higher Education			Item 200 #1s
Norfolk State University	FY 04-05	FY 05-06	
	\$0	\$333,757	GF
	\$0	\$364,108	NGF

Language:

Page 155, line 14, strike "\$69,247,068" and insert "\$69,944,933".

Education: Higher Education			Item 200 #2s
Norfolk State University	FY 04-05	FY 05-06	
	(\$85,400)	(\$85,400)	GF
	\$0	\$0	NGF

Language:

Page 155, line 14, strike "\$68,890,053" and insert "\$68,804,653".

Page 155, line 14, strike "\$69,247,068" and insert "\$69,161,668".

Page 156, strike lines 37 through 46.

Education: Higher Education			Item 200 #3s
Norfolk State University			
			Language

Language:

Page 156, line 47, insert:

"H. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$31,320,780 in nongeneral funds the first year and \$34,995,787 in nongeneral funds the second year in tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 200 #4s
Norfolk State University	FY 04-05	FY 05-06	
	\$33,384	(\$401,866)	GF
	\$0	\$401,866	NGF

Language:

Page 155, line 14, strike "\$68,890,053" and insert "\$68,923,437".

Education: Higher Education			Item 200 #5s
Norfolk State University	FY 04-05	FY 05-06	
	\$254,988	\$470,748	GF
	\$451,567	\$833,662	NGF

Language:

Page 155, line 14, strike "\$68,890,053" and insert "\$69,596,608".

Page 155, line 14, strike "\$69,247,068" and insert "\$70,551,478".

Page 156, line 47, insert:

"H. Out of this appropriation, \$254,988 is provided in the first year and \$470,748 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 204 #4s
Old Dominion University	FY 04-05	FY 05-06	
	\$2,043,744	\$2,045,257	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$147,982,902".  
 Page 157, line 26, strike "\$149,163,120" and insert "\$151,208,377".

Education: Higher Education			Item 204 #5s
Old Dominion University	FY 04-05	FY 05-06	
	(\$4,386,981)	(\$6,408,254)	GF
	(\$2,008,944)	(\$4,017,887)	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$139,543,233".  
 Page 157, line 26, strike "\$149,163,120" and insert "\$138,736,979".  
 Page 158, strike lines 51 through 55.  
 Page 159, strike lines 1 through 7.

Education: Higher Education			Item 204 #6s
Old Dominion University	FY 04-05	FY 05-06	
	\$11,660,544	\$11,660,544	GF
	\$2,827,035	\$5,767,152	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$160,426,737".  
 Page 157, line 26, strike "\$149,163,120" and insert "\$166,590,816".  
 Page 159, line 21, insert:  
 "K. Out of this appropriation, \$11,660,544 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 204 #7s
Old Dominion University			
			Language

Language:

Page 159, line 21, insert:  
 "K. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$67,045,899 in nongeneral funds the first year and \$70,743,624 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 204 #8s
Old Dominion University	FY 04-05	FY 05-06	
	\$623,720	\$1,151,484	GF
	\$893,567	\$1,649,662	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$147,456,445".  
 Page 157, line 26, strike "\$149,163,120" and insert "\$151,964,266".  
 Page 159, line 21, insert:

“K. Out of this appropriation, \$623,720 is provided in the first year and \$1,151,484 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education Item 204 #10s  
Old Dominion University Language

Language:  
Page 159, line 14, strike “The”  
Page 159, strike lines 15 through 20.

Education: Higher Education Item 205 #1s  
Old Dominion University GF

	FY 04-05	FY 05-06	
	\$248,240	\$248,240	

Language:  
Page 159, line 21, strike “\$9,598,779” and insert “\$9,847,019”.  
Page 159, line 21, strike “\$9,598,779” and insert “\$9,847,019”.

Education: Higher Education Item 208 #5s  
Radford University NGF

	FY 04-05	FY 05-06	
	\$648,189	\$648,942	

Language:  
Page 160, line 25, strike “\$64,460,612” and insert “\$65,108,801”.  
Page 160, line 25, strike “\$65,754,529” and insert “\$66,403,471”.

Education: Higher Education Item 208 #6s  
Radford University GF

	FY 04-05	FY 05-06	
	(\$787,986)	(\$1,484,543)	
	(\$630,828)	(\$1,261,657)	NGF

Language:  
Page 160, line 25, strike “\$64,460,612” and insert “\$63,041,798”.  
Page 160, line 25, strike “\$65,754,529” and insert “\$63,008,329”.  
Page 160, strike lines 40 through 50.

Education: Higher Education Item 208 #7s  
Radford University GF

	FY 04-05	FY 05-06	
	\$5,571,645	\$5,571,645	
	\$1,214,496	\$2,477,573	NGF

Language:  
Page 160, line 25, strike “\$64,460,612” and insert “\$71,246,753”.  
Page 160, line 25, strike “\$65,754,529” and insert “\$73,803,747”.  
Page 161, line 4, insert:

“D. Out of this appropriation, \$5,571,645 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education	Item 208 #8s
Radford University	
	Language

Language:

Page 161, line 4, insert:

“D. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$30,611,506 in nongeneral funds the first year and \$32,223,653 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 208 #9s
Radford University	FY 04-05	FY 05-06	
	\$311,173	\$574,473	GF
	\$411,649	\$759,967	NGF

Language:

Page 160, line 25, strike “\$64,460,612” and insert “\$65,183,434”.

Page 160, line 25, strike “\$65,754,529” and insert “\$67,088,969”.

Page 161, line 4, insert:

“D. Out of this appropriation, \$311,173 is provided in the first year and \$574,473 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 208 #10s
Radford University	FY 04-05	FY 05-06	
	(\$75,000)	(\$50,000)	GF

Language:

Page 160, line 25, strike “\$64,460,612” and insert “\$64,385,612”.

Page 160, line 25, strike “\$65,754,529” and insert “\$65,704,529”.

Page 160, strike lines 51 through 54.

Page 161, strike lines 1-3.

Education: Higher Education			Item 209 #1s
Radford University	FY 04-05	FY 05-06	
	\$417,186	\$417,186	GF

Language:

Page 161, line 4, strike "\$4,290,215" and insert "\$4,707,401".

Page 161, line 4, strike "\$4,290,215" and insert "\$4,707,401".

Education: Higher Education

Southwest Virginia Higher Education Center

FY 04-05  
3.00

FY 05-06  
3.00

Item 212 #1s

FTE

Language:

Education: Higher Education

Southwest Virginia Higher Education Center

Item 212 #2s

Language

Language:

Page 161, strike lines 42 through 47.

Education: Higher Education

Southwest Virginia Higher Education Center

FY 04-05  
\$135,292

FY 05-06  
\$135,292

Item 212 #3s

GF

Language:

Page 161, line 37, strike "\$1,875,458" and insert "\$2,010,750".

Page 161, line 37, strike "\$1,875,753" and insert "\$2,011,045".

Education: Higher Education

University Of Virginia

Item 213 #5s

Language

Language:

Page 164, line 55, strike "Such reserve funds"

Page 164, strike lines 56 and 58.

Page 164, line 55, after "revenues.", insert: "Annual contributions to such reserve funds shall not exceed two percent of the asset value of the educational and general buildings constructed with nongeneral fund revenues for which such reserves are established."

Page 165, line 10, insert:

"4. In reviewing the financial and administrative relationships between the Commonwealth and its public higher education institutions, the joint subcommittee established pursuant to Senate Joint Resolution 90 of the 2004 General Assembly shall review and make recommendation on whether the interest earned in this account should be retained by the University."

Education: Higher Education

University Of Virginia

Item 213 #8s

Language

Language:

Page 165, line 35, insert:

"O. In conjunction with Senate Joint Resolution 90 of the 2004 General Assembly, the University of Virginia may pursue the development of a prototype charter agreement to present to the joint

subcommittee for its consideration in studying the administrative and financial relationships between the Commonwealth and its public institutions of higher education.”

Education: Higher Education Item 213 #9s  
University Of Virginia

Language

Language:

Page 165, line 35, insert:

“O. Out of this appropriation, \$69,000 is provided each year from the general fund and \$53,189 is provided each year from nongeneral funds in support of the State Arboretum at Blandy Farm.”

Education: Higher Education Item 213 #10s  
University Of Virginia

Language

Language:

Page 165, line 35, insert:

“O. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$216,504,154 in nongeneral funds the first year and \$229,001,949 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education Item 213 #11s  
University Of Virginia

	FY 04-05	FY 05-06	
	\$7,686,315	\$7,686,315	GF
	\$9,273,040	\$18,917,002	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$379,321,656”.

Page 162, line 8, strike “\$372,357,689” and insert “\$398,961,006”.

Page 165, line 35, insert:

“O.1. Out of this appropriation, \$7,686,315 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.

2. Out of this appropriation, the University may allocate funds to attract and retain distinguished faculty clinicians associated with the School of Medicine and the University's related health professional programs.”

Education: Higher Education Item 213 #12s  
University Of Virginia

	FY 04-05	FY 05-06	
	(\$721,675)	(\$943,349)	GF
	(\$377,892)	(\$755,783)	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$361,262,734”.

Page 162, line 8, strike “\$372,357,689” and insert “\$370,658,557”.

Page 165, strike lines 10 through 21.

Education: Higher Education			Item 213 #13s
University Of Virginia	FY 04-05	FY 05-06	
	\$1,128,517	\$2,083,416	GF
	\$2,731,780	\$5,043,286	NGF

Language:

Page 162, line 8, strike "\$362,362,301" and insert "\$366,222,598".

Page 162, line 8, strike "\$372,357,689" and insert "\$379,484,391".

Page 165, line 35, insert:

"O. Out of this appropriation, \$1,128,517 is provided in the first year and \$2,083,416 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 213 #14s
University Of Virginia	FY 04-05	FY 05-06	
	\$0	\$333,653	GF
	\$0	\$501,606	NGF

Language:

Page 162, line 8, strike "\$372,357,689" and insert "\$373,192,948".

Education: Higher Education			Item 213 #15s
University Of Virginia	FY 04-05	FY 05-06	
	\$21,867	\$44,843	GF
	(\$22,097)	\$11,844	NGF

Language:

Page 162, line 8, strike "\$362,362,301" and insert "\$362,362,071".

Page 162, line 8, strike "\$372,357,689" and insert "\$372,414,376".

Education: Higher Education			Item 213 #16s
University Of Virginia	FY 04-05	FY 05-06	
	(\$11,200,000)	(\$23,000,000)	NGF

Language:

Page 162, line 8, strike "\$362,362,301" and insert "\$351,162,301".

Page 162, line 8, strike "\$372,357,689" and insert "\$349,357,689".

Education: Higher Education			Item 213 #17s
University Of Virginia			
			Language

Language:

Page 165, line 28, strike "The"

Page 165, strike lines 29 through 34.

Education: Higher Education Item 221 #3s  
 University Of Virginia's College At Wise Language

Language:

Page 168, line 1, insert:

“B. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$4,999,436 in nongeneral funds the first year and \$5,436,120 in nongeneral funds the second year in tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 221 #4s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$465,000	\$465,000	GF
	\$280,341	\$576,762	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,883,876”.

Page 167, line 32, strike “\$14,135,756” and insert “\$15,177,518”.

Page 168, line 1, insert:

“B. Out of this appropriation, \$465,000 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 221 #5s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	(\$221,112)	(\$221,112)	GF
	\$0	\$0	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$13,917,423”.

Page 167, line 32, strike “\$14,135,756” and insert “\$13,914,644”.

Page 167, strike lines 42 through 51.

Education: Higher Education			Item 221 #6s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$76,960	\$142,080	GF
	\$77,461	\$143,004	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,292,956”.

Page 167, line 32, strike “\$14,135,756” and insert “\$14,420,840”.

Page 168, line 1, insert:

“B. Out of this appropriation, \$76,960 is provided in the first year and \$142,080 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from

its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 221 #7s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$0	\$127,566	GF
	\$0	\$74,554	NGF

Language:

Page 167, line 32, strike “\$14,135,756” and insert “\$14,337,876”.

Education: Higher Education			Item 221 #8s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$206,795	\$206,795	GF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,345,330”.

Page 167, line 32, strike “\$14,135,756” and insert “\$14,342,551”.

Education: Higher Education			Item 221 #9s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$96,886	\$97,052	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,235,421”.

Page 167, line 32, strike “\$14,135,756” and insert “\$14,232,808”.

Education: Higher Education			Item 225 #2s
Virginia Commonwealth University			Language

Language:

Page 169, line 39, strike “\$137,500” and insert “\$262,500”.

Page 169, line 40, strike “\$137,500” and insert “\$262,500”.

Education: Higher Education			Item 225 #5s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$1,700,000	\$1,700,000	GF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$318,389,832”.

Page 168, line 43, strike “\$328,929,473” and insert “\$330,629,473”.

Page 169, line 7, strike “\$5,146,343” and insert “\$7,246,343”.

Page 169, line 8, strike “\$5,146,343” and insert “\$7,246,343”.

Education: Higher Education			Item 225 #6s
Virginia Commonwealth University			Language

Language:

Page 169, line 21, insert:

“4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in §4-1.04 of this act, the General Fund appropriation for the Family Practice programs shall be exempt from any reductions provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University’s portion of the statewide general fund reduction requirement.”

Education: Higher Education

Item 225 #10s

Virginia Commonwealth University

Language

Language:

Page 173, line 8, insert:

“Q. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$137,593,464 in nongeneral funds the first year and \$147,641,295 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education

Item 225 #11s

Virginia Commonwealth University

	FY 04-05	FY 05-06	
	\$14,086,902	\$14,086,902	GF
	\$6,469,808	\$13,263,107	NGF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$337,246,542”.

Page 168, line 43, strike “\$328,929,473” and insert “\$356,279,482”.

Page 173, line 8, insert:

“Q. Out of this appropriation, \$14,086,902 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution’s core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution’s efforts to meet these objectives and other statewide needs.”

Education: Higher Education

Item 225 #12s

Virginia Commonwealth University

	FY 04-05	FY 05-06	
	(\$1,703,325)	(\$1,956,251)	GF
	(\$200,573)	(\$441,145)	NGF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$314,785,934”.

Page 168, line 43, strike “\$328,929,473” and insert “\$326,532,077”.

Page 172, strike lines 41 through 52.

Education: Higher Education

Item 225 #13s

Virginia Commonwealth University

	FY 04-05	FY 05-06	
	\$1,521,646	\$2,809,193	GF
	\$2,042,941	\$3,771,584	NGF

Language:

Page 168, line 43, strike "\$316,689,832" and insert "\$320,254,419".

Page 168, line 43, strike "\$328,929,473" and insert "\$335,510,250".

Page 173, line 8, insert:

"Q. Out of this appropriation, \$1,521,646 is provided in the first year and \$2,809,193 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 225 #14s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$0	\$1,956,961	GF
	\$0	\$1,394,117	NGF

Language:

Page 168, line 43, strike "\$328,929,473" and insert "\$332,280,551".

Education: Higher Education			Item 225 #16s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$0	\$55,000	GF
	\$0	\$83,794	NGF

Language:

Page 168, line 43, strike "\$328,929,473" and insert "\$329,068,267".

Education: Higher Education			Item 225 #17s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	(\$7,897,781)	(\$17,701,279)	NGF

Language:

Page 168, line 43, strike "\$316,689,832" and insert "\$308,792,051".

Page 168, line 43, strike "\$328,929,473" and insert "\$311,228,194".

Education: Higher Education			Item 225 #18s
Virginia Commonwealth University			
			Language

Language:

Page 173, line 1, strike "The"

Page 173, strike lines 2 through 7.

Education: Higher Education			Item 226 #1s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$16,913	\$16,913	GF

Language:

Page 173, line 8, strike "\$11,599,345" and insert "\$11,616,258".

Page 173, line 8, strike "\$11,599,345" and insert "\$11,616,258".

Education: Higher Education			Item 230 #2s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,364,726	\$1,364,726	GF
	\$725,206	\$725,206	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$509,071,271".

Page 174, line 20, strike "\$517,392,172" and insert "\$519,482,104".

Education: Higher Education			Item 230 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$433,567	\$433,567	GF
	\$546,433	\$546,433	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$507,961,339".

Page 174, line 20, strike "\$517,392,172" and insert "\$518,372,172".

Page 178, line 27, insert:

"T. This appropriation includes \$433,567 each year from the general fund and \$546,433 in each year from nongeneral funds for the annual lease or debt service costs of academic space in Fairfax County."

Education: Higher Education			Item 230 #5s
Virginia Community College System			Language

Language:

Page 465, after line 44, insert:

"Sale or lease of interest in real property granted by purchase, deed or gift; the State Board for Community Colleges shall be authorized to lease, sell, or convey any interest it may have in real property that has been or may hereafter be acquired by purchase, will or deed of gift provided that the terms of the lease, sale or conveyance have been reviewed by the Department of General Services to ensure that a fair market value for the use or purchase of the property has been agreed to by all parties. Notwithstanding any other provisions of law, all proceeds from such leases, sales and conveyances shall be held, used and administered by the Virginia Community College System in the same manner as all other gifts and bequests are held, used and administered."

Education: Higher Education			Item 230 #12s
Virginia Community College System	FY 04-05	FY 05-06	
	\$288,560	\$381,168	GF
	\$36,356	\$112,181	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$507,306,255".

Page 174, line 20, strike "\$517,392,172" and insert "\$517,885,521".

Education: Higher Education			Item 230 #13s
Virginia Community College System	FY 04-05	FY 05-06	
	\$433,566	\$433,566	GF
	\$546,434	\$546,434	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$507,961,339".

Page 174, line 20, strike "\$517,392,172" and insert "\$518,372,172".

Page 178, line 27, insert:

"T. This appropriation includes \$433,566 each year from the general fund and \$546,434 in each year from nongeneral funds for the annual lease or debt service costs of academic space in the Arlington/Alexandria area."

Education: Higher Education

Virginia Community College System

Item 230 #14s

Language

Language:

Page 178, line 27, insert:

"T. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$202,132,774 in nongeneral funds the first year and \$217,051,810 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education

Virginia Community College System

Item 230 #15s

	FY 04-05	FY 05-06	
	\$32,525,702	\$32,525,702	GF
	\$8,734,934	\$17,906,614	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$548,241,975".

Page 174, line 20, strike "\$517,392,172" and insert "\$567,824,488".

Page 178, line 27, insert:

"T. Out of this appropriation, \$32,525,702 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education

Virginia Community College System

Item 230 #16s

	FY 04-05	FY 05-06	
	(\$14,503,553)	(\$20,885,499)	GF
	(\$3,384,793)	(\$6,769,586)	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$489,092,993".

Page 174, line 20, strike "\$517,392,172" and insert "\$489,737,087".

Page 175, strike lines 2 through 13.

Education: Higher Education

Virginia Community College System

Item 230 #17s

	FY 04-05	FY 05-06	
	\$2,353,291	\$4,344,537	GF
	\$2,272,410	\$4,195,218	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$511,607,040".

Page 174, line 20, strike "\$517,392,172" and insert "\$525,931,927".

Page 162, line 35, insert:

"O. Out of this appropriation, \$2,353,291 is provided in the first year and \$4,344,537 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 230 #18s
Virginia Community College System	FY 04-05	FY 05-06	
	\$0	\$5,899,010	GF
	\$0	\$3,527,642	NGF

Language:

Page 174, line 20, strike "\$517,392,172" and insert "\$526,818,824".

Education: Higher Education			Item 230 #20s
Virginia Community College System	FY 04-05	FY 05-06	
	\$4,547,805	\$4,547,805	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$511,529,144".

Page 174, line 20, strike "\$517,392,172" and insert "\$521,939,977".

Education: Higher Education			Item 231 #1s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,418,598	\$1,418,598	GF

Language:

Page 178, line 27, strike "\$71,178,055" and insert "\$72,596,653".

Page 178, line 27, strike "\$71,178,055" and insert "\$72,596,653".

Education: Higher Education			Item 237 #1s
Virginia Military Institute			
			Language

Language:

Page 180, line 1, insert:

"B. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$14,315,824 in nongeneral funds the first year and \$15,091,081 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 237 #2s
Virginia Military Institute	FY 04-05	FY 05-06	
	(\$89,707)	(\$145,564)	GF
	(\$606,835)	(\$606,835)	NGF

Language:

Page 179, line 32, strike "\$23,286,222" and insert "\$22,589,680".

Page 179, line 32, strike "\$23,287,948" and insert "\$22,535,549".

Page 179, strike lines 43 through 53.

Education: Higher Education

Item 237 #4s

Virginia Military Institute	FY 04-05	FY 05-06	
	\$66,015	\$121,872	GF
	\$188,219	\$347,481	NGF

Language:

Page 179, line 32, strike "\$23,286,222" and insert "\$23,540,456".

Page 179, line 32, strike "\$23,287,948" and insert "\$23,757,301".

Page 180, line 1, insert:

"B. Out of this appropriation, \$66,015 is provided in the first year and \$121,872 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education

Item 237 #5s

Virginia Military Institute	FY 04-05	FY 05-06	
	\$1,608,737	\$2,224,732	NGF

Language:

Page 179, line 32, strike "\$23,286,222" and insert "\$24,894,959".

Page 179, line 32, strike "\$23,287,948" and insert "\$25,512,680".

Education: Higher Education

Item 238 #1s

Virginia Military Institute	FY 04-05	FY 05-06	
	\$23,692	\$23,692	GF

Language:

Page 180, line 1, strike "\$798,494" and insert "\$822,186".

Page 180, line 1, strike "\$798,494" and insert "\$822,186".

Education: Higher Education

Item 240 #1s

Virginia Military Institute			
			Language

Language:

Page 180, line 40, strike "\$204,201" and insert "\$199,660".

Page 180, line 41, strike "\$1,199,503" and insert "\$1,172,824".

Education: Higher Education

Item 242 #1s

Virginia Polytechnic Institute And State University			
			Language

Language:

Page 182, line 51, insert:

“J. In conjunction with Senate Joint Resolution 90 of the 2004 General Assembly, Virginia Polytechnic Institute and State University may pursue the development of a prototype charter agreement to present to the joint subcommittee for its consideration in studying the administrative and financial relationships between the Commonwealth and its public institutions of higher education.”

Education: Higher Education Item 242 #2s  
 Virginia Polytechnic Institute And State University Language

Language:

Page 182, line 51, insert:

“J. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$188,136,345 in nongeneral funds the first year and \$199,897,309 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 242 #3s
Virginia Polytechnic Institute And State University	FY 04-05	FY 05-06	
	\$8,221,211	\$8,221,211	GF
	\$8,638,192	\$17,708,294	NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$379,270,452”.

Page 181, line 28, strike “\$361,243,110” and insert “\$387,172,615”.

Page 182, line 51, insert:

“J. Out of this appropriation, \$8,221,211 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 242 #4s
Virginia Polytechnic Institute And State University	FY 04-05	FY 05-06	
	(\$513,276)	(\$976,551)	GF
	(\$657,842)	(\$1,315,685)	NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$361,239,931”.

Page 181, line 28, strike “\$361,243,110” and insert “\$358,950,874”.

Page 182, strike lines 26 through 37.

Education: Higher Education			Item 242 #5s
Virginia Polytechnic Institute And State University	FY 04-05	FY 05-06	
	\$1,234,679	\$2,279,408	GF
	\$2,233,194	\$5,081,469	NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$365,878,922”.

Page 181, line 28, strike “\$361,243,110” and insert “\$368,603,987”.

Page 182, line 51, insert:

“J. Out of this appropriation, \$1,234,679 is provided in the first year and \$2,279,408 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 242 #6s
Virginia Polytechnic Institute And State University	FY 04-05 (\$2,466,505)	FY 05-06 (\$2,740,891)	NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$359,944,544”.

Page 181, line 28, strike “\$361,243,110” and insert “\$358,502,219”.

Education: Higher Education			Item 242 #7s
Virginia Polytechnic Institute And State University			Language

Language:

Page 182, line 44, strike “The”

Page 182, strike lines 45 through 50.

Education: Higher Education			Item 246 #1s
Virginia Cooperative Extension And Agricultural Experiment Station	FY 04-05 \$2,089,286 39.00	FY 05-06 \$2,089,286 39.00	GF FTE

Language:

Page 184, line 39, strike “\$71,748,805” and insert “\$73,838,091”.

Page 184, line 39, strike “\$72,023,805” and insert “\$74,113,091”.

Education: Higher Education			Item 246 #3s
Virginia Cooperative Extension And Agricultural Experiment Station			Language

Language:

Page 185, strike the remainder of line 22, after “profitability.”

Page 185, strike lines 23 through 26.

Education: Higher Education			Item 246 #4s
Virginia Cooperative Extension And Agricultural Experiment Station	FY 04-05 \$628,440 \$170,102	FY 05-06 \$1,160,197 \$314,034	GF NGF

Language:

Page 184, line 39, strike “\$71,748,805” and insert “\$72,547,347”.

Page 184, line 39, strike “\$72,023,805” and insert “\$73,498,036”.

Page 185, line 27, insert:

“E. Out of this appropriation, \$628,440 is provided in the first year and \$1,160,197 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education Item 247 #2s  
 Virginia State University Language

Language:

Page 187, line 1, insert:  
 “E. With approval from the Secretary of Education, Virginia State University is authorized to implement upgrades to the campus administrative system from nongeneral fund resources, including tuition and fee revenue.”

Education: Higher Education			Item 247 #3s
Virginia State University	FY 04-05	FY 05-06	
	(\$187,000)	\$0	GF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$45,835,902”.  
 Page 186, line 41, after “facilities”, strike “.” and insert:  
 “, and costs associated with upgrading the campus telecommunications network.”

Education: Higher Education Item 247 #4s  
 Virginia State University Language

Language:

Page 187, line 1, insert:  
 “E. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$21,536,648 in nongeneral funds the first year and \$24,278,188 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 247 #5s
Virginia State University	FY 04-05	FY 05-06	
	\$536,564	\$536,564	GF
	\$1,661,721	\$3,456,380	NGF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$48,221,187”.  
 Page 185, line 43, strike “\$45,978,142” and insert “\$49,971,086”.  
 Page 187, line 1, insert:  
 “E. Out of this appropriation, \$536,564 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain

existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 247 #6s
Virginia State University	FY 04-05	FY 05-06	
	(\$319,038)	(\$319,038)	GF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$45,703,864”.

Page 185, line 43, strike “\$45,978,142” and insert “\$45,659,104”.

Page 185, strike lines 44 through 53.

Education: Higher Education			Item 247 #7s
Virginia State University	FY 04-05	FY 05-06	
	\$160,526	\$296,355	GF
	\$329,227	\$607,803	NGF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$46,512,655”.

Page 185, line 43, strike “\$45,978,142” and insert “\$46,882,300”.

Page 187, line 1, insert:

“E. Out of this appropriation, \$160,526 is provided in the first year and \$296,355 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 247 #8s
Virginia State University	FY 04-05	FY 05-06	
	\$0	\$553,524	GF
	\$0	\$667,555	NGF

Language:

Page 185, line 43, strike “\$45,978,142” and insert “\$47,199,221”.

Education: Higher Education			Item 247 #9s
Virginia State University	FY 04-05	FY 05-06	
	\$329,757	\$329,757	GF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$46,352,659”.

Page 185, line 43, strike “\$45,978,142” and insert “\$46,307,899”.

Education: Higher Education			Item 247 #10s
Virginia State University	FY 04-05	FY 05-06	
	(\$114,672)	(\$348,461)	GF
	\$114,672	\$348,461	NGF

Language:

Education: Higher Education			Item 247 #11s
Virginia State University	FY 04-05	FY 05-06	
	\$1,525,854	\$1,519,763	NGF

Language:

Page 185, line 43, strike "\$46,022,902" and insert "\$47,548,756".  
 Page 185, line 43, strike "\$45,978,142" and insert "\$47,497,905".

Education: Higher Education			Item 251 #1s
Cooperative Extension And Agricultural	FY 04-05	FY 05-06	
Research Services	\$20,117	\$37,138	GF
	\$741	\$1,368	NGF

Language:

Page 187, line 34, strike "\$7,275,641" and insert "\$7,296,499".  
 Page 187, line 34, strike "\$8,083,452" and insert "\$8,121,958".  
 Page 188, line 18, insert:  
 "D. Out of this appropriation, \$20,117 is provided in the first year and \$37,138 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Other			Item 254 #2s
Jamestown-Yorktown Foundation	FY 04-05	FY 05-06	
	\$153,000	\$362,000	GF
	\$153,000	\$362,000	NGF
	3.00	7.00	FTE

Language:

Page 189, line 14, strike "\$12,086,638" and insert "\$12,392,638".  
 Page 189, line 14, strike "\$12,216,411" and insert "\$12,940,411".

Education: Other			Item 255 #1s
Jamestown 2007			
			Language

Language:

Page 192, after line 18, insert:  
 "G. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq., Code of Virginia) shall not apply to the expenditure of funds from the Virginia 400th Anniversary Fund. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown 2007 through the expenditure of funds from the Virginia 400th Anniversary Fund. The guidelines shall implement a system of competitive negotiation for professional services; shall prohibit discrimination because of race, religion, color,

sex or national origin of the bidder or offeror in the solicitation or award of contracts; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown 2007 with funds from the Virginia 400th Anniversary Fund: §§ 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4340 through 2.2-4342, and 2.2-4367 through 2.2-4377, Code of Virginia.”

Education: Other			Item 259 #1s
The Library Of Virginia	FY 04-05	FY 05-06	
	\$250,000	\$250,000	GF

Language:

Page 194, line 1, strike “\$16,191,477” and insert “\$16,441,477”.

Page 194, line 1, strike “\$16,191,477” and insert “\$16,441,477”.

Education: Other			Item 260 #1s
The Library Of Virginia			
			Language

Language:

Page 194, strike lines 14-18.

Education: Other			Item 262 #1s
Virginia Commission For The Arts			
			Language

Language:

Page 195, strike lines 27 through 33.

Education: Other			Item 264 #1s
Virginia Museum Of Fine Arts			
			Language

Language:

Page 196, line 27, insert:

“D. Notwithstanding any other provisions of law, the payment to the City of Richmond for payment in lieu of taxes for FY 2005 and FY 2006 shall not exceed \$158,513.”

Education: Higher Education			Item 265 #2s
Eastern Virginia Medical School	FY 04-05	FY 05-06	
	\$370,481	\$370,481	GF

Language:

Page 196, line 36, strike “\$11,847,875” and insert “\$12,218,356”.

Page 196, line 36, strike “\$11,847,875” and insert “\$12,218,356”.

Education: Higher Education			Item 267 #1s
Institute For Advanced Learning And Research	FY 04-05	FY 05-06	
	\$2,080,839	\$2,080,839	GF

Language:

Page 198, line 39, strike "\$1,521,681" and insert "\$3,602,520".  
 Page 198, line 39, strike "\$1,521,681" and insert "\$3,602,520".  
 Page 198, line 45, strike "\$1,521,681 in the first year and \$1,521,681 in the second year" and insert "\$3,062,520 in the first year and \$5,609,281 in the second year"

Education: Higher Education			Item 268 #1s
Roanoke Higher Education Authority	FY 04-05	FY 05-06	
	\$179,463	\$179,463	GF

Language:

Page 199, line 21, strike "\$618,075" and insert "\$797,538".  
 Page 199, line 21, strike "\$618,075" and insert "\$797,538".

Education: Higher Education			Item 269 #1s
Southeastern Universities Research Association, Incorporated	FY 04-05	FY 05-06	
	\$0	\$0	GFLanguage

Language:

Page 200, line 19, insert "C. Pursuant to Item 506 F. of this Act, a three-year grant totaling \$500,000 each year shall be provided to the Authority through the Commonwealth Technology Research Fund to support the development of the Hampton Roads Research Institute."

Education: Higher Education			Item 270 #1s
Virginia College Building Authority			
			Language

Language:

Page 201, lines 30 and 31, strike "\$52,168,843" and insert "\$53,668,843"  
 Page 202, line 4, strike "\$500,000" in each year and insert "\$2,000,000" in each year.

Finance			Item 272 #2s
Department Of Accounts			
			Language

Language:

Page 203, line 43, strike "The" and insert "A. The"  
 Page 203, after line 46, insert:  
 "B. As a condition of the appropriation in this item, the Department shall provide to the Chairmen of the House Appropriations and Senate Finance Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within forty-eight hours of their initial run after the close of the business month."

Finance			Item 274 #1s
Department Of Accounts	FY 04-05	FY 05-06	
	(\$2,460,000)	(\$3,280,000)	GF
	-13.00	-18.00	FTE

Language:

Page 204, line 7, strike "\$5,757,749" and insert "\$3,297,749".

Page 204, line 7, strike "\$6,577,749" and insert "\$3,297,749".

Finance			Item 274 #2s
Department Of Accounts	FY 04-05	FY 05-06	
	\$450,000	\$450,000	GF
	5.00	5.00	FTE

Language:

Page 204, line 7, strike "\$5,757,749" and insert "\$6,207,749".

Page 204, line 7, strike "\$6,577,749" and insert "\$7,027,749".

Finance			Item 280 #1s
Department Of Accounts Transfer	FY 04-05	FY 05-06	
Payments	\$0	\$100,000,000	GF

Language:

Page 207, line 10, strike "\$87,000,000" and insert "\$187,000,000".

Finance			Item 282 #1s
Department Of Accounts Transfer	FY 04-05	FY 05-06	
Payments	(\$640,000)	(\$1,980,000)	GF

Language:

Page 207, line 49, strike "\$2,500,000" and insert "\$1,860,000".

Page 207, line 49, strike "\$3,110,000" and insert "\$1,130,000".

Finance			Item 283 #1s
Department Of Planning And Budget	FY 04-05	FY 05-06	
	\$250,000	\$250,000	NGF
	2.00	2.00	FTE

Language:

Page 208, line 23, strike "\$5,551,734" and insert "\$5,801,734".

Page 208, line 23, strike "\$5,586,983" and insert "\$5,836,983".

Page 208, line 27, following "Virginia" insert "and Title 2.2, Chapter 26, Article 8, Code of Virginia".

Page 209, following line 9, insert:

"D.1. The Department of Planning and Budget shall provide staffing and operational support for the Commonwealth Competition Council. Other state agencies and institutions of the Commonwealth shall assist the Commonwealth Competition Council in its work, upon request of the chairman of the Council.

2. There is hereby created on the books of the Comptroller a special, nonreverting fund known as the "Commonwealth Competition Council Savings Recovery Fund." The special fund appropriation in this item provides \$250,000 each year from the Fund to cover the costs of the staffing and operational support that the Department of Planning and Budget provides to the council.

3. Prior to April 1 of each year, the Director of the Department of Planning and Budget shall notify the Auditor of Public Accounts of any savings recommendations put forth by the Commonwealth Competition Council in which the savings are likely to be realized in the current fiscal year or in the fiscal year beginning on the next July 1 after such notification. The Auditor of Public Accounts shall audit the implementation of such savings recommendations and shall certify to the State Comptroller by June 1 each year the total of any savings realized by state agencies or institutions as a result of the recommendations of the Commonwealth Competition Council. By July 1 of each year, the State

Comptroller shall transfer 10 percent of such certified savings to the Commonwealth Competition Council Savings Recovery Fund for support of the Council's operations. If such savings have since accrued to the benefit of the general fund of the Commonwealth, either by subsequent budgetary action or by reversion, at the time of such certification by the Auditor of Public Accounts, the State Comptroller shall transfer the equivalent of 10 percent of the affected certified savings from the general fund to the Commonwealth Competition Council Savings Recovery Fund. The total amount transferred to the Commonwealth Competition Council Savings Recovery Fund in accordance with the above provisions shall not exceed \$500,000 in any fiscal year.”.

Finance			Item 286 #1s
Department Of Taxation			Language

Language:

Page 214, after line 29, insert:  
 “H. Notwithstanding § 58.1-439.12:01 D of Senate Bill 537 (2004 Session), the department is authorized to prorate, with no repayment necessary in succeeding fiscal years, the amount of award each eligible corporation receives to match the maximum allocation of tax credits stipulated in § 58.1-439.12:01 C of Senate Bill 537.”

Finance			Item 286 #2s
Department Of Taxation	FY 04-05	FY 05-06	
	(\$251,326)	(\$251,326)	GF

Language:

Page 210, line 11, strike “\$47,996,407” and insert “\$47,745,081”.  
 Page 210, line 11, strike “\$47,903,407” and insert “\$47,652,081”.

Finance			Item 286 #3s
Department Of Taxation	FY 04-05	FY 05-06	
	(\$2,408,376)	(\$1,551,529)	GF
	-20.00	-20.00	FTE

Language:

Page 210, line 11, strike “\$47,996,407” and insert “\$45,588,031”.  
 Page 210, line 11, strike “\$47,903,407” and insert “\$46,351,878”.

Finance			Item 286 #4s
Department Of Taxation	FY 04-05	FY 05-06	
	(\$854,951)	(\$871,030)	GF

Language:

Page 210, line 11, strike “\$47,996,407” and insert “\$47,141,456”.  
 Page 210, line 11, strike “\$47,903,407” and insert “\$47,032,377”.

Finance			Item 290 #1s
Department Of The Treasury	FY 04-05	FY 05-06	
	\$1,124,883	\$0	GF

Language:

Page 216, line 33, strike “\$7,387,807” and insert “\$8,512,690”.  
 Page 216, after line 54, insert:

“C.1 From the amounts appropriated in Insurance Services, there shall be paid for the relief of Julius Earl Ruffin from the general fund, upon execution of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision, (i) the sum of \$500,000 to be paid to Julius Earl Ruffin on or before August 1, 2004, by check issued by the State Treasurer on warrant of the Comptroller and (ii) an annuity for the primary benefit of Julius Earl Ruffin providing for equal monthly payments for a period certain of thirty years commencing on or before September 1, 2004, in the cumulative amount of \$1,000,000.

2. The State Treasurer shall purchase the annuity at the lowest cost available from any A+ rated company, including any A+ rated company from which the State Lottery Department may purchase an annuity, and such annuity shall contain beneficiary provisions providing for the annuity's continued disbursement in the event of the death of Julius Earl Ruffin.”

Finance			Item 290 #2s
Department Of The Treasury	FY 04-05	FY 05-06	
	(\$48,674)	(\$48,674)	GF

Language:

Page 216, line 33, strike “\$7,387,807” and insert “\$7,339,133”.

Page 216, line 33, strike “\$7,287,807” and insert “\$7,239,133”.

Finance			Item 295.10 #1s
Treasury Board	FY 04-05	FY 05-06	
	\$12,378,875	\$12,878,875	GF

Language:

Page 220, following line 35

“295.10. Capital Repairs and Improvements Revolving Fund \$12,378,875 \$12,878,875

Fund Sources: General \$12,378,875 \$12,878,875.”

The appropriation to this item is the initial deposit of \$12,378,875 GF the first year and \$12,878,87 GF the second year to the Capital Repairs and Improvements Revolving Fund, as provided for in Item C-194.1 of this act. Upon attaining a cash balance sufficient to sustain revolving loans of \$25,000,000 annually, the Virginia Public Building Authority may make loans from the fund to address necessary repairs, improvements and to address deferred maintenance as provided for in Item C-194.1.”

Finance			Item 296 #1s
Treasury Board	FY 04-05	FY 05-06	
	\$0	\$163,218	GF

Language:

Page 220, line 36, strike “\$345,609,242” and insert “\$345,772,460”.

Page 222, line 12, strike “\$54,406” and insert “\$217,624”

Finance			Item 296 #1s
Treasury Board	FY 04-05	FY 05-06	
	(\$2,475,875)	(\$2,503,695)	GF

Language:

Page 220, line 36, strike “\$299,294,769” and insert “\$296,818,894”.

Page 220, line 36, strike “\$345,609,242” and insert “\$343,105,547”.

Page 224, line 3, strike “\$7,523,468” and insert “\$7,347,593”.

Page 224, line 3, strike “\$28,601,563” and insert “\$28,097,868”.

Page 224, line 6, strike "\$1,494,938" and insert "\$1,319,063".

Page 224, line 6, strike "\$10,054,633" and insert "\$9,550,938".

Finance			Item 296 #7s
Treasury Board	FY 04-05	FY 05-06	
	\$929,277	\$5,052,529	GF

Language:

Page 220, line 36, strike "\$299,294,769" and insert "\$300,224,046".

Page 220, line 36, strike "\$345,609,242" and insert "\$350,661,771".

Health And Human Resources			Item 298 #2s
Secretary Of Health And Human Resources			
			Language

Language:

Page 228, after line 8, insert:

"The Secretary of Health and Human Resources, with agencies assisting as requested, shall study the availability of obstetrical services throughout the Commonwealth. In conducting the study, the Secretary shall: (i) assess the current availability of obstetrical services in the Commonwealth and identify any areas of the Commonwealth where there is inadequate access to such services; (ii) identify the main reasons why there are areas of the Commonwealth where there is inadequate access to obstetrical care; (iii) identify any specific problems regarding access to obstetrical care for Medicaid and FAMIS enrollees; (iv) evaluate the current availability and affordability of malpractice insurance for obstetricians and assess the degree to which this may be contributing to the lack of access to obstetrical care in certain areas of the Commonwealth; and (v) recommend actions that can be taken to improve access to obstetrical care throughout the Commonwealth. The Bureau of Insurance shall assist the Secretary in conducting this study and provide support and information regarding the availability of malpractice insurance and the trends in such premiums over the last ten years and future projections. The Secretary shall report the findings of the study to the Governor, and to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2004."

Health And Human Resources			Item 299 #1s
Comprehensive Services For At-Risk Youth And Families			
			Language

Language:

Page 231, after line 50, insert:

"F. The State Executive Council for the Comprehensive Services Act shall investigate the reasons leading to the practice of parents relinquishing custody of their children solely to obtain necessary and appropriate mental health services. The State Executive Council shall recommend policy options, including legislative action if appropriate, for abolishing this practice while continuing to make the services available and accessible to the children, and report to the Chairmen of the House Appropriations and Senate Finance Committees, and to the Chairman of the Joint Commission on Health Care, by November 1, 2004."

Health And Human Resources			Item 301 #1s
Department For The Aging	FY 04-05	FY 05-06	
	\$70,191	\$70,191	GF

Language:

- Page 232, line 16, strike "\$26,433,352" and insert "\$26,503,543".
- Page 232, line 16, strike "\$26,573,352" and insert "\$26,643,543".
- Page 233, line 24, strike "\$329,809" and insert "\$400,000".
- Page 233, line 25, strike "\$329,809" and insert "\$400,000".

Health And Human Resources			Item 301 #2s
Department For The Aging	FY 04-05	FY 05-06	
	\$1,000,000	\$1,000,000	GF

Language:

- Page 232, line 16, strike "\$26,433,352" and insert "\$27,433,352".
- Page 232, line 16, strike "\$26,573,352" and insert "\$27,573,352".
- Page 233, after line 39, insert:  
"K. Out of this appropriation, \$1,000,000 from the general fund each year shall be provided to area agencies on aging to meet the documented needs of the elderly in local communities."

Health And Human Resources			Item 301 #3s
Department For The Aging	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

- Page 232, line 16, strike "\$26,433,352" and insert "\$26,633,352".
- Page 232, line 16, strike "\$26,573,352" and insert "\$26,773,352".

Health And Human Resources			Item 301 #9s
Department For The Aging			Language

Language:

- Page 232, strike lines 48 through 52.
- Page 233, strike lines 1 and 2.

Health And Human Resources			Item 302 #1s
Department For The Aging	FY 04-05	FY 05-06	
	\$400,000	\$400,000	GF

Language:

- Page 233, line 40, strike "\$15,711,959" and insert "\$16,111,959".
- Page 233, line 40, strike "\$15,711,959" and insert "\$16,111,959".
- Page 234, after line 40, insert:  
"E. Out of this appropriation, \$400,000 from the general fund each year shall be provided to area agencies on aging for the documented need for congregate or home-delivered meals."

Health And Human Resources			Item 306 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

- Page 235, line 33, strike "\$1,851,884" and insert "\$2,051,884".
- Page 235, line 33, strike "\$1,851,884" and insert "\$2,051,884".
- Page 236, line 16, strike "\$300,000" and insert "\$500,000".

Page 236, line 17, strike "\$300,000" and insert "\$500,000".

Health And Human Resources			Item 306 #4s
Department Of Health	FY 04-05	FY 05-06	
	\$25,000	\$25,000	GF

Language:

- Page 235, line 33, strike "\$1,851,884" and insert "\$1,876,884".
- Page 235, line 33, strike "\$1,851,884" and insert "\$1,876,884".
- Page 236, line 44, strike "\$25,000" and insert "\$50,000".
- Page 236, line 45, strike "\$25,000" and insert "\$50,000".

Health And Human Resources			Item 306 #5s
Department Of Health	FY 04-05	FY 05-06	
	\$560,568	\$560,568	GF
	(\$560,568)	(\$560,568)	NGF

Language:

- Page 235, line 41, strike "\$220,396" and insert "\$780,964".
- Page 235, strike line 42 and insert "fund each year".
- Page 236, strike line 43.
- Page 236, strike "nongeneral funds the second year".

Health And Human Resources			Item 307 #2s
Department Of Health			
			Language

Language:

- Page 238, line 2, after "services" insert a period.
- Page 238, delete lines 3 through 6.

Health And Human Resources			Item 310 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$48,500	\$48,500	GF

Language:

- Page 238, line 34, strike "\$89,997,059" and insert "\$90,045,559".
- Page 238, line 34, strike "\$91,107,059" and insert "\$91,155,559".
- Page 239, after line 15, insert:  
 "D. Out of this appropriation, \$48,500 from the general fund each year shall be used to purchase prescription medications for individuals who have drug-resistant tuberculosis and require prolonged treatment services."

Health And Human Resources			Item 310 #2s
Department Of Health	FY 04-05	FY 05-06	
	\$51,500	\$51,500	GF

Language:

- Page 238, line 34, strike "\$89,997,059" and insert "\$90,048,559".
- Page 238, line 34, strike "\$91,107,059" and insert "\$91,158,559".
- Page 239, after line 15, insert:  
 "D. Out of this appropriation, \$51,500 from the general fund each year shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced

prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.”

Health And Human Resources			Item 311 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$225,000	\$225,000	GF

Language:

Page 239, line 16, strike “\$2,926,102” and insert “\$3,151,102”.

Page 239, line 16, strike “\$2,926,102” and insert “\$3,151,102”.

Page 239, line 26, strike “\$333,072” and insert “\$558,072”.

Page 239, line 27, strike “\$333,072” and insert “\$558,072”.

Health And Human Resources			Item 311 #2s
Department Of Health	FY 04-05	FY 05-06	
	\$60,000	\$60,000	GF
	1.00	1.00	FTE

Language:

Page 239, line 16, strike “\$2,926,102” and insert “\$2,986,102”.

Page 239, line 16, strike “\$2,926,102” and insert “\$2,986,102”.

Health And Human Resources			Item 312 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$110,000	\$110,000	GF

Language:

Page 240, line 15, strike “\$5,176,490” and insert “\$5,286,490”.

Page 240, line 15, strike “\$5,176,490” and insert “\$5,286,490”.

Page 242, after line 30, insert:

“C. Out of this appropriation, \$110,000 from the general fund each year shall be transferred to the Rx Partnership to improve access to free medications for low-income Virginians.”

Health And Human Resources			Item 312 #2s
Department Of Health	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.

Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.

Page 240, line 22, strike “\$125,000” and insert “\$225,000”.

Page 240, line 23, strike “\$125,000” and insert “\$225,000”.

Health And Human Resources			Item 312 #3s
Department Of Health	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.

Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.

Page 241, after line 56, insert:

“H. Out of this appropriation, \$100,000 from the general fund each year shall be provided to the Virginia Primary Care Association to provide gap coverage for obstetrical services in rural communities at risk of losing obstetrical services.”

Health And Human Resources	Item 314 #3s
Department Of Health	
	Language

Language:

Page 242, line 53, strike each “\$180,000” and insert “\$200,000”.

Page 243, after line 29, insert:

“3. Of this appropriation, \$200,000 each year from federal funds shall be paid to the Virginia Health Care Foundation for programs that assist low-income persons in the acquisition of reduced cost medication from pharmaceutical manufacturers.”

Health And Human Resources			Item 314 #5s
Department Of Health	FY 04-05	FY 05-06	
	\$250,000	\$250,000	GF

Language:

Page 242, line 31, strike “\$166,547,101” and insert “\$166,797,101”.

Page 242, line 31, strike “\$166,547,101” and insert “\$166,797,101”.

Page 242, line 52, strike “\$1,800,571” and insert “\$2,050,571”.

Page 242, line 53, strike “\$1,800,571” and insert “\$2,050,571”.

Page 243, after line 29, insert:

“3. Of this appropriation, \$250,000 each year from the general fund shall be paid to the Virginia Health Care Foundation to expand the Pharmacy Connect program to unserved or underserved regions of the Commonwealth.”

Health And Human Resources			Item 322 #2s
Department Of Medical Assistance Services	FY 04-05	FY 05-06	
	\$300,000	\$200,000	GF
	\$300,000	\$200,000	NGF
	2.00	2.00	FTE

Language:

Page 246, line 25, strike “\$75,013,771” and insert “\$75,613,771”.

Page 246, line 25, strike “\$75,013,728” and insert “\$75,413,728”.

Page 248, after line 17, insert:

“G. Included in this appropriation is \$300,000 from the general fund and \$300,000 from nongeneral funds in the first year and \$200,000 from the general fund and \$200,000 from nongeneral funds in the second year for the Department of Medical Assistance Services (DMAS) to complete a baseline encounter data validation study to assess the accuracy, completeness, and quality of encounter data from contracted Medicaid/FAMIS managed care plans and from the DMAS Medicaid Management Information System. The study objectives include: an assessment of encounter data used for managed care plan rate-setting and risk-adjustment, the development of necessary revisions to the

recently implemented DMAS Medicaid Management Information System, and feedback to the health plans in the form of Data Quality Improvement Plans.”

Health And Human Resources			Item 322 #3s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$250,000	\$150,000	GF
	\$250,000	\$150,000	NGF
	2.00	2.00	FTE

Language:

Page 246, line 25, strike “\$75,013,771” and insert “\$75,513,771”.

Page 246, line 25, strike “\$75,013,728” and insert “\$75,313,728”.

Health And Human Resources			Item 322 #4s
Department Of Medical Assistance Services			
			Language

Language:

Page 248, after line 17, insert:

“G. The Department of Medical Assistance Services shall study the degree to which hospital emergency rooms are being used by Medicaid fee-for-service clients for non-emergency care, and identify actions that could be taken to limit inappropriate use of this treatment setting. In conducting its review, the Department shall: (i) assess recent trends in emergency room use by Medicaid fee-for-service enrollees; (ii) estimate the incidence of Medicaid clients using the emergency room for non-emergency care; (iii) identify effective actions taken by the HMOs participating in the Department's managed care program as well as other state Medicaid programs to limit inappropriate use of the emergency room; (iv) consult with physicians and hospitals in assessing and developing programs that direct patients to primary care settings; and (v) recommend actions that can be taken to ensure emergency room usage by Medicaid fee-for-service clients is appropriate and medically necessary. The Department shall report its findings and recommendations to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2004.”

Health And Human Resources			Item 322 #5s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$638,100	\$638,100	GF
	\$314,400	\$314,400	NGF
	4.00	4.00	FTE

Language:

Page 246, line 25, strike “\$75,013,771” and insert “\$75,966,271”.

Page 246, line 25, strike “\$75,013,728” and insert “\$75,966,228”.

Page 248, after line 17, insert:

“G. The Department of Medical Assistance Services shall have the authority to amend the Medallion II waiver to allow the Department to carve out dental services provided to children under the age of 21 from Medicaid managed care. In addition, the Department shall have the authority to amend the State Plans for Titles XIX (Medical Assistance Services) and XXI (Family Access to Medical Insurance Security) of the Social Security Act, as required by applicable statute and regulations to provide dental services to children enrolled in these programs on a fee-for-service basis. The Department shall have the authority to enact emergency regulations under Section 2.2-4011 of the Administrative Process Act, to effect this provision. The Department of Medical Assistance Services

may consider outsourcing such dental services to children under age 21 to an administrative services program.”

Health And Human Resources			Item 326 #7s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$1,638,577	\$2,515,325	GF
	\$1,638,577	\$2,515,325	NGF

Language:

- Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,060,375,731”.
- Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,433,663,269”.
- Page 264, line 35, strike “\$344,756” and insert “\$2,328,089”.
- Page 264, line 35, strike “\$459,675” and insert “\$3,434,675”.
- Page 264, line 36, strike “\$344,756” and insert “\$2,328,089”.
- Page 264, line 37, strike “\$459,675” and insert “\$3,434,675”.
- Page 264, line 39, strike “is” and insert a period.
- Page 264, delete lines 40 through 43.

Health And Human Resources			Item 326 #8s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$22,000,000	\$22,000,000	GF
	\$22,000,000	\$22,000,000	NGF

Language:

- Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,101,098,577”.
- Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,472,632,619”.
- Page 251, after line 45, insert:  
 “3. Of this amount, \$22,000,000 from the general fund each year and \$22,000,000 from the federal trust fund each year shall be used to add 880 new waiver slots under the Mental Retardation Waiver Program beginning July 1, 2004. Any unexpended appropriations for this purpose shall not cancel but be available in the following fiscal year.”

Health And Human Resources			Item 326 #10s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$2,500,000	\$2,500,000	GF
	\$2,500,000	\$2,500,000	NGF

Language:

- Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,062,098,577”.
- Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,433,632,619”.
- Page 258, line 59, strike “\$18,000,000” and insert “\$15,500,000”
- Page 259, after line 12, insert:  
 “7. The Department of Medical Assistance Services shall make available under the Medicaid Preferred Drug List Program, without prior authorization, antidepressants and antianxiety medications used for the treatment of mental illness.”

Health And Human Resources			Item 326 #20s
Department Of Medical Assistance Services			
			Language

Language:

- Page 256, strike line 19.

Page 256, line 20, strike "Medicaid and Medicare Services for a" and insert:

"The Department of Medical Assistance Services shall discontinue efforts to seek approval of a".

Page 256, line 28, strike "eliminate" and insert "restore the".

Page 256, line 32, strike "The Department shall implement these necessary".

Page 256, strike lines 33 through 34, and insert:

"The Department shall study the impact of expanding elderly case management services to a statewide service. The Department shall report the results of its study to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15, 2004. The Department shall seek the input of appropriate agencies in conducting the study, including the Department for the Aging and the Area Agencies on Aging."

Health And Human Resources

Item 326 #22s

Department Of Medical Assistance Services

Language

Language:

Page 263, line 39, strike ", terminate".

Page 263, line 41, after "Waiver" insert:

", provided that individuals eligible for the waivers do not lose necessary services".

Health And Human Resources

Item 326 #25s

Department Of Medical Assistance Services

FY 04-05

FY 05-06

\$250,000

\$250,000

GF

\$250,000

\$250,000

NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,057,598,577".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,429,132,619".

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to provide an increase of \$250,000 from the general fund each year and \$250,000 from nongeneral funds each year to enhance reimbursements to inpatient hospitals with exceptionally high Medicaid utilization, specifically those inpatient hospitals with Medicaid utilization rates over 50 percent of their Neonatal Intensive Care Unit (NICU) patient populations. The enhanced reimbursements shall be proportionally distributed to the inpatient hospitals based on each hospital's share of the total NICU Medicaid patient days of the hospitals eligible for the enhanced reimbursements. In the event a hospital qualifying for this program would receive a reimbursement rate in excess of the federal upper payment limit for such facilities, they shall be determined ineligible for the additional payment. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Health And Human Resources

Item 326 #28s

Department Of Medical Assistance Services

FY 04-05

FY 05-06

\$0

\$11,492,974

GF

\$0

\$11,492,974

NGF

Language:

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,451,618,567".

Page 264, line 6, strike "75" and insert "79".

Page 264, line 6, after "percent" insert ", effective July 1, 2005".

Page 264, line 7, strike "\$9,125,000" and insert "\$20,617,974".

Page 264, line 8, strike "\$9,125,000" and insert "\$20,617,974".

Page 264, line 9, strike “for the adjustment” and insert “is for this purpose.”

Page 264, delete lines 10 through 13.

Health And Human Resources			Item 326 #29s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$5,395,530	GF
	\$0	\$5,395,530	NGF

Language:

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,439,423,679”.

Page 264, line 18, strike “\$3” and insert “\$4.66”.

Page 264, line 21, strike “\$3” and insert “\$4.66”.

Page 264, line 27, strike “\$9,740,987” and insert “\$15,136,517”.

Page 264, line 28, strike “\$9,740,987” and insert “\$15,136,517”.

Page 264, line 29, after “funds” insert “is for this purpose.”

Page 264, delete lines 30 through 33.

Health And Human Resources			Item 326 #30s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$1,449,104	GF
	\$0	\$1,449,104	NGF

Language:

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,431,530,827”.

Page 264, line 47, insert:

“BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to increase the dispensing fee paid to pharmacists from \$3.75 to \$4.00 per prescription per month. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act.”

Health And Human Resources			Item 326 #31s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$280,604	\$297,437	GF
	\$280,604	\$297,437	NGF

Language:

Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,057,659,785”.

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,429,227,493”.

Page 264, line 47, insert:

“BBB. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services to increase reimbursements to physicians delivering services to recipients in hospital emergency rooms effective July 1, 2004. Out of this appropriation, the expenditure of \$280,604 the first year and \$297,437 the second year from the general fund and \$280,604 the first year and \$297,437 the second year from nongeneral funds shall be used to increase reimbursements by 4 percent above the fiscal year 2004 level. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act.”

Health And Human Resources			Item 326 #39s
Department Of Medical Assistance Services			

Language

Language:

Page 264, after line 47, insert:

“BBB. The Department of Medical Assistance Services may make available to its enrollees those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.”

Health And Human Resources

Item 326 #40s

Department Of Medical Assistance Services

Language

Language:

Page 264, after line 47, insert:

“BBB. Contingent upon (i) receiving approval by the Robert Wood Johnson (RWJ) Foundation for a Cash and Counseling Demonstration and Evaluation grant, or (ii) an appropriation for a fiscal agent and staff to implement the program, the Department of Medical Assistance Services shall request a §1115 Research and Demonstration Waiver from the Centers for Medicare and Medicaid services. The waiver application shall include the location of the two demonstration sites as Lynchburg and Winchester. The Department shall promulgate emergency regulations to become effective within 280 days or less after receiving approval from the Centers for Medicare and Medicaid Services.”

Health And Human Resources

Item 326 #41s

Department Of Medical Assistance Services

FY 04-05

FY 05-06

\$0

\$6,000,000

GF

\$0

\$6,000,000

NGF

Language:

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,440,632,619”.

Page 264, after line 47, insert:

“BBB. Out of this appropriation, \$6,000,000 from the general fund and \$6,000,000 from nongeneral funds shall be used to increase personal care provider rates offered under community-based Medicaid waiver programs by 10 percent on July 1, 2005.”

Health And Human Resources

Item 326 #46s

Department Of Medical Assistance Services

FY 04-05

FY 05-06

\$2,666,667

\$4,000,000

GF

\$2,666,667

\$4,000,000

NGF

Language:

Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,062,431,911”.

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,436,632,619”.

Page 251, after line 45, insert:

“3. The appropriation includes \$2,666,667 the first year and \$4,000,000 the second year from the general fund and \$2,666,667 the first year and \$4,000,000 the second year from nongeneral funds for 160 new Mental Retardation Home and Community-based Waiver slots for individuals who are residing in mental retardation training centers, have been determined to be ready for discharge, and have chosen to be served in the community.”

Health And Human Resources

Item 326 #47s

Department Of Medical Assistance Services

FY 04-05

FY 05-06

\$2,000,000

\$0

GF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,059,098,577".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$2,000,000 from the general fund in the first year is provided for start-up costs related to the development of mental retardation waiver services. Any unexpended appropriations as of June 30, 2005 shall not expire but be available for these purposes until June 30, 2006."

Health And Human Resources			Item 326 #48s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$21,800,000	(\$76,400,000)	GF
	(\$21,800,000)	\$76,400,000	NGF

Language:

Page 264, line 46, strike "\$310,700,000" and insert "\$288,900,000".

Page 264, line 46, strike "\$276,300,000" and insert "\$352,700,000".

Health And Human Resources			Item 326 #49s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$5,837,400	GF
	\$0	\$5,837,400	NGF

Language:

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,440,307,419".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$5,837,400 from the general fund and \$5,837,400 from nongeneral funds the second year shall be provided for 600 slots for a 1915(c) Medicaid Waiver for day support services. Contingent upon approval by the Centers for Medicare and Medicaid Services (CMS), the Department of Medical Assistance Services (DMAS) is directed to develop such Waiver in coordination with the Department of Mental Health, Mental Retardation, and Substance Services, and affected constituents."

Health And Human Resources		Item 330 #1s
Department Of Mental Health, Mental Retardation And Substance Abuse Services		Language

Language:

Page 268, after line 50, insert:

"L. Beginning on November 1, 2004, the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall annually submit a report to the Chairmen of the Senate Finance and House Appropriations Committees detailing implementation of the Department's plan to contract with participating private providers, contract amounts paid to each private provider, number of patients served, term of inpatient treatment, any savings realized by community-based treatment, and any fiscal impact to state hospitals."

Health And Human Resources		Item 330 #2s
Department Of Mental Health, Mental Retardation And Substance Abuse Services		Language

Language:

Page 268, after line 50, insert:

“L. The Department of Mental Health, Mental Retardation, and Substance Abuse Services, in cooperation with the Department of Criminal Justice Services, shall incorporate information about programs that divert individuals with mental illness, substance abuse, and co-occurring disorders from jail or secure detention on the web-based internet site being designed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services. This is a recommendation of the Joint Commission on Health Care.”

Health And Human Resources			Item 330 #4s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 04-05	FY 05-06	
	\$0	(\$209,000)	GF

Language:

Page 266, line 18, strike “\$18,107,290” and insert “\$17,898,290”.

Health And Human Resources		Item 330 #5s
Department Of Mental Health, Mental Retardation And Substance Abuse Services		Language

Language:

Page 268, after line 50, insert:

“L.1. Notwithstanding the Commissioner's discretion to grant licenses pursuant to this chapter or any Board regulation regarding licensing, no initial license shall be granted by the Commissioner to a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, if such provider is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner of the Department of Mental Health, Mental Retardation or Substance Abuse Services or owned or operated by an agency of the Commonwealth.

2. Further, upon receiving notice of a proposal for or an application to obtain initial licensure from a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, the Commissioner shall, within 15 days of such receipt, notify the local governing body of and the community services board serving the jurisdiction in which the facility is to be located of such proposal or application and its proposed location.

Within 30 days of the date of the notice, local governing bodies and community services boards shall submit to the Commissioner comments on such proposals or applications. The local governing body shall notify the Commissioner within 30 days of the date of the notice concerning the compliance of the applicant with this section and any applicable local ordinances.

3. No license shall be issued by the Commissioner to such provider until the conditions of this section have been met, i.e., local governing body and community services board comments have been received and the local governing body has determined compliance with the provisions of this section and any relevant local ordinances.

4. No existing provider that has made application for licensure and obtained a certificate of occupancy or has received a license in accordance with the law and regulations in effect on January 1, 2004, shall be required to comply with the provisions of this section.

5. The provisions of this act shall not apply to the jurisdictions located in Planning District 8.”

Health And Human Resources		Item 330 #6s
Department Of Mental Health, Mental Retardation And Substance Abuse Services		Language

Language:

Page 268, delete lines 31 through 50.

Health And Human Resources			Item 330 #7s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 04-05 \$150,000 2.00	FY 05-06 \$150,000 2.00	GF FTE

Language:

Page 266, line 18, strike "\$18,433,014" and insert "\$18,583,014".

Page 266, line 18, strike "\$18,107,290" and insert "\$18,257,290".

Health And Human Resources			Item 332 #2s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 04-05 (\$2,666,667)	FY 05-06 (\$4,000,000)	GF

Language:

Page 269, line 5, strike "\$24,269,206" and insert "\$21,602,539".

Page 269, line 5, strike "\$27,608,206" and insert "\$23,608,206".

Page 269, strike lines 26 through 33.

Health And Human Resources			Item 332 #3s
Department Of Mental Health, Mental Retardation And Substance Abuse Services			Language

Language:

Page 269, line 36, after "fund" insert "is"

Page 269, line 37, delete "is contingent upon the" and insert a period.

Page 269, strike lines 38 through 40.

Health And Human Resources			Item 332 #4s
Department Of Mental Health, Mental Retardation And Substance Abuse Services			Language

Language:

Page 269, line 43, after "fund" insert "is".

Page 269, line 44, after "hospitals", strike "is" and insert a period.

Page 269, strike lines 45 through 48.

Health And Human Resources			Item 332 #5s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 04-05 \$200,000	FY 05-06 \$400,000	GF

Language:

Page 269, line 5, strike "\$24,269,206" and insert "\$24,469,206".

Page 269, line 5, strike "\$27,608,206" and insert "\$28,008,206".

Page 269, after line 48, insert:

"F. Out of this appropriation, \$200,000 the first year and \$400,000 the second year from the general fund shall be used to develop a pilot program to divert forensic admissions of jail inmates from state

mental health facilities, when clinically appropriate, and provide services to mentally ill persons in regional jail settings.”

Health And Human Resources			Item 334 #2s
Grants To Localities	FY 04-05	FY 05-06	
	\$1,000,000	\$1,500,000	GF

Language:

Page 270, line 14, strike “\$227,576,495” and insert “\$228,576,495”.

Page 270, line 14, strike “\$228,232,745” and insert “\$229,732,745”.

Page 272, after line 43, insert:

“Q. Out of this appropriation, \$1,000,000 in the first year and \$1,500,000 the second year from the general fund is for Part C-Early Intervention Services for infants and toddlers.”

Health And Human Resources			Item 334 #13s
Grants To Localities			

Language

Language:

Page 272, line 11, strike the first “4,125,000” and insert “6,125,000”.

Page 272, line 11, strike the second “4,125,000” and insert “6,125,000”.

Page 272, strike lines 27 through 35.

Health And Human Resources			Item 334 #14s
Grants To Localities			

Language

Language:

Page 272, line 38, after “fund” insert “is”.

Page 272, line 40, after “(PACT)”, strike:

“is contingent upon the passage into law of the” and insert a period.

Page 272, delete lines 41 through 43.

Health And Human Resources			Item 346 #1s
Virginia Center For Behavioral Rehabilitation	FY 04-05	FY 05-06	
	\$0	(\$1,991,000)	GF
	0.00	-41.00	FTE

Language:

Page 276, line 4, strike “\$6,791,432” and insert “\$4,800,432”.

Health And Human Resources			Item 349 #5s
Department Of Rehabilitative Services	FY 04-05	FY 05-06	
	\$800,000	\$800,000	GF

Language:

Page 276, line 37, strike “\$83,939,471” and insert “\$84,739,471”.

Page 276, line 37, strike “\$83,939,471” and insert “\$84,739,471”.

Page 277, line 15, strike “\$3,611,786” and insert “\$4,554,538”.

Page 277, line 16, strike "\$3,754,538" and insert "\$4,554,538".

Health And Human Resources			Item 349 #8s
Department Of Rehabilitative Services	FY 04-05	FY 05-06	
	\$1,568,750	\$1,568,750	GF

Language:

Page 276, line 37, strike "\$83,939,471" and insert "\$85,508,221".

Page 276, line 37, strike "\$83,939,471" and insert "\$85,508,221".

Page 277, line 23, after "D." insert "1."

Page 277, line 24, strike "\$1,119,926" and insert "\$2,832,388".

Page 277, line 24, strike "\$1,263,638" and insert "\$2,832,388".

Page 277, after line 27, insert:

"2. Of this amount, \$1,568,750 from the general fund each year shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to \$250,000 each year shall be awarded to successful applicants. Organizations currently receiving more than \$250,000 each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, organizations shall submit plans to match 50 percent of general fund support with non-state funding each year.

3. Beginning November 1, 2005, grant recipients shall submit annual reports to the Chairmen of the Senate Finance and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources."

Health And Human Resources			Item 349 #9s
Department Of Rehabilitative Services			
			Language

Language:

Page 277, after line 43, insert:

"H.1. For grants awarded after July 1, 2004, the Commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.

2. Notwithstanding any other law to the contrary, the Commissioner may reallocate up to \$500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries."

Health And Human Resources			Item 349 #10s
Department Of Rehabilitative Services	FY 04-05	FY 05-06	
	\$300,000	\$300,000	GF

Language:

Page 276, line 37, strike "\$83,939,471" and insert "\$84,239,471".

Page 276, line 37, strike "\$83,939,471" and insert "\$84,239,471".

Page 277, line 3, strike "\$3,385,210" and insert "\$3,976,210".

Page 277, line 4, strike "\$3,676,210" and insert "\$3,976,210".

Health And Human Resources			Item 350 #1s
Department Of Rehabilitative Services			
			Language

Language:

Page 277, after line 49, insert:

“The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning disabled persons in hospitals to rehabilitation facilities. As part of this expedited process, the Department of Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of referrals from local departments of social services.”

Health And Human Resources

Item 354 #2s

Department Of Social Services

Language

Language:

Page 281, after line 16, insert:

“I. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for federal food stamps and ensure that they have access to benefits under the food stamp program. To the extent permitted by federal law, the Department shall administer the food stamp program in a way that minimizes the procedural burden on qualified aliens and allays their concerns about the impact of food stamp receipt on their immigration sponsors and status.”

Health And Human Resources

Item 354 #4s

Department Of Social Services

FY 04-05

FY 05-06

\$100,000

\$100,000

GF

Language:

Page 279, line 10, strike “\$46,868,606” and insert “\$46,968,606”.

Page 279, line 10, strike “\$46,873,490” and insert “\$46,973,490”.

Page 281, line 14, strike “\$100,000” and insert, “\$200,000”.

Page 281, line 15, strike “\$100,000” and insert, “\$200,000”.

Health And Human Resources

Item 354 #5s

Department Of Social Services

Language

Language:

Page 281, after line 16, insert:

“I. The Department of Social Services shall implement the Guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of Federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the Department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the Department shall (1) identify the need for language assistance by analyzing the following factors: (a) the number or proportion of LEP persons in the eligible service population, (b) the frequency of contact with such persons, (c) the nature and importance of the program, activity or service, and (d) the costs of providing language assistance and resources available; (2) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (3) provide accurate and timely oral interpreter services; and (4) develop an effective implementation plan to address the identified needs of the LEP populations served.”

Health And Human Resources

Item 355 #1s

Department Of Social Services

FY 04-05

FY 05-06

\$1,000,000

\$1,000,000

GF

Language:

Page 281, line 18, strike "\$49,487,126" and insert "\$50,487,126".

Page 281, line 18, strike "\$47,445,246" and insert "\$48,445,246".

Page 282, after line 2, insert:

"3. Out of this appropriation, \$1,000,000 from the general fund each year shall be distributed according to the formula in this section."

Health And Human Resources  
Department Of Social Services

Item 356 #3s

Language

Language:

Page 283, line 8, strike "\$3,900,000" and insert "\$9,200,000".

Page 283, line 9, strike "\$3,900,000" and insert "\$4,900,000".

Health And Human Resources  
Department Of Social Services

Item 356 #7s

Language

Language:

Page 284, after line 4, insert:

"1.1. Local departments of social services shall provide to eligible Temporary Assistance to Needy Families (TANF) recipients, under the administrative supervision of the Commissioner of Social Services, pre-employment and employment-related training services from the federal TANF grant funds appropriated for that purpose.

2. A limited number of local departments of social services are encouraged to participate in a pilot program to purchase employment-related training and placement services for TANF recipients from employment services organizations and the local workforce investment boards. The Commissioner of Social Services shall issue policy guidance for the development and operation of the pilot programs to purchase employment related training and placement services for TANF recipients from employment services organizations and the local workforce investment boards.

3. The pilot training and placement services for TANF recipients from employment services organizations and the local workforce investment boards shall be evaluated during a two-year period to assess the pre-employment and employment-related training services provided to the TANF recipients."

Health And Human Resources  
Department Of Social Services

Item 356 #10s

	FY 04-05	FY 05-06	
	\$10,349,238	\$10,349,239	GF
	(\$10,349,238)	(\$10,349,238)	NGF

Language:

Page 282, line 11, strike "\$155,397,676" and insert "\$155,397,677".

Health And Human Resources  
Department Of Social Services

Item 356 #11s

Language

Language:

Page 283, delete lines 43 through 59.

Page 284, delete lines 1 through 4.

Health And Human Resources	Item 357 #3s
Department Of Social Services	
	Language

Language:

Page 285, after line 35, insert:

“J. From the federal TANF grant, \$50,000 each year shall be transferred to the Bristol-Washington County Children's Advocacy Center for services to TANF-eligible populations.”

Health And Human Resources	Item 357 #4s
Department Of Social Services	
	Language

Language:

Page 285, after line 35, insert:

“J. From the federal TANF grant, \$50,000 each year shall be transferred to the Lenowisco Planning District Children's Advocacy Center for services to TANF-eligible populations.”

Health And Human Resources			Item 357 #6s
Department Of Social Services	FY 04-05	FY 05-06	
	(\$10,349,238)	(\$10,349,239)	GF

Language:

Page 284, line 5, strike “\$152,196,355” and insert “\$141,847,117”.

Page 284, line 5, strike “\$163,637,335” and insert “\$153,288,096”.

Health And Human Resources			Item 357 #8s
Department Of Social Services	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

Page 284, line 5, strike “\$152,196,355” and insert “\$152,396,355”.

Page 284, line 5, strike “\$163,637,335” and insert “\$163,837,335”.

Health And Human Resources			Item 357 #9s
Department Of Social Services	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

Page 284, line 5, strike “\$152,196,355” and insert “\$152,296,355”.

Page 284, line 5, strike “\$163,637,335” and insert “\$163,737,335”.

Page 285, line 18, strike “\$584,980” and insert “\$684,980”.

Page 285, line 21, strike “\$584,980” and insert “\$684,980”.

Health And Human Resources			Item 359 #1s
Department Of Social Services	FY 04-05	FY 05-06	
	\$0	\$6,363,878	GF

Language:

Page 286, line 22, strike “\$20,098,755” and insert “\$26,462,633”.

Page 286, line 33, strike "\$866" and insert "\$938".

Health And Human Resources Item 360 #2s  
Department Of Social Services

Language

Language:

Page 288, after line 3, insert:

"D. Out of this appropriation, the Department of Social Services shall allocate \$2,550,000 each year from the federal TANF block grant for employment and training and other services for hard-to-serve recipients to promote self-sufficiency."

Health And Human Resources Item 360 #4s  
Department Of Social Services

Language

Language:

Page 288, after line 3, insert:

"D. From the federal TANF grant, \$637,500 each year shall be made available to approved Centers for Employment Training."

Health And Human Resources			Item 360 #4s
Department Of Social Services	FY 04-05	FY 05-06	
	\$10,349,238	\$10,349,238	NGF

Language:

Page 287, line 5, strike "\$69,122,484" and insert "\$79,471,722".

Page 287, line 5, strike "\$68,122,484" and insert "\$78,471,722".

Health And Human Resources			Item 362 #2s
Department Of Social Services	FY 04-05	FY 05-06	
	\$4,300,000	\$2,150,000	GF
	\$4,300,000	\$2,150,000	NGF

Language:

Page 288, line 53, strike "\$306,249,218" and insert "\$314,849,218".

Page 288, line 53, strike "\$306,249,218" and insert "\$310,549,218".

Health And Human Resources Item 362 #3s  
Department Of Social Services

Language

Language:

Page 291, line 5, after "fund", insert:

"and \$1,062,500 from the federal TANF grant".

Page 291, line 6, after "fund", insert:

"and \$1,062,500 from the federal TANF grant".

Health And Human Resources Item 362 #8s  
Department Of Social Services

Language

Language:

Page 291, after line 20, insert:

“O. Out of this appropriation, \$9,300,000 each year from the federal TANF block grant shall be allocated for foster care and adoption workers in local Department of Social Services offices.”

Health And Human Resources

Item 362 #9s

Department Of Social Services

Language

Language:

Page 291, after line 20, insert:

“O. The Commissioner, in consultation with local departments of social services, shall develop a plan to implement and finance the federally required local Child and Family Services Review Performance Improvement Plan.”

Health And Human Resources

Item 362 #12s

Department Of Social Services

FY 04-05

FY 05-06

\$650,000

\$650,000

GF

Language:

Page 288, line 53, strike “\$306,249,218” and insert “\$306,899,218”.

Page 288, line 53, strike “\$306,249,218” and insert “\$306,899,218”.

Page 290, line 57, strike “\$541,578” and insert “\$1,191,578”.

Page 290, line 57, strike “\$541,578” and insert “\$1,191,578”.

Health And Human Resources

Item 365 #4s

Department Of Social Services

Language

Language:

Page 292, line 49, strike “\$4,838,528” and insert \$4,857,697”

Page 292, line 50, strike “\$12,887” and insert “\$51,225”

Page 292, delete lines 51 through 59 and insert:

“2. Unless otherwise set out in this Act, federal TANF block grant funding will be provided to state agencies and other provider organizations in the first and second year at the same level as provided in fiscal year 2004.”

Page 293, delete lines 1 through 7.

Natural Resources

Item 379 #2s

Chesapeake Bay Local Assistance

FY 04-05

FY 05-06

Department

(\$1,449,221)

(\$1,451,098)

GF

-20.00

-20.00

FTE

Language:

Page 297, line 31, strike “\$1,449,221” and insert “\$0”.

Page 297, line 31, strike “\$1,451,098” and insert “\$0”.

Page 297, strike lines 31 thru 47.

Page 298, strike lines 1 thru 3.

Page 297, after line 30, insert:

“Notwithstanding Title 10.1 Chapter 21, Code of Virginia, the Chesapeake Bay Local Assistance Department will be merged with the Department of Conservation and Recreation effective July 1, 2004. The powers and duties heretofore exercised by such agency shall hereafter be vested in the

Department of Conservation and Recreation. The Chesapeake Bay Local Assistance Board shall remain a collegial body pursuant to Title 10.1 Chapter 21.”.

Natural Resources	Item 381 #1s
Department Of Conservation And Recreation	Language

Language:

Page 299, after line 57, insert:

“I.1. The Department shall conduct, or contract for, a marketing study of State Park user fees, including, but not limited to the fees charged for cabin rental, campground use, parking and boat launch use. The study shall identify the factors determining demand for state park services including demographics, locations, times of the year and other variables.

2. Based on the findings of the study, the Department shall: (1) establish marketing goals for its facilities and existing services, (2) identify new recreational products with the potential to increase nongeneral fund park revenue and increase the exposure of Virginians to the park system, and (3) to the extent that it is practical, revise its fee schedule to maximize the revenue available to the Conservation Resources Fund while maintaining adequate public access to the parks.

3. The study shall include a review of the potential for extraordinary pricing opportunities associated with particular facilities, locations, times of the year, or unique nature and recreational experiences, including package opportunities not currently included in the Department’s fee schedule. To the extent possible, the Department shall make use of marketing departments at Virginia universities or other pro bono services in producing the study. Copies of a final report from the review, the marketing goals, new product ideas, and potential fee increase options shall be delivered to the Chairmen of the House Appropriations and Senate Finance Committees by November 30, 2004.”

Natural Resources			Item 382 #1s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$15,000	\$0	GF

Language:

Page 298, line 25, strike “\$22,738,678” and insert “\$22,753,678”.

Page 299, after line 57, insert:

“I. Included in the amounts for Flood Plain Management is \$15,000 in the first year for the operations and expenses of the Rappahannock River Basin Commission.”

Natural Resources			Item 382 #7s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

Page 298, line 25, strike “\$22,738,678” and insert “\$22,938,678”.

Page 298, line 25, strike “\$20,977,511” and insert “\$21,177,511”.

Page 299, after line 57, insert:

“I. In conjunction with other reporting requirements included in this Item, the Soil and Water Conservation Board shall prepare annual statistics, by District, that include: the number of farmers, the number of acres in farms and in agricultural production (by product type), the number of farmers participating in District programs by program, the number of acres by product under each type of agricultural best management practice, the budgeted and expended funds for each agricultural best management practice, and other information needed by the Department of Conservation and Recreation to evaluate the quantitative impact of Soil and Water Conservation District practices and funding on Virginia’s water quality and land conservation goals. This information shall be provided

to the Director of the Department of Conservation and Recreation in a timely manner for the Department to complete its annual reporting requirements under this Item.”

Natural Resources			Item 382 #11s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$150,000	\$150,000	GF

Language:

- Page 298, line 25, strike “\$22,738,678” and insert “\$22,888,678”.
- Page 298, line 25, strike “\$20,977,511” and insert “\$21,127,511”.
- Page 298, line 45, strike “\$50,000” and insert “\$200,000”.
- Page 298, line 46, strike “\$50,000” and insert “\$200,000”.

Natural Resources			Item 382 #12s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$6,906,250	\$6,906,250	NGF

Language:

- Page 298, line 25, strike “\$22,738,678” and insert “\$29,644,928”.
- Page 298, line 25, strike “\$20,977,511” and insert “\$27,883,761”.
- Page 299, after line 57, insert:

“I.1. Out of the amounts for Statewide Non-Point Source Pollution Control, \$6,906,250 from nongeneral funds each year shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997, Title 10.1, Chapter 21.1, Code of Virginia. The sources of funds for these nongeneral fund deposits is the Virginia Natural and Historic Resources Fund pursuant to the “Virginia Investment Act” (Senate Bill 635, 2004 Session).

2. The Department shall review Soil and Water Conservation District (SWCD) operations and identify potential improvements in water quality and soil erosion programs. The review shall consider the relative needs of the various Districts, practices that offer the most cost-effective use of nonpoint source funding, and practices that are most appropriate given the characteristics of the various districts. The review shall incorporate the most recent findings on best management practice effectiveness. Based on the findings of the review, the Department shall propose changes in SWCD practices, staffing and funding, including the potential for performance based funding, to improve the Commonwealth’s non-point source programs. The Department shall coordinate this review with the requirements of HJR 72 (2004 Session) and any planned reviews of its nutrient management regulations. Copies of an interim report shall be provided to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance, and Agriculture, Conservation and Natural Resources by December 31, 2004. The final report including recommendations for SWCD practices and funding shall be provided by December 31, 2005.”

Natural Resources			Item 382 #13s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$1,400,121	\$1,212,684	GF
	17.00	17.00	FTE

Language:

- Page 298, line 25, strike “\$22,738,678” and insert “\$24,138,799”.
- Page 298, line 25, strike “\$20,977,511” and insert “\$22,190,195”.
- Page 299, after line 57, insert:

“I.1. The Department of Conservation and Recreation (DCR) shall assume the responsibilities and budget resources of the Chesapeake Bay Local Assistance Department (CBLAD) appropriated

herein effective July 1, 2004. The resources of the former Department shall continue within DCR to provide technical and financial assistance to localities pursuant to the Chesapeake Bay Preservation Act (§ 10.1-2100, et. seq.) The Chesapeake Bay Local Assistance Board shall continue as a collegial body.

2. The Secretary of Natural Resources shall prepare an agency reorganization plan to be submitted to the Chairmen of the Senate Finance and House Appropriations Committees by August 31, 2004. In developing the plan the Secretary shall consult with Tidewater localities and Tidewater Soil and Water Conservation Districts.

3. The plan shall include necessary steps to ensure that the purposes of the Chesapeake Bay Preservation Act are implemented by DCR, with former CBLAD resources and personnel constituting either a new division within DCR or a component of an existing division. The plan shall also identify any positions that will be eliminated or other actions needed to achieve the policy goals and cost savings.

4. It is the intent of the General Assembly that legislation in the 2005 Session effectuating the merger shall ensure that the core operations of the Chesapeake Bay Local Assistance Department and Chesapeake Bay Local Assistance Board shall continue.

J.1. The amounts provided to localities and planning district commissions for financial assistance in implementing the Chesapeake Bay Preservation Act shall be distributed on a competitive basis. Consideration shall be given to the availability of local resources, with more funding provided to localities with the greatest needs and where the greatest water quality benefits can be achieved.

2. Of the amounts in the Land Management program, the Department may expend a portion of its general fund appropriation for a water quality monitoring project in Caroline County.”

Natural Resources			Item 382 #14s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$315,000	\$315,000	NGF
	4.00	4.00	FTE

Language:

Page 298, line 25, strike “\$22,738,678” and insert “\$23,053,678”.

Page 298, line 25, strike “\$20,977,511” and insert “\$21,292,511”.

Page 299, after line 57, insert:

“I. Pursuant to §10.1-2135.C.3, Code of Virginia, the amount for Land Management includes \$315,000 each year from the Virginia Natural and Historic Resources Fund to implement the land conservation and nonpoint water quality programs funded by the “Virginia Investment Act” (SB 635, 2004 Session). These funds shall be distributed by the Director as follows: \$100,000 annually to the Virginia Outdoors Foundation for inspection and management of conservation easements, \$60,000 annually to implement SB 523 (2004 Session), and \$155,000 annually to support other programs within the Department of Conservation and Recreation that receive funds from the Virginia Land Conservation Fund and the Water Quality Improvement Fund.”

Natural Resources			Item 382 #15s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$500,000	\$500,000	NGF

Language:

Page 298, line 25, strike “\$22,738,678” and insert “\$23,238,678”.

Page 298, line 25, strike “\$20,977,511” and insert “\$21,477,511”.

Page 299, after line 57, insert:

“I. Notwithstanding the distribution specified in §10.1-2135.C.1, Code of Virginia, from the allocation intended for the Department of Conservation and Recreation for the Water Quality Improvement Fund, the Comptroller shall transfer from the sales and use tax revenue deposited into

the Virginia Natural and Historic Resources Fund: \$500,000 the first year and \$500,000 the second year for grants to local Soil and Water Conservation Districts to assist in the development of agricultural conservation plans. These amounts shall be counted against the Department's annual transfer from the Virginia Natural and Historic Resources Fund for nonpoint source programs."

Natural Resources Item 382 #16s  
Department Of Conservation And Recreation  
Language

Language:

Page 299, after line 57, insert:

"I. The Department shall provide mileage compensation to citizen members of the Roanoke River Basin Commission for travel to and from Commission meetings."

Natural Resources Item 382 #17s  
Department Of Conservation And Recreation FY 04-05 FY 05-06  
Recreation \$1,102,500 \$0 GF

Language:

Page 298, line 25, strike "\$22,738,678" and insert "\$23,841,178".

Page 299, line 21, strike "\$1,917,500", and insert "\$3,020,000".

Natural Resources Item 383 #2s  
Department Of Conservation And Recreation  
Language

Language:

Page 300, line 18, strike "the".

Page 300, line 19, strike "Commonwealth's matching share of support".

Page 300, line 21, strike "not to exceed", and insert "up to".

Page 300, line 21, after "year and", and insert "up to".

Natural Resources Item 383 #10s  
Department Of Conservation And Recreation  
Language

Language:

Page 301, after line 50, insert:

"L. From nongeneral funds provided by the Virginia Natural and Historic Resources Fund for the Virginia Land Conservation Fund, the Virginia Land Conservation Foundation may provide a grant to the Nature Conservancy of up to \$1,000,000 to acquire a permanent easement on approximately 2,000 acres in Powhatan County owned by the Sisters of the Blessed Sacrament. This appropriation is contingent on written certification to the Chairmen of the House Appropriations and Senate Finance Committees, by the Secretary of Natural Resources that this property presently represents the best use of these land conservation funds, and that matching funds will be made available to secure the easement. Certification by the Secretary must be made sixty days prior to the purchase of the easement."

Natural Resources Item 383 #11s  
Department Of Conservation And Recreation  
Language

Language:

Page 301, following line 50, insert:

“L. No funds shall be expended or authorized by the Department of Conservation and Recreation for the development of a state park on the property transferred from the Beaumont Juvenile Correctional Center until completion of the park master plan, which shall include adequate opportunity for public participation in the planning process. Nothing in this item shall preclude the Department from making necessary arrangements to secure the property in accordance with the terms of transfer from the Department of Juvenile Justice or from undertaking alterations necessary for public safety. The Department shall notify the Chairmen of the House Appropriations and Senate Finance Committees sixty days prior to any alterations to the property that are pursuant to development of a state park.”

Natural Resources			Item 383 #14s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$14,812,500	\$14,812,500	NGF

Language:

Page 300, line 1, strike “\$25,666,442” and insert “\$40,478,942”.

Page 300, line 1, strike “\$25,666,442” and insert “\$40,478,942”.

Page 301, line 15, strike “H.”, and insert “H.1.”.

Page 301, line 22, after “funding;”, insert “descriptions of projects that received funding;”

Page 301, after line 24, insert:

“2. Included in the amount for Preservation for Open Space Lands is \$14,821,500 from nongeneral funds each year to be deposited into the Virginia Land Conservation Fund, §10.1-1012, Code of Virginia. The source of these nongeneral funds is the Virginia Natural and Historic Resources Fund pursuant to the “Virginia Investment Act” (SB 635, 2004 Session).

3. The Chairman of the Virginia Land Conservation Foundation or his designee, shall review the criteria used to evaluate grant applications. Based on this review, the Foundation shall develop new review criteria that better quantify the relative merits of each prospective grant parcel. The measurable criteria shall include, but are not limited to the following: the status of the parcel under a locality's master plan as a Chesapeake Bay Preservation Area, (2) the degree to which securing the parcel will protect local drinking water supplies, (3) the degree to which the parcel satisfies recreational needs of population centers, or other recreational needs as identified in the Virginia Outdoors Plan, (4) the extent to which the affected localities have identified the parcel as having important local water quality or recreational benefits, (5) other criteria that are relevant to the particular classes of open space preservation provided under Virginia law, and (6) the cost effectiveness of the parcel in satisfying these criteria compared to alternatives. By November 19, 2004 copies of the proposed revisions to the grant review criteria shall be provided to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance and Agriculture, Conservation and Natural Resources.

4. Beginning November 1, 2005, and annually thereafter, the Chairman of the Virginia Land Conservation Foundation shall submit a report to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance and Agriculture, Conservation and Natural Resources, and the Director of the Department of Planning and Budget on the activities of the Virginia Land Conservation Foundation including, but not limited to: implementation of the Foundation's strategic plan; projects under consideration for funding, with their scores on the new grant review criteria developed under section “I.2” above; projects funded, with their scores on the new grant review criteria developed in section “I.2” above,

expenditures from, interest earned by, and financial obligations of the Virginia Land Conservation Fund.”.

Natural Resources			Item 383 #15s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$569,476	\$521,476	GF
	14.00	14.00	FTE

Language:

Page 300, line 1, strike “\$25,666,442” and insert “\$26,235,918”.

Page 300, line 1, strike “\$25,666,442” and insert “\$26,187,918”.

Natural Resources			Item 384 #1s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$50,000	\$50,000	GF

Language:

Page 302, line 6, strike “\$19,202,376” and insert “\$19,252,376”.

Page 302, line 6, strike “\$19,200,627” and insert “\$19,250,627”.

Page 302, line 20, strike “Notwithstanding”, and insert “A. Notwithstanding”

Page 302, after line 25, insert:

“B. Out of the appropriation for Administrative and Support Services, \$50,000 is provided each year from the general fund for a review of the efficiency and effectiveness of the Department's pollution permit programs, pursuant to Senate Bill 365 (2004 Session).”

Natural Resources			Item 385 #1s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$400,000	\$400,000	GF
	\$6,030,427	\$6,030,427	NGF

Language:

Page 302, line 26, strike “\$35,095,230” and insert “\$41,525,657”.

Page 302, line 26, strike “\$35,012,786” and insert “\$41,443,213”.

Page 303, strike lines 32 to 47.

Natural Resources			Item 386 #1s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	(\$150,000)	(\$150,000)	GF

Language:

Page 303, line 48, strike “\$8,339,506” and insert “\$8,189,506”.

Page 303, line 48, strike “\$8,371,076” and insert “\$8,221,076”.

Natural Resources			Item 388 #2s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$1,700,000	\$0	NGF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$62,003,091”.

Page 305, after line 14, insert:

“F. Notwithstanding the distribution specified in §10.1-2135, the Comptroller shall transfer \$1,700,000 from the Natural and Historic Resources Fund in the first year to the Combined Sewer Overflow Matching Fund, §62.1-241.12, Code of Virginia. From the Combined Sewer Overflow

Matching Fund, the City of Richmond shall receive \$1,300,000 in the first year, and the City of Lynchburg shall receive \$400,000 in the first year to match federal funds received by each city. This appropriation shall count against the Department's transfer in the first year from the Virginia Natural and Historic Resources Fund for point-source programs.”

Natural Resources			Item 388 #4s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$197,000	\$265,126	GF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$60,500,091”.

Page 304, line 18, strike “\$54,419,021” and insert “\$54,684,147”.

Page 304, line 50, strike “\$100,000 the first year”, and insert “\$297,000 the first year from the general fund and \$256,126 the second year”.

Page 304, line 54, strike “and Virginia Beach” and insert “Virginia Beach, and the Elizabeth River Restoration Trust”.

Natural Resources			Item 388 #5s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$600,000	\$0	NGF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$60,903,091”.

Page 305, after line 14, insert:

“F. Included in the amount for Construction Assistance is \$600,000 from nongeneral funds in the first year for public water needs assessment planning in the Lenowisco, Cumberland Plateau, and Mount Rogers Planning District Commissions in the amount of \$200,000 per planning district.”

Natural Resources			Item 388 #6s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$5,706,250	\$7,406,250	NGF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$66,009,341”.

Page 304, line 18, strike “\$54,419,021” and insert “\$61,825,271”.

Page 305, after line 14, insert:

“F.1. Out of the amounts for Environmental Technical and Financial Assistance, \$5,706,250 from nongeneral funds in the first year and \$7,406,250 from nongeneral funds in the second year shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997, Title 10.1, Chapter 21.1, Code of Virginia. The source of funds for these nongeneral fund deposits is the Virginia Natural and Historic Resources Fund pursuant to the “Virginia Investment Act” (SB 635, 2004 Session).

2. Beginning in its January 2005 Annual Report on the Virginia Water Quality Improvement Fund, the Department shall provide the following additional information for approved projects: (1) annual projections of the nutrient reductions from the grant project out to either the year the facility will reach design capacity or ten years, whichever is longer, (2) the impact the project will have on nutrient reduction goals for any associated tributary strategy, and (3) the discounted net present

value of the grant award in terms of dollars per ton of nutrients removed based on the projections included in "F.2.(1)".

Natural Resources			Item 388 #7s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$60,000	\$60,000	NGF
	1.00	1.00	FTE

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$60,363,091".

Page 304, line 18, strike "\$54,419,021" and insert "\$54,479,021".

Page 305, after line 14, insert:

"F. Pursuant to §10.1-2135.C.3, Code of Virginia, the amount for Environmental Technical and Financial Assistance includes \$60,000 each year from the Virginia Natural and Historic Resources Fund for operating expenses of the point source water quality programs funded by the Water Quality Improvement Fund, including grants to localities for waste water treatment facility upgrades."

Natural Resources			Item 388 #8s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	(\$1,102,500)	\$0	GF

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$59,200,591".

Page 305, line 3, strike "\$5,752,500", and insert "\$3,020,000".

Natural Resources			Item 388 #9s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	(\$1,630,000)	\$0	GF

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$58,673,091".

Page 305, strike lines 8 to 14.

Natural Resources			Item 393 #1s
Department Of Game And Inland Fisheries	FY 04-05	FY 05-06	
	\$10,000	\$20,000	NGF

Language:

Page 307, line 9, strike "\$34,989,619" and insert "\$34,999,619".

Page 307, line 9, strike "\$34,989,619" and insert "\$35,009,619".

Page 307, after line 35, insert:

"C. The Department shall maintain operation of, and visitor access to, state-owned fish hatcheries. To offset the costs of supervising visitors at hatcheries, the Department may charge a fee of up to \$1.00 per visitor."

Natural Resources			Item 393 #4s
Department Of Game And Inland Fisheries	FY 04-05	FY 05-06	
	(\$733,361)	(\$733,361)	GF

Language:

Page 307, line 9, strike "\$34,989,619" and insert "\$34,256,258".

Page 307, line 9, strike "\$34,989,619" and insert "\$34,256,258".

Page 307, strike lines 29 to 35.

Natural Resources			Item 399 #1s
Marine Resources Commission	FY 04-05	FY 05-06	
	\$637,000	\$511,500	GF
	10.00	10.00	FTE

Language:

Page 310, line 19, strike "\$11,451,099" and insert "\$12,088,099".

Page 310, line 19, strike "\$11,451,099" and insert "\$11,962,599".

Natural Resources			Item 400 #1s
Marine Resources Commission			
			Language

Language:

Page 311, line 28, strike "Out" insert "A. Out".

Page 311, after line 32, insert "B. The Marine Resources Commission shall not resume the collection of fees and royalties for the use of state-owned submerged bottomlands assessed by the Commission under the provisions of §28.2-1206.B, Code of Virginia until such time as the collection of those fees is expressly authorized by the General Assembly. This prohibition shall not prevent the assessment and collection of fees for the removal of state-owned bottom lands under §28.2-1206.C of the Code of Virginia."

Natural Resources			Item 402 #1s
Virginia Museum Of Natural History	FY 04-05	FY 05-06	
	\$0	(\$56,829)	GF

Language:

Page 312, line 2, strike "\$2,149,293" and insert "\$2,092,464".

Page 312, after line 11, strike "Out" and insert "A. Out".

Page 312, after line 17, insert:

"B. The Virginia Museum of Natural History shall review the feasibility of funding operating positions, including development activities, through increased grants and other voluntary contributions from the public and private sectors, or through cooperative arrangements with other organizations. The review shall address the operating needs of the new museum building in Martinsville. Copies of the review shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 30, 2004."

Public Safety			Item 404 #2s
Commonwealth's Attorneys' Services Council			
			Language

Language:

Page 313, strike lines 28-34.

Public Safety			Item 410 #3s
Department Of Corrections, Central Activities			
			Language

Language:

Page 316, following line 57, insert:

“H. The Department of Corrections shall develop preliminary plans for construction of a medium security prison, in addition to those authorized in this act, and shall present such plans to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2004. The plans may consider either or both construction and operation of such prison under this act, the Public Private Education and Infrastructure Act, the Corrections Private Management Act, or such other means as may be appropriate. The Department shall give first priority consideration to locating such prison within the Mount Rogers Planning District. The next priority for the location of a subsequent facility shall be given to a location within Charlotte County.”

Public Safety			Item 415 #1s
Division Of Community Corrections	FY 04-05	FY 05-06	
	\$926,551	\$1,463,224	GF
	25.00	25.00	FTE

Language:

Page 317, line 40, strike “\$58,809,844” and insert “\$59,736,395”.

Page 317, line 40, strike “\$58,809,844” and insert “\$60,273,068”.

Public Safety	Item 416 #1s
Division Of Community Corrections	

Language

Language:

Page 319, following line 19, insert:

“4. The Pamunkey Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety	Item 416 #2s
Division Of Community Corrections	

Language

Language:

Page 319, following line 19, insert:

“4. The Hampton Roads Regional Jail Authority, in order to conduct a planning study for the expansion of the Hampton Roads Regional Jail complex to serve the projected requirements for the region. Specific capital project recommendations resulting from this study shall be subject to the approval of the General Assembly prior to final approval by the Board of Corrections.”

Public Safety	Item 416 #3s
Division Of Community Corrections	

Language

Language:

Page 319, following line 19, insert:

“4. The Portsmouth City Jail, in order to proceed in planning for replacement facilities, to consist of secure detention space to be constructed at the Hampton Roads Regional Jail complex. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Hampton Roads

Regional Jail Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety Item 416 #4s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The County of Gloucester, in order to proceed in planning for an expansion project for the Gloucester County Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the County may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety Item 416 #5s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The County of Roanoke and City of Salem, in order to proceed in planning for an expansion project for the Roanoke County-Salem Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Roanoke County and the City of Salem may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety Item 416 #7s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The County of Pittsylvania, in order to proceed in planning for a renovation project for the Pittsylvania County Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Pittsylvania County may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety Item 416 #8s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The Riverside Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #9s

Division Of Community Corrections

Language

Language:

Page 319, strike line 9 and insert:

“for an expansion project involving the development of a new community corrections facility with approximately 204 beds and a 120-bed expansion to the existing regional jail.”

Public Safety

Item 416 #11s

Division Of Community Corrections

Language

Language:

Page 319, line 20, insert:

“C. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility.”

Public Safety

Item 416 #12s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The Rappahannock Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #13s

Division Of Community Corrections

Language

Language:

Page 319, line 20, insert:

“C. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards as adopted by the

Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security.”

Public Safety Item 416 #14s  
Division Of Community Corrections Language

Language:

Page 319, following line 19, insert:

“C. The Hampton Roads Regional Jail Authority, with the assistance of the Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services, shall prepare a preliminary report on the feasibility of developing a specialized facility at the regional jail complex for jail inmates referred by the criminal courts of the Commonwealth for evaluation and treatment, pursuant to the provisions of Chapter 11 of Title 19.2 of the Code of Virginia. Such facility would be owned by the Hampton Roads Regional Jail Authority, and operated under contract by the Department of Mental Health, Mental Retardation and Substance Abuse Services, with the goal of reducing waiting times for emergency treatment, evaluation of competency to stand trial and/or sanity, and restoration to competency to stand trial. The Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services shall provide all necessary technical assistance to support this study in cooperation with the Hampton Roads Regional Jail Authority. A report on this study shall be provided to the Secretaries of Public Safety and Health and Human Resources, the Chairmen of the Senate Finance and House Appropriations Committees, and the Chairman of the Joint Commission on Health Care, by October 15, 2004.”

Public Safety Item 419 #1s  
Division Of Institutions Language

Language:

Page 320, line 15, before “To”, insert “A.”.

Page 320, after line 17, insert:

“B. The Governor may authorize or direct the transfer of prisoner labor, or of farm commodities produced, at any state agency to any other state agency. It is further provided that unit prices of foodstuffs or other commodities produced on farms shall be fixed on a basis no more frequently than semiannually by the Director, Department of Corrections. These unit prices shall be the basis for charging the value of foods produced by the farms and consumed by the producing agencies or sold to other state agencies of the Commonwealth under the provisions of § 2.2-1116, Code of Virginia.”

Public Safety			Item 420 #1s
Division Of Institutions	FY 04-05	FY 05-06	
	\$894,000	\$894,000	GF
	15.00	15.00	FTE

Language:

Page 320, line 18, strike “\$405,086,042” and insert “\$405,980,042”.

Page 320, line 18, strike “\$407,600,523” and insert “\$408,494,523”.

Public Safety			Item 420 #2s
Division Of Institutions	FY 04-05	FY 05-06	
	(\$635,408)	(\$1,980,665)	GF

Language:

Page 320, line 18, strike "\$405,086,042" and insert "\$404,450,634".  
 Page 320, line 18, strike "\$407,600,523" and insert "\$405,619,858".

Public Safety			Item 420 #3s
Division Of Institutions	FY 04-05	FY 05-06	
	\$1,445,715	\$1,445,715	GF

Language:

Page 320, line 18, strike "\$405,086,042" and insert "\$406,531,757".  
 Page 320, line 18, strike "\$407,600,523" and insert "\$409,046,238".

Public Safety			Item 420 #4s
Division Of Institutions	FY 04-05	FY 05-06	
	\$250,000	\$250,000	NGF

Language:

Page 320, line 18, strike "\$405,086,042" and insert "\$405,336,042".  
 Page 320, line 18, strike "\$407,600,523" and insert "\$407,850,523".  
 Page 320, line 33, strike "100,000" and "100,000" and insert "150,000" and "150,000".  
 Page 320, line 34, strike "Prison Family Support Services" and insert "Assisting Families of Inmates".  
 Page 320, line 35, strike "100,000" and "100,000" and insert "300,000" and "300,000".

Public Safety			Item 420 #5s
Division Of Institutions			
			Language

Language:

Page 321, line 31, after "D." insert "1."  
 Page 321, line 31, strike "may" and insert "shall".  
 Page 321, following line 36, insert:  
 "2. The Department shall prepare a plan to house a total of 1,000 state-responsible offenders in such local and regional jails as it may deem appropriate, pursuant to the jail contract bed program, during the 2004-06 biennium. As a companion to this plan, the Department shall submit a budget amendment to the Department of Planning and Budget requesting the anticipated funds required to implement this plan, either in full or in part. As approved by the Secretary of Public Safety, the plan and associated request for funding shall be presented to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2004."

Public Safety			Item 427 #1s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$433,260	\$519,912	GF
	12.00	12.00	FTE

Language:

Page 324, line 13, strike "\$27,463,414" and insert "\$27,896,674".  
 Page 324, line 13, strike "\$27,463,414" and insert "\$27,983,326".

Public Safety			Item 430 #2g
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$101,620	\$101,620	GF

Language:

- Page 324, line 40, strike "\$65,420,178" and insert "\$65,521,798".
- Page 324, line 40, strike "\$65,420,178" and insert "\$65,521,798".
- Page 325, line 21, strike "\$914,585" and insert "\$1,016,205".
- Page 325, line 21, strike "\$914,585" and insert "\$1,016,205".

Public Safety			Item 430 #3s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$220,000	\$220,000	GF

Language:

- Page 324, line 40, strike "\$65,420,178" and insert "\$65,640,178".
- Page 324, line 40, strike "\$65,420,178" and insert "\$65,640,178".

Public Safety			Item 430 #8s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$146,250	\$146,250	GF

Language:

- Page 324, line 40, strike "\$65,420,178" and insert "\$65,566,428".
- Page 324, line 40, strike "\$65,420,178" and insert "\$65,566,428".
- Page 325, line 40, strike "828,750" and "828,750" and insert "975,000" and "975,000".

Public Safety			Item 430 #10s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$2,184,000	\$2,184,000	GF

Language:

- Page 324, line 40, strike "\$65,420,178" and insert "\$67,604,178".
- Page 324, line 40, strike "\$65,420,178" and insert "\$67,604,178".
- Page 325, line 42, strike "18,620,828" and insert "20,804,828".
- Page 325, line 43, strike "18,620,828" and insert "20,804,828".
- Page 326, strike lines 22-40.

Public Safety			Item 430 #11s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$83,600	\$75,850	GF
	1.00	1.00	FTE

Language:

- Page 324, line 40, strike "\$65,420,178" and insert "\$65,503,778".
- Page 324, line 40, strike "\$65,420,178" and insert "\$65,496,028".

Public Safety			Item 432 #2s
Department Of Criminal Justice Services			
			Language

Language:

- Page 328, strike lines 12-18.

Page 328, line 19, strike "C" and insert "B".

Public Safety			Item 436 #2s
Department Of Fire Programs	FY 04-05	FY 05-06	
	(\$1,250,000)	\$0	GF

Language:

Page 329, line 32, strike "\$18,373,574" and insert "\$17,123,574".

Public Safety			Item 441 #1s
Department Of Juvenile Justice	FY 04-05	FY 05-06	
	\$788,289	\$788,289	GF

Language:

Page 331, line 41, strike "\$51,878,246" and insert "\$52,666,535".

Page 331, line 41, strike "\$51,878,246" and insert "\$52,666,535".

Public Safety			Item 445 #1s
Department Of Juvenile Justice			
			Language

Language:

Page 334, strike lines 18-25.

Public Safety			Item 445.1 #1s
Department Of Juvenile Justice	FY 04-05	FY 05-06	
	\$175,887	\$0	GF

Language:

Page 334, following line 25, insert:

"445.1 Corrections Special Reserve Fund (35900).....\$175,887.....\$0

Corrections Operating Special Reserve (35901).....\$175,887.....\$0

A. From the appropriation in this Item, \$175,887 the first year is provided for the estimated increase in the operating costs of juvenile correctional facilities resulting from the enactment of Senate Bill 339, as engrossed.

B. The funds shall be paid into the Corrections Special Reserve Fund, established in accordance with Section 30-19.1:4 of the Code of Virginia."

Public Safety			Item 456 #4s
Department Of State Police			
			Language

Language:

Page 338, line 11, strike line 11 and insert "This appropriation includes"

Page 338, line 15, after "sworn personnel" strike "is" and insert "."

Page 338, strike lines 16 through 19.

Technology			Item 463 #1s
Virginia Information Technologies Agency			
			Language

Language:

Page 342, following line 56, insert:

“D. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.”.

Technology Item 463 #1s  
Virginia Information Technologies Agency Language

Language:

Page 342, after line 56, insert:

“D. The requirement that the Department of Mental Health, Mental Retardation, and Substance Abuse Services purchase information technology equipment or services from the Virginia Information Technologies Agency according to the provisions of Chapters 981 and 1021, Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.”

Technology Item 463 #3s  
Virginia Information Technologies Agency Language

Language:

Page 342, following line 56, insert:

“D. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Department of State Police.”.

Technology Item 463 #4s  
Virginia Information Technologies Agency Language

Language:

Page 342, following line 56, insert:

“D. The Information Technology Investment Board in addition to the responsibilities as set forth in the 9th Enactment clause of Chapter 981 of the 2003 Acts of the Assembly, shall have the authority to postpone the implementation schedule of any state agency by a vote of the majority of members. The members may consider the following reasons for postponement: security and sensitivity of information, adverse economic affects on participants' benefits, unusual effects on the agency's budget, or other matters that could adversely affect the Commonwealth's operations in the opinion of the Chief Information Officer.”.

Technology Item 463 #5s  
Virginia Information Technologies Agency Language

Language:

Page 342, following line 56, insert:

“D. The Department of Human Resource Management shall review and may approve all compensation actions for employees of the Virginia Information Technologies Agency.”.

Technology			Item 466 #1s
Virginia Information Technologies Agency	FY 04-05	FY 05-06	
	(\$7,279,630)	(\$600,000)	GF

Language:

Page 343, line 30, strike “\$14,932,851” and insert “\$7,653,221”.

Page 343, line 30, strike “\$8,185,999” and insert “\$7,585,999”.

Page 344, strike lines 49 to 56.

Transportation Item 469 #2s  
 Secretary Of Transportation Language

Language:

Page 348, line 29, strike "3." and insert "3.a."

Page 348, after line 38, insert:

"b. The Secretary shall ensure that \$1,300,000 the first year and \$1,300,000 the second year of congestion mitigation and air quality (CMAQ) funds allocated for the Richmond metropolitan region shall be transferred to the Department of Rail and Public Transportation. These funds shall be used by the Greater Richmond Transit Company (GRTC) to expand express bus service in Chesterfield County."

Transportation Item 469 #3s  
 Secretary Of Transportation Language

Language:

Page 350, after line 3, insert:

"C.1. It is the intent of the General Assembly to continue and maintain as permanent and separate the Highway Maintenance and Operating Fund and the Transportation Trust Fund (the Fund or Funds). Deposits to either Fund shall include the revenues generated annually through the motor vehicle sales and use taxes, motor vehicle registration fees, and motor vehicle fuels taxes imposed pursuant to Chapters 11 and 15 of the Acts of Assembly, 1986 Special Session, and such other nongeneral fund revenues as the General Assembly may dedicate or appropriate to the Funds. All interest, dividends, and appreciation accruing to each Fund shall be part of that Fund. Money in each Fund may be invested as authorized by law.

2. The General Assembly shall appropriate the Funds' proceeds of special or dedicated revenues only for purposes of constructing, improving, maintaining, and regulating traffic on the roads embraced in the systems of state highways and other transportation infrastructure for the Commonwealth and its political subdivisions and furthering the interests of the Commonwealth in the areas of highways, public transportation, railways, seaports, and airports and for the operations of state agencies related to transportation and for the direct costs incurred by other state agencies to support the issuance of debt, conduct studies required by state or federal law and collect revenues for transportation projects."

Transportation Item 469 #4s  
 Secretary Of Transportation Language

Language:

Page 350, after line 3, insert:

"C. Out of the additional revenues provided to the Transportation Trust Fund under Senate Bill 635 (2004 Session), \$167,839,911 the first year and \$179,040,289 the second year shall be deposited to the Priority Transportation Fund, and shall be deposited before any distribution set out in § 33.1-23.03:2, Code of Virginia."

Transportation Item 470 #1s  
 Department Of Aviation Language

Language:

Page 350, after line 12, insert:

“The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of organizing and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.”

Transportation			Item 474 #1s
Department Of Aviation			
			Language

Language:

Page 351, strike lines 26 through 30.

Transportation			Item 474 #2s
Department Of Aviation	FY 04-05	FY 05-06	
	\$14,090,602	\$14,840,838	NGF

Language:

Page 350, line 43, strike “\$22,083,915” and insert “\$36,174,517”.

Page 350, line 43, strike “\$22,083,915” and insert “\$36,924,753”.

Page 350, line 44, strike “\$19,683,915 \$19,683,915” and insert “\$33,774,517 \$34,524,753”.

Transportation			Item 475 #2s
Department Of Motor Vehicles			
			Language

Language:

Page 351, line 44, insert “A.” before “The”.

Page 351, after line 46, insert:

“B. The Auditor of Public Accounts shall conduct a follow-up status review of his November 13, 2003, report entitled “Department of Motor Vehicles Cost Analysis Special Report.” The report shall specifically address the progress of the Department of Motor Vehicles' efforts to implement the cost methodology and develop effective productivity measures as recommended. In addition, the Auditor should report on the changes to the Department of Motor Vehicles budget processes to ensure that these activities include the development and monitoring of the budget, including all funding sources and overall financial policy. The Auditor shall submit his findings and any recommendations by December 1, 2004, to the Governor and the Secretary of Transportation and to the Chairmen of the House Committees on Transportation and Appropriations and to the Chairmen of the Senate Committees on Transportation and Finance.

C. The Department of Motor Vehicles shall work with the Secretary of Transportation to develop performance goals and strategies in budget amendments to be submitted for review and approval by the 2005 Session. Goals and strategies shall be based on realistic assumptions of revenues and appropriations, and shall address the major activities of the agency, including: (1) Driver Licensing; (2) Driver Monitoring; (3) Driver Reinstatement; (4) Vehicle Titling and Registration; (5) Vehicle

Insurance Monitoring; (6) Dealer Licensing and Regulation; and (7) Customer Records and Information.”

Transportation			Item 482 #1s
Department Of Rail And Public Transportation	FY 04-05	FY 05-06	
	\$408,000	\$408,000	NGF

Language:

Page 353, line 27, strike “\$155,507,039” and insert “\$155,915,039”.

Page 353, line 27, strike “\$252,963,017” and insert “\$253,371,017”.

Page 354, after line 58, insert:

“I. Out of the amounts for this Item, \$408,000 the first year and \$408,000 the second year shall be provided to the Greater Richmond Transit Company (GRTC) to continue two express bus operations of GRTC routes previously approved by the Board of Supervisors of Chesterfield County. To receive the funding, Chesterfield County shall match such monies on a dollar-for-dollar basis, and shall communicate its decision to participate in the program to the department no later than 30 days after enactment of this act. If the County elects not to participate, then the monies shall be made available for other programs and projects.”

Transportation			Item 482 #2s
Department Of Rail And Public Transportation	FY 04-05	FY 05-06	
	\$1,300,000	\$1,300,000	NGF

Language:

Page 353, line 27, strike “\$155,507,039” and insert “\$156,807,039”.

Page 353, line 27, strike “\$252,963,017” and insert “\$254,263,017”.

Page 354, after line 58, insert:

“I. Out of the amounts for this Item, \$1,300,000 the first year and \$1,300,000 the second year shall be provided to the Greater Richmond Transit Company (GRTC) to expand express bus service in Chesterfield County.”

Transportation			Item 482 #3s
Department Of Rail And Public Transportation			
			Language

Language:

Page 353, line 35, after “A.”, insert “1.”

Page 353, after line 38, insert:

“2. Not included in this appropriation is an amount estimated at \$10,122,400 the first year and \$10,403,000 the second year allocated directly to transit agencies from federal sources for the Surface Transportation Program (STP) and the Minimum Guarantee program.”

Transportation			Item 483 #3s
Department Of Rail And Public Transportation			
			Language

Language:

Page 355, line 6, insert “A.” before “Out”.

Page 355, after line 14, insert:

“B. The Department shall report to the Secretary of Transportation and to the Chairmen of the Senate Committees on Finance and Transportation and to the Chairmen of the House Committees on Appropriations and Transportation by January 10, 2005, on the status of the Trans Dominion

Express. The report shall include updated operating and capital costs to establish the line and potential funding sources. In addition, the report shall identify nonfinancial issues requiring resolution before the line can be started.”

Transportation Item 483 #4s  
 Department Of Rail And Public Transportation Language

Language:

Page 355, line 6, before “Out” insert “A.”.

Page 355, after line 14, insert:

“B. The department shall develop cost estimates for establishing commuter rail service in time for the Jamestown 2007 Commemoration from Richmond City's Main Street Station to the City of Williamsburg via the Richmond International Airport. The estimates shall be submitted by December 30, 2004 to the Secretary of Transportation and to the Chairmen of the Senate Finance and Transportation Committees and to the Chairmen of the House Appropriations and Transportation Committees.”

Transportation			Item 483 #5s
Department Of Rail And Public	FY 04-05	FY 05-06	
Transportation	\$75,000	\$75,000	NGF
	1.00	1.00	FTE

Language:

Page 355, line 1, strike “\$3,750,000” and insert “\$3,825,000”.

Page 355, line 1, strike “\$3,750,000” and insert “\$3,825,000”.

Page 355, line 6, insert “A.” before “Out”.

Page 355, after line 14, insert:

“B. As part of its responsibilities in carrying out the provisions of Senate Bill 413 (2004 Session), the department shall submit a report to the Senate Finance and Transportation Committees and to the House Appropriations and Transportation Committees on the capital needs of rail transportation, including freight, passenger and “short rail” needs. This report shall include, but not be limited to, project descriptions and costs within a 10-year timeframe set out in two-year increments. This report shall also address the integration of rail transportation with other transportation modes. An interim report shall be submitted by December 30, 2004. The final report shall be submitted by December 30, 2005.”

Transportation Item 484 #2s  
 Department Of Transportation Language

Language:

Page 356, after line 26, insert:

“G. The Commonwealth Transportation Board shall develop regulations, as well as participation criteria, for the administration of the Travel Services (Logo) Signing Program, as a traffic control function of the Department of Transportation. Such regulations shall provide that any restaurant serving prepared food and operating at least six consecutive hours between 6:00 a.m. and 12:00 midnight, at least 360 days a year, will qualify for participation in the Travel Services (Logo) Signing Program under the category of food services. For purposes of this section, “prepared food” means hot or deli style food prepared to order on site. Restaurants with such hours serving prepared food shall be permitted to display their business logo on a Travel Services sign only if there is space available and at least one business logo is displayed at the same interchange in the category of food

services that operates for at least twelve consecutive hours. The regulations shall further provide that once placed on a Travel Services sign, no participant shall be removed and replaced with another business solely on the basis of hours of operation, unless it is the only business on the sign under the food service category. These regulations shall be promulgated by September 30, 2004 and shall become effective on that date.”

Transportation

Item 484 #3s

Department Of Transportation

Language

Language:

Page 356, after line 26, insert:

“G. The Auditor of Public Accounts shall conduct a follow-up status review of his July 8, 2002, report entitled “Special Review of the Cash Management and Capital Budgeting Practices” for the Department of Transportation. The Auditor shall specifically review Transportation’s implementation of the cash and expenditure forecasting model, project cost estimating system and the development of the Six Year Program as a financially constrained capital budget. The Auditor shall include Transportation’s progress on implementing all other recommendations within the July 8, 2002 report. The Auditor shall report his findings to the Governor and the Secretary of Transportation and to the Chairmen of the House Committees on Transportation and Appropriations and to the Chairmen of the Senate Committees on Transportation and Finance no later than December 1, 2004.

H. The Department of Transportation shall work with the Secretary of Transportation to develop performance goals and strategies in budget amendments to be submitted for review and approval by the 2005 Session. Goals and strategies shall be based on realistic assumptions of revenues and appropriations, and shall address the major activities of the agency, including: (1) Highway System Maintenance; (2) Highway System Construction; (3) Financial Planning, Management, and Accountability; (4) Toll Facilities Operations and Management; (5) Environmental Evaluation and Planning; (6) Traffic Engineering; and (7) Transportation Research.”

Transportation

Item 484 #4s

Department Of Transportation

Language

Language:

Page 356, after line 26, insert:

“G. The department is authorized to donate the Marion Residency to the Town of Marion or to Smyth County for economic development purposes.”

Transportation

Item 488 #3s

Department Of Transportation

Language

Language:

Page 357, after line 48 insert:

“C.1. The department shall adhere to the policy set by the 2002 Session of the General Assembly concerning the application of tolls or user fees on Interstate 81 in signing any comprehensive agreement pursuant to the Public-Private Transportation Act of 1995. State law prohibits the imposition of tolls or user fees on Interstate 81 on passenger cars, pickup or panel trucks, and motorcycles as such terms are defined in § 46.2-200, Code of Virginia. Unless the Federal Highway Administration exercises its authority to approve a pilot project for Interstate 81 permitting the use of tolls on passenger cars, this policy continues.

2. It is the intent of the General Assembly that the Commonwealth Transportation Board proceed with the environmental study of the Interstate 81 reconstruction project and that this study consider and incorporate the mitigating impacts of various rail options on the environment.”

Transportation Item 492 #2s  
 Department Of Transportation Language

Language:

Page 358, after line 49, insert:

“C. Out of the amounts for Financial Assistance for Planning, Access Roads, and Special Projects, \$50,000 the first year and \$50,000 the second year from the Commonwealth Transportation Fund shall be provided to support the transportation planning activities of the Northern Virginia Transportation Authority. The Authority shall comply with all applicable federal and state regulations to receive the monies.”

Transportation Item 493 #1s  
 Department Of Transportation Language

Language:

Page 360, after line 23, insert:

“3. Contingent upon the availability of additional revenues, projects identified as part of the U.S. Route 58 Corridor Development Program shall be afforded the highest priority in terms of funding within their respective districts.”

Transportation			Item 493 #2s
Department Of Transportation	FY 04-05	FY 05-06	
	(\$167,839,911)	(\$179,040,289)	GF
	\$167,839,911	\$179,040,289	NGF

Language:

Page 362, strike lines 56 through 57.

Page 363, strike lines 1 through 27.

Transportation			Item 497 #1s
Virginia Port Authority	FY 04-05	FY 05-06	
	\$24,658,554	\$25,971,467	NGF

Language:

Page 364, line 16, strike “\$49,798,029” and insert “\$74,456,583”.

Page 364, line 16, strike “\$54,332,460” and insert “\$80,303,927”.

Page 364, line 18, strike “\$39,700,088 \$43,943,607” and insert “\$64,358,642 \$69,915,074”.

Central Appropriations Item 502 #2s  
 Central Appropriations Language

Language:

Page 369, after line 57, insert:

“E. There is hereby appropriated to the Tobacco Indemnification and Community Revitalization Endowment all proceeds of any sale of the Commission Allocation pursuant to the provisions of Chapter 482 of the 2002 Acts of Assembly.”

Central Appropriations	Item 502 #3s
Central Appropriations	Language

Language:

Page 369, after line 57, insert:

“E. The Tobacco Indemnification and Community Revitalization Commission shall develop recommendations on how Virginia Non-Participating Manufacturers (NPM) to the Master Settlement Agreement (MSA) may join the MSA in a manner that will not lead to a loss of jobs by the NPMs and will maximize revenue for the Commonwealth. In developing the recommendations the Commission shall examine these measures from the 2004 Session — Senate Bill 649, Senate Bill 675, House Bill 345, and House Bill 1428 — as well as manufacturers assessment proposals suggested by the NPMs. Recommendations shall be submitted to the Senate Committees on Finance and Agriculture, Conservation and Natural Resources, the House Committees on Appropriations and Agriculture, Chesapeake and Natural Resources, the Governor and the Attorney General by November 1, 2004.”

Central Appropriations			Item 504 #1s
Central Appropriations	FY 04-05	FY 05-06	
	(\$25,774,963)	(\$130,796,357)	GF

Language:

Page 370, line 26, strike “\$25,774,963” and insert “\$0”.

Page 370, line 26, strike “\$130,796,357” and insert “\$0”.

Page 370, strike lines 25 to 49.

Central Appropriations			Item 505 #3s
Central Appropriations	FY 04-05	FY 05-06	
	\$752,935	\$1,390,036	GF

Language:

Page 370, line 50, strike “\$12,058,693” and insert “\$12,811,628”.

Page 370, line 50, strike “\$116,397,852” and insert “\$117,787,888”.

Page 376, following line 39, insert:

“P.1. In addition to the increase authorized in paragraphs F to L of this item, \$752,935 the first year and \$1,390,036 the second year is included for a 2.1 percent competitive salary adjustment effective November 25, 2004 for Justices of the Supreme Court of Virginia and Judges of the Court of Appeals of Virginia, Circuit Courts, General District Courts, Juvenile and Domestic Relations District Courts, and Combined District Courts.

2. The Senate Finance Committee's Subcommittee on General Government and the House Appropriations Committee's Subcommittee on Compensation and Retirement shall review the compensation and benefits provided to judges and justices. The subcommittees shall provide their joint findings and recommendations to the Chairmen of the Senate Finance Committee and the House Appropriations Committee and the Chief Justice of the Supreme Court by November 1, 2004.

The Executive Secretary of the Supreme Court and the Director of the Department of Human Resource Management shall provide such assistance as may be required.”

Central Appropriations			Item 505 #5s
Central Appropriations	FY 04-05	FY 05-06	
	\$5,628,521	\$5,628,521	GF

Language:

Page 370, line 50, strike “\$12,058,693” and insert “\$17,687,214”.

Page 370, line 50, strike “\$116,397,852” and insert “\$122,026,373”.

Page 372, following line 45, insert:

“F. In lieu of the salary increases authorized in paragraphs F to L of this Act, sworn officers of the Virginia Department of State Police shall receive an increase in base salary and related employee benefits equal to 6.42 percent on July 1, 2004. This increase is sufficient, when combined with actions provided for elsewhere in this Act, to bring the starting salary for State Troopers to \$33,000 per year.”

Central Appropriations			Item 505 #7s
Central Appropriations	FY 04-05	FY 05-06	
	\$18,552,158	\$18,552,158	GF

Language:

Page 370, line 50, strike “\$12,058,693” and insert “\$30,610,851”.

Page 370, line 50, strike “\$116,397,852” and insert “\$134,950,010”.

Page 372, following line 45, insert:

“F. In lieu of the salary increases authorized in paragraphs F to L of this Act, sheriffs, deputy sheriffs and regional jail officers shall receive an increase in base salary and related employee benefits equal to 6.42 percent on July 1, 2004.”

Central Appropriations			Item 505 #8s
Central Appropriations	FY 04-05	FY 05-06	
	\$26,950,128	\$49,753,994	GF

Language:

Page 370, line 50, strike “\$12,058,693” and insert “\$39,008,821”.

Page 370, line 50, strike “\$116,397,852” and insert “\$166,151,846”.

Page 372, line 48, strike “2005” and insert “2004”.

Page 372, line 54, strike “\$28,354,907” and insert “\$26,950,128” and “\$49,753,994”.

Central Appropriations			Item 505 #9s
Central Appropriations	FY 04-05	FY 05-06	
	\$8,351,502	\$12,602,567	GF

Language:

Page 370, line 50, strike “\$12,058,693” and insert “\$20,410,195”.

Page 370, line 50, strike “\$116,397,852” and insert “\$129,000,419”.

Page 372, line 52, strike “2005” and insert “2004”.

Page 374, line 55, strike “\$12,408,550” and insert “\$8,351,502” and “\$12,602,567”.

Central Appropriations			Item 505 #10s
Central Appropriations	FY 04-05	FY 05-06	
	\$397,880	\$397,880	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$12,456,573".

Page 370, line 50, strike "\$116,397,852" and insert "\$116,795,732".

Page 372, following line 45, insert:

"F. Sworn officers of the Capitol Police Department shall receive an increase in base salary and related employee benefits to implement the Capitol Police Pay Plan on November 25, 2004. This increase is sufficient, when combined with actions provided for elsewhere in this Act to bring the starting salary for Capitol Police Officers to a level that is competitive with campus police."

Central Appropriations			Item 505 #11s
Central Appropriations	FY 04-05	FY 05-06	
	\$0	(\$105,309,298)	GF

Language:

Page 370, line 50, strike "\$116,397,852" and insert "\$11,088,554".

Page 372, strike lines 46 to 56.

Page 373, strike lines 1 to 44.

Page 374, strike lines 1 to 55.

Page 375, strike lines 1 to 49.

Page 376, strike lines 1 to 12.

Central Appropriations			Item 505 #12s
Central Appropriations	FY 04-05	FY 05-06	
	(\$3,593,030)	(\$2,254,819)	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$8,465,663".

Page 370, line 50, strike "\$116,397,852" and insert "\$114,143,033".

Page 376, strike lines 13 to 39.

Central Appropriations			Item 505 #13s
Central Appropriations	FY 04-05	FY 05-06	
	\$4,538,250	\$4,538,250	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$16,596,943".

Page 370, line 50, strike "\$116,397,852" and insert "\$120,936,102".

Page 372, following line 45, insert:

"F. Included in the amounts for Compensation Supplements is \$4,538,250 the first year and \$4,538,250 the second year to address salary compression issues for sworn officers of the Virginia Department of State Police."

Central Appropriations			Item 506 #1s
Central Appropriations	FY 04-05	FY 05-06	
	\$238,500	\$281,200	GF

Language:

Page 376, line 40, strike "\$28,999,720" and insert "\$29,238,220".

Page 376, line 40, strike "\$25,784,869" and insert "\$26,066,069".

Page 379, after line 39, insert:

“L. Out of this appropriation, \$238,500 the first year and \$281,200 the second year from the general fund is provided for the Department of General Services rent plan for unanticipated utility cost increases at the seat of government.”

Central Appropriations Item 506 #5s  
Central Appropriations Language

Language:  
Page 378, line 40, insert:  
“4. Out of these funds, the Center for Innovative Technology shall provide a three-year grant totaling \$500,000 each year to the Southeastern Universities Research Association, Inc. for the development of the Hampton Roads Research Institute.”

Central Appropriations Item 506 #7s  
Central Appropriations Language

Language:  
Page 378, line 9, after “law.”, insert:  
“In accordance with Chapters 1019 and 1044, Acts of Assembly of 2000, the project list is amended to include state road improvements for the APM terminal to address costs beyond the funding capability of existing programs.”

Central Appropriations Item 507 #1s  
Central Appropriations Language

Language:  
Page 379, strike lines 43-52.  
Page 380, strike lines 1-5 and insert:  
“A. This appropriation includes \$2,510,000 in each year from the general fund for implementing the Statewide Agencies Radio System (STARS) project.  
B. This appropriation includes \$123,599 the first year and \$244,359 the second year from the general fund for the replacement of the existing two-way radio system at the Department of Forestry.”

Central Appropriations Item 507 #2s  
Central Appropriations Language

Language:  
Page 380, line 2, strike “is contingent upon the passage into law of the”.  
Page 380, strike lines 3 through 5 and insert “:”.

Independent Agencies			Item 522 #1s
Virginia Retirement System	FY 04-05	FY 05-06	
	\$350,000	\$50,000	NGF
	1.00	1.00	FTE

Language:  
Page 386, line 2, strike “\$22,651,837” and insert “\$23,001,837”.  
Page 386, line 2, strike “\$23,943,701” and insert “\$23,993,701”.

Page 386, following line 34, insert:

“Upon final approval of Senate Bill 284, introduced during the 2004 General Assembly Session, the Virginia Retirement System shall reimburse the Department of Human Resource Management for reasonable costs incurred in the administration of health insurance benefits related to the Line of Duty Act as mutually agreed upon by the Director of the Virginia Retirement System and the Director of the Department of Human Resource Management.”

Independent Agencies			Item 527 #1s
Virginia Office For Protection And Advocacy	FY 04-05 (\$55,000)	FY 05-06 (\$55,000)	GF

Language:

Page 387, line 38, strike “\$1,226,106” and insert “\$1,171,106”.

Page 387, line 38, strike “\$1,226,106” and insert “\$1,171,106”.

General Conditions		Item C-0 #1s
General Conditions		

Language

Language:

Page 392, following line 25, insert:

“9. A deposit equal to two percent of the annual value of any tax-supported debt issued by the Treasury Board, Virginia Public Building Authority or Virginia College Building Authority on or after July 1, 2004 shall be paid into the Capital Repairs and Improvements Revolving Fund up to the limits specified in Item C-194.1 of this act. The Treasurer of Virginia shall require these deposits as part of the bond covenants; however, the covenants shall clearly state that any deposits required to the Capital Repair and Improvement Fund shall not come either directly or indirectly from debt proceeds.”

General Conditions		Item C-0 #2s
General Conditions		

Language

Language:

Page 393, following line 14, insert:

“L. Conditions Applicable to Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no less than thirty days prior to entering into such alternative financing agreement. This report shall provide:

- a.) a description of the purpose to be achieved by the proposal,
- b.) a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing,
- c.) an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth,
- d.) an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution, and

e.) a recommendation and planned course of action based on this analysis.”

General Conditions	Item C-0 #3s
General Conditions	Language

Language:

Page 393, following line 14, insert:

“L. Conditions Applicable to Alternative Financing

1. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest or the perception of a conflict of interest:

- a) A member of the agency or institution's governing body;
- b) Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or
- c) Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.”

Administration			Item C-3.1 #1s
Department Of General Services	FY 04-05	FY 05-06	
	\$0	\$2,497,000	NGF

Language:

Page 393, following line 25, insert:

“C-3.1. Improvements: Demolition of the 8th Street Office Building                   \$2,497,000  
Fund Sources: Bond Proceeds   \$2,497,000”.

Commerce And Trade			Item C-6.10 #1s
Department Of Forestry	FY 04-05	FY 05-06	
	\$546,000	\$0	NGF

Language:

Page 394, following line 12, insert:

“C-6.10. New Construction: Abingdon Shop and Cold Storage                       \$546,000  
Fund Sources: Bond Proceeds   \$546,000”.

Commerce And Trade			Item C-6.10 #2s
Department Of Forestry	FY 04-05	FY 05-06	
	\$1,076,000	\$0	NGF

Language:

Page 394, following line 12, insert:

“C-6.10. New Construction: Abingdon Shop and Cold Storage                       \$1,076,000  
Fund Sources: Bond Proceeds   \$1,076,000”.

Education: Higher Education			Item C-15.1 #3s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$40,000,000	\$0	NGF

Language:

Page 395, line 13, insert:

“C-15.1. New Construction: School of Business Building (16648)	\$40,000,000	\$40,000,000
Fund Sources: Bond Proceeds	\$40,000,000	\$40,000,000”.

“1. Subject to Section 4-4.01x of this act and approval of a Final Project Proposal by the Commonwealth of Virginia, the General Assembly authorizes the College of William and Mary with the approval of the Governor, to explore and evaluate an alternative financing scenario to support construction of a new school of business facility or facilities on the main campus of the College.

2. The General Assembly authorizes the College of William and Mary to enter into a written agreement with the School of Business Foundation or other private entity to design, construct and finance a facility or facilities to provide classroom, faculty office, and other operational related academic and support space for the College's School of Business. The facility, or facilities, may be located on property owned by the Commonwealth of Virginia. The College of William and Mary is also authorized to enter into a written agreement with the School of Business Foundation or other private entity to lease a suitable site to the Foundation or private entity and to lease the facility or facilities from the Foundation or private entity once constructed.

3. The General Assembly further authorizes the College of William and Mary to enter into a written agreement with the School of Business Foundation or other private entity for the support of the facility or facilities by including the facility or facilities in the College's facility inventory and managing its operation and maintenance, and by otherwise supporting the facility or facilities consistent with law, provided that the College shall not be required to take any action that would constitute a breach of the College's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

4. The General Assembly further states its intent to permit construction of this project in accordance with state law, the College's nongeneral fund decentralization Memorandum of Understanding with the Secretaries of Administration and Finance, and with agreement by the School of Business Foundation or other private entity to provide from private funds a substantial majority of the cost of the project and the funds necessary to retire any related debt service.

5. The College shall be responsible for ensuring all debt service payments on this project from private funds and student fees.”

Education: Higher Education			Item C-15.10 #1s
The College Of William And Mary In Virginia	FY 04-05 \$2,821,000	FY 05-06 \$0	NGF

Language:

Page 395, line 14, insert:

“C-15.10. New Construction: Parking Deck Supplement	\$2,821,000
Fund Sources: Bond Proceeds	\$2,821,000”.

Education: Higher Education			Item C-15.10 #2s
The College Of William And Mary In Virginia	FY 04-05 \$1,600,000	FY 05-06 \$0	NGF

Language:

Page 395, line 14, insert:

“C-15.10. Acquisition: Emergency Generators	\$1,600,000
Fund Sources: Bond Proceeds	\$1,600,000”.

Education: Higher Education			Item C-17.1 #1s
Virginia Institute Of Marine Science	FY 04-05	FY 05-06	
	\$2,000,000	\$0	NGF

Language:

Page 395, following line 27, insert:  
 "C-17.1. New Construction: Field Support Center \$2,000,000  
 Fund Sources: Bond Proceeds \$2,000,000".

Education: Higher Education			Item C-17.1 #5s
Virginia Institute Of Marine Science	FY 04-05	FY 05-06	
	\$2,000,000	\$0	NGF

Language:

Page 395, following line 27, insert:  
 "C-17.1. Improvements: Maury Hall Renovation \$2,000,000  
 Fund Sources: Higher Education Operating \$2,000,000".

Education: Higher Education			Item C-18 #1s
George Mason University			
			Language

Language:

Page 395, line 34, insert:  
 "A. The General Assembly authorizes George Mason University, with approval of the Governor, to explore and evaluate an alternative financing scenario to provide an addition to the existing Krasnow Institute. This project must be consistent with the Virginia Uniform Statewide Building Code 7 of October 1, 2003, and comply with the Treasury Board Guidelines issued pursuant to 23-19(d)(4), Code of Virginia, and subsequent amendments thereto.  
 B. The General Assembly authorizes George Mason University to enter into a written agreement with a public or private entity to design, construct and finance an addition to the Krasnow Institute. The addition may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph A of this item.  
 C. In the event that the Krasnow Institute project is financed through alternative financing and constructed on land owned by or leased to a private University-related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinances; however, such project must still comply with state building permit requirements, environmental reviews and permits, and the provisions of the Virginia Uniform Building Code."

Education: Higher Education			Item C-21 #1s
George Mason University			
			Language

Language:

Page 396, line 10, insert:  
 "A. The General Assembly authorizes George Mason University, with approval of the Governor, to explore and evaluate an alternative financing scenario to provide a Conference Center for the Institute for Conflict Analysis and Resolution. This project must be consistent with the Virginia

Uniform Statewide Building Code 7 of October 1, 2003, and comply with the Treasury Board Guidelines issued pursuant to 23-19(d)(4), Code of Virginia, and subsequent amendments thereto.

B. The General Assembly authorizes George Mason University to enter into a written agreement with a public or private entity to design, construct and finance a Conference Center for the Institute for Conflict Analysis and Resolution. The Conference Center may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph A of this item.

C. In the event that the Conference Center for the Institute for Conflict Analysis and Resolution project is financed through alternative financing and constructed on land owned by or leased to a private University-related foundation, or owned by or leased to a private entity, such project must still comply with state building permit requirements, environmental reviews and permits, and the provisions of the Virginia Uniform Building Code.”

Education: Higher Education			Item C-28 #1s
George Mason University	FY 04-05	FY 05-06	
	(\$1,942,000)	\$0	NGF

Language:

Page 396, line 28, strike “\$1,942,000” and insert “\$0”.

Education: Higher Education			Item C-29.10 #1s
George Mason University	FY 04-05	FY 05-06	
	\$3,325,000	\$0	NGF

Language:

Page 397, line 4, insert:

“C-29.10. Improvements: North Loop Utility Infrastructure Supplement \$3,325,000  
Fund Sources: Bond Proceeds \$3,325,000”.

Education: Higher Education			Item C-29.20 #1s
George Mason University	FY 04-05	FY 05-06	
	\$1,750,000	\$0	NGF

Language:

Page 397, line 4, insert:

“C-29.20. New Construction: Prince William IIIA Supplement \$1,750,000  
Fund Sources: Bond Proceeds \$1,750,000”.

Education: Higher Education			Item C-29.20 #2s
George Mason University	FY 04-05	FY 05-06	
	\$1,500,000	\$0	NGF

Language:

Page 397, line 4, insert:

“C-29.20. New Construction: Prince William IIIA Supplement \$1,500,000  
Fund Sources: Higher Education Operating \$1,500,000”.

Education: Higher Education			Item C-29.20 #3s
George Mason University	FY 04-05	FY 05-06	
	\$1,500,000	\$0	NGF

Language:

Page 397, line 4, insert:

“C-29.20. New Construction: Center for the Arts \$1,500,000  
 Fund Sources: Higher Education Operating \$1,500,000”.

Education: Higher Education			Item C-34.1 #1s
James Madison University	FY 04-05	FY 05-06	
	\$13,600,000	\$0	NGF

Language:

Page 397, following line 26, insert:  
 “C-34.1. New Construction: Parking Deck \$13,600,000  
 Fund Sources: Bond Proceeds \$13,600,000”.

Education: Higher Education			Item C-34.1 #2s
James Madison University	FY 04-05	FY 05-06	
	\$8,000,000	\$0	NGF

Language:

Page 397, following line 26, insert:  
 “C-34.1. New Construction: Planning and Construction of New Student  
 Recreation Fields \$8,000,000  
 Fund Sources: Higher Education Operating \$8,000,000”.

Education: Higher Education			Item C-39 #2s
Mary Washington College	FY 04-05	FY 05-06	
	\$5,000,000	\$0	NGF

Language:

Page 398, line 9, strike “\$20,000,000” and insert “\$25,000,000”.

Education: Higher Education			Item C-40 #3s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,000,000	\$0	NGF

Language:

Page 398, line 11, strike “\$5,000,000” and insert “\$6,000,000”.

Education: Higher Education			Item C-41.1 #1s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,500,000	\$0	NGF

Language:

Page 398, following line 15, insert:  
 “C-41.1. Improvements: Dodd Hall Auditorium Renovation \$1,500,000  
 Fund Sources: Bond Proceeds \$1,500,000”.

Education: Higher Education			Item C-41.1 #3s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,100,000	\$0	NGF

Language:

Page 398, following line 15, insert:  
 “C-41.1. Acquisition: Property Acquisition \$1,100,000  
 Fund Sources: Higher Education Operating \$1,100,000”.

Education: Higher Education			Item C-41.1 #4s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,500,000	\$1,500,000	NGF

Language:

Page 398, following line 15, insert:  
 "C-41.1. New Construction: Bell Tower \$1,500,000 \$1,500,000  
 Fund Sources: Higher Education Operating \$1,500,000 \$1,500,000".

Education: Higher Education			Item C-42 #1s
Norfolk State University	FY 04-05	FY 05-06	
	(\$1,469,000)	(\$1,469,000)	GF

Language:

Page 398, line 19, strike "\$1,469,000" and insert "\$0".  
 Page 398, line 19, strike "\$1,469,000" and insert "\$0".

Education: Higher Education			Item C-43 #1s
Norfolk State University			
			Language

Language:

Page 398, following line 22, insert:  
 "This project shall be funded from \$1,416,000 in 9(d) bonds and \$1,584,000 in Virginia College Building Authority bonds."

Education: Higher Education			Item C-43.1 #11s
Norfolk State University	FY 04-05	FY 05-06	
	\$0	\$3,850,000	NGF

Language:

Page 398, following line 25, insert:  
 "C-43.1. New Construction: Police and Public Safety Building \$3,850,000  
 Fund Sources: Bond Proceeds \$3,850,000".

Education: Higher Education			Item C-46 #1s
Old Dominion University	FY 04-05	FY 05-06	
	(\$2,287,000)	\$0	NGF

Language:

Page 399, line 2, strike "\$6,860,000" and insert "\$4,573,000".

Education: Higher Education			Item C-52.1 #1s
Old Dominion University	FY 04-05	FY 05-06	
	\$0	\$16,500,000	NGF

Language:

Page 399, following line 26, insert:  
 "C-52.1. Improvements: Health and Physical Education Building \$16,500,000  
 Fund Sources: Bond Proceeds \$16,500,000".  
 Page 398, following line 22, insert:

“This project shall be funded from \$12,982,000 in 9(d) bonds and \$3,518,000 in Virginia College Building Authority bonds.”

Education: Higher Education			Item C-52.1 #3s
Old Dominion University	FY 04-05	FY 05-06	
	\$1,020,869	\$0	NGF

Language:

Page 399, following line 26, insert:

“C-52.1. Improvements: 43rd Street \$1,020,869  
 Fund Sources: Higher Education Operating \$1,020,869”.

Education: Higher Education			Item C-52.1 #4s
Old Dominion University			
			Language

Language:

Page 399, following line 26, insert:

“C-52.1. New Construction: Recreational Facilities and Infrastructure

The General Assembly authorizes Old Dominion University to enter into a written agreement with the City of Norfolk for the development of recreational facilities, off-street parking, and associated infrastructure adjacent to the University where the City plans to develop a public golf course and a stadium for the joint usage for several public high schools as well as the University. The University is authorized to convey parcels of land to the City of Norfolk and/or the Norfolk Redevelopment & Housing Authority for the purpose of constructing these recreational facilities, including necessary off-street parking, street improvements, and associated infrastructure consistent with the City's and University's master plans. In addition, the University is further authorized to convey to the City and/or Norfolk Redevelopment & Housing Authority residual parcels of land south of 43rd Street for the purpose of constructing market rate housing. Any and all such conveyances shall be upon terms satisfactory to the University.”

Education: Higher Education			Item C-55.1 #1s
Radford University	FY 04-05	FY 05-06	
	\$670,000	\$0	NGF

Language:

Page 398, following line 25, insert:

“C-55.1. Planning: Heth Hall Renovation \$670,000  
 Fund Sources: Higher Education Operating \$670,000”.

Education: Higher Education			Item C-58 #1s
University Of Virginia			
			Language

Language:

Page 400, after line 12, insert:

“Notwithstanding any other provision of law, the University is hereby authorized to enter into a contract to upgrade the main heating plant for environmental compliance. It is anticipated that

sufficient appropriation will be provided in future fiscal years to cover all phases of the project as specified in the final contract.”

Education: Higher Education			Item C-67 #1s
University Of Virginia			
			Language

Language:

Page 400, strike lines 37 to 39.

Page 401, strike lines 1 to 6.

Education: Higher Education			Item C-67.1 #1s
University Of Virginia	FY 04-05	FY 05-06	
	\$3,500,000	\$0	NGF

Language:

Page 399, following line 26, insert:

“C-67.1. New Construction: Campbell Hall Addition

\$3,500,000

Fund Sources: Higher Education Operating

\$3,500,000”.

Education: Higher Education			Item C-82 #2s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$3,000,000	\$0	NGF

Language:

Education: Higher Education			Item C-67.1 #3s
University Of Virginia	FY 04-05	FY 05-06	
	\$2,200,000	\$0	NGF

Language:

Page 401, following line 6, insert:

“C-67.1. Improvements: Varsity Hall Renovation

\$2,200,000

Fund Sources: Higher Education Operating

\$2,200,000”.

Education: Higher Education			Item C-67.1 #4s
University Of Virginia	FY 04-05	FY 05-06	
	\$15,000,000	\$0	NGF

Language:

Page 401, following line 6, insert:

“C-67.1. Acquisition: Advanced Research Technology Facility

\$15,000,000

Fund Sources: Bond Proceeds

\$15,000,000”.

Education: Higher Education			Item C-67.1 #5s
University Of Virginia	FY 04-05	FY 05-06	
	\$24,000,000	\$0	NGF

Language:

Page 399, following line 26, insert:

“C-67.1. New Construction: Expand University Hospital

\$24,000,000

Fund Sources: Bond Proceeds

\$24,000,000”.

Education: Higher Education Item C-74 #1s  
 University Of Virginia's College At Wise  
Language

Language:

Page 401, following line 36, insert:  
 "This project shall be funded from \$799,000 in 9(d) bonds."

Education: Higher Education			Item C-80.1 #1s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$5,000,000	\$0	NGF

Language:

Page 401, following line 6, insert:  
 "C-80.1. Improvements: Hunton Hall Renovation \$5,000,000  
 Fund Sources: Bond Proceeds \$5,000,000".

Education: Higher Education			Item C-80.1 #3s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$2,000,000	\$0	NGF

Language:

Page 402, following line 23, insert:  
 "C-80.1. Planning: New School of Business \$2,000,000  
 Fund Sources: Higher Education Operating \$1,000,000  
\$1,000,000".

Education: Higher Education			Item C-80.1 #4s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$0	\$14,000,000	NGF

Language:

Page 401, following line 6, insert:  
 "C-80.1. New Construction: Monroe Campus Parking Deck \$14,000,000  
 Fund Sources: Bond Proceeds \$14,000,000".

Education: Higher Education Item C-84 #1s  
 Virginia Commonwealth University  
Language

Language:

Page 402, following line 33, insert:  
 "This project shall be funded from \$2,500,000 in 9(d) bonds."

Education: Higher Education			Item C-98 #1s
Virginia Community College System	FY 04-05	FY 05-06	
	(\$683,000)	\$0	NGF

Language:

Page 404, line 25, strike "\$725,000" and insert "\$42,000".

Education: Higher Education			Item C-108.10 #1s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,834,000	\$0	NGF

Language:

Page 405, following line 33, insert:

"C-108.10. New Construction: Construct Science Building Addition,  
Blue Ridge Community College \$1,834,000  
Fund Sources: Bond Proceeds \$1,834,000".

Education: Higher Education			Item C-108.10 #2s
Virginia Community College System	FY 04-05	FY 05-06	
	\$0	\$4,160,000	NGF

Language:

Page 405, following line 33, insert:

"C-108.10. New Construction: Blackwater Building, Tidewater Community College \$4,160,000  
Fund Sources: Bond Proceeds \$4,160,000".

Education: Higher Education			Item C-108.1 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$0	\$9,149,475	NGF

Language:

Page 405, following line 33, insert:

"C-108.1. Improvements: Major Building Systems Repair and Replacement \$9,149,475  
Fund Sources: Bond Proceeds \$9,149,475".

Education: Higher Education			Item C-108.10 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,465,290	\$0	NGF

Language:

Page 405, following line 33, insert:

"C-108.10. Improvements: Renovate the Top Floor of Galax Hall, Wytheville  
Community College \$1,465,290  
Fund Sources: Bond Proceeds \$1,465,290".

Education: Higher Education			Item C-108.1 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$400,000	\$0	NGF

Language:

Page 405, line 34, insert:

"C-108.1. Improvements: Bookstore, Blue Ridge Community College \$400,000  
Fund Sources: Higher Education Operating \$400,000".

Education: Higher Education			Item C-119.10 #1s
Virginia Military Institute	FY 04-05	FY 05-06	
	\$1,590,000	\$0	GF

Language:

Page 408, following line 30, insert:

“C-119.10. Planning: Renovation of Kilborne Hall \$1,590,000  
Fund Sources: General \$1,590,000”.

Education: Higher Education

Item C-122.10 #1s

Virginia Polytechnic Institute And State University	FY 04-05	FY 05-06	
	\$2,750,000	\$0	GF

Language:

Page 408, following line 30, insert:

“C-122.10. Planning: Renovation of Campus Heating Plant \$2,750,000  
Fund Sources: General \$2,750,000”.

Education: Higher Education

Item C-124 #1s

Virginia State University	FY 04-05	FY 05-06	
	(\$1,202,000)	(\$1,202,000)	GF

Language:

Page 409, line 14, strike “\$1,202,000” and insert “\$0”.

Page 409, line 14, strike “\$1,202,000” and insert “\$0”.

Education: Higher Education

Item C-125 #1s

Virginia State University			Language
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Language:

Page 409, following line 21, insert:

“This project shall be funded from \$429,000 of non-general funds.”

Education: Other

Item C-125.1 #1s

Frontier Culture Museum Of Virginia	FY 04-05	FY 05-06	
	\$0	\$375,000	NGF

Language:

Page 409, following line 24, insert:

“C-125.1. New Construction: Site Improvements Wetlands Mill and Bowman House Sites \$375,000  
Fund Sources: Bond Proceeds \$375,000”.

Education: Other

Item C-126 #1s

Jamestown-Yorktown Foundation			Language
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Language:

Page 409, following line 18, insert:

“This project shall be funded from \$265,000 in nongeneral fund cash.”

Education: Other

Item C-133.10 #1s

The Science Museum Of Virginia	FY 04-05	FY 05-06	
	\$0	\$500,000	NGF

Language:

Page 410, following line 22, insert:

“C-133.10. Improvements: Replace Exhibits \$500,000  
 Fund Sources: Bond Proceeds \$500,000”.

Education: Other Item C-135.10 #1s  
 Virginia Museum Of Fine Arts FY 04-05 FY 05-06  
 \$1,792,000 \$0 NGF

Language:

Page 410, following line 22, insert:  
 “C-135.10. Improvements: Upgrade Security System \$1,792,000  
 Fund Sources: Bond Proceeds \$1,792,000”.

Health And Human Resources Item C-137 #1s  
 Department Of Mental Health, Mental FY 04-05 FY 05-06  
 Retardation And Substance Abuse \$3,000,000 \$0 GF  
 Services (\$9,500,000) (\$22,300,000) NGF

Language:

Page 411, line 11, strike “\$9,500,000” and insert “\$3,000,000”.  
 Page 411, line 11, strike “\$22,300,000” and insert “\$0”.

Natural Resources Item C-154.10 #1s  
 Virginia Museum Of Natural History FY 04-05 FY 05-06  
 \$0 \$2,000,000 NGF

Language:

Page 410, following line 22, insert:  
 “C-154.10. Acquisition: Exhibits for the New Museum Building \$2,000,000  
 Fund Sources: Bond Proceeds \$2,000,000”.  
 The funds appropriated in this item shall be matched by an equal amount of non-general funds raised locally.”

Public Safety Item C-161 #1s  
 Department Of Corrections, Central FY 04-05 FY 05-06  
 Activities \$6,261,000 \$0 NGF

Language:

Page 415, line 2, strike “\$62,384,000” and insert “\$68,645,000”.  
 Page 415, line 1, strike “prison” and insert “Correctional Facility in Tazewell County”.

Public Safety Item C-161.1 #1s  
 Department Of Corrections, Central FY 04-05 FY 05-06  
 Activities \$73,553,000 \$0 NGF

Language:

Page 415, following line 3, insert:  
 “C-161.1. New Construction: Construct Medium Security Correctional Facility  
 in Pittsylvania County \$73,553,000  
 Fund Sources: Bond Proceeds \$73,553,000”.

Transportation Item C-184 #1s  
 Department Of Transportation

Language

Language:

Page 418, line 42, after “30”, delete the rest of the line.

Page 418, strike lines 43 through 45 and insert “site.”.

Central Appropriations			Item C-194 #1s
Central Capital Outlay	FY 04-05	FY 05-06	
	(\$20,000,000)	(\$20,000,000)	GF

Language:

Page 420, line 6, strike “\$25,000,000” and insert “\$5,000,000”.

Page 420, line 6, strike “\$25,000,000” and insert “\$5,000,000”.

2004-2006 Appropriations

Agency Code	Agency Name	Project Code	FY 2005	FY 2006
123	Department of Military Affairs	10893	\$36,634	\$36,634
127	Department of Emergency Management	15989	\$4,517	\$4,517
140	Department of Criminal Justice Services	16320	\$4,517	\$4,517
146	The Science Museum of Virginia	13634	\$58,269	\$58,269
156	Department of State Police	10886	\$13,414	\$13,414
161	Department of Taxation	15994	\$11,919	\$11,919
194	Department of General Services	14260	\$177,325	\$177,325
199	Department of Conservation And Recreation	16646	\$42,844	\$42,844
203	Woodrow Wilson Rehabilitation Center	10885	\$75,493	\$75,493
204	The College of William And Mary In Virginia	12713	\$178,553	\$178,553
207	University of Virginia	12704	\$565,994	\$565,994
208	Virginia Polytechnic Institute and State University	12707	\$584,393	\$584,393
211	Virginia Military Institute	12732	\$97,114	\$97,114
212	Virginia State University	12733	\$217,195	\$217,195
213	Norfolk State University	12724	\$265,440	\$265,440
214	Longwood University	12722	\$105,587	\$105,587
215	Mary Washington College	12723	\$43,727	\$43,727
216	James Madison University	12718	\$168,091	\$168,091
217	Radford University	12731	\$71,450	\$71,450
221	Old Dominion University	12710	\$115,379	\$115,379
236	Virginia Commonwealth University	12708	\$366,949	\$366,949
238	Virginia Museum of Fine Arts	13633	\$55,304	\$55,304
239	Frontier Culture Museum of Virginia	15045	\$7,003	\$7,003

241	Richard Bland College	12716	\$4,517	\$4,517
242	Christopher Newport University	12719	\$32,066	\$32,066
246	University of Virginia's College at Wise	12706	\$22,841	\$22,841
247	George Mason University	12712	\$203,653	\$203,653
260	Virginia Community College System	12611	\$423,256	\$423,256
268	Virginia Institute of Marine Science	12331	\$29,545	\$29,545
301	Department of Agriculture and Consumer Services	12253	\$12,221	\$12,221
402	Marine Resources Commission	16498	\$4,517	\$4,517
409	Department of Mines, Minerals and Energy	13096	\$4,517	\$4,517
411	Department of Forestry	13986	\$10,950	\$10,950
417	Gunston Hall	12382	\$4,977	\$4,977
425	Jamestown-Yorktown Foundation	13605	\$46,053	\$46,053
702	Department for the Blind and Vision Impaired	13942	\$16,959	\$16,959
720	Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	\$466,390	\$466,390
777	Department of Juvenile Justice	15081	\$137,206	\$137,206
799	Department of Corrections	10887	\$304,187	\$304,187
942	Virginia Museum of Natural History	14439	\$4,517	\$4,517
948	Southwest Virginia Higher Education Center	16499	\$4,517	\$4,517
	Total		\$5,000,000	\$5,000,000

Central Appropriations			Item C-194.20 #1s
Central Capital Outlay	FY 04-05	FY 05-06	
	\$30,171,000	\$22,671,000	GF
	\$19,829,000	\$52,329,000	NGF

Language:

Page 421, following line 36, insert

“C-194.20. Improvements: Capital Repairs and Improvements	\$50,000,000	\$75,000,000
Fund Sources: General	\$30,171,000	\$22,671,000
Bond Proceeds	\$19,829,000	\$52,329,000”.

A.1. A total of \$50,000,000 for FY 2005 and \$75,000,000 for FY 2006 from a combination of general funds and Virginia Public Building Authority bonds is provided to state agencies and institutions for Capital Repairs and Improvements subprojects.

The Director of the Department of Planning and Budget is hereby directed to transfer to agencies and institutions the following sums:

## 2004-2006 Appropriations

Agency Code	Agency Name	Project Code	FY 2005
123	Department of Military Affairs	10893	\$366,340
127	Department of Emergency Management	15989	\$45,174
140	Department of Criminal Justice Services	16320	\$45,174
146	The Science Museum of Virginia	13634	\$582,689
156	Department of State Police	10886	\$134,140
161	Department of Taxation	15994	\$119,190
194	Department of General Services	14260	\$1,773,254
199	Department of Conservation And Recreation	16646	\$428,436
203	Woodrow Wilson Rehabilitation Center	10885	\$754,933
204	The College of William And Mary In Virginia	12713	\$1,785,534
207	University of Virginia	12704	\$5,659,936
208	Virginia Polytechnic Institute and State University	12707	\$5,843,930
211	Virginia Military Institute	12732	\$971,143
212	Virginia State University	12733	\$2,171,949
213	Norfolk State University	12724	\$2,654,404
214	Longwood University	12722	\$1,055,871
215	Mary Washington College	12723	\$437,268
216	James Madison University	12718	\$1,680,906
217	Radford University	12731	\$714,495
221	Old Dominion University	12710	\$1,153,786
236	Virginia Commonwealth University	12708	\$3,669,490
238	Virginia Museum of Fine Arts	13633	\$553,036
239	Frontier Culture Museum of Virginia	15045	\$70,030
241	Richard Bland College	12716	\$45,174
242	Christopher Newport University	12719	\$320,662
246	University of Virginia's College at Wise	12706	\$228,409
247	George Mason University	12712	\$2,036,533
260	Virginia Community College System	12611	\$4,232,561
268	Virginia Institute of Marine Science	12331	\$295,446
301	Department of Agriculture and Consumer Services	12253	\$122,206
402	Marine Resources Commission	16498	\$45,174
409	Department of Mines, Minerals and Energy	13096	\$45,174
411	Department of Forestry	13986	\$109,499
417	Gunston Hall	12382	\$49,765
425	Jamestown-Yorktown Foundation	13605	\$460,525
702	Department for the Blind and Vision Impaired	13942	\$169,591

720	Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	\$4,663,899
777	Department of Juvenile Justice	15081	\$1,372,057
799	Department of Corrections	10887	\$3,041,871
942	Virginia Museum of Natural History	14439	\$45,174
948	Southwest Virginia Higher Education Center	16499	\$45,174
		Total	\$50,000,000

2. The distribution of funds for the purposes of this item for FY 2006 shall be based on the findings and recommendations of the audit of deferred maintenance required by Item 2 of this act.

B. Agencies and institutions of higher education may use capital repair and improvement funds in the first year to plan subprojects to be funded from allocations in the second year. Any agency or institution of higher education which has not expended or contractually obligated itself in a legally binding manner to expend its biennial appropriation for capital repair and improvement funds by June 30, 2006, shall revert the unobligated balance to the fund. Such balances shall be reallocated for the next fiscal year. For good cause, the Director of the Department of Planning and Budget may grant exceptions to this requirement.

C. Agencies and institutions of higher education may use capital repair and improvement funds to address major physical plant deficiencies such as: 1) roof repair and replacement, 2) heating and cooling system repair and replacement, 3) major electrical system repair and replacement, or 4) such other deficiencies as the Director, Department of Planning and Budget may approve, provided however that all projects undertaken shall have an estimated useful life of not less than fifteen years.”

Central Appropriations			Item C-194.20 #2s
Central Capital Outlay	FY 04-05	FY 05-06	
	\$300,000	\$0	GF

Language:

Page 421, following line 36, insert:

“C-194.20. Improvements: Capital Repairs and Improvements \$300,000  
 Fund Sources: General \$300,000”.

“Out of the amounts for Maintenance Reserve shall be paid \$300,000 the first year for the costs of an audit of the Commonwealth's deferred maintenance needs.

The Auditor of Public Accounts shall perform an audit to determine the amount of deferred maintenance costs in the Commonwealth. The Auditor shall conduct the audit in phases with a preliminary report of the audit scope to be presented to the Chairmen of the Senate Finance and House Appropriation Committees in May of 2004, an interim progress report to the General Assembly by December of 2004, and the final report by December 2005. The first phase of the audit shall give consideration to including not only large agencies and institutions with facilities, but agencies and institutions that have public safety and health facilities.

To assist the Auditor of Public Accounts, the following agencies and institutions shall designate and assign at least one individual from each entity to assist in the audit: Department of General Services, the Department of Corrections, the Virginia Community College System, George Mason University, Department of Transportation and the State Council of Higher Education for Virginia.

These individuals should have sufficient experience and knowledge to assist the Auditor of Public Accounts in developing procedures for collecting information and assisting agency and institutional personnel with advice and guidance in implementing, collecting and summarizing information for this audit. These individuals will work with agencies and institutions to ensure that they are properly accumulating information.

The Auditor of Public Accounts will oversee the collection, analysis, and prioritization of the data needed to audit deferred maintenance costs. All state agencies and institutions will work with and assist the Auditor of Public Accounts to collect this data in relation to their agency.

As part of this audit, the Auditor of Public Accounts shall establish procedures and acquire software to develop and implement a Capital Outlay Deferred Maintenance System throughout all state agencies and institutions to gather information on the maintenance needs of all Commonwealth owned buildings. In addition to acquiring the software, the Auditor of Public Accounts will acquire the necessary training for the state agencies and institutions.”

Central Appropriations

Item C-194.1 #2s

Central Capital Outlay

Language

Language:

Page 421, following line 36, insert

“C-194.1. Improvements: Capital Repairs and Improvements

Fund Sources:

“A. All tax-supported debt issued by the Treasury Board, the Virginia Public Building Board and the Virginia College Building Board under the provisions of Virginia's Constitution, Article 10 Sections 9(b) and 9(d) after July, 2004 shall require the creation of a Capital Repairs and Improvements Revolving Fund, and require payment into the Fund in accordance with the following provisions.

B.1. Except as provided in subparagraph B.3. of this item, the Commonwealth shall annually pay into the Capital Repairs and Improvements Revolving Fund an amount equal to two percent of the accumulated balance of all new outstanding debt issued after July 1, 2004. This deposit shall not exceed \$30 million annually. For purposes of this computation, the Commonwealth shall include all tax-supported debt issued by the Treasury Board, the Virginia Public Building Board and the Virginia College Building Board under the provisions of Virginia's Constitution, Article 10 Sections 9(b), and 9(d).

2. Funds for this deposit shall not be derived either directly or indirectly from debt, but shall be made from revenues available for appropriation.

3. No deposits to the Capital Repairs and Improvements Revolving Fund shall be required in any fiscal year in which the General Assembly of Virginia appropriates funds from the Revenue Stabilization Fund authorized by Article 10 Sections 8 of the Constitution of Virginia.

C. By November 1 each year, the Auditor of Public Accounts shall compute the maximum balance of the fund, and the Governor shall adjust the payment into the fund in the budget prepared in accordance with Section 2.2-1508 of the *Code of Virginia*. The maximum balance of the fund shall not exceed 2.25 percent of value of the Commonwealth's capital assets excluding land and infrastructure before accumulated depreciation and the total capital assets of state supported institutions of higher education excluding land and assets not funded by the debt described above before accumulated depreciation as reported by the State Comptroller in his annual Comprehensive Financial Report. The maximum balance of the fund shall include both the cash and investment balances in the fund and the net realizable value of any other assets.

D. The Auditor of Public Accounts shall, as part of his computation in C. above, certify that:

1. None of the projects financed by the Capital Repairs and Improvements Revolving Fund represented new construction or expansion of any existing capital asset, and
2. All complied with the Authority's policies and regulations for such projects.

E. The Authority shall maintain the Capital Repairs and Improvements Revolving Fund and receive payments into the Fund as previously described. The Authority shall adopt policies and regulations for the Capital Repairs and Improvements Revolving Fund for purposes of setting the following:

1. Definition and criteria for projects qualifying for loans and
2. Procedures for making and repaying fund loans.

These policies and regulations shall be based on recommendations from a committee comprised of the Secretary of Finance, State Treasurer, Director of the Department of General Services, the Auditor of Public Accounts, a staff representative of the State Council of Higher Education, a representative of the State Council of Higher Education's Finance Advisory Committee and staff representatives of the Senate Finance and House Appropriation Committees as designated by their respective Chairmen. The Capital Repairs and Improvements Revolving Fund may receive other appropriations made directly to it by the General Assembly.”

Central Appropriations			Item C-195 #1s
Central Capital Outlay	FY 04-05	FY 05-06	
	(\$7,500,000)	\$0	GF

Language:

Page 421, line 38, strike “\$7,500,000” and insert “\$0”.

Transfers		Item 3-1.01 #1s
Interfund Transfers		
		Language

Language:

Page 437, strike lines 23 through 26.

Transfers		Item 3-1.01 #1s
Interfund Transfers		
		Language

Language:

Page 438, after line 28, insert:

“FF. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional Office is currently located. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to be \$3,000,000, shall be deposited into the general fund.”

Transfers		Item 3-1.01 #3s
Interfund Transfers		
		Language

Language:

Page 432, line 20, strike “Winegrowers Advisory” and insert “Wine”.

Transfers		Item 3-1.01 #4s
Interfund Transfers		
		Language

Language:

Page 438, after line 28, insert:

“FF. On or before June 30, the State Comptroller shall transfer from the State Racing Operations Fund \$90,000 the first year and \$240,000 the second year to the general fund.”

Transfers		Item 3-1.01 #5s
Interfund Transfers		
		Language

Language:

Page 434, line 3, strike "0477" and insert "0410".

Transfers

Item 3-1.01 #6s

Interfund Transfers

Language

Language:

Page 438, after line 28, insert:

"FF. Pursuant to the "Virginia Investment Act" (SB 635, 2004 Session), the Comptroller shall transfer \$30,000,000 annually from the general fund to the Virginia Natural and Historic Resources Fund. For fiscal year 2005 only, notwithstanding the transfer schedule in §58.1-638.F, the Comptroller shall transfer from the general fund to the Virginia Natural and Historic Resources Fund, \$10,000,000 on or before July 31, 2004, and an additional \$5,000,000 on or before December 31, 2004, and an additional \$15,000,000 on or before June 30, 2005. For fiscal year 2006, the Comptroller shall transfer from the general fund to the Virginia Natural and Historic Resources Fund, \$15,000,000 on or before December 31, 2005 and an additional \$15,000,000 on or before June 30, 2006."

Transfers

Item 3-1.01 #7s

Interfund Transfers

Language

Language:

Page 435, line 28, after "indicated.", strike the remainder of the line.

Page 435, strike lines 29 through 31.

Page 436, strike lines 21 through 61.

Page 437, strike lines 1 through 6.

Adjustments and Modifications to Fees

Item 3-6.01 #3s

Recordation Tax Fee

Language

Language:

Page 440, line 43, after "Virginia." strike the rest of the line.

Page 440, strike lines 44-45.

Page 441, line 1, after "shall consist of ", insert:

"funds pursuant to Senate Bill 635 (2004 Session), other"

Adjustments and Modifications to Fees

Item 3-6.02 #1s

Motor Vehicle Fees

Language

Language:

Page 441, strike lines 11 through 13.

Withholding General Fund Revenues for Revenue Stabilization

Item 3-7.01 #1s

Language

Language:

Page 441, after line 13, insert:

“After satisfying all other claims against the certified general fund revenue surplus required by law, the State Comptroller shall reserve 25 percent of the remaining portion of the general fund revenue surplus. This reserve shall be held available for appropriation by the General Assembly for deposit into the Revenue Stabilization Fund or for other uses.”

General Provisions

Item 4-0.00 #1s

Language

Language:

Page 442, after line 1 insert:

“§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.”

Page 442, strike lines 3 through 51.

Page 443, strike lines 1 through 49.

Page 444, strike lines 1 through 50.

Page 445, strike lines 1 through 53.

Page 446, strike lines 1 through 43.

Page 447, strike lines 1 through 52.

Page 448, strike lines 1 through 49.

Page 449, strike lines 1 through 51.

Page 450, strike lines 1 through 43.

Page 451, strike lines 1 through 48.

Page 452, strike lines 1 through 50.

Page 453, strike lines 1 through 50.

Page 454, strike lines 1 through 6, and insert:

“§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Monies shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that monies are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending monies in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and House Appropriations Committees.

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action that impedes or limits the ability to spend the appropriated monies, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or

population in institutions, are smaller than the estimates upon which the appropriation was based. Monies generated from the withholding action shall not be reallocated for any other purpose. Provided, however, the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold monies to the Chairmen of the House Appropriations and Senate Finance Committees.

2. Monies shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

c. Increased Nongeneral Fund Revenue:

1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to: (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or mentally retarded payable from the Mental Health and Mental Retardation Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Monies unallotted under this provision shall not be reallocated for any other purpose.

2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Monies unallotted under this provision shall not be reallocated for any other purpose.

d. Reduced General Fund Resources

1. The term "general fund resources" as applied in this subsection, includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.

2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the Senate Finance, House Appropriations, and House Finance Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income

taxes, (2) corporate income taxes, and (3) sales taxes for the just completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

5. The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations. This reduction plan, with modifications thereto, shall be the sole basis for withholding spending authority due to reduced revenues.

6. In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet Secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be forwarded within five calendar days of submission to the Chairmen of the Senate Finance and House Appropriations Committees.

7. In effecting the reduction of expenditures for the above-stated purpose, the Governor shall not withhold allotments of appropriations for:

a) More than 10 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House Appropriations Committees. State agencies providing funds directly to grantees named in this Act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.07 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate dead.

d) The employer contributions, and employer paid member contributions to the: Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, and the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for payment of salaries and wages). Provided, however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

8. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of two percent, as prescribed in subdivision 7a of this subsection.

9. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations. Provided, however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

10. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium or within twenty days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

11. The Director, Department of Planning and Budget shall report spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

12. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President Pro Tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the legislature.

#### § 4-1.03 APPROPRIATION TRANSFERS

##### a. GENERAL:

1.a) During any fiscal year, the Director, Department of Planning and Budget, may transfer operating appropriation authority from one state or other agency to another, to effect the following:

1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies in accordance with specific language in the central appropriation establishing reversion clearing accounts;

- 2) distribution of pass-through grants or other funds held by an agency as fiscal agent;
  - 3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the Senate Finance and House Appropriations Committees;
  - 4) proper accounting between fund sources 0100 and 0300 in higher education institutions; or
  - 5) transfers specifically authorized elsewhere in this act.
- b. During any fiscal year, the Director, Department of Planning and Budget, may transfer operating appropriation authority from one program to another within an agency to effect program purposes approved by the General Assembly, unless specifically provided otherwise in this act. However, appropriation authority for local aid programs and aid to individuals shall not be transferred elsewhere without the express consent of the General Assembly.
- c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer operating appropriations authority among sub-agencies within the Judicial System and the Department of Mental Health, Mental Retardation and Substance Abuse Services to effect changes in operating expense requirements which may occur during the biennium.
2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Mental Health, Mental Retardation and Substance Abuse Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.
3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided to eligible children.
4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by the General Assembly to be effective during the current biennium.
5. The Director, Department of Planning and Budget, may transfer general fund appropriations from the second year to the first year, with said transfer to be reported in writing to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the transfer, when the expenditure of such funds is required to:
- a) address a threat to life, safety, health or property, or
  - b) provide for unbudgeted cost increases for statutory required services or federally mandated services, in order to continue those services at the present level, or
  - c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or
  - d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia.
- e) An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.
6. The Director, Department of Planning and Budget, may transfer from any other agency appropriations, to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.
7. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

## § 4-1.04 APPROPRIATION INCREASES

a. If the Governor vetoes an item, neither he nor the Director, Department of Planning and Budget, shall administratively establish the vetoed program within the agency. In addition, neither the Governor nor the Director, Department of Planning and Budget, shall administratively increase the appropriations of, nor transfer appropriations to, the agency affected by the veto in order to carry out the purposes of the vetoed item.

## b. UNAPPROPRIATED NONGENERAL FUNDS:

## 1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

## 2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriations authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

## 3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of monies is authorized elsewhere in this act or is required to:

- 1) address a threat to life or safety, health or property or
- 2) provide for unbudgeted increases in costs for statutory required services or federally mandated services, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or
- 3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or
- 4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will benefit the state's economy, or
- 5) participate in a federal or sponsored program, or
- 6) realize cost savings in excess of the additional funds provided, or
- 7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or
- 8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 m of this act, or
- 9) provide additional funding resulting from caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General and 4-5.05 b Services and Clients-New Services of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

f) If the Governor vetoes an item, neither he nor the Director, Department of Planning and Budget, shall administratively establish the vetoed program within the agency. In addition, neither the Governor nor the Director, Department of Planning and Budget, shall administratively increase the appropriations of, nor transfer appropriations to, the agency affected by the veto to carry out the purposes of the vetoed item.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise.

5. Reporting:

The Director, Department of Planning and Budget, shall report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

§ 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium, ending on June 30, 2004, and (ii) the last day of the first year of the current biennium, ending on June 30, 2005, shall be reappropriated and allotted for expenditure in the respective succeeding year for the following agencies and programs, provided however, that the reappropriations shall not be used to create ongoing obligations or expand or create new programs, but shall be applied to nonrecurring costs:

- 1) Agencies in the Legislative Department, the Judicial Department, and the Independent Agencies, except as may be specifically provided otherwise by the General Assembly;
- 2) Agencies in the Executive Department, subject to the prior written approval of the Governor, except as may be specifically provided otherwise by the General Assembly;
- 3) Specific program balances in Executive Department agencies identified by the General Assembly through language in this act;
- 4) Educational and General programs in those institutions of higher education which meet management standards prescribed by the Governor;
- 5) Unexpended revenues from community education and public service programs in the institutions of higher education; and
- 6) Appropriations to the institutions of higher education for student financial assistance.

2. The Governor shall complete his review and reappropriation of unexpended general fund appropriations, authorized under this section, no later than September 1 of the respective succeeding fiscal year. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and House Appropriations Committees on the reappropriated amounts for each state agency.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

b. NONGENERAL FUND OPERATING EXPENSE:

1. Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a period of twenty-four months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly.

2. Nongeneral fund appropriations which remain unexpended on (i) the last day of the previous biennium and (ii) the last day of the first year of the current biennium shall be reappropriated and

allotted for expenditure no later than September 1 of the respective succeeding fiscal year, provided however, that the reappropriations shall not be used to create ongoing obligations or expand or create new programs, but shall be applied to nonrecurring costs. The reappropriations process for nongeneral fund appropriations shall be consistent with the policies, guidelines and schedule used to reappropriated unexpended general fund appropriations.

c. CAPITAL PROJECTS:

1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not needed to complete the project. The Director may direct the restoration of any portion of the returned and reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation balance was reverted in the prior biennium, he may likewise restore any portion of such reverted amount under the same conditions.

2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise restore any portion of such amount under the same conditions.

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of the previous biennium shall be continued in force for such period, not exceeding ten (10) days from such date, as may be necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the previous biennium, against such unexpended balances.

b. LIMITATIONS ON CASH DISBURSEMENTS.

Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth for each subsequent fiscal year on or about ten (10) days before the start of such fiscal year. The books will be open only to enter budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30, the State Comptroller may, with the written concurrence of the Auditor of Public Accounts, authorize the disbursement of funds drawn against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars (\$3,000,000) from the general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in accordance with bond documents, trust indentures, and/or escrow agreements.

§ 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation

Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

#### § 4-2.00 REVENUES

##### § 4-2.01 NONGENERAL FUND REVENUES

###### a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

1. No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds.

2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a separately incorporated foundation or corporation.

3.a) The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution through a lease purchase agreement and subsequently donated to the agency or institution during or at the expiration of the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

b) The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects-General and 4-5.05 Services and Clients of this act.

###### b. HIGHER EDUCATION TUITION AND FEES:

1. All nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2. Appropriations in this act for Educational and General Programs are provided to meet the Commonwealth's interest in maintaining quality, access, and affordability at its institutions of higher education. General fund appropriations recognize the Commonwealth's share of the cost of education for Virginia students and allow institutions to minimize tuition increases to in-state students. To further ensure that tuition and fees be kept as low as possible, governing boards shall continue to eliminate factors that increase the cost of higher education without increasing its quality or effectiveness.

3.a) The State Council of Higher Education shall develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The determination of proper tuition, fees and charges shall be made by the Board of Visitors or other governing bodies of institutions of higher education, subject to the provisions of this act. However, that the tuition and fee charges to nonresident students shall be not less than 100 percent of the average cost of education as calculated by the State Council of Higher Education. The State Council of Higher Education may authorize a phased approach to meeting this requirement when, in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

4. The fund source "Higher Education Operating" within Educational and General Programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the

Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002. Tuition policy for Virginia resident undergraduates at the public colleges and universities shall be established in the Appropriation Act.

5. Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

6. The governing boards of the institutions of higher education shall seek cost-savings in areas supported by non-Educational and General fees such that the total cost of higher education be kept as low as possible.

7.a) The Director, Department of Planning and Budget, shall appropriate and allot tuition and educational and general fee revenues in addition to those appropriated to the Educational and General programs of this act, provided that the additional revenue is applied solely to the operating programs of the Educational and General programs to expand student access, improve instructional quality, operate and maintain classrooms and laboratories, and meet other high-priority, mission-specific purposes and that the request for additional nongeneral fund budget authority is consistent with budget items adopted in this act.

b) The Director, Department of Planning and Budget shall report all increases of appropriation authority on a quarterly basis to the House Appropriations and Senate Finance Committees.

8. It is the intent of the General Assembly that any institution of higher education granting new tuition waivers to in-state or out-of-state students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

9. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

10. Unless otherwise provided, additional general fund and nongeneral fund appropriations in the Educational and General Program appropriations in Part I of this act are based on in-state students paying 30 percent of the cost of their education at Virginia's community colleges and 40 percent of the cost of their education at the other public institutions of higher education.

11. The State Council of Higher Education shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than June 30 of each year on the tuition and fee charges at each public institution of higher education.

**c. HIGHER EDUCATION PLANNED EXCESS REVENUES:**

An institution of higher education may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

1. Such revenues are identified by language in the appropriations in this act to any such institution.

2. The use of such monies is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.

3. The monies are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.

4. The receipt and expenditure of these monies shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.

5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 b3 Gifts, Grants, and Other Nongeneral Funds of this act.

**§ 4-2.02 GENERAL FUND REVENUE**

**a. STATE AGENCY PAYMENTS INTO GENERAL FUND:**

1. Except as provided in § 4-2.02 a.2., all monies, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

a) Marine Resources Commission, from all sources, except:

- 1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.
- 2) Revenue payable to the Virginia Marine Products Fund established by § 3.1-684.63, Code of Virginia.
- 3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.
- 4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.
- 5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.
- b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws under Title 40.1, Code of Virginia.
- 2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.
- c) All state institutions for the mentally ill or mentally retarded, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.
- d) Department of Medical Assistance Services, from funds received from health care providers as a result of overpayments made in previous fiscal years and recoveries from third parties, after a determination is made of the Commonwealth's share of such recoveries.
- e) Board of Bar Examiners, from all sources.
- f) Secretary of the Commonwealth, from all sources.
- g) The Departments of Corrections, Juvenile Justice, and Correctional Education, as required by law, including revenues from sales of dairy and other farm products, and payments from the U.S. Immigration and Naturalization Service for the housing of illegal aliens and other inmates.
- h) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county, city, town, regional government or political subdivision of such governments audited or examined.
- i) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.
- j) Department of the Treasury, from the following sources:
  - 1) Fees collected from insurance companies for the safekeeping and handling of securities or surety bonds deposited with the State Treasurer pursuant to § 38.2-1057, Code of Virginia.
  - 2) Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.
- k) Attorney General, from recoveries of attorneys' fees and costs of litigation.
- l) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.
- m) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.
- n) Without regard to paragraph g above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections, Juvenile Justice and Correctional Education for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Department of Correctional Education for work performed shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.05 b 1 Unappropriated Nongeneral Funds - Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

b. **DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT**  
Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia, (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from use of money and property required and/or authorized to be paid into the general fund of the state treasury, and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-353, Code of Virginia.

c. **DATE OF RECEIPT OF REVENUES:**

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

#### § 4-2.03 INDIRECT COSTS

a. **INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:**

Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

b. **AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:**

The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher education:

1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall reflect the indirect costs in the program incurring the costs.

2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director, Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess of the exempted sum shall be deposited to the general fund of the state treasury.

c. **INSTITUTIONS OF HIGHER EDUCATION:**

The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

1. Seventy percent shall be retained by the institution as an appropriation of monies for the conduct and enhancement of research and research-related requirements. Such monies may be used for payment of principal of and interest on bonds issued by or for the institution pursuant to § 23-19,

Code of Virginia, for any appropriate purpose of the institution, including, but not limited to, the conduct and enhancement of research and research-related requirements.

2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of Chapter 1042, 2003 Acts of Assembly, shall be included in the educational and general revenues of the institution to meet administrative costs.

3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract levels in excess of the levels authorized in Chapter 1042, 2003 Acts of Assembly. This provision is included as an additional incentive for increasing externally funded research activities.

d. The Director, Department of Planning and Budget, shall report to the Chairmen of the Senate Finance and House Appropriations Committees no later than September 1 of each year on the indirect cost recovery monies administratively appropriated.

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

#### § 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS

##### § 4-3.01 DEFICITS

a. GENERAL:

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend monies in excess of its general fund appropriations, nor shall it obligate or expend monies in excess of nongeneral fund revenues that are collected and appropriated.

2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

a) an unanticipated federal or judicial mandate has been imposed,

b) insufficient monies are available in the first year of the biennium for start-up of General Assembly-approved action, or

c) delay pending action by the General Assembly at its next legislative Session will result in the curtailment of statutory required services or those required by federal mandate or will produce a threat to life, safety, health or property.

d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval.

3. Deficits shall not be authorized for capital projects.

4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects are: 1) delineated in the Virginia Transportation Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and 2) have sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that 3) sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

b. UNAUTHORIZED DEFICITS: If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefore, or its head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject to removal therefore. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed

to set out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective.

c. **TOTAL AUTHORIZED DEFICITS:** The amount which the Governor may authorize, under the provisions of this section during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined under § 4-2.02 b of this act during the last year of the previous biennium and the first year of the current biennium.

d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees detailing all such deficits.

#### § 4-3.02 TREASURY LOANS

a. **AUTHORIZED DEFICIT LOANS:** A state agency requesting authorization for deficit spending shall prepare a plan for the Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of the House Appropriations and the Senate Finance Committees within five calendar days of approval.

b. **ANTICIPATION LOANS:** Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects subject to the following:

- a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.
- b) Interest payments on anticipation loans for nongeneral fund capital projects shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.
- c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

#### § 4-3.03 CAPITAL LEASES

##### a. GENERAL:

1. Not later than September 1 of each year, all agencies and institutions of the Commonwealth proposing building projects that may qualify as capital lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer. The Secretary of Finance may promulgate guidelines for the review and approval of such requests.

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director, Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as capital lease agreements. The State Treasurer shall be responsible for incorporating existing and proposed capital lease agreements in the annual Debt Capacity Advisory Committee reports.

##### b. APPROVAL OF FINANCINGS:

1. For any project which qualifies as a capital lease, as defined in the preceding subdivisions a 1 and 2, and which is financed through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416, Code of Virginia.

2. For any project for which costs will exceed \$5,000,000 and which is financed through a capital lease transaction, the Treasury Board shall approve the terms and structure of such capital lease in addition to such other reviews and approvals as may be required by law. The Departments of Accounts, General Services, and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a capital lease under the terms of this section. The State Treasurer shall notify the Chairmen of the House Appropriations and Senate Finance Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its action.

c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be responsible for providing the Chairmen of the House Appropriations and Senate Finance Committees with recommendations involving proposed capital lease agreements.”

Page 460, strike lines 25 through 40.

Page 460, line 41, strike “§ 4-5.04” and insert “§ 4-5.02”.

Page 461, line 11, strike “§ 4-5.05” and insert “§ 4-5.03”.

Page 461, strike lines 12 through 15 and insert:

“a. CHANGED COST FACTORS: No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the cost of such change.”

Page 461, strike lines 17 through 25 and insert:

"1. No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements."

Page 461, line 26, after "EDUCATION:", insert "No monies appropriated by this act shall be used for off-campus sites unless as provided for in this section."

Page 461, strike lines 48 through 50.

Page 462, strike lines 1 through 3.

Page 462, line 4, strike "3." and insert "1."

Page 462, line 19, strike "§ 4-5.06" and insert "§ 4-5.04".

Page 463, strike lines 34 through 38.

Page 463, line 43, strike "No state agency shall expend any public".

Page 463, strike lines 44 through 50 and insert:

"No state Executive Department agency or the Virginia State Lottery shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia State Lottery, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-1301, Code of Virginia."

Page 464, line 23, strike "§ 4-5.07" and insert "§ 4-5.05".

Page 465, line 1, strike "§ 4-5.08" and insert "§ 4-5.06".

Page 465, strike lines 4 through 44 and insert:

"b.1.a) The provisions of § 4-5.08 b of Chapter 912 of the 1996 Acts of Assembly, pertaining to pilot programs for capital outlay projects in selected institutions of higher education, including Old Dominion University, are hereby continued.

b) Pursuant to those provisions, Christopher Newport University, the College of William and Mary, Old Dominion University, Radford University, the University of Virginia, and Virginia Polytechnic Institute and State University are authorized to oversee the capital process for nongeneral fund capital outlay projects included in the pilot program.

c) The above-referenced institutions of higher education participating in the nongeneral fund capital outlay pilot program are hereby delegated the authority of the Department of General Services to approve the use and administration of design-build or construction management as appropriate contract methods for nongeneral fund capital outlay projects.

d) The above-referenced institutions are hereby delegated the authority of the Department of General Services to approve the use of design-build or construction management as appropriate contract methods for general fund capital outlay projects.

c.1.a) The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042, 2003 Acts of Assembly, pertaining to pilot programs for selected capital outlay projects and memoranda of

understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

b) Based on the memoranda of understanding developed pursuant to § 4-5.08 h of Chapter 1042, 2003 Acts of Assembly, as periodically amended, or memoranda of understanding in effect prior to the October 1, 2003, as periodically amended, the responsible Cabinet Secretary, or his designee, shall conduct an evaluation of each institution participating in a pilot program at least once every two years.

c) The Secretary shall report all evaluation findings and recommendations to the Governor and Chairmen of the Senate Finance and House Appropriations Committees within 15 business days of the completion of the evaluation.

d) To the extent an institution participating in a pilot program is not performing to the satisfaction of the responsible Cabinet Secretary, the institution shall have 90 calendar days from receipt of the Secretary's written evaluation in which to develop a remediation plan. The institution shall submit the plan to the appropriate Cabinet Secretary and the Auditor of Public Accounts.

e) The Auditor of Public Accounts shall conduct a functional audit of the delegated program authority within 180 calendar days of receiving the institution's plan. Based on his findings, the Auditor of Public Accounts shall recommend to the Chairmen of the Senate Finance and House Appropriations Committees whether the institution should continue in the pilot program.

2. To the extent and institution is performing satisfactorily under the pilot programs, it is the intent of the General Assembly that they be removed from the pilot program and be delegated authority in the Code of Virginia to administer the specified duty or function on an on-going basis.

3. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations Committees. The responsible Cabinet Secretary shall consider this an evaluation in accordance with subparagraph c.1. b).

d. Institutions wishing to participate in a pilot program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a pilot program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a pilot program and whether institution has been granted authority to participate in the pilot program.

e. Notwithstanding the provisions of § 2.2-4309, Code of Virginia, no approval of the Governor shall be required for contract modifications as specified therein for the pilot programs of the selected institutions of higher education referenced in paragraph 1, provided that contract modifications of such projects, including construction and architectural and engineering change orders, shall be approved by the Boards of Visitors, which may further delegate this authority to the President, a Vice President, or the individual responsible for facilities design and construction matters at the selected institution of higher education to act on its behalf.

f. The selected institutions are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of \$100,000 for a single project, the not to exceed sum of \$500,000 for all projects performed, and the option to renew for two additional one-year terms.

c.1. The provisions of § 4-5.08 c of Chapter 912 of the 1996 Acts of Assembly pertaining to pilot programs for real property leases in selected institutions of higher education, including Old Dominion University, are hereby continued and expanded to include approval of income leases.

g. The University of Virginia and Virginia Polytechnic Institute and State University shall be delegated administrative authority to enter into capital leases on a pilot basis, provided that such

capital leases have been specifically authorized by the Governor or the General Assembly pursuant to the Appropriation Act and have been reviewed and approved by the Treasury Board.

h. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

i. Virginia Commonwealth University is hereby delegated the authority of the Department of General Services and the Governor provided in §§ 2.2-1149 and 23-4.1, Code of Virginia, to enter into leases with the Virginia Commonwealth University Health System Authority for space within the facilities which are the subject of the Master Lease between the University and the Authority dated June 10, 1997. This delegation of authority is limited to operating leases and excludes capital leases as defined by Generally Accepted Accounting Principles (GAAP).

j. The University of Virginia, with approval of its Board of Visitors, is hereby delegated authority on a pilot basis to acquire easements on property not owned by the university without prior approval by the Department of General Services."

Page 465, line 45, strike "§ 4-5.09" and insert "§ 4-5.07".

Page 465, strike lines 46 through 51.

Page 466, strike line 1 and insert:

"a. Agencies shall not acquire real property by lease until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for the cost of the lease and (ii) the volume of leased space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall report to the Chairmen of the Senate Finance Committee and House Appropriations Committee by September 1 of each year on real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, and the cost of the annual lease."

Page 466, strike lines 4 through 6.

Page 466, line 7, strike "§ 4-5.11" and insert "§ 4-5.8".

Page 466, line 23, strike "§ 4-5.12" and insert "§ 4-5.9".

Page 466, line 33, strike "§ 4-5.13" and insert "§ 4-5.10".

Strike pages 467 through 475.

Page 476, strike lines 1 through 22.

#### "§ 4-6.00 POSITIONS AND EMPLOYMENT

##### § 4-6.01 EMPLOYEE SALARIES AND WAGES

###### a. Executive Branch Employees:

###### 1. Classified Compensation Plan:

a. The compensation of classified employees in the Executive Branch shall be governed by the Classified Compensation Plan authorized by §4-7.02 of Chapter 1073, 2000 Acts of Assembly, including applicable geographic and shift differentials. This plan shall be administered by the Department of Human Resource Management.

1. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the Classified Compensation Plan shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if:

a) The agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the subsequent biennial costs, and the Secretary concurs, or

b) Such funds are appropriated by the General Assembly.

2. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with §4-8.00, Reporting Requirements.

b. Salary adjustments for any employee through a promotion, role change exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if:

1. The agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium, or

2. Such funds are appropriated by the General Assembly.

c. No changes to the salary band assignment of individual career group roles administered under the new pay plan that is authorized by the 2000 session of the General Assembly, or similar actions, shall be implemented at the option of affected agencies. Further, no changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

2. The compensation of Executive Branch Employees (other than faculty at institutions of higher education) not covered by the provisions of the Classified Compensation plan shall be administered in a manner consistent with that plan.

3. Faculty: Reserved for future use.

4. Cabinet Officers: Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Chief of Staff	\$131,391	\$131,391	\$135,333
Secretary of Administration	\$131,370	\$131,370	\$135,311
Secretary of Commerce and Trade	\$131,370	\$131,370	\$135,311
Secretary of the Commonwealth	\$131,370	\$131,370	\$135,311
Secretary of Education	\$131,370	\$131,370	\$135,311
Secretary of Finance	\$131,370	\$131,370	\$135,311
Secretary of Health and Human Resources	\$131,370	\$131,370	\$135,311
Secretary of Natural Resources	\$131,370	\$131,370	\$135,311
Secretary of Public Safety	\$131,370	\$131,370	\$135,311
Secretary of Technology	\$131,370	\$131,370	\$135,311
Secretary of Transportation	\$131,370	\$131,370	\$135,311

5. Executive Branch Agency Heads:

a. Incumbents: The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level I Range	\$95,572	\$95,572	\$98,439
	-\$151,103	-\$151,103	-\$155,636
Commissioner, Department of Motor Vehicles	\$124,256	\$124,256	\$127,984
Commissioner, Department of Social Services	\$134,970	\$134,970	\$139,019

Commissioner of Mental Health, Mental Retardation and Substance Abuse Services	\$151,103	\$151,103	\$155,636
Commonwealth Transportation Commissioner	\$132,925	\$132,925	\$136,913
Director, Department of Corrections	\$126,666	\$126,666	\$130,466
Director, Department of Environmental Quality	\$130,369	\$130,369	\$134,280
Director, Department of Medical Assistance Services	\$127,463	\$127,463	\$131,287
Director, Department of Planning and Budget	\$119,609	\$119,609	\$123,197
State Health Commissioner	\$151,103	\$151,103	\$155,636
State Tax Commissioner	\$121,389	\$121,389	\$125,031
Superintendent of Public Instruction	\$146,535	\$146,535	\$150,931
Superintendent of State Police	\$125,347	\$125,347	\$129,107

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level II Range	\$83,107	\$83,107	\$85,600
	-\$131,394	-\$131,394	-\$135,336
Alcoholic Beverage Control Commissioners (two)	\$107,251	\$107,251	\$110,469
Chairman, Alcoholic Beverage Control Board	\$107,251	\$107,251	\$110,469
Commissioner, Department of Agriculture and Consumer Services	\$92,359	\$92,359	\$95,130
Commissioner, Virginia Employment Commission	\$107,251	\$107,251	\$110,469
Director, Department of Business Assistance	\$108,830	\$108,830	\$112,095
Director, Department of Charitable Gaming	\$95,016	\$95,016	\$97,866
Director, Department of General Services	\$119,224	\$119,224	\$122,801
Director, Department of Mines, Minerals and Energy	\$119,936	\$119,936	\$123,534
Director, Department of Human Resource Management	\$118,613	\$118,613	\$122,171
Director, Department of Juvenile Justice	\$131,394	\$131,394	\$135,336
Director, Department of Rail and Public Transportation	\$116,544	\$116,544	\$120,040
Executive Director, Motor Vehicle Dealer Board	\$94,533	\$94,533	\$97,369
Executive Director, Virginia Port Authority	\$117,952	\$117,952	\$121,491

State Comptroller	\$107,251	\$107,251	\$110,469
State Treasurer	\$115,188	\$115,188	\$118,644
	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level III Range	\$72,268 -\$114,258	\$72,268 -\$114,258	\$74,436 -\$117,686
Adjutant General	\$100,277	\$100,277	\$103,285
Chairman, Virginia Parole Board	\$107,566	\$107,566	\$110,793
Members, Virginia Parole Board	\$90,440	\$90,440	\$93,153
Member, Virginia Parole Board	\$93,262	\$93,262	\$96,060
Commissioner, Department of Labor and Industry	\$108,127	\$108,127	\$111,371
Commissioner, Department of Rehabilitative Services	\$112,475	\$112,475	\$115,849
Commissioner, Marine Resources Commission	\$99,635	\$99,635	\$102,624
Coordinator, Department of Emergency Management	\$89,582	\$89,582	\$92,269
Director, Department of Aviation	\$97,138	\$97,138	\$100,052
Director, Department of Conservation and Recreation	\$110,057	\$110,057	\$113,359
Director, Department of Criminal Justice Services	\$106,851	\$106,851	\$110,057
Director, Department of Employment Dispute Resolution	\$91,514	\$91,514	\$94,259
Director, Department of Health Professions	\$104,602	\$104,602	\$107,740
Director, Department of Historic Resources	\$90,441	\$90,441	\$93,154
Director, Department of Housing and Community Development	\$101,813	\$101,813	\$104,867
Director, Department of Minority Business Enterprise	\$100,000	\$100,000	\$103,000
Director, The Science Museum of Virginia	\$105,441	\$105,441	\$108,604
Director, Virginia Liaison Office	\$99,694	\$99,694	\$102,685
Director, Virginia Museum of Fine Arts	\$109,499	\$109,499	\$112,784
Director, Virginia Museum of Natural History	\$90,441	\$90,441	\$93,154
Executive Director, Chesapeake Bay Local Assistance Department	\$93,262	\$93,262	\$96,060
Executive Director, Department of Game and Inland Fisheries	\$108,607	\$108,607	\$111,865

Executive Director, Jamestown-Yorktown Foundation	\$104,765	\$104,765	\$107,908
Executive Secretary, Virginia Racing Commission	\$88,132	\$88,132	\$90,776
Librarian of Virginia	\$114,258	\$114,258	\$117,686
State Forester, Department of Forestry	\$96,320	\$96,320	\$99,210
Superintendent, Department of Correctional Education	\$110,804	\$110,804	\$114,128

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level IV Range	\$62,843 -\$99,365	\$62,843 -\$99,365	\$64,728 -\$102,346
Administrator, Commonwealth's Attorneys' Services Council	\$80,422	\$80,422	\$82,835
Commissioner, Department for the Aging	\$81,105	\$81,105	\$83,538
Commissioner, Virginia Department for the Blind and Vision Impaired	\$76,596	\$76,596	\$78,894
Director, Office of Substance Abuse Prevention	\$86,913	\$86,913	\$89,520
Director, Department of Professional and Occupational Regulation	\$91,423	\$91,423	\$94,166
Director, Virginia-Israel Advisory Board	\$66,463	\$66,463	\$68,457
Executive Director, Board of Accountancy	\$76,688	\$76,688	\$78,989
Executive Director, Commonwealth Competition Council	\$93,688	\$93,688	\$96,499
Executive Director, Frontier Culture Museum of Virginia	\$86,913	\$86,913	\$89,520
Human Rights Director, Human Rights Council	\$80,982	\$80,982	\$83,411
Secretary, State Board of Elections	\$74,131	\$74,131	\$76,355

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level V Range	\$54,645- \$86,483	\$54,645- \$86,483	\$56,284 -\$89,077
Commissioner, Department of Veterans Services	\$73,889	\$73,889	\$76,106
Director, Gunston Hall	\$70,565	\$70,565	\$72,682

Director, Virginia Department for the Deaf and Hard-of-Hearing	\$68,431	\$68,431	\$70,484
Executive Director, Department of Fire Programs	\$83,869	\$83,869	\$86,385
Executive Director, Virginia Commission for the Arts	\$70,652	\$70,652	\$72,772
Chairman, Compensation Board	\$18,867	\$18,867	\$19,433

b. New Appointees: The annual salaries of persons appointed to positions listed in this subsection shall be established at:

- 1) No more than 15 percent above the appointee’s pre-appointment salary, not to exceed the maximum for the salary range, or
- 2) The minimum for the salary range.
- 3) The basis for calculation of a new appointee’s salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.
- 4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent’s potential contribution to the Commonwealth, and such other criteria as he may find useful.

c. Annual Salary Increases: In his budget proposals to the General Assembly, the Governor shall propose increases or decreases, if any, to the salaries of incumbents in the positions listed in this subsection.

- 1) Such proposals shall be:
  - a) Based on his evaluation of their individual performance,
  - b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,
  - c) No more than the maximum for the salary range, and
  - d) Shall be effective on the first day of the pay period next following the Governor’s signature of the budget bill.
- 2) In making his proposals in the budget, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.
- 3) Incumbents with less than six months tenure in the position listed in this subsection shall not be eligible for the salary increase authorized by this subsection.
- 4) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent’s service to the Commonwealth, and such other criteria as he may find useful.

d. Competitive Salary Increases: At any time, the Governor may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

- 1) Such competitive salary increase shall be:
  - a) Based on his evaluation of their individual performance,
  - b) No more than the maximum of the salary range,

- c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and
- d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.
- 2) In approving a competitive offer, the Governor should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.
- 3) In authorizing a competitive salary increase, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.
- e. Performance Bonuses: At any time, the Governor may approve a performance bonus for the incumbent in a position listed in this subsection.
  - 1) Such performance bonus shall be:
    - 1) Based on his evaluation of their individual performance,
    - 2) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and
    - 2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.
    - 3) In authorizing a performance bonus, the Governor shall provide;
      - a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.
      - b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records.
  - f. Special Provisions for Executive Branch Agency Heads:
    - 1) Except as may be otherwise provided in this Act, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.
    - 2) If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act.
      - a) Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.
      - b) If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.
  - 6. Presidents of Institutions of Higher Education:
    - a. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
<b>STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA</b>			
Director, State Council of Higher Education for Virginia	\$148,062	\$148,062	\$152,504

SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER

Director, Southwest Virginia Higher Education Center	\$84,128	\$84,128	\$86,652
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VIRGINIA COMMUNITY COLLEGE SYSTEM

Chancellor of Community Colleges	\$143,795	\$143,795	\$148,109
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SENIOR COLLEGE PRESIDENTS' SALARIES

Chancellor, University of Virginia's College at Wise	\$112,271	\$112,271	\$115,639
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President, Christopher Newport University	\$112,466	\$112,466	\$115,840
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President, The College of William and Mary in Virginia	\$135,203	\$135,203	\$139,259
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President, George Mason University	\$127,514	\$127,514	\$131,339
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President, James Madison University	\$125,435	\$125,435	\$129,198
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President, Longwood University	\$120,476	\$120,476	\$124,090
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President, Mary Washington College	\$119,462	\$119,462	\$123,046
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President, Norfolk State University	\$123,489	\$123,489	\$127,194
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President, Old Dominion University	\$135,748	\$135,748	\$139,820
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President, Radford University	\$123,487	\$123,487	\$127,192
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President, Richard Bland College	\$105,795	\$105,795	\$108,969
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President, University of Virginia	\$150,069	\$150,069	\$154,571
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President, Virginia Commonwealth University	\$151,421	\$151,421	\$155,964
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President, Virginia Polytechnic Institute and State University	\$151,421	\$151,421	\$155,964
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President, Virginia State University	\$123,487	\$123,487	\$127,192
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Superintendent, Virginia Military Institute	\$122,347	\$122,347	\$126,017
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b. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

7. Salary Supplements:

a. No supplement to the salary of a state agency head, however titled, shall be paid except as specifically authorized in this subsection.

b. The appointing authority shall report approved supplements to the Department of Human Resource Management for retention in its records.

c. Higher Education:

1) The board of visitors shall report approved supplements to the Department of Human Resource Management for retention in its records.

2) The board of visitors of each institution of higher education may supplement the salary of its president from private gifts, endowment funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors shall be guided by criteria which provide a reasonable limit on the total additional income of a president. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services.

3) The State Board for Community Colleges may supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges shall be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services.

c. Other Education Institutions: With the prior annual written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, The Science Museum of Virginia, the Jamestown-Yorktown Foundation, and The Library Board may supplement the salary of the Director of each museum and the Librarian of Virginia from non-state funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income of the Director or Librarian of Virginia. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states.

d. Virginia Port Authority: With the prior annual written approval of the Governor, the Board of Commissioners of the Virginia Port Authority may supplement the salaries of its Executive Director, its Senior Managing Director of Marketing Services and its marketing staff from non-state funds provided by any nonstock, nonprofit corporation which is authorized by the Virginia Port Authority to operate port facilities of the Commonwealth under its jurisdiction. In approving such supplements, the Governor should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director, the Senior Managing Director of Marketing Services and the marketing staff. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states.

b. Legislative, Judicial and Independent Agency Employees:

1. The compensation of employees of Legislative, Judicial and Independent Agencies shall be administered in accordance with such pay plans as may be adopted by their respective appointing authorities.

a) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of the judicial or independent agencies that has not been reviewed and approved by the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

b) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of Legislative agencies that are under the jurisdiction of the Joint Rules Committee until such plan has been reviewed and approved by the Committee. Such plan shall be provided to the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

2. Judges and Elected Agency Heads:

a) Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
<b>Supreme Court</b>			
Chief Justice	\$144,465	\$144,465	\$148,799
Associate Justice (six)	\$135,505	\$135,505	\$139,507
<b>Court of Appeals</b>			
Chief Judge, Court of Appeals	\$129,730	\$129,730	\$133,592
Judge, Court of Appeals (ten)	\$128,730	\$128,730	\$132,592

Circuit Courts			
Judges	\$125,795	\$125,792	\$129,569
General District Courts			
Judges	\$113,214	\$113,214	\$116,610
Juvenile and Domestic Relations District Courts			
Judges	\$113,214	\$113,214	\$116,610
Combined District Courts			
Judges	\$113,214	\$113,214	\$116,610
Corporation Commission			
Chairman, State Corporation Commission	\$130,158	\$130,158	\$134,063
Members, State Corporation Commission (4)	\$128,730	\$128,730	\$132,594
Workers' Compensation Commission			
Chairman, Virginia Workers' Compensation Commission	\$128,436	\$128,436	\$132,289
Members, Virginia Workers' Compensation Commission (2)	\$125,796	\$125,796	\$129,570
General Assembly			
Clerk of the House	\$123,953	\$123,953	\$129,570
Clerk of the Senate	\$121,342	\$121,342	\$124,982

b) Salaries of the judges in the Court of Appeals are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional \$1,000 annually.

3. Agency Heads:

a) Incumbents. The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Legislative and Judicial Level I	\$93,469 -\$147,778	\$93,469 -\$147,778	\$93,469 -\$147,778
Auditor of Public Accounts	\$137,487	\$137,487	\$141,612
Director, Division of Legislative Automated Systems	\$121,901	\$121,901	\$125,558
Director, Division of Legislative Services	\$121,458	\$121,458	\$125,102
Director, Joint Legislative Audit and Review Commission	\$138,358	\$138,358	\$142,509
Executive Secretary, Supreme Court of Virginia	\$128,099	\$128,099	\$131,942
Director, Judicial Inquiry and Review Commission	\$125,795	\$125,795	\$129,569
Director, Virginia State Bar	\$144,422	\$144,422	\$148,755

Director, Public Defender Commission	\$118,000	\$118,000	\$121,540
Legislative and Judicial Level II	\$70,678	\$70,678	\$70,678
	-\$128,503	-\$128,503	-\$128,503
Chief, Division of Capitol Police	\$79,588	\$79,588	\$81,976
Executive Director, Virginia Alcohol Safety Action Program	\$90,298	\$90,298	\$93,007
Director, Virginia Criminal Sentencing Commission	\$97,651	\$97,651	\$100,581
Director, Board of Bar Examiners	\$125,000	\$125,000	\$128,750
Independent Range	\$81,278	\$81,278	\$81,278
	-\$128,503	-\$128,503	-\$128,503
Director, State Lottery Department	\$124,919	\$124,919	\$128,667
Executive Director, Virginia College Savings Plan	\$127,729	\$127,729	\$131,561
Director, Virginia Retirement System	\$127,729	\$127,729	\$131,561
Executive Director, Virginia Office for Protection and Advocacy	\$97,138	\$97,138	\$100,052

b. New Appointees: The annual salaries of persons appointed to positions listed in this subsection of this Act shall be established at:

- 1) No more than 15 percent above the appointee's pre-appointment salary, not to exceed the maximum for the salary range, or
- 2) The minimum for the salary range.
- 3) The basis for calculation of a new appointee's salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.
- 4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The appointing authority shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's potential contribution to the Commonwealth, and such other criteria as he may find useful.

c. Annual Salary Increases: The appointing authority shall annually provide to the Department of Planning and Budget proposals for such increases or decreases as are deemed appropriate for the annual salaries of incumbents appointed to positions listed in this subsection. The Governor shall include such increases or decreases in his budget proposals to the General Assembly.

- 1) Such proposals shall be:
  - a) Based on his evaluation of their individual performance,
  - b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,
  - c) No more than the maximum for the salary range and
  - d) Shall be effective on the first day of the pay period next following the Governor's signature of the budget bill.
- 2) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.b.3.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

3) In making his proposals to the Department of Planning and Budget the appointing authority in the Judicial and Independent Agencies shall provide written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Copies of these justifications shall be provided by the appointing authority to the Chairmen of the House Appropriations Committee and the Senate Finance Committee. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act in the budget, with.

4) Incumbents with less than six months tenure in the position listed in this subsection and in §1-1 through §1-15 of this Act shall not be eligible for the salary increase authorized by this subsection.

d. Competitive Salary Increases: At any time the appointing authority may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the salary range,

c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and

d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the appointing authority in the Judicial Branch and Independent Agencies shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time the appointing authority may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

a) Based on his evaluation of their individual performance,

b) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and

2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the appointing authority shall provide;

a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records.

c. Provisions Applicable to All Employees:

1. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

2. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body set forth in §§ 2.1-20.4 and 15.2-1636.5, Code of Virginia, shall not receive any compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses.

#### § 4-6.02 EMPLOYEE BENEFITS

a. General Application

Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

b. Employee Training

1. Subject to uniform rules and regulations established by the appointing authority, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service.

2. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

c. Health Benefits

1. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in §2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

3. Any hospital with fewer than 105 beds and which has a minority patient population in excess of 75 percent shall be allowed to participate in the Employee Health Insurance Program pursuant to §2.2-2818, Code of Virginia, provided that such hospital enters into a written agreement to accept the same level of reimbursement as the participating hospitals in the same geographic region.

4. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to §2.2-2818, Code of Virginia, provided that:

a) Such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees, and

b) Such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement.

c) The Department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to:

1) Its largest purchaser of care,

2) Any state or federal public program, or

3) Any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above.

d) If the Department and the hospital cannot come to an agreement, the Department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved.

e) Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

d. Retirement Benefits:

1. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

2. Any classified employee of the Commonwealth who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any

part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

3. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23-9.2:3.1 B and the cash payment offered under such compensation plans pursuant to § 23-9.2:3.1 D, Code of Virginia. The total cost in any fiscal year for any compensation plan established under § 23-9.2:3.1 D, Code of Virginia, shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

4. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

e. Severance Benefits

1. Severance benefits as provided for under the provisions of the Workforce Transition Act of 1995, §2.2-3200 to §2.2-3206 of the Code of Virginia, shall be provided to all employees granted benefits under that Act.

2. Notwithstanding the provisions of §2.2-3202 of the Code of Virginia, full-time employees appointed by the Governor, whether or not confirmed by the General Assembly, shall be entitled to severance benefits equal to one month salary, provided that they meet the standard of a terminated employee set out in §2.2-3200 of the Code of Virginia.

§ 4-6.03 CHARGES

a. FOOD SERVICES:

1. Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.1-558 A, Code of Virginia, state employees shall be charged for meals served in state facilities.

a) Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service.

b) Each agency shall maintain records as to the calculation of meal charges and revenues collected.

c) Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund.

2. The provisions of this subsection shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections, Juvenile Justice, and Correctional Education.

b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

## c. VEHICLE PARKING SPACES:

1. Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. In the case of any agency with central administrative offices occupying leased or rental space in the metropolitan Richmond area, not including institutions of higher education, the Director shall require that a fee be charged employees for vehicle parking spaces which are assigned to them or which are otherwise available incidental to the lease or rental agreement. In such cases the individual employee fee scale shall not be less than that provided for employees at the Seat of Government, provided that if, in the opinion of the Director good cause is shown, this portion of the requirement may be amended or waived. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains.

2. Agencies assigned to a Governor's Secretary, excluding institutions of higher education, which are located in the metropolitan Richmond area shall not use public funds to lease private parking spaces for employees. Payments for such leases shall be derived from charges to employees for parking space or from other nonpublic funds, or both. Any lease for private parking space must be approved by the Director, Department of General Services.

Page 476, strike lines 25 through 32 and insert:

"a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or on compliance with judicial orders."

Page 477, strike lines 46 through 51.

Page 478, strike lines 4 through 7 and insert:

"1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget."

Page 478, line 15, before "." insert "; unless otherwise specified in § 4-1.03".

Page 478, line 22, delete "A report".

Page 478, strike lines 23 through 25.

Page 478, line 26, strike "(see § 4-1.04 a.4)".

Page 478, line 26, strike "The".

Page 478, strike lines 27 through 29.

Page 478, line 30, strike "(see §§ 4-3.01 and 4-3.02)".

Page 478, line 30, strike "The information must include the approved amounts and the".

Page 478, strike lines 31 and 32.

Page 479, strike line 1.

Page 479, line 2, strike "2".

Page 479, strike lines 16 through 18 and insert:

“b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, requests for amendments, or budget reduction proposals to the Governor, the Governor’s Cabinet Secretaries, Chief-of-Staff, or the Department of Planning and Budget, the Director, Department of Planning and Budget or the affected state agencies shall submit, electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees.”

Revenues

Item 4-2.01 #2s

Nongeneral Fund Revenues

Language

Language:

Page 448, strike lines 38 through 49.

Page 449, strike lines 1 through 42.

Page 449, line 42, insert:

“1. All nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2.a) Financial support provided to the Commonwealth's institutions of higher education is predicated primarily upon the fulfillment by such institutions of their mission to provide educational opportunities to the citizens of the Commonwealth. The presence of students from outside the Commonwealth contributes materially to that mission and the appropriate proportion of such nonresident students will vary among the institutions according to their respective missions. Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served. The State Council of Higher Education shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 1 of each year on the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors in support of the institutions' educational and general programs. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth. Further, in coordination with the institutions, the State Council of Higher Education for Virginia shall report no later than August 1 of each year on the estimated amount of revenue each institution expects to collect from tuition and mandatory educational and general fees during the fiscal year.

b) The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

3. The Board of Visitors or other governing body of each public institution of higher education shall set tuition, fees, and other student charges within the limits of the nongeneral fund appropriation provided for each institution's educational and general programs within this act.

4.a) In setting the general and nongeneral fund appropriations for educational and general programs at each institution, it is the intent of the General Assembly, over a period of up to six years, to provide full funding of the base adequacy guidelines adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies; to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions nationally; and to recognize the student share of cost for other priorities set forth in this act.

b) Further, it is the intent of the General Assembly that the Commonwealth support at least 67 percent of the cost of education for all resident students attending a public college or university in the Commonwealth and that tuition and mandatory educational and general fee rates for nonresident

undergraduate and graduate students shall be at least 100 percent of the average cost of their education, as calculated by the Joint Subcommittee's funding guidelines.

c) For institutions charging nonresident students less than 100 percent of the cost of education as identified by the funding guidelines referenced in subparagraph a), the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

d) Nonresident graduate students employed by an institution as graduate teaching or research assistants and paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition and fees.

e) By October 1, 2005, the State Council of Higher Education shall prepare a report on nonresident tuition waivers, including how waivers contribute to institutions' ability to attract and retain research funding and the extent to which nonresident students receiving waivers stay and work in Virginia upon graduation. The Department of Taxation and the Virginia Employment Commission shall work with the State Council of Higher Education for Virginia to provide appropriate unit record data to support these analyses.

5. In setting undergraduate tuition and fee increases, the Boards of Visitors or other governing bodies shall consider the feasibility of setting aside a portion of the tuition increase to provide additional financial aid resources, in combination with state, federal and private resources to students who demonstrate financial need.

6. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

7. Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

8.a) The governing boards of the institutions of higher education shall seek cost savings in areas supported by non-educational and general fees such that the total cost of higher education be kept as low as possible. Mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond five percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9.a) At the request of an institution of higher education, the Director, Department of Planning and Budget, shall administratively appropriate and allot increases in nongeneral fund revenues appropriated in this act from all sources except tuition and fees used in support of Educational and General program.

b) To the extent an institution seeks to increase tuition and fee revenue for use within the educational and general programs above the levels specified in this act, the Department of Planning and Budget may administratively appropriate and allot increases up to one percent of the appropriated amounts without review and certification by the State Council of Higher Education for Virginia.

c) For requested increases above one percent of the appropriated levels identified in this act, institutions shall seek certification from the State Council of Higher Education for Virginia prior to approval by the Director, Department of Planning and Budget.

d) The State Council of Higher Education for Virginia shall review and certify that the request for additional revenue is needed as the result of higher than anticipated enrollments, a change in the mix of student enrollments, an increase in revenue from self-supporting non-credit or for-credit education or training programs, legislatively approved programmatic funding requirements identified in this act, or appropriate technical adjustments.

e) The Director, Department of Planning and Budget, shall administratively appropriate and allot the increases certified by the State Council of Higher Education for Virginia, provided that the additional revenue is applied solely to the operating needs of the educational and general programs and that the request for additional nongeneral fund budget authority is consistent with budget items adopted in this act.

10. It is the intent of the General Assembly that any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

11. The entitlement to resident tuition charges referenced in § 23-7.4:2 A (iii), Code of Virginia, shall be suspended through June 30, 2006.

12. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

13. The entitlement to resident charges, at four-year institutions, shall not extend beyond 125 percent of the credit hours needed to satisfy the degree requirements for a particular undergraduate program excluding transfer or advanced placement credits. Resident students taking in excess of 125 percent of the credit hours needed to satisfy the degree requirements for a particular program shall not be eligible to receive awards through state-sponsored financial aid programs. The State Council of Higher Education for Virginia shall establish procedures through which institutions shall implement this provision.”

Capital Projects  
General

Item 4-4.01 #1s

Language

Language:

Page 458, line 23, before “Any alternative...”, insert “Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.”

Capital Projects  
General

Item 4-4.01 #2s

Language

Language:

Page 458, after line 24, insert:

“y. It is the intent of the General Assembly that the Department of Conservation and Recreation may be authorized to accept by gift or purchase any lands for State Park or Natural Area purposes which may become available, and that are not specifically appropriated by the General Assembly, when

such acquisitions are made in accordance with the provisions of this section and other applicable provisions of state law.”

Capital Projects Item 4-4.01 #4s  
General Language

Language:

Page 455, following line 53, insert:

“4. The Governor shall include funding of the Virginia Public Building Authority's Capital Repairs and Improvements Revolving Fund for all projects financed with the debt as set forth in this section and including debt incurred and such debt instruments shall provide for the restriction of the Fund's resources.”

Special Conditions and Restrictions on Expenditures Item 4-5.06 #1s  
Goods and Services Language

Language:

Page 462, line 45, after “request from” insert “the Virginia Community College System or from”

Special Conditions and Restrictions on Expenditures Item 4-5.06 #2s  
Goods and Services Language

Language:

Page 463, line 10, insert:

“g. To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the NetworkVirginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.”

Positions and Employment Item 4-6.01 #1s  
Employee Compensation Language

Language:

Page 472, line 45, strike “\$84,128            \$84,128            \$86,652”.  
Page 472, line 45, insert “\$95,000            \$95,000            \$97,850”.

Positions and Employment Item 4-6.01 #1s  
Employee Compensation Language

Language:

Page 469, after line 15, insert:

“Commissioner, Department of Veterans Services \$104,891    \$104,891    \$108,038”.

Page 471, line 8, strike:

“\$81,105    \$81,105    \$83,538” and insert “\$96,360            \$96,360            99,251”.

Page 471, strike lines 43 and 44.

Positions and Employment	Item 4-6.01 #2s
Employee Compensation	
	Language

Language:

Page 468, line 16, after "Science Museum of Virginia," insert "The Virginia Museum of Natural History,".

Positions and Employment	Item 4-6.01 #3s
Employee Compensation	
	Language

Language:

Page 470, strike lines 31 and 32.

Positions and Employment	Item 4-6.01 #4s
Employee Compensation	
	Language

Language:

Page 470, strike lines 45 and 46.

Positions and Employment	Item 4-6.01 #5s
Employee Compensation	
	Language

Language:

Page 468, after line 15, insert:

"Chief Information Officer, Virginia  
Information Technologies Agency \$151,103            \$151,103            \$155,636".

Positions and Employment	Item 4-6.01 #6s
Employee Compensation	
	Language

Language:

Page 468, line 42, strike "\$132,925 \$132,925 \$136,913".

Page 468, line 42, insert "\$151,103 \$151,103 \$156,603".

The reading of the amendments was waived.

On motion of Senator Chichester, the uncontested committee amendments were agreed to.

On motion of Senator Cuccinelli, the committee amendment to Item 0 #2s was passed by temporarily.

The following committee amendment was taken up:

Education: Higher Education			Item 163 #2s
State Council Of Higher Education For	FY 04-05	FY 05-06	
Virginia	\$50,000	\$50,000	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$47,575,465".

Page 136, line 24, strike "\$46,384,948" and insert "\$46,434,948".

Page 139, line 26, insert:

"H. Out of this appropriation, \$50,000 in each year from the general fund is provided for the Brown v. Board of Education Scholarship Program and Fund. The State Council of Higher Education for Virginia shall administer this program as set out in Senate Bill 230 of the 2004 session of the General Assembly."

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

The following committee amendment was taken up:

Health And Human Resources			Item 326 #3s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$3,992,156	\$4,210,160	GF
	\$3,992,156	\$4,210,160	NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,065,082,889".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,437,052,939".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$3,992,156 from the general fund and \$3,992,156 from nongeneral funds the first year and \$4,210,160 from the general fund and \$4,210,160 from nongeneral funds the second year shall be used to increase the rates paid for the community-based Medicaid mental retardation waiver program by three percent on July 1, 2004."

The reading of the amendment was waived.

On motion of Senator Wampler, the amendment was agreed to.

The following committee amendment was taken up:

Transportation			Item 482 #4s
Department Of Rail And Public	FY 04-05	FY 05-06	
Transportation	\$86,304,938	\$90,900,135	NGF

Language:

Page 353, line 27, strike "\$155,507,039" and insert "\$241,811,977".

Page 353, line 27, strike "\$252,963,017" and insert "\$343,863,152".

Page 353, line 28, strike "\$5,083,665 \$5,157,906" and insert "\$6,378,239 \$6,521,408".

Page 353, line 29, strike "\$92,107,321 \$99,939,968" and insert "\$155,541,451 \$166,751,567".

Page 353, line 30, strike "\$56,455,277 \$145,922,328" and insert "\$78,031,512 \$168,647,362".

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

The following committee amendment was taken up:

Transportation			Item 488 #5s
Department Of Transportation	FY 04-05	FY 05-06	
	\$462,054,330	\$486,655,826	NGF

Language:

- Page 357, line 13, strike "\$962,522,060" and insert "\$1,424,576,390".
- Page 357, line 13, strike "\$1,033,940,184" and insert "\$1,520,596,010".
- Page 357, line 16, strike "\$170,346,050 \$196,008,006" and insert "\$344,688,390 \$379,632,982".
- Page 357, line 17, strike "\$168,868,870 \$190,871,968" and insert "\$325,824,105 \$356,184,085".
- Page 357, line 18, strike "\$121,792,552 \$139,739,251" and insert "\$252,549,307 \$277,457,983".

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

The following committee amendment was taken up:

Central Appropriations		Item 506 #6s
Central Appropriations		Language

Language:

- Page 379, after line 39, insert:  
 "L. The provisions of Title 15.2, Chapter 22, Article 8 of the Code of Virginia shall apply to any county in Virginia with a population of greater than 250,000 as determined by the 2000 census provided that: (1) the county has designated a geographically discrete area as needing road improvements and (2) the discrete area exceeds the county's population growth rate for the remainder of the county by at least 5.0 percent as determined by comparison of the 1990 census and the 2000 census. In addition, the conditions set out in § 15.2-2327 of the Code of Virginia shall also apply if the Commonwealth ultimately reimburses the county for the actions taken."

The reading of the amendment was waived.

Senator Hawkins moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The following committee amendment was taken up:

Part 5	Item 5-0 #1s
	Language

Language:

- Page 480, strike lines 1 through
- Page 501 line 23 and insert:

PART 5: ENACTMENT NUMBERS 2 THROUGH 6

2. That §§ 58.1-1001, 58.1-1009, and 58.1-1018 of the Code of Virginia are amended and reenacted, that the Code of Virginia is amended by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 and 32.1-367, and that the Code of Virginia is amended by adding in

Chapter 10 of Title 58.1 an article numbered 2.1, consisting of sections numbered 58.1-1021.01 through 58.1-1021.05, as follows:

CHAPTER 15.

VIRGINIA HEALTH CARE FUND.

§ 32.1-366. *Virginia Health Care Fund Established.*

A. *There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Health Care Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller and any moneys remaining in the Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. For purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.*

B. *All revenue received by the Commonwealth pursuant to the provisions of §§ 58.1-1001 and 58.1-1018 and Article 2.1 (§ 58.1-1021.01 et seq.) of Chapter 10 of Title 58.1 shall be paid into the state treasury and deposited to the Fund. The Comptroller shall also deposit 40 percent of the Commonwealth's allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers, as defined in § 3.1-1106, to the Fund. The Fund shall also consist of all recoveries received during a fiscal year resulting from expenditures incurred in the Medicaid program during a prior fiscal year or years to the extent that such amounts represent recoveries of state funds that would otherwise be deposited to the general fund of the state treasury.*

§ 32.1-367. *Uses of Virginia Health Care Fund.*

*Moneys deposited to the Fund shall be used solely for the provision of health care services. Health care services include, but are not limited to, Medicaid payments, disease diagnosis, prevention and control, and community health services. Disbursements from the Fund shall be made in accordance with appropriations made by law.*

§ 58.1-1001. Tax levied; rate.

In addition to all other taxes now imposed by law, every person within this Commonwealth who sells, stores or receives cigarettes made of tobacco or any substitute thereof, for the purpose of distribution to any person within this Commonwealth, shall pay to this Commonwealth an excise tax of one and one-quarter mills on each such cigarette sold, stored or received before July 1, 2004; an excise tax of one cent on each such cigarette sold, stored or received on or after July 1, 2004, through midnight on June 30, 2005; and an excise tax of 1.75 cents on each such cigarette sold, stored or received on or after July 1, 2005.

*The revenues generated by the tax imposed under this section on and after July 1, 2004, shall be collected by the Department and deposited into the Virginia Health Care Fund established under § 32.1-366.*

§ 58.1-1009. Preparation, design and sale of stamps; unlawful sale or purchase of stamps a felony; penalty.

A. The Department is hereby authorized and directed to have prepared and to sell stamps suitable for denoting the tax on all cigarettes. The Department shall design, adopt and promulgate the form and kind of stamps to be used. Stamps so adopted and promulgated shall be known as and termed "Virginia revenue stamps," and in any information or indictment, it shall be sufficient to describe the stamps as "Virginia revenue stamps."

Any person other than the Department who sells such revenue stamps, not affixed to cigarettes sold and delivered by them, whether the said stamps be genuine or counterfeit, shall be guilty of a Class 6 felony. Any person who purchases revenue stamps from anyone other than the Department, unless such stamps are already affixed to cigarettes being purchased by and delivered to him, or who uses or affixes, or causes to be used or affixed, any revenue stamps not purchased from the Department by the owner of the cigarettes being handled or stamped, whether such stamps are genuine or counterfeit, shall be guilty of a Class 6 felony. When wholesalers have qualified as such with the Department, as provided in § 58.1-1011, and purchase stamps as prescribed herein for use on taxable cigarettes sold and delivered by them, the Department shall allow on such sales of revenue stamps a discount of two and one-half cents

per carton. ~~In addition to any other penalties provided by law, the Department may revoke the permit issued, in accordance with § 58.1-1011, to any person who violates this section.~~

As used herein "carton" shall mean ten packs of cigarettes, each containing twenty cigarettes. All stamps prescribed by the Department shall be designed and furnished in such a fashion as to permit identification of the wholesale dealer or retail dealer that affixed the stamp to the particular package of cigarettes, by means of a serial number or other mark on the stamp. The Department shall maintain for not less than three years information identifying which wholesale dealer or retail dealer affixed the revenue stamp to each package of cigarettes.

*B. 1. The Department shall provide Virginia revenue stamps to certain wholesale dealers holding a current permit issued pursuant to § 58.1-1011 prior to collecting the tax imposed under this chapter from such wholesale dealer. Such wholesale dealers shall be allowed to obtain the stamps from the Department without concurrent payment of the tax only if the conditions of this subsection are satisfied.*

*In order to obtain Virginia revenue stamps without concurrent payment of the tax imposed under this chapter, a wholesale dealer shall (i) file a bond with a corporate surety licensed to do business in Virginia, or (ii) file an irrevocable letter of credit satisfactory to the Tax Commissioner as to the bank or savings institution, the form and substance, and payable to the Commonwealth in the face amount of approximately two times the anticipated average monthly amount in purchases of Virginia revenue stamps by the wholesale dealer as determined by the Commissioner. The letter of credit shall be from a bank incorporated or authorized to conduct banking business under the laws of the Commonwealth or authorized to do business in the Commonwealth under the banking laws of the United States, or a federally insured savings institution located in the Commonwealth. Such bond or irrevocable letter of credit shall be conditioned upon payment of the tax imposed by this chapter relating to Virginia revenue stamps obtained by the wholesale dealer from the Department (without concurrent payment of the tax) for which such tax, net of any applicable discount described in subsection A, shall be paid within the 30 days immediately following the date that the related revenue stamp or stamps were provided by the Department to such wholesale dealer. Any such bond shall be so written that, on timely payment of the premium thereon, it shall continue in force from year to year unless sooner terminated.*

*2. Any surety on a bond filed by any wholesale dealer shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of 60 days from the date upon which such surety shall have lodged with the Commissioner written request to be released and discharged. But such request shall not operate to relieve, release or discharge such surety from any liability already accrued or which shall accrue before the expiration of such 60-day period. The Commissioner shall, promptly on receipt of such notice, notify the wholesale dealer who furnished such bond. Unless such dealer on or before the expiration of such 60 days' notice files with the Commissioner a new bond or letter of credit that meets all the conditions described in subdivision 1, the Commissioner shall forthwith require the wholesale dealer to pay the tax imposed under this chapter concurrent with obtaining revenue stamps from the Department.*

*In the event that liability upon the bond or letter of credit filed by the wholesale dealer with the Commissioner shall be discharged or reduced, whether by judgment rendered, payment made or otherwise, or if in the opinion of the Commissioner any surety on the bond becomes unsatisfactory or unacceptable, then the Commissioner may require the filing of a new bond or letter of credit. Unless such new bond or letter of credit meets all the conditions described in subdivision 1, the Commissioner shall forthwith require the wholesale dealer to pay the tax imposed under this chapter concurrent with obtaining revenue stamps from the Department.*

*3. Notwithstanding any other provision in this subsection, the Tax Commissioner, for good cause, shall require a wholesale dealer to pay the tax imposed under this chapter concurrent with obtaining revenue stamps from the Department, regardless of whether or not such dealer has filed or agreed to file the bond or letter of credit described in this subsection.*

*C. In addition to any other penalties provided by law, the Department may revoke the permit issued, in accordance with § 58.1-1011, to any person who violates any provision of this section.*

§ 58.1-1018. Tax imposed on storage, use or consumption of cigarettes; exemption of products on which sales tax has been paid.

An excise tax is hereby imposed on the storage, use or other consumption in this Commonwealth of cigarettes purchased at retail in an amount equal to that set out in § 58.1-1001. Every person storing, using or otherwise consuming in this Commonwealth cigarettes purchased at retail shall be liable for the tax imposed by this article, and the liability shall not be extinguished until the tax has been paid to this Commonwealth; however, if such cigarettes have attached thereto the requisite stamps or if the excise tax imposed by Article 1 (§ 58.1-1000 et seq.) has been paid by the seller of such cigarettes, then the tax imposed by this article shall not be due.

*The revenues generated by the tax imposed under this section on and after July 1, 2004, shall be collected by the Department and deposited into the Virginia Health Care Fund established under § 32.1-366.*

*Article 2.1.*

*Tobacco Products Tax.*

*§ 58.1-1021.01. Definitions.*

*As used in this article, unless the context clearly shows otherwise, the term or phrase:*

*“Package” means any package, bag, box, can, or other container in which tobacco products are packaged and sold.*

*“Purchase price” means the same as sales price but applies to the total price paid for tobacco products.*

*“Retail dealer” means every person other than a wholesale dealer, as defined in this section, who sells or offers for sale any tobacco product.*

*“Sales price” means the total amount for which tobacco products are sold, valued in money, whether paid in money or otherwise, and includes any amount for which credit is given to the purchaser by the dealer, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, losses or any other expenses whatsoever. “Sales price” shall not include any cash discount allowed and taken or finance charges, carrying charges, service charges or interest from credit extended on sales of tobacco products.*

*“Tobacco product” or “tobacco products” means (i) “cigar” as defined in § 5702 (a) of the Internal Revenue Code, and as such section may be amended; (ii) “smokeless tobacco” as defined in § 5702 (m) of the Internal Revenue Code, and as such section may be amended; (iii) “pipe tobacco” as defined in § 5702 (n) of the Internal Revenue Code, and as such section may be amended; or (iv) “roll-your-own tobacco” as defined in § 5702 (o) of the Internal Revenue Code, and as such section may be amended.*

*“Wholesale dealer” means persons who sell any tobacco product at wholesale to retail dealers, or who sell any tobacco product at wholesale to institutional, commercial or industrial users.*

*§ 58.1-1021.02. Tax on tobacco products.*

*A. In addition to all other taxes now imposed by law, there is hereby imposed a tax on every wholesale dealer within the Commonwealth selling any tobacco product to a retail dealer located in the Commonwealth or selling any tobacco product to institutional, commercial or industrial users located in the Commonwealth. For purposes of such tax, chain store distribution centers or houses that distribute any tobacco product to their stores for sale at retail shall be deemed to be a wholesale dealer selling to a retail dealer.*

*The tax shall be imposed at a rate of 10 percent of the sales price charged by the wholesale dealer for each such package of tobacco product sold to a retail dealer or institutional, commercial or industrial user. In any case where a chain store distribution center or house distributes any tobacco product to its stores, the tax shall be imposed on the purchase price paid by the chain store distribution center or house for each such package of tobacco product so distributed.*

*B. In addition to all other taxes now imposed by law, there is hereby imposed a tax on every retail dealer within the Commonwealth purchasing any tobacco product from a wholesale dealer located outside the Commonwealth.*

*The tax shall be imposed at a rate of 10 percent of the purchase price paid by the retail dealer for each such package of tobacco product purchased from a wholesale dealer located outside the Commonwealth.*

*§ 58.1-1021.03. Monthly return and payments of tax.*

A. Every wholesale dealer subject to the tax imposed under this article shall, beginning with the month of October 2004, file a monthly return no later than the tenth of each month on a form prescribed by the Department, covering the sale of tobacco products by such dealer, for which a tax is imposed pursuant to subsection A of 58.1-1021.02, during the preceding month. The return shall contain or be accompanied by such further information as the Department shall require. The wholesale dealer, at the time of filing the return, shall pay to the Department the tax imposed under subsection A of § 58.1-1021.02 on the sales price for each such package of tobacco product sold in the preceding month.

B. Every retail dealer subject to the tax imposed under this article shall, beginning with the month of October 2004, file a monthly return no later than the tenth of each month on a form prescribed by the Department, covering the purchase of tobacco products by such dealer, for which a tax is imposed pursuant to subsection B of 58.1-1021.02, during the preceding month. The return shall contain or be accompanied by such further information as the Department shall require. The retail dealer, at the time of filing the return, shall pay to the Department the tax imposed under subsection B of § 58.1-1021.02 on the purchase price for each such package of tobacco product purchased in the preceding month.

§ 58.1-1021.04. Failure to file return; fraudulent return; penalties; interest; overpayment of tax.

A. When any wholesale dealer or retail dealer fails to make any return or pay the full amount of the tax required by this article, there shall be imposed a specific penalty to be added to the tax in the amount of five percent if the failure is for not more than one month, with an additional two percent for each additional month, or fraction thereof, during which the failure continues, not to exceed 20 percent in the aggregate. In no case, however, shall the penalty be less than \$10 and such minimum penalty shall apply whether or not any tax is due for the period for which such return was required. If such failure is due to providential or other good cause shown to the satisfaction of the Tax Commissioner, such return with or without remittance may be accepted exclusive of penalties. In the case of a false or fraudulent return where willful intent exists to defraud the Commonwealth of any tax due under this article, or in the case of a willful failure to file a return with the intent to defraud the Commonwealth of any such tax, a specific penalty of 50 percent of the amount of the proper tax shall be assessed. All penalties and interest imposed by this article shall be payable by the wholesale dealer or retail dealer and collectible by the Department in the same manner as if they were a part of the tax imposed.

B. It shall be prima facie evidence of intent to defraud the Commonwealth of any tax due under this article when any wholesale dealer or retail dealer reports his sales or purchases, as the case may be, at 50 percent or less of the actual amount.

C. Interest at a rate determined in accordance with § 58.1-15 shall accrue on the tax until the same is paid.

No deficiency, interest or penalty shall be assessed for any month after the expiration of three years from the date set for the filing of the return for such month, except in cases of fraud, or where no return has been filed for such month.

D. If the Tax Commissioner determines that the amount paid the Commonwealth under this article in regard to any monthly return was greater than the amount of tax due the Commonwealth, the excess may be taken as a credit by the wholesale dealer or retail dealer against a subsequent month's tax imposed under this article. However, if such wholesale dealer or retail dealer requests a refund, such excess shall be refunded to the dealer within 45 days of the request. The refund shall include interest at the rate provided in § 58.1-15. Interest on such refunds shall accrue from the due date of the return to which such excess is attributable to or the date such excess was paid to the Department, whichever is later, and shall end on a date determined by the Department preceding the date of the refund check by not more than seven days.

§ 58.1-1021.05. Use of revenues.

The revenues generated by the taxes imposed under this article shall be collected by the Department and deposited into the Virginia Health Care Fund established under § 32.1-366.

3. That the taxes set forth under Article 2.1 (§ 58.1-1021.01 et seq.) of Chapter 10 of Title 58.1 pursuant to the second enactment of this act shall be imposed beginning September 1, 2004, for taxable sales or purchases under such article occurring on or after such date.

4. That the Tax Commissioner shall establish guidelines and rules for (i) transitional procedures in regard to the increase in the state cigarette tax and (ii) implementation of the tax on tobacco products under Article 2.1 (§ 58.1-1021.01 et seq.) of Chapter 10 of Title 58.1 pursuant to the second enactment of this act. Such guidelines and rules issued by the Tax Commissioner shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).
5. That the provisions of the first enactment of this act shall expire midnight on June 30, 2006. The provisions of all other enactments shall have no expiration date.
6. That this act is effective on July 1, 2004.

The reading of the amendment was waived.

Senator Chichester moved that the amendment be agreed to.

**RULING OF THE CHAIR**

Senator Cuccinelli propounded a parliamentary inquiry as to whether the committee amendments to Item 5-0 #1s and Item 5-0 #2s to **S.B. 30** were germane to the main object of **S.B. 30**, that being the appropriation of the revenues of the Commonwealth.

The Chair ruled that the committee amendments to Item 5-0 #1s and Item 5-0 #2s to **S.B. 30** were germane, citing Article IV, Section 12, of the Constitution, which states, "No law shall embrace more than one object, which shall be expressed in its title." The Chair stated further, "The purpose of the section, quoting from *Commonwealth v. Brown*, which is quoted in *Commentaries on the Constitution of Virginia* by A.E. Dick Howard, '[is] to prevent the practice of bringing together into one bill . . . subjects diverse and dissimilar . . . and to prevent surprise and fraud in legislation . . . All that is required . . . is that the subjects embraced in the statute, but not specified in the title, are congruous, and have natural connection with, or are germane to, the subject expressed in the title.' " The Chair stated further that a primary motive of Article IV, Section 12, was to prevent surprise and that was one reason why it mattered if something was a committee amendment or a floor amendment, a floor amendment not having the benefit of a public hearing. The Chair stated further that the committee amendments to **S.B. 30** had been heard in committee and that there was a natural connection to the question of appropriation because the issues are tax matters that have dedicated revenue streams that fund the appropriations that are at issue in **S.B. 30**.

Senator Cuccinelli appealed from the Ruling of the Chair.

The question was put on sustaining the Ruling of the Chair.

The Ruling of the Chair was sustained.

The recorded vote is as follows:

YEAS--33. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--33.

NAYS--Bolling, Cuccinelli, Devolites, Martin, Obenshain, O'Brien--6.

RULE 36--0.

The question was put on agreeing to the amendment.

The amendment was agreed to.

The following committee amendment was taken up:

Part 5

Item 5-0 #2s

Language

Language:

Page 480, strike lines 1 through

Page 501 line 23 and insert:

## PART 5: ENACTMENT NUMBERS 2 THROUGH 7

2. That §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706, and 58.1-3833 of the Code of Virginia are amended and reenacted, that the Code of Virginia is amended by adding in Title 10.1 a chapter numbered 21.2 consisting of a section numbered 10.1-2135, by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, and by adding in Chapter 22 of Title 58.1 an article numbered 8.1 consisting of a section numbered 58.1-2288.1, as follows:

§ 10.1-1020. Virginia Land Conservation Fund; purposes of Foundation.

A. The Foundation shall establish, administer, manage, including the creation of reserves, and make expenditures and allocations from a special, nonreverting fund in the state treasury to be known as the Virginia Land Conservation Fund, hereinafter referred to as the Fund. The Foundation shall establish and administer the Fund solely for the purposes of:

1. Acquiring fee simple title to or other rights, interests or privileges in property for the protection or preservation of ecological, cultural or historical resources, lands for recreational purposes, state forest lands, and lands for threatened or endangered species, fish and wildlife habitat, natural areas, agricultural and forestal lands and open space; and

2. Providing grants to state agencies, including the Virginia Outdoors Foundation, and matching grants to other public bodies and holders for acquiring fee simple title to or other rights, interests or privileges in real property for the protection or preservation of ecological, cultural or historical resources, lands for recreational purposes, and lands for threatened or endangered species, fish and wildlife habitat, natural areas, agricultural and forestal lands and open space. The Board shall establish criteria for making grants from the Fund, including procedures for determining the amount of each grant and the required match. The criteria shall include provisions for grants to localities for purchase of development rights programs.

Interests in land acquired as provided in subdivision 1 of this subsection may be held by the Foundation or transferred to state agencies or other appropriate holders. Whenever a holder acquires any interest in land other than a fee simple interest as a result of a grant or transfer from the Foundation, such interest shall be held jointly by the holder and a public body. Whenever a holder acquires a fee simple interest in land as a result of a grant or transfer from the Foundation, a public body shall hold an open space easement in such land.

B. The Fund shall consist of ~~general fund moneys~~ *the transfers in each fiscal year pursuant to § 10.1-2135* and gifts, endowments or grants from the United States government, its agencies and instrumentalities, and funds from any other available sources, public or private. Such moneys, gifts, endowments, grants or funds from other sources may be either restricted or unrestricted. For the purposes of this chapter, "restricted funds" shall mean those funds received by the Board to which specific conditions apply; "restricted funds" shall include, but not be limited to, general obligation bond moneys and conditional gifts. "Unrestricted funds" shall mean those received by the Foundation to which no specific conditions apply; "unrestricted funds" shall include, but not be limited to, moneys appropriated to the Fund by the General Assembly to which no specific conditions are attached and unconditional gifts.

C. After an allocation for administrative expenses has been made as provided in subsection F, the remaining unrestricted funds in the Fund shall be allocated as follows:

1. Twenty-five percent shall be transferred to the Open-Space Lands Preservation Trust Fund to be used as provided in § 10.1-1801.1; and

2. Seventy-five percent shall be divided equally among the following four uses: (i) natural area protection; (ii) open spaces and parks; (iii) farmlands and forest preservation; and (iv) historic area preservation. Of the amount allocated as provided in this subdivision, at least one third shall be used to secure easements to be held or co-held by a public body.

D. Any moneys remaining in the Fund at the end of a biennium shall remain in the Fund, and shall not revert to the general fund. Interest earned on moneys received by the Fund other than bond proceeds shall remain in the Fund and be credited to it.

E. A portion of the Fund, not to exceed ~~twenty~~20 percent of the annual balance of unrestricted funds, may be used to develop properties purchased in fee simple with the assets of the Fund for public use including, but not limited to, development of trails, parking areas, infrastructure, and interpretive projects or to conduct environmental assessments or other preliminary evaluations of properties prior to the acquisition of any property interest.

F. Up to \$250,000 per year of the interest generated by the Fund may be used for the Foundation's administrative expenses, including, but not limited to, the expenses of the Board and its members, development of the Foundation's strategic plan, development and maintenance of an inventory of properties as provided in subdivision 1 b of § 10.1-1021, development of a needs assessment for future expenditures as provided in subdivision 1 c of § 10.1-1021, and fulfillment of reporting requirements. All such expenditures shall be subject to approval by the Board of Trustees.

G. The Comptroller shall maintain the restricted funds and the unrestricted funds in separate accounts.

H. For the purposes of this section, "public body" shall have the meaning ascribed to it in § 10.1-1700, and "holder" shall have the meaning ascribed to it in § 10.1-1009.

§ 10.1-2128. Virginia Water Quality Improvement Fund established; purposes.

A. There is hereby established in the state treasury a special permanent, nonreverting fund, to be known as the "Virginia Water Quality Improvement Fund." The Fund shall be established on the books of the Comptroller. The Fund shall consist of sums appropriated to it by the General Assembly which shall include, unless otherwise provided in the general appropriation act, ~~ten~~ 10 percent of the annual general fund revenue collections that are in excess of the official estimates in the general appropriation act ~~and ten percent of any unreserved general fund balance at the close of each fiscal year whose reappropriation is not required in the general appropriation act for the relevant fiscal year up to a total of \$20 million in any fiscal year. Pursuant to § 2.2-1514, at the end of each fiscal year the Comptroller shall set aside such amount for deposit into the Fund from such excess general fund revenue collections.~~ The Fund shall also consist of the transfers in each fiscal year pursuant to § 10.1-2135 and such other sums as may be made available to it from any other source, public or private, and shall include any penalties or damages collected under this article, federal grants solicited and received for the specific purposes of the Fund, and all interest and income from investment of the Fund. Any sums remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All moneys designated for the Fund shall be paid into the state treasury and credited to the Fund. Moneys in the Fund shall be used solely for Water Quality Improvement Grants. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon the written request of the Director of the Department of Environmental Quality or the Director of the Department of Conservation and Recreation as provided in this chapter.

B. The purpose of the Fund is to provide Water Quality Improvement Grants to local governments, soil and water conservation districts, institutions of higher education and individuals for point and nonpoint source pollution prevention, reduction and control programs and efforts undertaken in accordance with the provisions of this chapter. The Fund shall not be used for agency operating expenses or for purposes of replacing or otherwise reducing any general, nongeneral, or special funds allocated or appropriated to any state agency; however, nothing in this section shall be construed to prevent the award of a Water Quality Improvement Grant to a local government in connection with point or nonpoint pollution prevention, reduction and control programs or efforts undertaken on land owned by the Commonwealth and leased to the local government.

§ 10.1-2133. Annual report by State Comptroller.

The State Comptroller shall, by January 1 of each year, certify to the chairmen of the House Committee on Appropriations and the Senate Committee on Finance, the total amount of annual general fund revenue collections in excess of the official estimate in the general appropriation act, ~~the total amount of the unreserved general fund balance whose reappropriation is not required in the general appropriation act~~ at the close of the previous fiscal year and the total amount of funds that are to be directed to the credit of the Virginia Water Quality Improvement Fund under this article *and pursuant to § 10.1-2135* unless otherwise provided in the general appropriation act.

## CHAPTER 21.2.

## VIRGINIA NATURAL AND HISTORIC RESOURCES FUND.

§ 10.1-2135. *Virginia Natural and Historic Resources Fund; established.*

A. *There is hereby created in the state treasury a special permanent, nonreverting, interest-bearing fund to be known as the Virginia Natural and Historic Resources Fund, hereinafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. The Fund shall consist of (i) any sales and use tax revenues transferred pursuant to subsection F of § 58.1-638; (ii) any other moneys appropriated to it by the General Assembly; and (iii) such other sums as may be made available to it from any other source, public or private, all of which shall be credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall remain in the Fund and shall not revert to the general fund.*

B. *On a quarterly basis, all moneys deposited in the Fund including interest, with the exception of any sales and use tax revenues transferred pursuant to subsection F of § 58.1-638, shall be allocated by the Secretary of Natural Resources in the following manner:*

1. *No less than 40 percent and no more than 60 percent of the moneys in the Fund shall be deposited into the Virginia Land Conservation Fund to be expended as provided in Chapter 10.2 (§ 10.1-1017 et seq.) of this title; and*

2. *The remainder of the moneys in the Fund shall be deposited into the Virginia Water Quality Improvement Fund to be expended as provided in Chapter 21.1 (§ 10.1-2117 et seq.) of this title.*

C. *The \$30 million of sales and use tax revenues transferred in each fiscal year to the Fund pursuant to subsection F of § 58.1-638 shall be transferred out of the Fund in each fiscal year by the Comptroller as follows:*

1. *\$14,812,500 shall be transferred to the Virginia Land Conservation Fund to be expended as provided in Chapter 10.2 (§ 10.1-1017 et seq.) of this title;*

2. *\$14,812,500 shall be transferred to the Virginia Water Quality Improvement Fund to be expended as provided in Chapter 21.1 (§ 10.1-2117 et seq.) of this title; and*

3. *A total of \$375,000 shall be transferred among the Department of Environmental Quality and the Department of Conservation and Recreation for operations as provided in the general appropriation act.*

*The Comptroller shall make the transfers required by this subsection as soon as practicable. The Comptroller shall make such transfers to the Virginia Land Conservation Fund and to the Virginia Water Quality Improvement Fund on the same calendar day or days and in the same amount to each Fund.*

§ 33.1-12. *General powers and duties of Board, etc.; definitions.*

The Commonwealth Transportation Board shall be vested with the following powers and shall have the following duties:

(1) Location of routes. - To locate and establish the routes to be followed by the roads comprising systems of state highways between the points designated in the establishment of such systems.

(2) Construction and maintenance contracts and activities related to passenger and freight rail and public transportation.

(a) To let all contracts for the construction, maintenance, and improvement of the roads comprising systems of state highways and for all activities related to passenger and freight rail and public transportation in excess of \$2 million. The Commonwealth Transportation Commissioner shall have authority to let all contracts for highway construction, maintenance, and improvements up to \$2 million in value. The Director of the Department of Rail and Public Transportation shall have the authority to let contracts for passenger and freight rail and public transportation improvements up to \$2 million in value. The Commonwealth Transportation Commissioner is authorized to enter into agreements with localities, authorities, and transportation districts to administer projects and to allow those localities, authorities, and transportation districts to let contracts up to \$2 million in value for highway construction, maintenance, and improvements within their jurisdictions. The Director of the Department of Rail and Public Transportation is authorized to enter into agreements with localities, authorities, and transportation districts to administer projects and to allow those localities, authorities, and transportation districts to let contracts up to \$2 million in value for passenger and freight rail and public transportation activities within their jurisdictions. The Commonwealth Transportation Commissioner and the Director of the Department

of Rail and Public Transportation shall report on their respective transportation contracting activities at least quarterly to the Board.

(b) The Commonwealth Transportation Board may award contracts for the construction of transportation projects on a design-build basis. The Board may annually award five design-build contracts valued no more than \$20 million. The Board may also award design-build contracts valued more than \$20 million, provided that no more than five of these latter contracts are in force at the same time. These contracts may be awarded after a written determination is made by the Commonwealth Transportation Commissioner, pursuant to objective criteria previously adopted by the Board regarding the use of design-build, that delivery of the projects must be expedited and that it is not in the public interest to comply with the design and construction contracting procedures normally followed. Such objective criteria will include requirements for prequalification of contractors and competitive bidding processes. These contracts shall be of such size and scope to encourage maximum competition and participation by agency prequalified and otherwise qualified contractors. Such determination shall be retained for public inspection in the official records of the Department of Transportation and shall include a description of the nature and scope of the project and the reasons for the Commissioner's determination that awarding a design-build contract will best serve the public interest. The provisions of this section shall supersede contrary provisions of subdivision 2 of subsection C of § 11-41 and § 11-41.2.

(c) For transportation construction projects valued in excess of \$100 million, the Commonwealth Transportation Board shall require that a financial plan be prepared. This plan shall include, but not be limited to, the following: (i) a complete cost estimate for all major project elements; (ii) an implementation plan with the project schedule and cost-to-complete information presented for each year; (iii) identified revenues by funding source available each year to meet project costs; and (iv) a detailed cash-flow analysis for each year of the proposed project.

(3) Traffic regulations. - To make rules and regulations, from time to time, not in conflict with the laws of this Commonwealth, for the protection of and covering traffic on and the use of systems of state highways and to add to, amend or repeal the same.

(4) Naming highways. - To give suitable names to state highways and change the names of any highways forming a part of the systems of state highways, except such roads as have been or may hereafter be named by the General Assembly.

(5) Compliance with federal acts. - To comply fully with the provisions of the present or future federal aid acts. The Board may enter into all contracts or agreements with the United States government and may do all other things necessary to carry out fully the cooperation contemplated and provided for by present or future acts of Congress in the area of transportation.

(6) Information and statistics. - To gather and tabulate information and statistics relating to transportation and disseminate the same throughout the Commonwealth. In addition, the Commissioner shall provide a report to the Governor, the General Assembly, the Commonwealth Transportation Board, and the public concerning the current status of all highway construction projects in the Commonwealth. This report shall be posted at least four times each fiscal year, but may be updated more often as circumstances allow. The report shall contain, at a minimum, the following information for every project in the Six-Year Improvement Program: (i) project description; (ii) total cost estimate; (iii) funds expended to date; (iv) project timeline and completion date; (v) statement of whether project is ahead of, on, or behind schedule; and (vi) the name of the prime contractor. Use of one or more Internet websites may be used to satisfy this requirement. Project specific information posted on the Internet shall be updated daily as information is available.

(7) Policies and operation of Departments. - To review and approve policies and transportation objectives of the Department of Transportation and the Department of Rail and Public Transportation, to assist in establishing such policies and objectives, to oversee the execution thereof, and to report thereon to the Commonwealth Transportation Commissioner and the Director of the Department of Rail and Public Transportation, respectively.

(8) Cooperation with other agencies and local governments. - (a) To cooperate with the federal government, the American Association of State Highway and Transportation Officials and any other organization in the numbering, signing and marking of highways, in the taking of measures for the

promotion of highway safety, in research activities, in the preparation of standard specifications, in the testing of highway materials and otherwise with respect to transportation projects.

(b) To offer technical assistance and coordinate state resources to work with local governments, upon their request, in developing sound transportation components for their local comprehensive plans.

(9) Transportation. - (a) To monitor and, where necessary, approve actions taken by the Department of Rail and Public Transportation pursuant to Chapter 10.1 (§ 33.1-391.1 et seq.) of this title in order to ensure the efficient and economical development of public transportation, the enhancement of rail transportation, and the coordination of such rail and public transportation plans with highway programs.

(b) To coordinate the planning for financing of transportation needs, including needs for highways, railways, seaports, airports, and public transportation and to set aside funds as provided in § 33.1-23.03:1. To allocate funds for these needs pursuant to §§ 33.1-23.1 and, 46.2-702.1, and 58.1-638, *subsection F of § 58.1-2289, and subsection B of § 58.1-2425*, the Board shall adopt a Six-Year Improvement Program of anticipated projects and programs by July 1 of each year. This program shall be based on the most recent official Transportation Trust Fund revenue forecast and shall be consistent with a debt management policy adopted by the Board in consultation with the Debt Capacity Advisory Committee and the Department of the Treasury.

(c) To recommend to the General Assembly for their consideration at the next session of the General Assembly, objective criteria to be used by the Board in selecting those transportation projects to be advanced from the feasibility to the construction stage. If such criteria are enacted into law, such objectives shall apply to the interstate, primary, and urban systems of highways.

(d) To enter into contracts with local districts, commissions, agencies, or other entities created for transportation purposes.

(10) Contracts with other states. - To enter into all contracts with other states necessary for the proper coordination of the location, construction, maintenance, improvement and operation of transportation systems, including the systems of state highways with the highways of such other states and, where necessary, to seek the approval of such contracts by the Congress of the United States.

(11) Use of funds. - To administer, distribute, and allocate funds in the Transportation Trust Fund as provided by law.

(12) Financial and investment advisors. - With the advice of the Secretary of Finance and the State Treasurer, to engage a financial advisor and investment advisor who may be anyone within or without the government of the Commonwealth, to assist in planning and making decisions concerning the investment of funds and the use of bonds for transportation purposes. The work of these advisors shall be coordinated with the Secretary of Finance and the State Treasurer.

(13) The powers of the Virginia Aviation Board set out in Chapter 1 (§ 5.1-1 et seq.) of Title 5.1 and the Virginia Port Authority set out in Chapter 10 (§ 62.1-128 et seq.) of Title 62.1 are in no way diminished by the provisions of this title.

(14) To enter into payment agreements with the Treasury Board related to payments on bonds issued by the Commonwealth Transportation Board.

(15) Outdoor theaters. - By regulation:

(a) To prevent the erection of moving picture screens of outdoor theaters in such a manner as to be ordinarily visible from any highway;

(b) To require that a sufficient space is left between any highway and the entrance to any outdoor theater to prevent congestion on the highway; and

(c) To require that outdoor theater entrances and exits are adequately lighted and marked.

Throughout this title the term "systems of state highways" shall have the meaning ascribed thereto by § 1-13.40.

The term "public transportation" or "mass transit" as used in this title means passenger transportation by rubber-tired, rail, or other surface conveyance which provides shared ride services open to the general public on a regular and continuing basis. The term does not include school buses; charter or sight-seeing service; vehicular ferry service which serves as a link in the highway network; or human service agency or other client-restricted transportation.

§ 33.1-23.03:1. Transportation Trust Fund.

There is hereby created in the Department of the Treasury a special nonreverting fund to be known as the Transportation Trust Fund, consisting of:

1. Funds remaining for highway construction purposes, among the several highway systems pursuant to § 33.1-23.1.

2. [Repealed.]

3. The additional revenues generated by enactments of Chapters 11, 12 and 15 of the Acts of Assembly, 1986 Special Session, *and designated for this fund*; and the additional revenues described in § 46.2-702.1, subsection F of § 58.1-2289, and clause (iv) of subsection A of § 58.1-2425 generated by enactments of the 2004 Session of the General Assembly, and designated for this fund.

4. Tolls and other revenues derived from the projects financed or refinanced pursuant to this title which are payable into the state treasury and tolls and other revenues derived from other transportation projects, which may include upon the request of the applicable appointed governing body, as soon as their obligations have been satisfied, such tolls and revenue derived for transportation projects pursuant to § 33.1-253 (Chesapeake Bay Bridge and Tunnel District) and § 33.1-320 (Richmond Metropolitan Authority) or if the appointed governing body requests refunding or advanced refunding by the Board and such refunding or advanced refunding is approved by the General Assembly. Such funds shall be held in separate subaccounts of the Transportation Trust Fund to the extent required by law or the Board.

5. Tolls and other revenues derived from the Richmond-Petersburg Turnpike, provided that such funds shall be held in a separate subaccount of the Transportation Trust Fund and allocated as set forth in Chapter 574 of the Acts of Assembly of 1983 until expiration of that Act.

6. Such other funds as may be appropriated by the General Assembly from time to time, and designated for this fund.

7. All interest, dividends and appreciation which may accrue to the Transportation Trust Fund and the Highway Maintenance and Construction Fund, except that interest on funds becoming part of the Transportation Trust Fund under subdivision 1 and the Highway Maintenance and Construction Fund shall not become part of the Transportation Trust Fund until July 1, 1988.

8. All amounts required by contract to be paid over to the Transportation Trust Fund.

§ 33.1-23.03:8. Priority Transportation Fund established.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Priority Transportation Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. All funds as may be designated in the appropriation act for deposit to the Fund shall be paid into the state treasury and credited to the Fund. Such funds shall include:

1. A portion of the moneys actually collected, including penalty and interest, attributable to any increase in revenues from the taxes imposed under Chapter 22 (§ 58.1-2200 et seq.) of Title 58.1, with such increase being calculated as the difference between such tax revenues collected in the manner prescribed under Chapter 22 less such tax revenues that would have been collected using the prescribed manner in effect before the effective date of Chapter 22. The portion to be deposited to the Fund shall be the moneys actually collected from such increase in revenues, *net of the additional revenues described in subsection F of § 58.1-2289 designated for deposit into the Transportation Trust Fund established under § 33.1-23.03:1* and allocated for highway and mass transit improvement projects as set forth in § 33.1-23.03:2, but not including any amounts that are allocated to the Commonwealth Port Fund and the Commonwealth Airport Fund under such section. There shall also be deposited into the Fund all additional federal revenues attributable to Chapter 22 (§ 58.1-2200 et seq.) of Title 58.1; and

2. Beginning with the fiscal year ending June 30, 2000, and for fiscal years thereafter, all revenues that exceed the official forecast, pursuant to § 2.2-1503, for (i) the Highway Maintenance and Operating Fund and (ii) the allocation to highway and mass transit improvement projects as set forth in § 33.1-23.03:2, but not including any amounts that are allocated to the Commonwealth Port Fund and the Commonwealth Airport Fund under such section; and

3. Any other such funds as may be transferred, allocated, or appropriated.

The Fund shall be considered a part of the Transportation Trust Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes enumerated in subsection B of this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller.

B. The Commonwealth Transportation Board shall use the Fund to facilitate the financing of priority transportation projects throughout the Commonwealth. The Board may use the Fund either (i) by expending amounts therein on such projects directly, (ii) by payment to any authority, locality, commission or other entity for the purpose of paying the costs thereof, or (iii) by using such amounts to support, secure, or leverage financing for such projects. No expenditures from or other use of amounts in the Fund shall be considered in allocating highway maintenance and construction funds under § 33.1-23.1 or apportioning Transportation Trust Fund funds under § 58.1-638, but shall be in addition thereto. The Board shall use the Fund to facilitate the financing of priority transportation projects as designated by the General Assembly; provided, however, that, at the discretion of the Commonwealth Transportation Board, funds allocated to projects within a transportation district may be allocated among projects within the same transportation district as needed to meet construction cash-flow needs.

§ 33.1-418. Allocation of funds to districts.

The local governing body of any locality in which a district has been created pursuant to this chapter may advance funds or provide matching funds from money not otherwise specifically allocated or obligated. Such funds may be received or generated from whatever source, including, without limitation, general revenues, special fees and assessments, state allocations, and contributions from private sources to a local district to assist the local district to undertake the transportation improvements for which it was created. To assist the district with an approved transportation improvement, the Commonwealth Transportation Board may allocate to a district created pursuant to this chapter only funds allocated, pursuant to Article 1.1 (§ 33.1-23.01 et seq.) of Chapter 1 of Title 33.1, ~~and~~ § 46.2-702.1, subsection A of § 58.1-638, *subsection F of § 58.1-2289, and subsection B of § 58.1-2425*, to the construction districts and localities in which such transportation district is located.

§ 33.1-439. Allocation of funds to districts.

The governing body of any county or town council of any participating town in which a district has been created pursuant to this chapter may advance funds or provide matching funds from money not otherwise specifically allocated or obligated. Such funds may be received or generated from whatever source, including, without limitation, general revenues, special fees and assessments, state allocations, and contributions from private sources to a local district to assist the local district to undertake the transportation improvements for which it was created. To assist the district with an approved transportation improvement, the Commonwealth Transportation Board may allocate to a district created pursuant to this chapter only funds allocated, pursuant to Article 1.1 (§ 33.1-23.01 et seq.) of Chapter 1 of Title 33.1, ~~and~~ § 46.2-702.1, subsection A of § 58.1-638, *subsection F of § 58.1-2289, and subsection B of § 58.1-2425*, to the construction districts and localities in which such transportation district is located.

§ 46.2-694. Fees for vehicles designed and used for transportation of passengers; weights used for computing fees; burden of proof.

A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the transportation of passengers on the highways in the Commonwealth are:

1. ~~Twenty-three~~ *Thirty-three* dollars for each private passenger car or motor home if the passenger car or motor home weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.
2. ~~Twenty-eight~~ *Thirty-eight* dollars for each passenger car or motor home which weighs more than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.
3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a motorcycle with a normal seating capacity of more than ~~ten~~ *10* adults including the driver if the private motor vehicle is not used for the transportation of passengers for compensation and is not kept or used for

rent or for hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than ~~twenty-three dollars~~ \$33 if the vehicle weighs 4,000 pounds or less or ~~twenty-eight dollars~~ \$38 if the vehicle weighs more than 4,000 pounds.

4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less than ~~twenty-three dollars~~ \$33 if the vehicle weighs 4,000 pounds or less or ~~twenty-eight dollars~~ \$38 if the vehicle weighs more than 4,000 pounds.

5. ~~Twenty-three~~ *Thirty-three* dollars for each trailer or semitrailer designed for use as living quarters for human beings.

6. ~~Thirteen~~ *Twenty-three* dollars plus ~~thirty~~ *30* cents per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7 of this subsection on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An additional ~~five dollars~~ \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds.

7. ~~Thirteen~~ *Twenty-three* dollars plus ~~seventy~~ *70* cents per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this subsection. An additional ~~five dollars~~ \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of the foregoing fee of ~~seventy~~ *70* cents per 100 pounds, a motor carrier of passengers, operating two or more vehicles both within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation Board of the United States Department of Transportation, Federal Highway Administration, may apply to the Commissioner for prorated registration. Upon the filing of such application, in such form as the Commissioner may prescribe, the Commissioner shall apportion the registration fees provided in this subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for each such vehicle shall not be less than ~~thirty-three dollars~~ \$43. For the purpose of determining such apportioned registration fees, only those motor vehicles, trailers, or semitrailers operated both within and outside the Commonwealth shall be subject to inclusion in determining the apportionment provided for herein.

8. ~~Thirteen~~ *Twenty-three* dollars plus ~~eighty~~ *80* cents per 100 pounds or major fraction thereof for each motor vehicle, trailer or semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for the transportation of passengers. An additional fee of ~~five dollars~~ \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

9. ~~Twenty-three~~ *Thirty-three* dollars for a taxicab or other vehicle ~~which~~ *that* is kept for rent or hire operated with a chauffeur for the transportation of passengers, and which operates or should operate under permits issued by the Department as required by law. An additional fee of ~~five dollars~~ \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

10. ~~Eighteen~~ *Twenty-eight* dollars for a motorcycle, with or without a sidecar. To this fee shall be added a surcharge of ~~three dollars~~ \$3, which shall be distributed as provided in § 46.2-1191.

11. ~~Twenty-three~~ *Thirty-three* dollars for a bus used exclusively for transportation to and from Sunday school or church, for the purpose of divine worship. If the empty weight of the vehicle exceeds 4,000 pounds, the fee shall be ~~twenty-eight dollars~~ \$38.

12. ~~Thirteen~~ *Twenty-three* dollars plus ~~seventy~~ *70* cents per 100 pounds or major fraction thereof for other passenger-carrying vehicles.

13. An additional fee of ~~four dollars~~ \$4 per year shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle under subdivisions 1 through 12 of this subsection. All funds collected pursuant to this subdivision shall be paid into the state treasury and shall be set aside as a special fund to be used only for emergency medical service purposes. The moneys in the special fund shall be distributed as follows:

a. Two and one-half percent shall be distributed to the Virginia Association of Volunteer Rescue Squads;

b. Thirteen and one-half percent shall be distributed to the State Department of Health to support (i) emergency medical services training programs (excluding advanced life support classes), (ii) advanced life support training, and (iii) recruitment and retention programs (all funds for such support shall be used to recruit and retain volunteer emergency medical services personnel only, including public awareness campaigns, technical assistance programs, and similar activities). Any funds set aside for distribution under this provision and remaining undistributed at the end of any fiscal year shall revert to the Rescue Squad Assistance Fund;

c. Thirty-one and three-quarters percent shall be distributed to the Rescue Squad Assistance Fund;

d. Twenty-seven and one-quarter percent shall be available to the State Department of Health for use in emergency medical services; and

e. Twenty-five percent shall be returned by the Comptroller to the locality wherein such vehicle is registered, to provide funding for training of volunteer or salaried emergency medical service personnel of licensed, nonprofit emergency medical services agencies and for the purchase of necessary equipment and supplies for use in such locality for licensed, nonprofit emergency medical and rescue services.

The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these funds that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall be in addition to any local appropriations and local governing bodies shall not use these funds to supplant local funds. Each local governing body shall report annually to the Board of Health on the use of the ~~twenty five~~ 25 percent of the funds ~~which~~ that were returned to it. In any case in which the local governing body grants the funds to a regional emergency medical services council to be distributed to the licensed, nonprofit emergency medical and rescue services, the local governing body shall remain responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of the ~~twenty five~~ 25 percent of the funds for that year has not been received from a local governing body, any funds due to that local governing body for the next fiscal year shall be retained until such time as the report has been submitted to the Board.

B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-646 shall pay a registration fee equal to one-twelfth of all fees required by subsection A of this section or § 46.2-697 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by the number of months in the registration period for such motor vehicles, trailers, and semitrailers.

C. The manufacturer's shipping weight or scale weight shall be used for computing all fees required by this section to be based upon the weight of the vehicle.

D. The applicant for registration bears the burden of proof that the vehicle for which registration is sought is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the Commissioner or to his authorized agent.

§ 46.2-697. Fees for vehicles not designed or used for transportation of passengers.

A. Except as otherwise provided in this section, the fee for registration of all motor vehicles not designed and used for the transportation of passengers shall be ~~thirteen dollars~~ \$23 plus an amount determined by the gross weight of the vehicle or combination of vehicles of which it is a part, when loaded to the maximum capacity for which it is registered and licensed, according to the schedule of fees set forth in this section. For each 1,000 pounds of gross weight, or major fraction thereof, for which any such vehicle is registered, there shall be paid to the Commissioner the fee indicated in the following schedule immediately opposite the weight group and under the classification established by the provisions of subsection B of § 46.2-711 into which such vehicle, or any combination of vehicles of which it is a part, falls when loaded to the maximum capacity for which it is registered and licensed. The fee for a pickup or panel truck shall be ~~twenty three dollars~~ \$33 if its gross weight is 4,000 pounds or less,

and ~~twenty-eight dollars~~ \$38 if its gross weight is 4,001 pounds through 6,500 pounds. The fee shall be ~~twenty-nine~~ \$39 dollars for any motor vehicle with a gross weight of 6,501 pounds through 10,000 pounds.

Fee Per Thousand Pounds of Gross Weight

Gross Weight Groups (pounds)	Private Carriers	For Rent or For Hire Carriers
10,001 - 11,000	\$2.60	\$4.75
11,001 - 12,000	2.80	4.90
12,001 - 13,000	3.00	5.15
13,001 - 14,000	3.20	5.40
14,001 - 15,000	3.40	5.65
15,001 - 16,000	3.60	5.90
16,001 - 17,000	4.00	6.15
17,001 - 18,000	4.40	6.40
18,001 - 19,000	4.80	7.50
19,001 - 20,000	5.20	7.70
20,001 - 21,000	5.60	7.90
21,001 - 22,000	6.00	8.10
22,001 - 23,000	6.40	8.30
23,001 - 24,000	6.80	8.50
24,001 - 25,000	6.90	8.70
25,001 - 26,000	6.95	8.90
26,001 - 27,000	8.25	10.35
27,001 - 28,000	8.30	10.55
28,001 - 29,000	8.35	10.75
29,001 - 40,000	8.45	10.95
40,001 - 45,000	8.55	11.15
45,001 - 50,000	8.75	11.25
50,001 - 55,000	9.25	13.25
55,001 - 76,000	11.25	15.25
76,001 - 80,000	13.25	16.25

For all such motor vehicles exceeding a gross weight of 6,500 pounds, an additional fee of ~~five dollars~~ \$5 shall be imposed.

B. In lieu of registering any motor vehicle referred to in this section for an entire licensing year, the owner may elect to register the vehicle only for one or more quarters of a licensing year, and in such case, the fee shall be ~~twenty-five~~ 25 percent of the annual fee plus ~~five dollars~~ \$5 for each quarter that the vehicle is registered.

C. When an owner elects to register and license a motor vehicle under subsection B of this section, the provisions of §§ 46.2-646 and 46.2-688 shall not apply.

D. Notwithstanding any other provision of law, no vehicle designed, equipped, and used to tow disabled or inoperable motor vehicles shall be required to register in accordance with any gross weight other than the gross weight of the towing vehicle itself, exclusive of any vehicle being towed.

E. All registrations and licenses issued for less than a full year shall expire on the date shown on the license and registration.

§ 46.2-698. Fees for farm vehicles.

A. The fees for registration of farm motor vehicles having gross weights of 7,500 pounds or more, when such vehicles are used exclusively for farm use as defined in this section, shall be one-half of the fee per 1,000 pounds of gross weight for private carriers as calculated under the provisions of § 46.2-697 and one-half of the fee for overload permits under § 46.2-1128, but the annual registration fee to be paid for each farm vehicle shall not be less than ~~fifteen dollars~~ \$25.

B. A farm motor vehicle is used exclusively for farm use:

1. When owned by a person who is engaged either as an owner, renter, or operator of a farm of a size reasonably requiring the use of such vehicle or vehicles and when such vehicle is:

a. Used in the transportation of agricultural commodities, poultry, dairy products, or livestock of the farm he is working to market, or to other points for sale or processing, or when used to transport materials, tools, equipment, or supplies which are to be used or consumed on the farm he is working, or when used for any other transportation incidental to the regular operation of such farm;

b. Used in transporting forest products, including forest materials originating on a farm or incident to the regular operation of a farm, to the farm he is working or transporting for any purpose forest products which originate on the farm he is working; or

c. Used in the transportation of farm produce, supplies, equipment, or materials to a farm not worked by him, pursuant to a mutual cooperative agreement.

2. When the nonfarm use of such motor vehicle is limited to the personal use of the owner and his immediate family in attending church or school, securing medical treatment or supplies, or securing other household or family necessities.

C. As used in this section, the term "farm" shall include one or more farms, orchards, or ranches, but does not include a tree farm unless it is part of what otherwise is a farm.

D. The first application for registration of a vehicle under this section shall be made on forms provided by the Department and shall include:

1. The location and acreage of each farm on which the vehicle to be registered is to be used;

2. The type of agricultural commodities, poultry, dairy products or livestock produced on such farms and the approximate amounts produced annually;

3. A statement, signed by the vehicle's owner, that the vehicle to be registered will only be used for one or more of the purposes specified in subsection B of this section; and

4. Other information required by the Department;

The above information is not required for the renewal of a vehicle's registration under this section.

E. The Department shall issue appropriately designated license plates for those motor vehicles registered under this section. The manner in which such license plates are designated shall be at the discretion of the Commissioner.

F. The owner of a farm vehicle shall inform the Commissioner within ~~thirty~~ 30 days or at the time of his next registration renewal, whichever comes first, when such vehicle is no longer used exclusively for farm use as defined in this section, and shall pay the appropriate registration fee for the vehicle based on its type of operation. It shall constitute a Class 2 misdemeanor to: (i) operate or to permit the operation of any farm motor vehicle for which the fee for registration and license plates is herein prescribed on any highway in the Commonwealth without first having paid the prescribed registration fee; or (ii) operate or permit the operation of any motor vehicle, registered under this section, for purposes other than as provided under subsection B of this section; or (iii) operate as a for-hire vehicle.

G. Nothing in this section shall affect the exemptions of agricultural and horticultural vehicles under §§ 46.2-664 through 46.2-670.

H. Notwithstanding other provisions of this section, vehicles licensed under this section may be used by volunteer rescue squad members and volunteer firefighters in responding to emergency calls, in reporting for regular duty, and in attending squad meetings and drills.

§ 46.2-700. Fees for vehicles for transporting well-drilling machinery and specialized mobile equipment.

A. The fee for registration of any motor vehicle, trailer, or semitrailer on which well-drilling machinery is attached and which is permanently used solely for transporting the machinery shall be ~~fifteen dollars~~ \$25.

B. The fee for the registration of specialized mobile equipment shall be ~~fifteen dollars~~ \$25. "Specialized mobile equipment" shall mean any self-propelled motor vehicle manufactured for a specific purpose, other than for the transportation of passengers or property, which is used on a job site and whose movement on any highway is incidental to the purpose for which it was designed and manufactured. The vehicle must be constructed to fall within all size and weight requirements as contained in §§ 46.2-1105, 46.2-1110, 46.2-1113 and Article 17 (§ 46.2-1122 et seq.) of Chapter 10 of this title and must be capable of maintaining sustained highway speeds of ~~forty~~ 40 miles per hour or more. Vehicles registered under this section shall be exempt from the requirements of § 46.2-1157.

C. Specialized mobile equipment which cannot maintain a sustained highway speed in excess of ~~forty~~ 40 miles per hour, and trailers or semitrailers which are designed and manufactured for a specific purpose and whose movement on the highway is incidental to the purpose for which it was manufactured and which are not designed or used to transport persons or property, shall not be required to be registered under this chapter.

§ 46.2-702.1. *Distribution of certain revenue.*

A. *An amount equivalent to the net additional revenues generated from the increases in the registration fees under §§ 46.2-694, 46.2-697, 46.2-698, and 46.2-700 effective July 1, 2004, pursuant to enactments of the 2004 Session of the General Assembly, shall be deposited by the Comptroller into the Transportation Trust Fund established under § 33.1-23.03:1. As provided in subsection A of § 58.1-638, of such amount deposited to the Transportation Trust Fund pursuant to this section, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund, and an aggregate of 14.7 percent shall be set aside as the Commonwealth Mass Transit Fund.*

§ 58.1-302. Definitions.

For the purpose of this chapter and unless otherwise required by the context:

"Affiliated" means two or more corporations subject to Virginia income taxes whose relationship to each other is such that (i) one corporation owns at least ~~eighty~~ 80 percent of the voting stock of the other or others or (ii) at least ~~eighty~~ 80 percent of the voting stock of two or more corporations is owned by the same interests.

"Compensation" means wages, salaries, commissions and any other form of remuneration paid or accrued to employees for personal services.

"Corporation" includes associations, joint stock companies and insurance companies.

"Domicile" means the permanent place of residence of a taxpayer and the place to which he intends to return even though he may actually reside elsewhere. In determining domicile, consideration may be given to the applicant's expressed intent, conduct, and all attendant circumstances including, but not limited to, financial independence, business pursuits, employment, income sources, residence for federal income tax purposes, marital status, residence of parents, spouse and children, if any, leasehold, sites of personal and real property owned by the applicant, motor vehicle and other personal property registration, residence for purposes of voting as proven by registration to vote, if any, and such other factors as may reasonably be deemed necessary to determine the person's domicile.

*"Earned income" means wages, salaries, professional fees, or amounts received as compensation for professional services actually rendered, but does not include that part of the compensation derived by the taxpayer for personal services rendered by him to a business that represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually*

*rendered. Earned income does not include interest or dividend income, capital gains, income from investments, or similar types of passive income.*

“Foreign source income” means:

1. Interest, other than interest derived from sources within the United States;
2. Dividends, other than dividends derived from sources within the United States;
3. Rents, royalties, license, and technical fees from property located or services performed without the United States or from any interest in such property, including rents, royalties, or fees for the use of or the privilege of using without the United States any patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like properties;
4. Gains, profits, or other income from the sale of intangible or real property located without the United States; and
5. The amount of an individual’s share of net income attributable to a foreign source qualified business unit of an electing small business corporation (S corporation). For purposes of this subsection, qualified business unit shall be defined by § 989 of the Internal Revenue Code, and the source of such income shall be determined in accordance with §§ 861, 862 and 987 of the Internal Revenue Code.

In determining the source of “foreign source income,” the provisions of §§ 861, 862, and 863 of the Internal Revenue Code shall be applied except as specifically provided in subsection 5 above.

“Income and deductions from Virginia sources” includes:

1. Items of income, gain, loss and deduction attributable to:
  - a. The ownership of any interest in real or tangible personal property in Virginia;
  - b. A business, trade, profession or occupation carried on in Virginia; or
  - c. Prizes paid by the Virginia Lottery Department, and gambling winnings from wagers placed or paid at a location in Virginia.
2. Income from intangible personal property, including annuities, dividends, interest, royalties and gains from the disposition of intangible personal property to the extent that such income is from property employed by the taxpayer in a business, trade, profession, or occupation carried on in Virginia.

“Individual” means all natural persons whether married or unmarried and fiduciaries acting for natural persons, but not fiduciaries acting for trusts or estates.

“Intangible expenses and costs” means:

1. *Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, lease, transfer, or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income;*
2. *Losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;*
3. *Royalty, patent, technical and copyright fees;*
4. *Licensing fees; and*
5. *Other similar expenses and costs.*

“Intangible property” means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

“Interest expenses and costs” means amounts directly or indirectly allowed as deductions under Section 163 of the Internal Revenue Code for purposes of determining taxable income under the Internal Revenue Code to the extent such expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, use, maintenance, management, ownership, sale, exchange, lease, transfer, or disposition of intangible property.

“Nonresident estate or trust” means an estate or trust which is not a resident estate or trust.

“Related entity” means:

1. *A stockholder who is an individual, or a member of the stockholder’s family enumerated in Section 318 of the Internal Revenue Code, if the stockholder and the members of the stockholder’s family own, directly, indirectly, beneficially or constructively, in the aggregate, at least 50 percent of the value of the taxpayer’s outstanding stock;*

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own directly, indirectly, beneficially or constructively, in the aggregate, at least 50 percent of the value of the taxpayer's outstanding stock; or

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least 50 percent of the value of the corporation's outstanding stock. The attribution rules of Section 318 of the Internal Revenue Code shall apply for purposes of determining whether the ownership requirements of this subdivision have been met.

"Related member" means a person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in Section 1563(b) of the Internal Revenue Code, or is a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

"Resident" applies only to natural persons and includes, for the purpose of determining liability for the taxes imposed by this chapter upon the income of any taxable year every person domiciled in Virginia at any time during the taxable year and every other person who, for an aggregate of more than 183 days of the taxable year, maintained his place of abode within Virginia, whether domiciled in Virginia or not. The word "resident" shall not include any member of the United States Congress who is domiciled in another state.

"Resident estate or trust" means:

1. The estate of a decedent who at his death was domiciled in the Commonwealth;
2. A trust created by will of a decedent who at his death was domiciled in the Commonwealth;
3. A trust created by or consisting of property of a person domiciled in the Commonwealth; or
4. A trust or estate which is being administered in the Commonwealth.

"Sales" means all gross receipts of the corporation not allocated under § 58.1-407, except the sale or other disposition of intangible property shall include only the net gain realized from the transaction.

"State" means for purposes of Article 10 of this chapter any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and any foreign country.

"Trust" or "estate" means a trust or estate, or a fiduciary thereof, which is required to file a fiduciary income tax return under the laws of the United States.

"Virginia fiduciary adjustment" means the net amount of the applicable modifications described in § 58.1-322 (including subsection E thereof if the estate or trust is a beneficiary of another estate or trust) which relate to items of income, gain, loss or deduction of an estate or trust. The fiduciary adjustment shall not include the modification in subsection D of § 58.1-322, except that the amount of state income taxes excluded from federal taxable income shall be included. The fiduciary adjustment shall also include the modification in subsection D of § 58.1-322, regarding the deduction for the purchase of a prepaid tuition contract or contribution to a savings trust account.

§ 58.1-320. Imposition of tax.

A tax is hereby annually imposed on the Virginia taxable income for each taxable year of every individual as follows:

Two percent on income not exceeding \$3,000;

Three percent on income in excess of \$3,000, but not in excess of \$5,000;

Five percent on income in excess of \$5,000, but not in excess of \$12,000 for taxable years beginning before January 1, 1987;

Five percent on income in excess of \$5,000 but not in excess of \$14,000 for taxable years beginning January 1, 1987, through December 31, 1987;

Five percent on income in excess of \$5,000 but not in excess of \$15,000 for taxable years beginning January 1, 1988, through December 31, 1988;

Five percent on income in excess of \$5,000 but not in excess of \$16,000 for taxable years beginning January 1, 1989, through December 31, 1989;

Five percent on income in excess of \$5,000 but not in excess of \$17,000 for taxable years beginning January 1, 1990;

Five and three-quarters percent on income in excess of \$12,000 for taxable years beginning before January 1, 1987;

Five and three-quarters percent on income in excess of \$14,000 for taxable years beginning January 1, 1987, through December 31, 1987;

Five and three-quarters percent on income in excess of \$15,000 for taxable years beginning January 1, 1988, through December 31, 1988;

Five and three-quarters percent on income in excess of \$16,000 for taxable years beginning January 1, 1989, through December 31, 1989; ~~and~~

Five and three-quarters percent on income in excess of \$17,000 for taxable years beginning on ~~and~~ or after January 1, 1990, *but before January 1, 2004*;

*Five and three-quarters percent on income in excess of \$17,000 but not in excess of \$100,000 for taxable years beginning on or after January 1, 2004*;

*Six and one-quarter percent on income in excess of \$100,000 but not in excess of \$150,000 for taxable years beginning on or after January 1, 2004; and*

*Six and one-half percent on income in excess of \$150,000 for taxable years beginning on or after January 1, 2004.*

§ 58.1-321. Exemptions and exclusions.

A. No tax levied pursuant to § 58.1-320 is imposed, nor any return required to be filed by:

1. A single individual where the Virginia adjusted gross income for such taxable year is less than \$3,000 for taxable years beginning before January 1, 1987; and less than \$5,000 for taxable years beginning on ~~and~~ or after January 1, 1987; *but before January 1, 2004.*

*A single individual where the Virginia adjusted gross income plus the modification specified in subdivision D 5 of § 58.1-322 for such taxable year is less than \$5,000 for taxable years beginning on or after January 1, 2004.*

2. An individual and spouse if their combined Virginia adjusted gross income for such taxable year is less than ~~\$3,000 for taxable years beginning before January 1, 1987; and less than~~ \$8,000 for taxable years beginning on ~~and~~ or after January 1, 1987 (or one-half of such amount in the case of a married individual filing a separate return) *but before January 1, 2004.*

*An individual and spouse if their combined Virginia adjusted gross income plus the modification specified in subdivision D 5 of § 58.1-322 is less than \$8,000 for taxable years beginning on or after January 1, 2004 (or one-half of such amount in the case of a married individual filing a separate return) but before January 1, 2005; and less than \$9,000 for taxable years beginning on or after January 1, 2005 (or one-half of such amount in the case of a married individual filing a separate return).*

For the purposes of this section “Virginia adjusted gross income” means federal adjusted gross income for the taxable years with the modifications specified in § 58.1-322 B, § 58.1-322 C and the additional deductions allowed under § 58.1-322 D 2 b and D 5 *for taxable years beginning before January 1, 2004. For taxable years beginning on or after January 1, 2004, Virginia adjusted gross income means federal adjusted gross income with the modifications specified in subsections B and C of § 58.1-322.*

B. Persons in the armed forces of the United States stationed on military or naval reservations within Virginia who are not domiciled in Virginia shall not be held liable to income taxation for compensation received from military or naval service.

§ 58.1-322. Virginia taxable income of residents.

A. The Virginia taxable income of a resident individual means his federal adjusted gross income for the taxable year, which excludes combat pay for certain members of the Armed Forces of the United States as provided in § 112 of the Internal Revenue Code, as amended, and with the modifications specified in this section.

B. To the extent excluded from federal adjusted gross income, there shall be added:

1. Interest, less related expenses to the extent not deducted in determining federal income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which Virginia is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

4. The amount of a lump sum distribution from a qualified retirement plan, less the minimum distribution allowance and any amount excludable for federal income tax purposes that is excluded from federal adjusted gross income solely by virtue of an individual's election to use the averaging provisions under § 402 of the Internal Revenue Code; and

5. through 8. [Repealed.]

9. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code.

C. To the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. [Repealed.]

4. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4a. Through December 31, 2000, the same amount used in computing the federal credit allowed under § 22 of the Internal Revenue Code by a retiree under age 65 who qualified for such retirement on the basis of permanent and total disability and who is a qualified individual as defined in § 22 (b) (2) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of subsection D of this section may not also claim a subtraction under this subdivision.

4b. For taxable years beginning on or after January 1, 2001, up to \$20,000 of disability income, as defined in § 22 (c) (2) (B) (iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of subsection D of this section may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C (a) of the Internal Revenue Code.

7, 8. [Repealed.]

9. [Expired.]

10. Any amount included therein less than \$600 from a prize awarded by the State Lottery Department.

11. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified herein.

12. Amounts received by an individual, not to exceed \$1,000 in any taxable year, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This provision shall not apply to the following: an individual who is an employee

of, or under contract with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

13. [Repealed.]

14. (Expires for taxable years beginning on and after January 1, 2004) The amount of any qualified agricultural contribution as determined in § 58.1-322.2.

15, 16. [Repealed.]

17. For taxable years beginning on and after January 1, 1995, the amount of “qualified research expenses” or “basic research expenses” eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C (c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

18. For taxable years beginning on or after January 1, 1995, all military pay and allowances, not otherwise subtracted under this subsection, earned for any month during any part of which such member performed military service in any part of the former Yugoslavia, including the air space above such location or any waters subject to related naval operations, in support of Operation JOINT ENDEAVOR as part of the NATO Peace Keeping Force. Such subtraction shall be available until the taxpayer completes such service.

19. For taxable years beginning on and after January 1, 1996, any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code, or any federal government retirement program, the contributions to which were deductible from the taxpayer’s federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

20. For taxable years beginning on and after January 1, 1997, any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary’s death, disability, or receipt of a scholarship.

21. For taxable years beginning on or after January 1, 1998, all military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area which is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

22. For taxable years beginning on or after January 1, 2000, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

23. Effective for all taxable years beginning on or after January 1, 2000, \$15,000 of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount which the taxpayer’s military basic pay exceeds \$15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds \$30,000.

24. Effective for all taxable years beginning on and after January 1, 2000, the first \$15,000 of salary for each federal and state employee whose annual salary is \$15,000 or less.

25. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

26. For taxable years beginning on and after January 1, 2001, any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

27. Effective for all taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.1-1106; (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999; and (iii) the Tobacco Loss Assistance Program, pursuant to 7 C.F.R. Part 1464 (Subpart C, §§ 1464.201 through 1464.205), by (a) tobacco farmers; (b) any person holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any person having the right to grow tobacco pursuant to such a quota or allotment, but only to the extent that such income has not been subtracted pursuant to subdivision C 18 of § 58.1-402.

28. For taxable years beginning on and after January 1, 2000, items of income attributable to, derived from or in any way related to (i) assets stolen from, hidden from or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, widow, widower, or child or stepchild of such victim.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust; (ii) World War II and its prelude and direct aftermath; (iii) transactions with or actions of the Nazi regime; (iv) treatment of refugees fleeing Nazi persecution; or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A victim or target of Nazi persecution shall also include any individual forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath. As used in this subdivision, "Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

29. For taxable years beginning on and after January 1, 2002, any gain recognized as a result of the Peanut Quota Buyout Program of the Farm Security and Rural Investment Act of 2002 pursuant to 7 C.F.R. Part 1412 (Subpart H, §§ 1412.801 through 1412.811) as follows:

a. If the payment is received in installment payments pursuant to 7 C.F.R. § 1412.807(a)(2), then the entire gain recognized may be subtracted.

b. If the payment is received in a single payment pursuant to 7 C.F.R. § 1412.807(a)(3), then 20 percent of the recognized gain may be subtracted. The taxpayer may then deduct an equal amount in each of the four succeeding taxable years.

30. Effective for all taxable years beginning on and after January 1, 2002, but before January 1, 2005, the indemnification payments received by contract poultry growers and table egg producers from the U.S. Department of Agriculture as a result of the depopulation of poultry flocks because of low pathogenic avian influenza in 2002. In no event shall indemnification payments made to owners of poultry who contract with poultry growers qualify for this subtraction.

31. Effective for all taxable years beginning on or after January 1, 2001, the military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to Chapter 75 of Title 10 of the United States Code; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

D. In computing Virginia taxable income there shall be deducted from ~~federal adjusted gross income~~ *Virginia adjusted gross income as defined in § 58.1-321*:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount which, when added to the amount deducted under § 170

of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Two thousand dollars for taxable years beginning January 1, 1987, through December 31, 1987; \$2,700 for taxable years beginning January 1, 1988, through December 31, 1988; ~~and~~ \$5,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); and \$3,000 for single individuals for taxable years beginning on ~~and~~ or after January 1, 1989, *but before January 1, 2005; and \$7,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return) and \$3,500 for single individuals for taxable years beginning on or after January 1, 2005*; provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return. For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of \$700 for taxable years beginning January 1, 1987, through December 31, 1987, ~~and~~; \$800 for taxable years beginning on ~~and~~ or after January 1, 1988, *but before January 1, 2005; and \$1,000 for taxable years beginning on or after January 1, 2005*, for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. For taxable years beginning on ~~and~~ or after January 1, 1987, each blind or aged taxpayer as defined under § 63 (f) of the Internal Revenue Code shall be entitled to an additional personal exemption *in the amount of \$800 for the taxable year.*

~~b. An additional deduction of \$200 for taxable years beginning January 1, 1987, through December 31, 1987, for each blind or aged taxpayer as defined under § 63 (f) of the Internal Revenue Code. The additional deduction for blind or aged taxpayers allowed under this subdivision and the additional personal exemption allowed to blind or aged taxpayers under subdivision 2 a of this subsection shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.~~

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional \$1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. Effective for all taxable years beginning on or after January 1, 1996, *but before January 1, 2004*, a deduction in the amount of \$12,000 for taxpayers age 65 or older, or \$6,000 for taxpayers age 62 through 64.

a. *The age deduction for all taxable years beginning on or after January 1, 2004, shall be determined in accordance with the following table and as adjusted herein:*

<i>Taxable Years</i>	<i>Applicable Deduction</i>
<i>1. Beginning on or after January 1, 2004, but before January 1, 2011</i>	<i>\$12,000 for individuals who are 65 or older in the taxable year</i>
<i>2. Beginning on or after January 1, 2011</i>	<i>\$12,000 for individuals who are at their retirement age or older in the taxable year</i>
<i>3. Beginning on or after January 1, 2004,</i>	<i>\$6,000 for individuals born on or before December 31, 1941, who did not reach the age of 65 in the taxable year</i>

*Except as provided in subdivision b, the deductions provided in this table shall be reduced by \$1 for each \$1 by which the taxpayer's modified federal adjusted gross income exceeds \$40,000 for single taxpayers and \$64,000 for married taxpayers.*

*For married taxpayers filing separately, whether or not on a combined return, with combined modified federal adjusted gross income of both spouses in excess of \$64,000 for the taxable year, the age deduction allowed for each individual spouse shall be reduced by \$1 for each \$2 by which combined*

*modified federal adjusted gross income exceeds \$64,000 pursuant to subdivision 5 b under the following circumstances.*

*b. 1. There shall be no reduction to the amount of the age deduction for any taxpayer who was at least 65 years old as of December 31, 2003, provided that the taxpayer's modified federal adjusted gross income for the taxable year is not in excess of \$200,000.*

*There shall be no reduction to the amount of the \$6,000 age deduction available to any taxpayer who was at least 62 but less than 65 years old as of December 31, 2003, provided that the taxpayer's modified federal adjusted gross income for the taxable year is not in excess of \$200,000.*

*2. If the taxpayer is married, such \$200,000 limitation shall apply to the combined modified federal adjusted gross income of both spouses for the taxable year regardless of whether or not such married taxpayers file separate individual income tax returns or a joint individual income tax return.*

*c. For the purposes of subdivisions D 5 a and b, "modified federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.*

*For purposes of subdivision D 5 a, "retirement age" means the same as such term is defined under 42 U.S.C. § 416, as may be amended from time to time.*

6. For taxable years beginning on and after January 1, 1997, the amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23. Except as provided in subdivision 7 c, the amount deducted on any individual income tax return in any taxable year shall be limited to \$2,000 per prepaid tuition contract or savings trust account. No deduction shall be allowed pursuant to this section if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a savings trust account exceeds \$2,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or savings trust contribution has been fully deducted; however, except as provided in subdivision 7 c, in no event shall the amount deducted in any taxable year exceed \$2,000 per contract or savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, the term "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or savings trust account, including, but not limited to, carryover and recapture of deductions.

b. The amount paid for a prepaid tuition contract during taxable years beginning on or after January 1, 1996, but before January 1, 1998, shall be deducted in taxable years beginning on or after January 1, 1998, and shall be subject to the limitations set out in subdivision 7 a.

c. A purchaser of a prepaid tuition contract or contributor to a savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$2,000 per prepaid tuition contract or savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a savings trust account, less any amounts previously deducted. If a prepaid tuition contract was purchased by such taxpayer during taxable years beginning on or after January 1, 1996, but before January 1, 1998, such taxpayer may take the deduction for the full amount paid during such years, less any amounts previously deducted with respect to such payments, in taxable year 1999 or by filing an amended return for taxable year 1998.

8. For taxable years beginning on and after January 1, 2000, the total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided the individual has not claimed a deduction for such amount on his federal income tax return.

9. For taxable years beginning on and after January 1, 1999, an amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subsection shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. For taxable years beginning on and after January 1, 2000, the amount an individual pays annually in premiums for long-term health care insurance, provided the individual has not claimed a deduction for federal income tax purposes.

E. There shall be added to or subtracted from federal adjusted gross income, as the case may be, the individual's share, as beneficiary of an estate or trust, of the Virginia fiduciary adjustment determined under § 58.1-361.

F. There shall be added or subtracted, as the case may be, the amounts provided in § 58.1-315 as transitional modifications.

§ 58.1-324. Husband and wife.

*For purposes of this section:*

*"Family Virginia taxable income" means, for the relevant taxable year, the combined Virginia taxable income of a husband and wife who are not legally separated.*

A. If the federal taxable income of husband or wife is determined on a separate federal return, their Virginia taxable incomes shall be separately determined, *if family Virginia taxable income is less than or equal to \$100,000.*

B. *If family Virginia taxable income exceeds \$100,000 for the taxable year, the individual income tax shall be calculated on the family Virginia taxable income, and each spouse shall be jointly and severally liable for such tax except as provided in subdivision B 2.*

1. *In cases where both spouses have earned income as such term is defined in § 58.1-302, a two-earner adjustment shall be applied to reduce the calculated tax liability on the following basis:*

<i>If taxable income is:</i>	<i>The deduction shall equal:</i>
<i>In excess of \$100,000 but not in excess of \$125,000</i>	<i>4.5 percent two-earner credit</i>
<i>In excess of \$125,000 but not in excess of \$150,000</i>	<i>4 percent two-earner credit</i>
<i>In excess of \$150,000 but not in excess of \$200,000</i>	<i>3 percent two-earner credit</i>
<i>In excess of \$200,000 but not in excess of \$300,000</i>	<i>2 percent two-earner credit</i>
<i>In excess of \$300,000</i>	<i>1 percent two-earner credit, not to exceed a maximum credit of \$1,132</i>

2. *In cases where family Virginia taxable income exceeds \$100,000 for the taxable year and separate income tax returns are filed, each spouse shall be severally liable for the tax calculated on family Virginia taxable income on a pro rata basis. Each spouse's individual income tax liability shall be that portion of the income tax on family Virginia taxable income as the spouse's Virginia taxable income for the taxable year bears to the combined Virginia taxable income of both spouses for the taxable year.*

**B**C. If the federal taxable income of husband and wife is determined on a joint federal return, or if neither files a federal return:

1. Their tax shall be determined on their joint Virginia taxable income; or

2. Separate taxes may be determined on their separate Virginia taxable incomes if they so elect, *and the family Virginia taxable income is less than or equal to \$100,000.*

€D. Where husband and wife have not separately reported and claimed items of income, exemptions and deductions for federal income tax purposes, and have not elected to file a joint Virginia income tax return, such items allowable for Virginia income tax purposes shall be allocated and adjusted as follows:

1. Income shall be allocated to the spouse who earned the income or with respect to whose property the income is attributable.

2. Allowable deductions with respect to trade, business, production of income, or employment shall be allocated to the spouse to whom attributable.

3. Nonbusiness deductions, where properly taken for federal income tax purposes, shall be allowable for Virginia income tax purposes, but shall be allocable between husband and wife as they may mutually agree. For this purpose, "nonbusiness deductions" consist of allowable deductions not described in subdivision 2 of this subsection.

4. Where the standard deduction or low income allowance is properly taken pursuant to subdivision D 1 a of § 58.1-322 such deduction or allowance shall be allocable between husband and wife as they may mutually agree.

5. Personal exemptions properly allowable for federal income tax purposes shall be allocated for Virginia income tax purposes as husband and wife may mutually agree; however, exemptions for taxpayer and spouse together with exemptions for old age and blindness must be allocated respectively to the spouse to whom they relate.

ÐE. Where allocations are permitted to be made under subsection €-D pursuant to agreement between husband and wife, and husband and wife have failed to agree as to those allocations, such allocations shall be made between husband and wife in a manner corresponding to the treatment for federal income tax purposes of the items involved, under regulations prescribed by the Department of Taxation.

§ 58.1-339.8. Income tax credit for low-income taxpayers.

A. As used in this section, unless the context requires otherwise:

"Family Virginia adjusted gross income" means the combined Virginia adjusted gross income of an individual, the individual's spouse, and any person claimed as a dependent on the individual's or his spouse's income tax return for the taxable year.

"Poverty guidelines" means the poverty guidelines for the ~~forty-eight~~ 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673 (2) of the Omnibus Budget Reconciliation Act of 1981.

"Virginia adjusted gross income" has the same meaning as the term is defined in § 58.1-321.

B. 1. For taxable years beginning on and after January 1, 2000, any individual or persons filing a joint return whose family Virginia adjusted gross income does not exceed ~~one hundred~~ 100 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the poverty guidelines published during such taxable year, shall be allowed a credit against the tax levied pursuant to § 58.1-320 in an amount equal to \$300 each for the individual, the individual's spouse, and any person claimed as a dependent on the individual's or married persons' income tax return for the taxable year. For any taxable year in which a husband and wife file separate Virginia income tax returns, the credit provided under this section shall be allowed against the tax for only one of such two tax returns. Additionally, the credit provided under this section shall not be allowed against such tax of a dependent of the individual or of married persons.

2. For taxable years beginning on or after January 1, 2005, any individual or married persons, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision B 1, claim a credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married persons for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision B 1 for the same taxable year.

For purpose of this subdivision, "household" means an individual and in the case of married persons, the individual and his spouse regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

C. The amount of the credit provided pursuant to ~~this section~~ *subsection B* for any taxable year shall not exceed the individual's or married persons' Virginia income tax liability.

D. Notwithstanding any other provision of this section, ~~such~~ *no* credit shall ~~not~~ be allowed *pursuant to subsection B* in any taxable year in which the individual, the individual's spouse, or both, or any person claimed as a dependent on such individual's or married persons' income tax return, claims one or any combination of the following on his or their income tax return for such taxable year:

1. The subtraction under subdivision C 11 of § 58.1-322;
  2. The subtraction under subdivision C 23 of § 58.1-322;
  3. The subtraction under subdivision C 24 of § 58.1-322;
  4. The deduction for the additional personal exemption for blind or aged taxpayers under subdivision D 2 ~~a-b~~ of § 58.1-322; or
  5. The deduction under subdivision D 5 of § 58.1-322.
- § 58.1-341. Returns of individuals.

A. On or before May 1 of each year if an individual's taxable year is the calendar year, or on or before the fifteenth day of the fourth month following the close of a taxable year other than the calendar year, an income tax return under this chapter shall be made and filed by or for:

1. Every resident individual, except as provided in § 58.1-321, required to file a federal income tax return for the taxable year, or having Virginia taxable income for the taxable year;
2. Every nonresident individual having Virginia taxable income for the taxable year, except as provided in § 58.1-321.

B. If the federal income tax liability of husband or wife is determined on a separate federal return, their Virginia income tax liabilities and returns shall be separate *except as provided under § 58.1-324*. If the federal income tax liabilities of husband and wife (other than a husband and wife described in subdivision 2 of subsection A) are determined on a joint federal return, or if neither files a federal return:

1. They shall file a joint Virginia income tax return, and their tax liabilities shall be joint and several; or
2. They may elect to file separate Virginia income tax returns if they comply with the requirements of the Department in setting forth information (whether or not on a single form), in which event their tax liabilities shall be separate, *except as provided under § 58.1-324* or unless such husband and wife file separately on a combined return. The election permitted under this subsection may be made or changed at any time within three years from the last day prescribed by law for the timely filing of the return.

C. If either husband or wife is a resident and the other is a nonresident, they shall file separate Virginia income tax returns on such single or separate forms as may be required by the Department, in which event their tax liabilities shall be separate except as provided in subsection D, unless both elect to determine their joint Virginia taxable income as if both were residents, in which event their tax liabilities shall be joint and several.

D. If husband and wife file separate Virginia income tax returns on a single form pursuant to subsection B or C, and:

1. If the sum of the payments by either spouse, including withheld and estimated taxes, exceeds the amount of the tax for which such spouse is separately liable, the excess may be applied by the Department to the credit of the other spouse if the sum of the payments by such other spouse, including withheld and estimated taxes, is less than the amount of the tax for which such other spouse is separately liable;
2. If the sum of the payments made by both spouses with respect to the taxes for which they are separately liable, including withheld and estimated taxes, exceeds the total of the taxes due, refund of the excess may be made payable to both spouses.

The provisions of this subsection shall not apply if the return of either spouse includes a demand that any overpayment made by him or her shall be applied only on account of his or her separate liability.

E. The return for any deceased individual shall be made and filed by his executor, administrator, or other person charged with his property.

F. The return for an individual who is unable to make a return by reason of minority or other disability shall be made and filed by his guardian, committee, fiduciary or other person charged with the

care of his person or property (other than a receiver in possession of only a part of his property), or by his duly authorized agent.

§ 58.1-390.1. Definitions.

*The following words and terms, when used in this article, shall have the following meanings unless the context clearly indicates otherwise:*

*“Pass-through entity” means any entity, including a limited partnership, a limited liability partnership, a general partnership, a limited liability company, a professional limited liability company, a business trust or a Subchapter S corporation, that is recognized as a separate entity for federal income tax purposes, in which the partners, members or shareholders report their share of the income, gains, losses, deductions and credits from the entity on their federal income tax returns.*

*“Owner” means any individual or entity who is treated as a partner, member, or shareholder of a pass-through entity for federal income tax purposes.*

§ 58.1-390.2. Taxation of pass-through entities.

*Except as provided for in this article, owners of pass-through entities shall be liable for tax under this chapter only in their separate or individual capacities.*

§ 58.1-391. Virginia taxable income of owners of a pass-through entity.

A. In determining Virginia taxable income of ~~a partner~~ *an owner of a pass-through entity*, any modification described in § 58.1-322 ~~which that~~ *relates to an item of partnership* ~~pass-through entity~~ income, gain, loss or deduction shall be made in accordance with the ~~partner's~~ *owner's* distributive share, for federal income tax purposes, of the item to which the modification relates. Where ~~a partner's~~ *an owner's* distributive share of any such item is not included in any category of income, gain, loss or deduction required to be taken into account separately for federal income tax purposes, the ~~partner's~~ *owner's* distributive share of such item shall be determined in accordance with his distributive share, for federal income tax purposes, of ~~partnership~~ *pass-through entity* taxable income or loss.

B. Each item of ~~partnership~~ *pass-through entity* income, gain, loss or deduction shall have the same character for ~~a partner~~ *an owner* under this chapter as for federal income tax purposes. Where an item is not characterized for federal income tax purposes, it shall have the same character for ~~a partner~~ *an owner* as if realized directly from the source from which realized by the ~~partnership~~ *pass-through entity* or incurred in the same manner by the ~~partnership~~ *pass-through entity*.

C. Where ~~a partner's~~ *an owner's* distributive shares of an item of ~~partnership~~ *pass-through entity* income, gain, loss or deduction is determined for federal income tax purposes by special provision in the ~~partnership~~ *pass-through entity* agreement with respect to such item, and where the principal purpose of such provision is the avoidance or evasion of tax under this chapter, the ~~partner's~~ *owner's* distributive share of such item, and any modification required with respect thereto, shall be determined as if the ~~partnership~~ *pass-through entity* agreement made no special provision with respect to such item.

§ 58.1-392. Reports by pass-through entities.

~~No report shall be required to be filed with the Department of Taxation by any partnership organized under the laws of the Commonwealth or having income from Virginia sources. However, the Tax Commissioner shall have the authority to promulgate regulations requiring that partnerships furnish copies of federal partnership returns and attached schedules or any other information which he deems necessary. In promulgating such regulations, the Tax Commissioner may prescribe the imposition of a penalty in the amount of \$100 for failure to comply, within a reasonable time, to the request for information as set forth therein.~~

*A. Every pass-through entity doing business in Virginia, or having income from Virginia sources, shall make a return to the Department of Taxation on or before the fifteenth day of the fourth month following the close of its taxable year. Such returns shall be made and filed in the manner prescribed by the Department.*

*B. The return of a pass-through entity shall be signed by any one of the owners. An owner's name signed on the return shall be prima facie evidence that such owner is authorized to sign the return on behalf of the pass-through entity.*

C. The Tax Commissioner may establish an income threshold for the filing of returns by pass-through entities and their owners. Pass-through entities and owners with income below this threshold shall not be required to file a return.

D. Receivers, trustees in dissolution, trustees in bankruptcy, and assignees operating the property or business of pass-through entities must make and file returns of income for such pass-through entities. If a receiver has full custody of and control over the business or property of a pass-through entity, he shall be deemed to be operating such business or property, whether he is engaged in carrying on the business for which the pass-through entity was organized or only in marshaling, selling, or disposing of its assets for purposes of liquidation.

E. Pass-through entities may be required to file the return using an electronic medium prescribed by the Tax Commissioner. The Tax Commissioner shall establish a minimum number of owners for the electronic filing requirement. Waivers shall be granted only if the Tax Commissioner finds that the requirement creates an unreasonable burden on the pass-through entity. All requests for waivers must be submitted to the Tax Commissioner in writing. Pass-through entities that have fewer than the established minimum number of owners may, at such pass-through entity's option, file such annual return on such prescribed electronic medium in lieu of filing the annual return on paper.

§ 58.1-393.1. Extension of time for filing return by pass-through entity.

A. Whenever any pass-through entity has been allowed or granted an extension of time within which to file any federal report of its income for any taxable year, the due date for the filing of the report or return required by this article shall be extended to the date six months after such due date, or 30 days after the extended date for filing the federal report, whichever is later.

B. In addition, the Department may grant an extension or extensions of time not to exceed a maximum of six months beyond the due date required by this article for filing such pass-through entity return.

§ 58.1-394.1. Failure of pass-through entity to make a return.

A. Any pass-through entity that fails to file a return required by this article within the time required shall be liable for a penalty of \$200 if the failure is for not more than one month, with an additional \$200 for each additional month or fraction thereof during which such failure to file continues, not exceeding six months in the aggregate. In no case, however, shall the penalty be less than \$200.

B. If any pass-through entity's failure to file a return required by this article exceeds six months, the Department shall assess a penalty of six percent of the total amount of Virginia taxable income derived by its owners from the pass-through entity for the taxable year. The Department may determine such penalty from any information in its possession. The penalty assessed pursuant to this subsection shall be reduced by the penalty assessed pursuant to subsection A and any tax paid by the owners on their share of income from the pass-through entity for the taxable year.

C. The penalties set forth in this subsection shall be assessed and collected by the Department in the manner provided for the assessment and collection of taxes under this chapter or in a civil action, at the instance of the Department. In addition, such pass-through entity shall be compellable by mandamus to file such return.

§ 58.1-394.2. Fraudulent returns, etc., of pass-through entities; penalty.

A. Any officer or owner of any pass-through entity who makes a fraudulent return or statement with the intent of assisting or facilitating the evasion of the payment of the taxes prescribed by this chapter by the pass-through entity or an owner shall be liable for a penalty of not more than \$1,000, to be assessed and collected in the manner provided for the assessment and collection of taxes under this chapter or in a civil action, at the instance of the Department.

B. In addition to other penalties provided by law, any officer or owner of a pass-through entity who makes a fraudulent return or statement with the intent of assisting or facilitating the evasion of the payment of the taxes prescribed by this chapter by the pass-through entity or an owner, or who willfully fails or refuses to make a return required by this chapter at the time or times required by law shall be guilty of a Class 1 misdemeanor. A prosecution under this section shall be commenced within five years next after the commission of the offense.

§ 58.1-395. *Nonresident owners.*

*Pass-through entities may make written application to the Tax Commissioner for permission to file a statement of combined pass-through entity income attributable to nonresident owners and thereby relieve nonresident owners from filing individual nonresident returns. The application must state the reasons for seeking such permission. The Tax Commissioner, in his sole discretion, may, for good cause, grant permission to file a combined nonresident return upon such terms as he may determine.*

§ 58.1-402. Virginia taxable income.

A. For purposes of this article, Virginia taxable income for a taxable year means the federal taxable income and any other income taxable to the corporation under federal law for such year of a corporation adjusted as provided in subsections B, C and D.

For a regulated investment company and a real estate investment trust, such term means the "investment company taxable income" and "real estate investment trust taxable income," respectively, to which shall be added in each case any amount of capital gains and any other income taxable to the corporation under federal law which shall be further adjusted as provided in subsections B, C and D.

B. There shall be added to the extent excluded from federal taxable income:

1. Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which the Commonwealth is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. [Repealed.]

4. The amount of any net income taxes and other taxes, including franchise and excise taxes, which are based on, measured by, or computed with reference to net income, imposed by the Commonwealth or any other taxing jurisdiction, to the extent deducted in determining federal taxable income;

5. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

6. The amount of employee stock ownership credit carry-over deducted by the corporation in computing federal taxable income under § 404 (i) of the Internal Revenue Code;

7. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code.

8. *a. For taxable years beginning on or after January 1, 2004, the amount of any intangible expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the intangible expenses and costs if one of the following applies:*

*1. The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;*

*2. The related member derives at least one-third of its gross revenues from the licensing of intangible property to parties who are not related members, and the transaction giving rise to the expenses and costs between the corporation and the related member was made at rates and terms comparable to the rates and terms of agreements that the related member has entered into with parties who are not related members for the licensing of intangible property; or*

*3. The corporation can establish to the satisfaction of the Tax Commissioner that the intangible expenses and costs meet both of the following: (i) the related member during the same taxable year directly or indirectly paid, accrued or incurred such portion to a person who is not a related member; and (ii) the transaction giving rise to the intangible expenses and costs between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this chapter.*

*b. Nothing in this subdivision shall be construed to limit or negate the Department's authority under § 58.1-446.*

*9. a. For taxable years beginning on or after January 1, 2004, the amount of any interest expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the interest expenses and costs, if:*

*1. The related member has substantial business operations relating to interest-generating activities, in which the related member pays expenses for at least five full-time employees who maintain, manage, defend or are otherwise responsible for operations or administration relating to the interest-generating activities; and*

*2. The interest expenses and costs are not directly or indirectly for, related to or in connection with the direct or indirect acquisition, maintenance, management, sale, exchange, or disposition of intangible property; and*

*3. The transaction giving rise to the expenses and costs between the corporation and the related member has a valid business purpose other than the avoidance or reduction of taxation and payments between the parties are made at arm's length rates and terms; and*

*4. One of the following applies:*

*(i). The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;*

*(ii). Payments arise pursuant to a pre-existing contract entered into when the parties were not related members provided the payments continue to be made at arm's length rates and terms;*

*(iii). The related member engages in transactions with parties other than related members which generate revenue in excess of two million dollars annually; or*

*(iv). The transaction giving rise to the interest payments between the corporation and a related member was done at arm's length rates and terms and meets any of the following: (a) the related member uses funds which are borrowed from a party other than a related member or which are paid, incurred or passed-through to a person who is not a related member; (b) the debt is part of a regular and systematic funds management or portfolio investment activity conducted by the related member, whereby the funds of two or more related members are aggregated for the purpose of achieving economies of scale, the internal financing of the active business operations of members, or the benefit of centralized management of funds; (c) financing the expansion of the business operations; or (d) restructuring the debt of related members, or the pass-through of acquisition-related indebtedness to related members.*

*b. Nothing in this subdivision shall be construed to limit or negate the Department's authority under § 58.1-446.*

*c. For purposes of this subdivision:*

*"Arm's length rates and terms" means that (i) two or more related members enter into a written agreement for the transaction, (ii) such agreement is of a duration and contains payment terms substantially similar to those which the related member would be able to obtain from an unrelated entity, (iii) the interest is at or below the applicable federal rate compounded annually for debt instruments under § 1274(d) of the Internal Revenue Code that was in effect at the time of the agreement, and (iv) the borrower or payor adheres to the payment terms of the agreement governing the transaction or any amendments thereto.*

*"Valid business purpose" means one or more business purposes which, alone or in combination, constitute the motivation for some business activity or transaction, which activity or transaction improves, apart from tax effects, the economic position of the taxpayer, as further defined by regulation.*

*C. There shall be subtracted to the extent included in and not otherwise subtracted from federal taxable income:*

*1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to,*

stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. Dividends upon stock in any domestic international sales corporation, as defined by § 992 of the Internal Revenue Code, 50 percent or more of the income of which was assessable for the preceding year, or the last year in which such corporation has income, under the provisions of the income tax laws of the Commonwealth.

4. The amount of any refund or credit for overpayment of income taxes imposed by this Commonwealth or any other taxing jurisdiction.

5. Any amount included therein by the operation of the provisions of § 78 of the Internal Revenue Code (foreign dividend gross-up).

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C (a) of the Internal Revenue Code.

7. Any amount included therein by the operation of § 951 of the Internal Revenue Code (subpart F income).

8. Any amount included therein which is foreign source income as defined in § 58.1-302.

9. [Repealed.]

10. The amount of any dividends received from corporations in which the taxpaying corporation owns 50 percent or more of the voting stock.

11. [Repealed.]

12. [Expired.]

13. (Expires for taxable years beginning on and after January 1, 2004) The amount of any qualified agricultural contribution as determined in § 58.1-322.2.

14. For taxable years beginning on or after January 1, 1995, the amount for “qualified research expenses” or “basic research expenses” eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C (c) of the Internal Revenue Code.

15. For taxable years beginning on or after January 1, 2000, the total amount actually contributed in funds to the Virginia Public School Construction Grants Program and Fund established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1.

16. For taxable years beginning on or after January 1, 2000, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

17. For taxable years beginning on and after January 1, 2001, any amount included therein with respect to § 58.1-440.1.

18. For taxable years beginning on and after January 1, 1999, income received as a result of (i) the “Master Settlement Agreement,” as defined in § 3.1-1106; (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999; and (iii) the Tobacco Loss Assistance Program, pursuant to 7 C.F.R. Part 1464 (Subpart C, §§ 1464.201 through 1464.205), by (a) tobacco farming businesses; (b) any business holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any business having the right to grow tobacco pursuant to such a quota allotment.

19. Effective for all taxable years beginning on and after January 1, 2002, but before January 1, 2005, the indemnification payments received by contract poultry growers and table egg producers from the U.S. Department of Agriculture as a result of the depopulation of poultry flocks because of low pathogenic avian influenza in 2002. In no event shall indemnification payments made to owners of poultry who contract with poultry growers qualify for this subtraction.

20. For taxable years beginning on and after January 1, 2002, any gain recognized as a result of the Peanut Quota Buyout Program of the Farm Security and Rural Investment Act of 2002 pursuant to 7 C.F.R. Part 1412 (Subpart H, §§ 1412.801 through 1412.811) as follows:

a. If the payment is received in installment payments pursuant to 7 C.F.R. § 1412.807(a)(2), then the entire gain recognized may be subtracted.

b. If the payment is received in a single payment pursuant to 7 C.F.R. § 1412.807(a)(3), then 20 percent of the recognized gain may be subtracted. The taxpayer may then deduct an equal amount in each of the four succeeding taxable years.

D. Adjustments to federal taxable income shall be made to reflect the transitional modifications provided in § 58.1-315.

§ 58.1-415. When sales of tangible personal property deemed in the Commonwealth.

Sales of tangible personal property are in the Commonwealth if (i) such property is received in the Commonwealth by the purchaser, or (ii) *the property is shipped from an office, store, warehouse, factory, or place of storage in the Commonwealth; and the taxpayer is not taxable in the state of the purchaser.* In the case of delivery by common carrier or other means of transportation, the place at which such property is ultimately received after all transportation has been completed shall be considered as the place at which such property is received by the purchaser. Direct delivery in the Commonwealth, other than for purposes of transportation, to a person or firm designated by a purchaser, constitutes delivery to the purchaser in the Commonwealth, and direct delivery outside the Commonwealth to a person or firm designated by the purchaser does not constitute delivery to the purchaser in the Commonwealth, regardless of where title passes, or other conditions of sale.

§ 58.1-441. Reports by corporations.

A. Every corporation organized under the laws of the Commonwealth, or having income from Virginia sources, *other than a Subchapter S corporation subject to the return filing requirements of § 58.1-392*, shall make a report to the Department on or before the fifteenth day of the fourth month following the close of its taxable year. Such reports shall be made on forms prescribed by the Department and shall contain such information, including the gross receipts from any business carried on in the Commonwealth and a depreciation schedule of property used in such trade or business, as may be necessary for the proper enforcement of this chapter and be accompanied by a copy of any federal tax return or report filed for such taxable year. The Department shall not require any nonprofit organization created exclusively to assist a law-enforcement official or agency in apprehending and convicting perpetrators of crimes, to report on such returns, or otherwise, the names of individuals or amounts paid to such individuals by the organization for providing information about certain crimes.

Receivers, trustees in dissolution, trustees in bankruptcy, and assignees, operating the property or business of corporations must make returns of income for such corporations. If a receiver has full custody of and control over the business or property of a corporation, he shall be deemed to be operating such business or property, whether he is engaged in carrying on the business for which the corporation was organized or only in marshaling, selling, or disposing of its assets for purposes of liquidation.

B. Notwithstanding the provisions of subsection A, every organization to whom subdivision 5 of § 58.1-401 applies, and having unrelated business taxable income or other taxable income, shall make a report to the Department on or before the fifteenth day of the sixth month following the close of the organization's taxable year.

§ 58.1-520. Definitions.

As used in this article:

“Claimant agency” means any administrative unit of state, county, city or town government, including department, institution, commission, authority, or the office of Executive Secretary of the Supreme Court, any circuit or district court and the Internal Revenue Service. All state agencies and institutions shall participate in the setoff program.

“Debtor” means any individual having a delinquent debt or account with any claimant agency which obligation has not been satisfied by court order, set aside by court order, or discharged in bankruptcy.

“Delinquent debt” means any liquidated sum due and owing any claimant agency, or any restitution ordered paid to a clerk of the court pursuant to Title 19.2, including any amount of court costs or fines which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made.

“Mailing date of notice” means the date of notice appearing thereon.

“Refund” means any individual’s Virginia state or local income tax refund payable pursuant to §§ 58.1-309 and 58.1-546. This term also includes any refund belonging to a debtor resulting from the filing of a joint income tax return or a refund belonging to a debtor resulting from the filing of a return where husband and wife have elected to file a combined return and separately state their Virginia taxable incomes under the provisions of ~~§ 58.1-324 B 2~~ *subdivision C 2 of § 58.1-324*.

§ 58.1-603. Imposition of sales tax.

There is hereby levied and imposed, in addition to all other taxes and fees of every kind now imposed by law, a license or privilege tax upon every person who engages in the business of selling at retail or distributing tangible personal property in this Commonwealth, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this Commonwealth any item or article of tangible personal property as defined in this chapter, or who leases or rents such property within this Commonwealth, in the amount of ~~three~~ *four* and one-half percent:

1. Of the gross sales price of each item or article of tangible personal property when sold at retail or distributed in this Commonwealth.

2. Of the gross proceeds derived from the lease or rental of tangible personal property, where the lease or rental of such property is an established business, or part of an established business, or the same is incidental or germane to such business.

3. Of the cost price of each item or article of tangible personal property stored in this Commonwealth for use or consumption in this Commonwealth.

4. Of the gross proceeds derived from the sale or charges for rooms, lodgings or accommodations furnished to transients as set out in the definition of “retail sale” in § 58.1-602.

5. Of the gross sales of any services which are expressly stated as taxable within this chapter.

§ 58.1-604. Imposition of use tax.

There is hereby levied and imposed, in addition to all other taxes and fees now imposed by law, a tax upon the use or consumption of tangible personal property in this Commonwealth, or the storage of such property outside the Commonwealth for use or consumption in this Commonwealth, in the amount of ~~three~~ *four* and one-half percent:

1. Of the cost price of each item or article of tangible personal property used or consumed in this Commonwealth. Tangible personal property which has been acquired for use outside this Commonwealth and subsequently becomes subject to the tax imposed hereunder shall be taxed on the basis of its cost price if such property is brought within this Commonwealth for use within six months of its acquisition; but if so brought within this Commonwealth six months or more after its acquisition, such property shall be taxed on the basis of the current market value (but not in excess of its cost price) of such property at the time of its first use within this Commonwealth. Such tax shall be based on such proportion of the cost price or current market value as the duration of time of use within this Commonwealth bears to the total useful life of such property (but it shall be presumed in all cases that such property will remain within this Commonwealth for the remainder of its useful life unless convincing evidence is provided to the contrary).

2. Of the cost price of each item or article of tangible personal property stored outside this Commonwealth for use or consumption in this Commonwealth.

3. A transaction taxed under § 58.1-603 shall not also be taxed under this section, nor shall the same transaction be taxed more than once under either section.

4. The use tax shall not apply with respect to the use of any article of tangible personal property brought into this Commonwealth by a nonresident individual, visiting in Virginia, for his personal use, while within this Commonwealth.

5. The use tax shall not apply to out-of-state mail order catalog purchases totaling \$100 or less during any calendar year.

§ 58.1-604.1. Use tax on motor vehicles, machinery, tools and equipment brought into Virginia for use in performing contracts.

In addition to the use tax levied pursuant to § 58.1-604 and notwithstanding the provisions of § 58.1-611, a use tax is levied upon the storage or use of all motor vehicles, machines, machinery, tools or

other equipment brought, imported or caused to be brought into this Commonwealth for use in constructing, building or repairing any building, highway, street, sidewalk, bridge, culvert, sewer or water system, drainage or dredging system, railway system, reservoir or dam, hydraulic or power plant, transmission line, tower, dock, wharf, excavation, grading, or other improvement or structure, or any part thereof. The rate of tax is ~~three-four~~ and one-half percent on all tangible personal property except motor vehicles, which shall be taxed at the rate of ~~three-four and one-half~~ percent; aircraft, which shall be taxed at the rate of two percent; and watercraft, which shall be taxed at the rate of two percent with a maximum tax of \$1,000.

For purposes of this section the words "motor vehicle" means any vehicle which is self-propelled and designed primarily for use upon the highways, any vehicle which is propelled by electric power obtained from trolley wires but not operated upon rails, and any vehicle designed to run upon the highways which is pulled by a self-propelled vehicle, but shall not include any implement of husbandry, farm tractor, road construction or maintenance machinery or equipment, special mobile equipment or any vehicle designed primarily for use in work off the highway.

The tax shall be computed on the basis of such proportion of the original purchase price of such property as the duration of time of use in this Commonwealth bears to the total useful life thereof. For purposes of this section, the word "use" means use, storage, consumption and "stand-by" time occasioned by weather conditions, controversies or other causes. The tax shall be computed upon the basis of the relative time each item of equipment is in this Commonwealth rather than upon the basis of actual use. In the absence of satisfactory evidence as to the period of use intended in this Commonwealth, it will be presumed that such property will remain in this Commonwealth for the remainder of its useful life, which shall be determined in accordance with the experiences and practices of the building and construction trades.

A transaction taxed under §§ 58.1-604, 58.1-605, 58.1-1402, 58.1-1502, or § 58.1-2402 shall not also be taxed under this section, nor shall the same transaction be taxed more than once under any section. § 58.1-608.3. Entitlement to certain sales tax revenues.

A. As used in this section, the following words and terms have the following meanings, unless some other meaning is plainly intended:

"Bonds" means any obligations of a municipality for the payment of money.

"Cost," as applied to any public facility or to extensions or additions to any public facility, includes: (i) the purchase price of any public facility acquired by the municipality or the cost of acquiring all of the capital stock of the corporation owning the public facility and the amount to be paid to discharge any obligations in order to vest title to the public facility or any part of it in the municipality; (ii) expenses incident to determining the feasibility or practicability of the public facility; (iii) the cost of plans and specifications, surveys and estimates of costs and of revenues; (iv) the cost of all land, property, rights, easements and franchises acquired; (v) the cost of improvements, property or equipment; (vi) the cost of engineering, legal and other professional services; (vii) the cost of construction or reconstruction; (viii) the cost of all labor, materials, machinery and equipment; (ix) financing charges; (x) interest before and during construction and for up to one year after completion of construction; (xi) start-up costs and operating capital; (xii) payments by a municipality of its share of the cost of any multi-jurisdictional public facility; (xiii) administrative expense; (xiv) any amounts to be deposited to reserve or replacement funds; and (xv) other expenses as may be necessary or incident to the financing of the public facility. Any obligation or expense incurred by the public facility in connection with any of the foregoing items of cost may be regarded as a part of the cost.

"Municipality" means any county, city, town, authority, commission, or other public entity.

"Public facility" means (i) any auditorium, coliseum, convention center, or conference center, which is owned by a Virginia county, city, town, authority, or other public entity and where exhibits, meetings, conferences, conventions, seminars, or similar public events may be conducted; (ii) any hotel which is owned by a foundation whose sole purpose is to benefit a state-supported university and which is attached to and is an integral part of such facility, together with any lands reasonably necessary for the conduct of the operation of such events; or (iii) any hotel which is attached to and is an integral part of such facility. However, such public facility must be located in a city with a population of at least 24,200 but no more

than 24,500 as determined by the 1990 United States Census, at least 50,000 but no more than 52,500, at least 95,000 but no more than 105,000, or at least 130,000 but no more than 135,000. Any property, real, personal, or mixed, which is necessary or desirable in connection with any such auditorium, coliseum, convention center, or conference center, including, without limitation, facilities for food preparation and serving, parking facilities, and administration offices, is encompassed within this definition. However, structures commonly referred to as "shopping centers" or "malls" shall not constitute a public facility hereunder. In addition, only a new public facility, or a public facility which will undergo a substantial and significant renovation or expansion, shall be eligible under subsection B of this section. A new public facility is one whose construction began after December 31, 1991. A substantial and significant renovation entails a project whose cost is at least fifty percent of the original cost of the facility being renovated and shall have begun after December 31, 1991. A substantial and significant expansion entails an increase in floor space of at least fifty percent over that existing in the preexisting facility and shall have begun after December 31, 1991.

"Sales tax revenues" means such tax collections realized under the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.) of Title 58.1, as limited herein. "Sales tax revenues" does not include the revenue generated by the one-half percent sales and use tax increase enacted by the 1986 Special Session of the General Assembly which shall be paid to the Transportation Trust Fund as defined in § 33.1-23.03:1 as *computed pursuant to subsection A of § 58.1-638*, nor shall it include the one percent of the state sales and use tax revenue distributed among the counties and cities of the Commonwealth pursuant to § 58.1-638 D on the basis of school age population. *Sales tax revenues shall also not include the revenue generated by the one percent sales and use tax increase enacted by the 2004 Session of the General Assembly.*

B. Any municipality which has issued bonds (i) after December 31, 1991, but before January 1, 1996, (ii) on or after January 1, 1998, but before July 1, 1999, (iii) on or after January 1, 1999, but before July 1, 2001, (iv) on or after July 1, 2000, but before July 1, 2003, or (v) on or after July 1, 2001, but before July 1, 2004, to pay the cost, or portion thereof, of any public facility shall be entitled to all sales tax revenues generated by transactions taking place in such public facility. Such entitlement shall continue for the lifetime of such bonds, which entitlement shall not exceed ~~thirty~~ 30 years, and all such sales tax revenues shall be applied to repayment of the bonds. The State Comptroller shall remit such sales tax revenues to the municipality on a quarterly basis, subject to such reasonable processing delays as may be required by the Department of Taxation to calculate the actual net sales tax revenues derived from the public facility. The State Comptroller shall make such remittances to eligible municipalities, as provided herein, notwithstanding any provisions to the contrary in the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.). No such remittances shall be made until construction is completed and, in the case of a renovation or expansion, until the governing body of the municipality has certified that the renovation or expansion is completed.

C. Nothing in this section shall be construed as authorizing the pledging of the faith and credit of the Commonwealth of Virginia, or any of its revenues, for the payment of any bonds. Any appropriation made pursuant to this section shall be made only from sales tax revenues derived from the public facility for which bonds may have been issued to pay the cost, in whole or in part, of such public facility.

§ 58.1-609.3. Commercial and industrial exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Personal property purchased by a contractor which is used solely in another state or in a foreign country, which could be purchased by such contractor for such use free from sales tax in such other state or foreign country, and which is stored temporarily in Virginia pending shipment to such state or country.

2. (i) Industrial materials for future processing, manufacturing, refining, or conversion into articles of tangible personal property for resale where such industrial materials either enter into the production of or become a component part of the finished product; (ii) industrial materials that are coated upon or impregnated into the product at any stage of its being processed, manufactured, refined, or converted for resale; (iii) machinery or tools or repair parts therefor or replacements thereof, fuel, power, energy, or supplies, used directly in processing, manufacturing, refining, mining or converting products for sale or

resale; (iv) materials, containers, labels, sacks, cans, boxes, drums or bags for future use for packaging tangible personal property for shipment or sale; or (v) equipment, printing or supplies used directly to produce a publication described in subdivision 3 of § 58.1-609.6 whether it is ultimately sold at retail or for resale or distribution at no cost. Machinery, tools and equipment, or repair parts therefor or replacements thereof, shall be exempt if the preponderance of their use is directly in processing, manufacturing, refining, mining or converting products for sale or resale. The provisions of this subsection do not apply to the drilling, extraction, refining, or processing of oil, gas, natural gas and coalbed methane gas.

3. Tangible personal property sold or leased to (i) a public service corporation subject to a state franchise or license tax upon gross receipts, (ii) a telecommunications company as defined in § 58.1-400.1 or (iii) a telephone company chartered in the Commonwealth which is exclusively a local mutual association and is not designated to accumulate profits for the benefit of, or to pay dividends to, the stockholders or members thereof, for use or consumption by such corporation, company, person or mutual association directly in the rendition of its public service; and tangible personal property sold or leased to a public service corporation engaged in business as a common carrier of property or passengers by ~~motor vehicle or~~ railway, for use or consumption by such common carrier directly in the rendition of its public service.

4. Ships or vessels, or repairs and alterations thereof, used or to be used exclusively or principally in interstate or foreign commerce; fuel and supplies for use or consumption aboard ships or vessels plying the high seas, either in intercoastal trade between ports in the Commonwealth and ports in other states of the United States or its territories or possessions, or in foreign commerce between ports in the Commonwealth and ports in foreign countries, when delivered directly to such ships or vessels; or tangible personal property used directly in the building, conversion or repair of the ships or vessels covered by this subdivision. This exemption shall include dredges, their supporting equipment, attendant vessels, and fuel and supplies for use or consumption aboard such vessels, provided the dredges are used exclusively or principally in interstate or foreign commerce.

5. Tangible personal property purchased for use or consumption directly and exclusively in basic research or research and development in the experimental or laboratory sense.

6. Tangible personal property sold or leased to an airline operating in intrastate, interstate or foreign commerce as a common carrier providing scheduled air service on a continuing basis to one or more Virginia airports at least one day per week, for use or consumption by such airline directly in the rendition of its common carrier service.

7. Meals furnished by restaurants or food service operators to employees as a part of wages.

8. Tangible personal property including machinery and tools, repair parts or replacements thereof, and supplies and materials used directly in maintaining and preparing textile products for rental or leasing by an industrial processor engaged in the commercial leasing or renting of laundered textile products.

9. (i) Certified pollution control equipment and facilities as defined in § 58.1-3660, except for any equipment that has not been certified to the Department of Taxation by a state certifying authority pursuant to such section and (ii) effective retroactive to July 1, 1994, and ending July 1, 2006, certified pollution control equipment and facilities as defined in § 58.1-3660 and which, in accordance with such section, have been certified by the Department of Mines, Minerals and Energy for coal, oil and gas production, including gas, natural gas, and coalbed methane gas.

10. Parts, tires, meters and dispatch radios sold or leased to taxicab operators for use or consumption directly in the rendition of their services.

11. High speed electrostatic duplicators or any other duplicators which have a printing capacity of 4,000 impressions or more per hour purchased or leased by persons engaged primarily in the printing or photocopying of products for sale or resale.

12. From July 1, 1994, and ending July 1, 2006, raw materials, fuel, power, energy, supplies, machinery or tools or repair parts therefor or replacements thereof, used directly in the drilling, extraction, refining, or processing of natural gas or oil and the reclamation of the well area. For the purposes of this section, the term "natural gas" shall mean "gas," "natural gas," and "coalbed methane gas" as defined in § 45.1-361.1. For the purposes of this section, "drilling," "extraction," "refining," and

“processing” shall include production, inspection, testing, dewatering, dehydration, or distillation of raw natural gas into a usable condition consistent with commercial practices, and the gathering and transportation of raw natural gas to a facility wherein the gas is converted into such a usable condition. Machinery, tools and equipment, or repair parts therefor or replacements thereof, shall be exempt if the preponderance of their use is directly in the drilling, extraction, refining, or processing of natural gas or oil for sale or resale, or in well area reclamation activities required by state or federal law.

13. Beginning July 1, 1997, and ending July 1, 2011, (i) the sale, lease, use, storage, consumption, or distribution of an orbital or suborbital space facility, space propulsion system, space vehicle, satellite, or space station of any kind possessing space flight capability, including the components thereof, irrespective of whether such facility, system, vehicle, satellite, or station is returned to this Commonwealth for subsequent use, storage or consumption in any manner when used to conduct spaceport activities; (ii) the sale, lease, use, storage, consumption or distribution of tangible personal property placed on or used aboard any orbital or suborbital space facility, space propulsion system, space vehicle, satellite or space station of any kind, irrespective of whether such tangible personal property is returned to this Commonwealth for subsequent use, storage or consumption in any manner when used to conduct spaceport activities; (iii) fuels of such quality not adapted for use in ordinary vehicles, being produced for, sold and exclusively used for space flight when used to conduct spaceport activities; (iv) the sale, lease, use, storage, consumption or distribution of machinery and equipment purchased, sold, leased, rented or used exclusively for spaceport activities and the sale of goods and services provided to operate and maintain launch facilities, launch equipment, payload processing facilities and payload processing equipment used to conduct spaceport activities.

For purposes of this subdivision, “spaceport activities” means activities directed or sponsored at a facility owned, leased, or operated by or on behalf of the Virginia Commercial Space Flight Authority.

The exemptions provided by this subdivision shall not be denied by reason of a failure, postponement or cancellation of a launch of any orbital or suborbital space facility, space propulsion system, space vehicle, satellite or space station of any kind or the destruction of any launch vehicle or any components thereof.

§ 58.1-611.1. Rate of tax on sales of food purchased for human consumption.

~~A. Subject to the conditions of subsections D and E, the~~ *The* tax imposed by §§ 58.1-603 and 58.1-604 on food purchased for human consumption shall be levied and distributed as follows:

1. From January 1, 2000, through ~~March 31, 2004~~ *midnight on June 30, 2004*, the tax rate on such food shall be three percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638 *as such subsection existed prior to July 1, 2004, in accordance with the law in effect at the relevant time*, (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638, and (iii) the revenue from the tax at the rate of one and one-half percent shall be used for general fund purposes.

~~2. From April 1, 2001, through March 31, 2002, the tax rate on such food shall be two and one half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one half percent shall be distributed as provided in subsection A of § 58.1-638, (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638, and (iii) the revenue from the tax at the rate of one percent shall be used for general fund purposes.~~

~~3. From April 1, 2002, through March 31, 2003, the tax rate on such food shall be two percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one half percent shall be distributed as provided in subsection A of § 58.1-638, (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638, and (iii) the revenue from the tax at the rate of one half percent shall be used for general fund purposes.~~

~~4. On and after April 1, 2003, On and after July 1, 2004, the tax rate on such food shall be one and one half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one half percent shall be distributed as provided in subsection A of~~

~~§ 58.1-638 and (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638.~~

B. The provisions of this section shall not affect the imposition of tax on food purchased for human consumption pursuant to §§ 58.1-605 and 58.1-606.

C. As used in this section, "food purchased for human consumption" has the same meaning as "food" defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that Act, except it shall not include seeds and plants which produce food for human consumption. For the purpose of this section, "food purchased for human consumption" shall not include food sold by any retail establishment where the gross receipts derived from the sale of food prepared by such retail establishment for immediate consumption on or off the premises of the retail establishment constitutes more than 80 percent of the total gross receipts of that retail establishment, including but not limited to motor fuel purchases, regardless of whether such prepared food is consumed on the premises of that retail establishment. For purposes of this section, "retail establishment" means each place of business for which any "dealer," as defined in § 58.1-612, is required to apply for and receive a certificate of registration pursuant to § 58.1-613.

~~D. Notwithstanding the tax rates set forth in subsection A, the rate of tax on sales of food purchased for human consumption for any 12-month period beginning on or after April 1, 2001, shall not be reduced below the rate then in effect for the Commonwealth's current fiscal year if:~~

~~1. Actual general fund revenues for the fiscal year preceding a fiscal year in which a rate reduction is contemplated in subsection A do not exceed the official general fund revenue estimates for such preceding fiscal year, as estimated in the most recently enacted and approved general appropriation act, by at least one percent; or~~

~~2. Any of the events listed in subsection C of § 58.1-3524 or subsection B of § 58.1-3536 have occurred during the then current fiscal year.~~

~~E. If the tax rate on food purchased for human consumption remains the same for the period January 1, 2000, through March 31, 2001, and the subsequent 12-month period beginning on April 1, 2001, or with respect to any consecutive 12-month periods beginning on and after April 1, 2001, the tax rate on such food shall remain the same unless none of the conditions described in subsection D have occurred, in which event the tax rate on food purchased for human consumption for the immediately following 12-month period shall be equal to the next lowest tax rate listed in subsection A.~~

§ 58.1-614. Vending machine sales.

A. Notwithstanding the provisions of §§ 58.1-603 and 58.1-604, whenever a dealer makes sales of tangible personal property through vending machines, or in any other manner making collection of the tax impractical, as determined by the Tax Commissioner, such dealer shall be required to report his wholesale purchases for sale at retail from vending machines and shall be required to remit an amount based on ~~four~~ five and one-half percent of such wholesale purchases.

B. Notwithstanding the provisions of §§ 58.1-605 and 58.1-606, dealers making sales of tangible personal property through vending machines shall report and remit the one percent local sales and use tax computed as provided in subsection A of this section.

C. The provisions of subsections A and B of this section shall not be applicable to vending machine operators all of whose machines are under contract to nonprofit organizations. Such operators shall report only the gross receipts from machines selling items for more than ~~ten~~ 10 cents and shall be required to remit an amount based on a percentage of their remaining gross sales established by the Tax Commissioner to take into account the inclusion of sales tax.

D. Notwithstanding any other provisions in this section or § 58.1-628, when the Tax Commissioner determines that it is impractical to collect the tax in the manner provided by those sections, such dealer shall be required to remit an amount based on a percentage of gross receipts which takes into account the inclusion of the sales tax.

E. The provisions of this section shall not be applicable to any dealer who fails to maintain records satisfactory to the Tax Commissioner. A dealer making sales of tangible personal property through vending machines shall obtain a certificate of registration under § 58.1-613 in relevant form for each county or city in which he has machines.

§ 58.1-615. Returns by dealers.

A. Every dealer required to collect or pay the sales or use tax shall, on or before the twentieth day of the month following the month in which the tax shall become effective, transmit to the Tax Commissioner a return showing the gross sales, gross proceeds, or cost price, as the case may be, arising from all transactions taxable under this chapter during the preceding calendar month, and thereafter a like return shall be prepared and transmitted to the Tax Commissioner by every dealer on or before the twentieth day of each month, for the preceding calendar month. In the case of dealers regularly keeping books and accounts on the basis of an annual period which ~~that~~ varies ~~fifty-two~~<sup>52</sup> to ~~fifty-three~~<sup>53</sup> weeks, the Tax Commissioner may make rules and regulations for reporting consistent with such accounting period.

Notwithstanding any other provision of this chapter, a dealer may be required by the Tax Commissioner to file sales or use tax returns on an accounting period less frequent than monthly when, in the opinion of the Tax Commissioner, the administration of the taxes imposed by this chapter would be enhanced. If a dealer is required to file other than monthly, each such return shall be due on or before the twentieth day of the month following the close of the period. Each such return shall contain all information required for monthly returns.

A sales or use tax return shall be filed by each registered dealer even though the dealer is not liable to remit to the Tax Commissioner any tax for the period covered by the return.

B. 1. In addition to the amounts required under the provisions of this section and § 58.1-616, any dealer as defined by § 58.1-612 or direct payment permit holder pursuant to § 58.1-624, with taxable sales and purchases of \$1,300,000 or greater for the ~~twelve~~<sup>12</sup>-month period beginning July 1, and ending June 30 of the immediately preceding calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June. Such tax payments shall be made on or before the 30th day of June, if payment is made by electronic funds transfer, as defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before the ~~25th~~<sup>twenty-fifth</sup> day of June. For purposes of this provision, taxable sales or purchases shall be computed without regard to the number of certificates of registration held by the dealer. Every dealer or direct payment permit holder shall be entitled to a credit for the payment under this subsection on the return for June of the current year due July 20. The provisions of this subsection shall not apply to persons who are required to file only a Form ST-7, Consumer User Tax Return.

2. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment or full payment of the sales and use tax liability as provided in this subsection shall subject the dealer or direct payment permit holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax Commissioner. Interest will accrue as provided in § 58.1-15. The payment required by this subsection shall become delinquent on the first day following the due date set forth in this subsection if not paid.

3. *This subsection shall be effective until June 1, 2005.*

§ 58.1-627. Bracket system for tax at rate of four and one-half percent.

The following brackets of prices shall be used for the collection of the tax imposed by this chapter:

- ~~\$0.00 to \$0.14~~<sup>\$0.11</sup> no tax
- ~~.15 .12 to .42 .33~~ 1¢ tax
- ~~.43 .34 to .71 .55~~ 2¢ tax
- ~~.72 .56 to .99 .77~~ 3¢ tax
- ~~1.00 .78 to 1.28 .99~~ 4¢ tax
- ~~1.29 1.00 to 1.57 1.22~~ 5¢ tax
- ~~1.58 1.23 to 1.85 1.44~~ 6¢ tax
- ~~1.86 1.45 to 2.14 1.66~~ 7¢ tax
- ~~2.15 1.67 to 2.42 1.88~~ 8¢ tax
- ~~2.43 1.89 to 2.71 2.11~~ 9¢ tax
- ~~2.72 2.12 to 2.99 2.33~~ 10¢ tax
- ~~3.00 2.34 to 3.28 2.55~~ 11¢ tax
- ~~3.29 2.56 to 3.57 2.77~~ 12¢ tax
- ~~3.58 2.78 to 3.85 2.99~~ 13¢ tax

~~3.86~~3.00 to ~~4.14~~ 3.22 14¢ tax  
~~4.15~~3.23 to ~~4.42~~ 3.44 15¢ tax  
~~4.43~~3.45 to ~~4.71~~ 3.66 16¢ tax  
~~4.72~~3.67 to ~~5.00~~ 3.88 17¢ tax  
 3.89 to 4.11 18¢ tax  
 4.12 to 4.33 19¢ tax  
 4.34 to 4.55 20¢ tax  
 4.56 to 4.77 21¢ tax  
 4.78 to 5.00 22¢ tax

On transactions ~~over five dollars~~ greater than \$5, the tax shall be computed at ~~three~~ four and one-half percent, one-half cent or more being treated as one cent. If a dealer can show to the satisfaction of the Tax Commissioner that more than ~~eighty-five~~ 85 percent of the total dollar volume of his gross taxable sales during the taxable month was from individual sales at prices of ~~ten~~10 cents or less each, and that he was unable to adjust his prices in such manner as to prevent the economic incidence of the sales tax from falling on him, the Tax Commissioner shall determine the proper tax liability of the dealer based on that portion of the dealer's gross taxable sales which was from sales at prices of eleven cents or more.

§ 58.1-628. Bracket system for combined state and local tax.

The following brackets of prices shall be used for the collection of the combined state and local tax:

\$0.00 to ~~\$0.11~~ .09 no tax  
~~.12~~ .10 to ~~.33~~ .27 1¢ tax  
~~.34~~ .28 to ~~.55~~ .45 2¢ tax  
~~.56~~ .46 to ~~.77~~ .63 3¢ tax  
~~.78~~ .64 to ~~.99~~ .81 4¢ tax  
~~1.00~~ .82 to ~~1.22~~ .99 5¢ tax  
~~1.23~~ 1.00 to ~~1.44~~ 1.18 6¢ tax  
~~1.45~~ 1.19 to ~~1.66~~ 1.36 7¢ tax  
~~1.67~~ 1.37 to ~~1.88~~ 1.54 8¢ tax  
~~1.89~~ 1.55 to ~~2.11~~ 1.72 9¢ tax  
~~2.12~~ 1.73 to ~~2.33~~ 1.90 10¢ tax  
~~2.34~~ 1.91 to ~~2.55~~ 2.09 11¢ tax  
~~2.56~~ 2.10 to ~~2.77~~ 2.27 12¢ tax  
~~2.78~~ 2.28 to ~~2.99~~ 2.45 13¢ tax  
~~3.00~~ 2.46 to ~~3.22~~ 2.63 14¢ tax  
~~3.23~~ 2.64 to ~~3.44~~ 2.81 15¢ tax  
~~3.45~~ 2.82 to ~~3.66~~ 2.99 16¢ tax  
~~3.67~~ 3.00 to ~~3.88~~ 3.18 17¢ tax  
~~3.89~~ 3.19 to ~~4.11~~ 3.36 18¢ tax  
~~4.12~~ 3.37 to ~~4.33~~ 3.54 19¢ tax  
~~4.34~~ 3.55 to ~~4.55~~ 3.72 20¢ tax  
~~4.56~~ 3.73 to ~~4.77~~ 3.90 21¢ tax  
~~4.78~~ 3.91 to ~~5.00~~ 4.09 22¢ tax  
 4.10 to 4.27 23¢ tax  
 4.28 to 4.45 24¢ tax  
 4.46 to 4.63 25¢ tax  
 4.64 to 4.81 26¢ tax  
 4.82 to 5.00 27¢ tax

On transactions ~~over five dollars~~ greater than \$5, the tax shall be computed at ~~four~~ five and one-half percent, one half cent or more being treated as one cent. The foregoing bracket system shall not relieve the dealer from the duty and liability to remit an amount equal to ~~four~~ five and one-half percent of his gross taxable sales as provided in this chapter. If the dealer, however, can show to the satisfaction of the Tax Commissioner that more than ~~eighty-five~~85 percent of the total dollar volume of his gross taxable sales during the taxable month was from individual sales at prices of ~~ten~~10 cents or less each and that he

was unable to adjust his prices in such manner as to prevent the economic incidence of the sales tax from falling on him, the Tax Commissioner shall determine the proper tax liability of the dealer based on that portion of the dealer's gross taxable sales which was from sales at prices of ~~eleven~~ *11* cents or more.

§ 58.1-638. Disposition of state sales and use tax revenue; localities' share; Game Protection Fund.

A. The Comptroller shall designate a specific revenue code number for all the state sales and use tax revenue collected under the preceding sections of this chapter.

1. The sales and use tax revenue generated by the one-half percent sales and use tax increase enacted by the 1986 Special Session of the General Assembly, *computed without regard to revenues generated from sales and use taxes on food purchased for human consumption as defined in § 58.1-611.1*, shall be paid, in the manner hereinafter provided in this section, to the Transportation Trust Fund as defined in § 33.1-23.03:1. Of the funds paid to the Transportation Trust Fund, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund as provided in this section; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund as provided in this section; and an aggregate of 14.5 percent in fiscal year 1998-1999 and 14.7 percent in fiscal year 1999-2000 and thereafter shall be set aside as the Commonwealth Mass Transit Fund as provided in this section. The Fund's share of such net revenue shall be computed as an estimate of the net revenue to be received into the state treasury each month, and such estimated payment shall be adjusted for the actual net revenue received in the preceding month. All payments shall be made to the Fund on the last day of each month.

2. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Port Fund.

a. The Commonwealth Port Fund shall be established on the books of the Comptroller and the funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it. Funds may be paid to any authority, locality or commission for the purposes hereinafter specified.

b. The amounts allocated pursuant to this section shall be allocated by the Commonwealth Transportation Board to the Board of Commissioners of the Virginia Port Authority to be used to support port capital needs and the preservation of existing capital needs of all ocean, river, or tributary ports within the Commonwealth.

c. Commonwealth Port Fund revenue shall be allocated by the Board of Commissioners to the Virginia Port Authority in order to foster and stimulate the flow of maritime commerce through the ports of Virginia, including but not limited to the ports of Richmond, Hopewell and Alexandria.

3. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be part of the Transportation Trust Fund and which shall be known as the Commonwealth Airport Fund. The Commonwealth Airport Fund shall be established on the books of the Comptroller and any funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on the funds shall be credited to the Fund. The funds so allocated shall be allocated by the Commonwealth Transportation Board to the Virginia Aviation Board. The funds shall be allocated by the Virginia Aviation Board to any Virginia airport which is owned by the Commonwealth, a governmental subdivision thereof, or a private entity to which the public has access for the purposes enumerated in § 5.1-2.16, or is owned or leased by the Metropolitan Washington Airports Authority (MWAA), as follows:

Any new funds in excess of \$12.1 million which are available for allocation by the Virginia Aviation Board from the Commonwealth Transportation Fund, shall be allocated as follows: sixty percent to MWAA, up to a maximum annual amount of two million dollars, and forty percent to air carrier airports as provided in subdivision A 3 a. Except for adjustments due to changes in enplaned passengers, no air carrier airport sponsor, excluding MWAA, shall receive less funds identified under subdivision A 3 a than it received in fiscal year 1994-1995.

Of the remaining amount:

a. Forty percent of the funds shall be allocated to air carrier airports, except airports owned or leased by MWAA, based upon the percentage of enplanements for each airport to total enplanements at all air carrier airports, except airports owned or leased by MWAA. No air carrier airport sponsor, however, shall receive less than \$50,000 nor more than \$2 million per year from this provision.

b. Forty percent of the funds shall be allocated by the Aviation Board for air carrier and reliever airports on a discretionary basis, except airports owned or leased by MWAA.

c. Twenty percent of the funds shall be allocated by the Aviation Board for general aviation airports on a discretionary basis.

4. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Mass Transit Fund.

a. The Commonwealth Mass Transit Fund shall be established on the books of the Comptroller and any funds remaining in such Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall be credited to the Fund. Funds may be paid to any local governing body, transportation district commission, or public service corporation for the purposes hereinafter specified.

b. The amounts allocated pursuant to this section shall be used to support the public transportation administrative costs and the costs borne by the locality for the purchase of fuels, lubricants, tires and maintenance parts and supplies for public transportation at a state share of ~~eighty~~80 percent in 2002 and ~~ninety-five~~95 percent in 2003 and succeeding years. These amounts may be used to support up to ~~ninety-five~~95 percent of the local or nonfederal share of capital project costs for public transportation and ridesharing equipment, facilities, and associated costs. Capital costs may include debt service payments on local or agency transit bonds. The term "borne by the locality" means the local share eligible for state assistance consisting of costs in excess of the sum of fares and other operating revenues plus federal assistance received by the locality.

c. Commonwealth Mass Transit Fund revenue shall be allocated by the Commonwealth Transportation Board as follows:

(1) Funds for special programs, which shall include ridesharing, experimental transit, and technical assistance, shall not exceed 1.5 percent of the Fund.

(2) The Board may allocate these funds to any locality or planning district commission to finance up to eighty percent of the local share of all costs associated with the development, implementation, and continuation of ridesharing programs.

(3) Funds allocated for experimental transit projects may be paid to any local governing body, transportation district commission, or public corporation or may be used directly by the Department of Rail and Public Transportation for the following purposes:

(a) To finance up to ~~ninety-five~~95 percent of the capital costs related to the development, implementation and promotion of experimental public transportation and ridesharing projects approved by the Board.

(b) To finance up to ~~ninety-five~~95 percent of the operating costs of experimental mass transportation and ridesharing projects approved by the Board for a period of time not to exceed twelve months.

(c) To finance up to ~~ninety-five~~95 percent of the cost of the development and implementation of any other project designated by the Board where the purpose of such project is to enhance the provision and use of public transportation services.

d. Funds allocated for public transportation promotion and operation studies may be paid to any local governing body, planning district commission, transportation district commission, or public transit corporation, or may be used directly by the Department of Rail and Public Transportation for the following purposes and aid of public transportation services:

(1) At the approval of the Board to finance a program administered by the Department of Rail and Public Transportation designed to promote the use of public transportation and ridesharing throughout Virginia.

(2) To finance up to ~~fifty~~50 percent of the local share of public transportation operations planning and technical study projects approved by the Board.

e. At least 73.5 percent of the Fund shall be distributed to each transit property in the same proportion as its operating expenses bear to the total statewide operating expenses and shall be spent for the purposes specified in subdivision 4 b.

f. The remaining ~~twenty-five~~25 percent shall be distributed for capital purposes on the basis of ~~ninety-five~~95 percent of the nonfederal share for federal projects and ~~ninety-five~~95 percent of the total costs for nonfederal projects. In the event that total capital funds available under this subdivision are insufficient to fund the complete list of eligible projects, the funds shall be distributed to each transit property in the same proportion that such capital expenditure bears to the statewide total of capital projects.

g. There is hereby created in the Department of the Treasury a special nonreverting fund known as the Commonwealth Transit Capital Fund. The Commonwealth Transit Capital Fund shall be part of the Commonwealth Mass Transit Fund. The Commonwealth Transit Capital Fund subaccount shall be established on the books of the Comptroller and consist of such moneys as are appropriated to it by the General Assembly and of all donations, gifts, bequests, grants, endowments, and other moneys given, bequeathed, granted, or otherwise made available to the Commonwealth Transit Capital Fund. Any funds remaining in the Commonwealth Transit Capital Fund at the end of the biennium shall not revert to the general fund, but shall remain in the Commonwealth Transit Capital Fund. Interest earned on funds within the Commonwealth Transit Capital Fund shall remain in and be credited to the Commonwealth Transit Capital Fund. Proceeds of the Commonwealth Transit Capital Fund may be paid to any political subdivision, another public entity created by an act of the General Assembly, or a private entity as defined in § 56-557 and for purposes as enumerated in subdivision 4c of § 33.1-269 or expended by the Department of Rail and Public Transportation for the purposes specified in this subdivision. Revenues of the Commonwealth Transit Capital Fund shall be used to support capital expenditures involving the establishment, improvement, or expansion of public transportation services through specific projects approved by the Commonwealth Transportation Board. Projects financed by the Commonwealth Transit Capital Fund shall receive local, regional or private funding for at least ~~twenty~~20 percent of the nonfederal share of the total project cost.

5. Funds for Metro shall be paid by the Northern Virginia Transportation Commission (NVTC) to the Washington Metropolitan Area Transit Authority (WMATA) and be a credit to the Counties of Arlington and Fairfax and the Cities of Alexandria, Falls Church and Fairfax in the following manner:

a. Local obligations for debt service for WMATA rail transit bonds apportioned to each locality using WMATA's capital formula shall be paid first by NVTC. NVTC shall use ~~ninety-five~~95 percent state aid for these payments.

b. The remaining funds shall be apportioned to reflect WMATA's allocation formulas by using the related WMATA-allocated subsidies and relative shares of local transit subsidies. Capital costs shall include twenty percent of annual local bus capital expenses. Hold harmless protections and obligations for NVTC's jurisdictions agreed to by NVTC on November 5, 1998, shall remain in effect.

Appropriations from the Commonwealth Mass Transit Fund are intended to provide a stable and reliable source of revenue as defined by Public Law 96-184.

B. The sales and use tax revenue generated by a one percent sales and use tax shall be distributed among the counties and cities of this Commonwealth in the manner provided in subsections C and D.

C. The localities' share of the net revenue distributable under this section among the counties and cities shall be apportioned by the Comptroller and distributed among them by warrants of the Comptroller drawn on the Treasurer of Virginia as soon as practicable after the close of each month during which the net revenue was received into the state treasury. The distribution of the localities' share of such net revenue shall be computed with respect to the net revenue received into the state treasury during each month, and such distribution shall be made as soon as practicable after the close of each such month.

D. The net revenue so distributable among the counties and cities shall be apportioned and distributed upon the basis as certified to the Comptroller by the Department of Education, of the number of children in each county and city according to the most recent statewide census of school population taken by the Department of Education pursuant to § 22.1-284, as adjusted in the manner hereinafter provided. No special school population census, other than a statewide census, shall be used as the basis of apportionment and distribution except that in any calendar year in which a statewide census is not reported, the Department of Education shall adjust such school population figures by the same percent of annual change in total population estimated for each locality by The Center for Public Service. The

revenue so apportionable and distributable is hereby appropriated to the several counties and cities for maintenance, operation, capital outlays, debt and interest payments, or other expenses incurred in the operation of the public schools, which shall be considered as funds raised from local resources. In any county, however, wherein is situated any incorporated town constituting a school division, the county treasurer shall pay into the town treasury for maintenance, operation, capital outlays, debt and interest payments, or other expenses incurred in the operation of the public schools, the proper proportionate amount received by him in the ratio that the school population of such town bears to the school population of the entire county. If the school population of any city or of any town constituting a school division is increased by the annexation of territory since the last preceding school population census, such increase shall, for the purposes of this section, be added to the school population of such city or town as shown by the last such census and a proper reduction made in the school population of the county or counties from which the annexed territory was acquired.

E. Beginning July 1, 2000, of the remaining sales and use tax revenue, the revenue generated by a two percent sales and use tax, up to an annual amount of \$13 million, collected from the sales of hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment, wildlife-watching equipment, and auxiliary wildlife-watching equipment in Virginia, as estimated by the most recent U.S. Department of the Interior, Fish and Wildlife Service and U.S. Department of Commerce, Bureau of the Census National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, shall be paid into the Game Protection Fund established under § 29.1-101 and shall be used, in part, to defray the cost of law enforcement. Not later than ~~thirty~~30 days after the close of each quarter, the Comptroller shall transfer to the Game Protection Fund the appropriate amount of collections to be dedicated to such Fund. At any time that the balance in the Capital Improvement Fund, established under § 29.1-101.1, is equal to or in excess of \$35 million, any portion of sales and use tax revenues that would have been transferred to the Game Protection Fund, established under § 29.1-101, in excess of the net operating expenses of the Board, after deduction of other amounts which accrue to the Board and are set aside for the Game Protection Fund, shall remain in the general fund until such time as the balance in the Capital Improvement Fund is less than \$35 million.

*F. Beginning July 1, 2004, of the revenue generated by a one percent sales and use tax, pursuant to enactments of the 2004 Session of the General Assembly increasing the state sales and use tax to four and one-half percent, in each fiscal year, unless otherwise provided in the general appropriation act, the Comptroller shall transfer \$30 million to the Virginia Natural and Historic Resources Fund established under § 10.1-2135. To accomplish such transfer, beginning with the Commonwealth's fiscal year starting on July 1, 2004, the Comptroller shall transfer \$15 million in December and \$15 million in June of each fiscal year to the Virginia Natural and Historic Resources Fund.*

**FG.** If errors are made in any distribution, or adjustments are otherwise necessary, the errors shall be corrected and adjustments made in the distribution for the next quarter or for subsequent quarters.

**GH.** The term "net revenue," as used in this section, means the gross revenue received into the general fund or the Transportation Trust Fund of the state treasury under the preceding sections of this chapter, less refunds to taxpayers.

§ 58.1-639. Transitional provisions.

A. To the extent of any increase in the state sales and use tax rate enacted by the ~~1986 Special~~ 2004 Session of the Virginia General Assembly, the Tax Commissioner, upon application of the purchaser in accordance with regulations promulgated by the Commissioner, shall have the authority to refund state sales or use taxes paid on purchases of tangible personal property made pursuant to bona fide real estate construction contracts, contracts for the sale of tangible personal property, and leases, provided that the real estate construction contract, contract for the sale of tangible personal property or lease is entered into prior to the date of enactment of the increase of the state sales and use tax rate; and further provided that the date of delivery of the tangible personal property is on or before ~~March 30, 1987~~ September 30, 2004. The term "bona fide contract," when used in this section in relation to real estate construction contracts, shall include but not be limited to those contracts which are entered into prior to the enactment of the increase in the state sales and use tax rate, provided that such contracts include plans and specifications.

B. Notwithstanding the foregoing ~~March 30, 1987~~ *September 30, 2004*, delivery date requirement, with respect to bona fide real estate construction contracts which contain a specific and stated date of completion, the date of delivery of such tangible personal property shall be on or before the completion date of the applicable project.

C. Applications for refunds pursuant to this section shall be made in accordance with the provisions of § 58.1-1823. Interest computed in accordance with § 58.1-1833 shall be added to the tax refunded pursuant to this section.

§ 58.1-801. Deeds generally; charter amendments.

A. On every deed admitted to record, except a deed exempt from taxation by law, there is hereby levied a state recordation tax. The rate of the tax shall be ~~fifteen~~-30 cents on every \$100 or fraction thereof of the consideration of the deed or the actual value of the property conveyed, whichever is greater.

Upon deeds conveying property lying partly within the Commonwealth and partly without the Commonwealth, the tax herein imposed shall apply only to the value of so much of the property conveyed as is situated within the Commonwealth.

B. When the charter of a corporation is amended, and the only effect of such amendment is to change the corporate name of such corporation, the tax upon the recordation of a deed conveying to, or vesting in, such corporation under its changed name, the title to any or all of the real or personal property of such corporation held in its name as it existed immediately prior to such amendment, shall be fifty cents.

§ 58.1-803. Deeds of trust or mortgages; maximum tax.

A. A recordation tax on deeds of trust or mortgages is hereby imposed at a rate of ~~15¢~~ 30 cents on every \$100 or portion thereof of the amount of bonds or other obligations secured thereby. In the event of an open or revolving deed of trust, the amount of the obligation for purposes of this section shall be the maximum amount which may be outstanding at any one time. In any case in which the amount which may be secured under a deed of trust or mortgage is not ascertainable, the tax shall be based upon the fair market value of the property conveyed, determined as of the date of the deed of trust or mortgage. The fair market value of the property shall include the value of any realty required by the terms of the deed of trust or mortgage to be constructed thereon.

B. On deeds of trust or mortgages upon the works and property of a railroad lying partly within the Commonwealth and partly without the Commonwealth, the tax shall be only upon such proportion of the amount of bonds, or other obligations secured thereby, as the number of miles of the line of such company in the Commonwealth bears to the whole number of miles of the line of such company conveyed by such deed of trust or mortgage.

Upon deeds of trust or mortgages conveying other property lying partly within the Commonwealth and partly without the Commonwealth the tax herein imposed shall be only upon such proportion of the debt secured as the value of the property located within the Commonwealth, or which may be brought into the Commonwealth, bears to the entire amount of property conveyed by such deed of trust or mortgage.

C. On deeds of trust or mortgages, which provide for an initial issue of bonds, to be followed thereafter by additional bonds, unlimited in amount, if such deed of trust or mortgage provides that as and when such additional bonds are issued a supplemental indenture shall be recorded in the office in which the original deed of trust or mortgage is first recorded, which supplement shall contain a statement as to the amount of the additional bonds to be issued, then the tax shall be paid upon the initial amount of bonds when the original deed of trust is recorded and thereafter on each additional amount of bonds when the supplemental indenture relating to such additional bonds is recorded.

On deeds of trust or mortgages which are supplemental to or wrap around existing deeds of trust on which the tax imposed hereunder has already been paid, the tax shall be paid only on that portion of the face amount of the bond or obligation secured thereby which is in addition to the amount of the existing debt secured by a deed of trust or mortgage on which tax has been paid. The instrument shall certify the amount of the existing debt.

D. On deeds of trust or mortgages, the purpose of which is to refinance or modify the terms of an existing debt with the same lender, which debt is secured by a deed of trust or mortgage on which the tax

imposed hereunder has been paid, the tax shall be paid only on that portion of the amount of the bond or other obligation secured thereby which is in addition to the amount of the original debt secured by a deed of trust or mortgage on which the tax has been paid. The instrument shall certify the amount of original debt.

E. The maximum tax on the recordation of any deed of trust or mortgage or on any indenture supplemental thereto shall be determined in accordance with the following schedule:

On the first 10 million dollars of value as determined pursuant to this section, ~~15¢~~ 30 cents upon every \$100 or portion thereof;

On the next 10 million dollars of value as determined pursuant to this section, ~~12¢~~ 27 cents upon every \$100 or portion thereof;

On the next 10 million dollars of value as determined pursuant to this section, ~~9¢~~ 24 cents upon every \$100 or portion thereof;

On the next 10 million dollars of value as determined pursuant to this section, ~~6¢~~ 21 cents upon every \$100 or portion thereof; and

On all over 40 million dollars of value as determined pursuant to this section, ~~3¢~~ 18 cents upon every \$100 or portion thereof, incorporated into this section.

§ 58.1-807. Contracts generally; leases.

A. Except as hereinafter provided, on every contract or memorandum thereof relating to real or personal property admitted to record, a recordation tax is hereby levied at the rate of ~~fifteen~~ 30 cents on every \$100 or fraction thereof of the consideration or value contracted for.

B. The recordation of a deed of lease for a term of years, or assignment of the lessee's interest therein, or memorandum thereof, shall be taxed according to the provisions of this section, unless provided otherwise in § 58.1-809 or unless the annual rental, multiplied by the term for which the lease runs, or remainder thereof, equals or exceeds the actual value of the property leased. In such cases the tax for recording the deed of lease shall be based upon the actual value of the property at the date of lease, including the value of any realty required by the terms of the lease to be constructed thereon by the lessor.

C. The recordation of an assignment of the lessor's interest in a lease, or memorandum thereof, shall be taxed according to the provisions of this section, unless the assignment of the lessor's interest in the lease is to provide additional security for an obligation of the lessor on which the tax has been previously paid, or the assignment of the lessor's interest is made to the person who owns the property which is subject to the lease. In such cases there shall be no tax for recording the lessor's assignment of the lease.

D. Notwithstanding the other provisions of this section, the tax on the recordation of leases of oil and gas rights shall not exceed ~~twenty-five dollars~~ \$25. The tax on the recordation of leases of coal and other mineral rights shall not exceed ~~fifty dollars~~ \$50.

E. Notwithstanding the other provisions of this section, the tax on the recordation of leases of outdoor advertising signs owned by a person engaged in the business of outdoor advertising licensed by the Virginia Department of Transportation pursuant to § 33.1-361 shall not exceed ~~twenty-five dollars~~ \$25.

§ 58.1-808. Sales contracts for the sale of rolling stock or equipment.

On every contract or agreement admitted to record relating to the sale of rolling stock or equipment, whether the title is reserved in the vendor or not, with a railroad corporation or other corporation or with a person, firm or company, the tax shall be ~~15¢~~ 30 cents on every \$100 or fraction thereof of the amount contracted for in such contract or agreement. When such contract or agreement is with a railroad corporation lying partly within the Commonwealth and partly without the Commonwealth, the tax shall be upon such proportion of the amount contracted for as the number of miles of the line of such railroad corporation in the Commonwealth bears to the whole number of miles of line of such railroad corporation.

§ 58.1-815. U.S. Route 58 Corridor Development Fund.

There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the U.S. Route 58 Corridor Development Fund, consisting of the first \$40 million of annual collections of the state recordation taxes imposed ~~by this chapter~~ at the tax rates in effect on January 1, 2004, pursuant to this chapter; provided,

however, this dedication shall not affect the local recordation taxes under §§ 58.1-802 B and 58.1-814. The Fund shall also include such other funds as may be appropriated by the General Assembly from time to time, and designated for this Fund and all interest, dividends and appreciation which may accrue thereto. Any moneys remaining in the Fund at the end of a biennium shall not revert to the General Fund, but shall remain in the Fund. Allocations from this Fund may be paid to any authority, locality or commission for the purposes specified in § 33.1-221.1:2.

§ 58.1-816. Distribution of recordation tax to cities and counties.

A. Effective October 1, 1993, twenty million dollars of the taxes imposed under §§ 58.1-801 through 58.1-809 *at the tax rates in effect on January 1, 2004*, which are actually paid into the state treasury, shall be distributed among the counties and cities of this Commonwealth in the manner provided in subsection B of this section. Effective July 1, 1994, such annual distribution shall increase to forty million dollars.

B. Subject to any transfers required under §§ 58.1-815.1 and 58.1-816.1, the share of the state taxes distributable under this section among the counties and cities shall be apportioned and distributed quarterly to each county or city by the Comptroller by multiplying the amount to be distributed by a fraction in which the numerator is the amount of the taxes imposed under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in the county or city and the denominator is the amount of taxes imposed under §§ 58.1-801 through 58.1-809 actually paid into the state treasury. All distributions pursuant to this section shall be made on a quarterly basis within thirty days of the end of the quarter. Such quarterly distribution shall equal ten million dollars. Each clerk of the court shall certify to the Comptroller, within fifteen days after the end of the quarter, all amounts collected under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in such county or city.

C. All moneys distributed to counties and cities pursuant to this section shall be used for (i) transportation purposes, including, without limitation, construction, administration, operation, improvement, maintenance and financing of transportation facilities, or (ii) public education.

As used in this section, the term "transportation facilities" shall include all transportation-related facilities including, but not limited to, all highway systems, public transportation or mass transit systems as defined in § 33.1-12, airports as defined in § 5.1-1, and port facilities as defined in § 62.1-140. Such term shall be liberally construed for purposes of this section.

D. If any revenues distributed to a county or city under subsection C of this section are applied or expended for any transportation facilities under the control and jurisdiction of any state agency, board, commission or authority, such transportation facilities shall be constructed, operated, administered, improved and maintained in accordance with laws, rules, regulations, policies and procedures governing such state agency, board, commission or authority; however, in the event these revenues, or a portion thereof, are expended for improving or constructing highways in a county which is subject to the provisions of § 33.1-75.3, such expenditures shall be undertaken in the manner prescribed in that statute.

E. In the case of any distribution to a county or city in which an office sharing agreement pursuant to §§ 15.2-1637 and 15.2-3822 is in effect, the Comptroller shall divide the distribution among the office sharing counties and cities. Each clerk of the court acting pursuant to an office sharing agreement shall certify to the Comptroller, within fifteen days after the end of the quarter, all amounts collected under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded on behalf of each county and city.

§ 58.1-901. Definitions.

As used in this chapter, unless the context clearly shows otherwise, the term or phrase:

"Decedent" means a deceased person.

"Federal credit" means the maximum amount of the credit for state death taxes allowable by § 2011 of the United States Internal Revenue Code of 1954, as amended or renumbered, or successor provision, in respect to a decedent's taxable estate. The term "maximum amount" shall be construed as to take full advantage of such credit as the laws of the United States may allow. In no event, however, shall such amount be less than the federal credit allowable by § 2011 of the Internal Revenue Code as it existed on January 1, 1978.

“Gross estate” means “gross estate” as defined in § 2031 of the United States Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

“*Interest in a closely held business*” means an “*interest in a closely held business*” as defined in § 6166 of the United States Internal Revenue Code of 1986, as amended or renumbered, or the successor provision of the laws of the United States.

“Nonresident” means a decedent who was domiciled outside of the Commonwealth of Virginia at his death.

“Personal representative” means the personal representative of the estate of the decedent, appointed, qualified and acting within the Commonwealth, or, if there is no personal representative appointed, qualified and acting within the Commonwealth, then any person in actual or constructive possession of the Virginia gross estate of the decedent.

“Resident” means a decedent who was domiciled in the Commonwealth of Virginia at his death.

“State” means any state, territory or possession of the United States and the District of Columbia.

“Taxable estate” means “taxable estate” as defined in § 2051 of the United States Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

“Value” means “value” as finally determined for federal estate tax purposes under the laws of the United States relating to federal estate taxes.

“*Working farm*” means an *interest in a closely held business that operates as an active trade or business for agricultural purposes.*

Any reference in this chapter to the laws of the United States relating to federal estate and gift taxes means the provisions of the Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States relating to federal estate and gift taxes, as the same may be or become effective at any time or from time to time.

§ 58.1-902. Tax on transfer of taxable estate of residents; amounts; credit; property of resident defined.

A. 1. ~~A~~ For deaths occurring before January 1, 2004, a tax in the amount of the federal credit is imposed on the transfer of the taxable estate of every resident, subject, where applicable, to the credit provided for in subsection B.

2. For deaths occurring on or after January 1, 2004, a tax in the amount of the federal credit is imposed on the transfer of the taxable estate of every resident whose gross estate exceeds \$10 million, subject, where applicable, to the credit provided for in subsection B. However, no tax shall be imposed on a gross estate if the majority of the assets of the total estate are an interest in a closely held business or a working farm.

B. If the real and tangible personal property of a resident is located outside of the Commonwealth and is subject to a death tax imposed by another state for which a credit is allowed under § 2011 of the Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States relating to federal estate taxes, the amount of tax due under this section shall be credited with the lesser of:

1. The amount of the death tax paid the other state and credited against the federal estate tax; or
2. An amount computed by multiplying the federal credit by a fraction, the numerator of which is the value of that part of the gross estate over which another state or states have jurisdiction to the same extent to which Virginia would exert jurisdiction under this chapter with respect to the residents of such other state or states and the denominator of which is the value of the decedent’s gross estate.

C. Property of a resident includes:

1. Real property situated in the Commonwealth of Virginia;
2. Tangible personal property having an actual situs in the Commonwealth of Virginia; and
3. Intangible personal property owned by the resident regardless of where it is located.

§ 58.1-2217. Taxes levied; rate.

A. There is hereby levied a tax at the rate of ~~seventeen and one-half~~ *twenty and one-half* cents per gallon on gasoline and gasohol.

B. There is hereby levied a tax at the rate of ~~sixteen~~ *twenty and one-half* cents per gallon on diesel fuel.

C. Blended fuel that contains gasoline shall be taxed at the rate levied on gasoline. Blended fuel that contains diesel fuel shall be taxed at the rate levied on diesel fuel.

D. There is hereby levied a tax at the rate of five cents per gallon on aviation gasoline. Any person, whether or not licensed under this chapter, who uses, acquires for use, sells or delivers for use in highway vehicles any aviation gasoline shall be liable for the tax at the rate of ~~seventeen and one-half~~ *twenty and one-half* cents per gallon, along with any penalties and interest that may accrue.

E. There is hereby levied a tax at the rate of five cents per gallon on aviation jet fuel purchased or acquired for use by a user of aviation fuel other than an aviation consumer. There is hereby levied a tax at the rate of five cents per gallon upon the first 100,000 gallons of aviation jet fuel, excluding bonded aviation jet fuel, purchased or acquired for use by any aviation consumer in any fiscal year. There is hereby levied a tax at the rate of one-half cent per gallon on all aviation jet fuel, excluding bonded aviation jet fuel, purchased or acquired for use by an aviation consumer in excess of 100,000 gallons in any fiscal year. Any person, whether or not licensed under this chapter, who uses, acquires for use, sells or delivers for use in highway vehicles any aviation jet fuel taxable under this chapter shall be liable for the tax imposed at the rate of ~~sixteen~~ *twenty and one-half* cents per gallon, along with any penalties and interest that may accrue.

F. In accordance with § 62.1-44.34:13, a storage tank fee is imposed on each gallon of gasoline, aviation gasoline, diesel fuel (including dyed diesel fuel), blended fuel, and heating oil sold and delivered or used in the Commonwealth.

§ 58.1-2249. Tax on alternative fuel.

A. There is hereby levied a tax at the rate of ~~sixteen~~ *twenty and one-half* cents per gallon on liquid alternative fuel used to operate a highway vehicle by means of a vehicle supply tank that stores fuel only for the purpose of supplying fuel to operate the vehicle. There is hereby levied a tax at a rate equivalent to ~~sixteen~~ *twenty and one-half* cents per gallon on all other alternative fuel used to operate a highway vehicle. The Commissioner shall determine the equivalent rate applicable to such other alternative fuels.

B. In addition to any tax imposed by this article, there is hereby levied an annual license tax of ~~fifty dollars~~ *\$50* per vehicle on each highway vehicle that is fueled from a private source if the alternative fuels tax levied under this article has not been paid on fuel used in the vehicle. If such a highway vehicle is not in operation by January 1 of any year, the license tax shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

#### *Article 8.1.*

##### *Additional Tax.*

§ 58.1-2288.1. *Additional tax on fuels.*

A. 1. Any licensee or person required to precollect the tax imposed on fuels under § 58.1-2217 or § 58.1-2249 shall also be required to precollect an additional tax, which is hereby imposed at the rate established in subsection B, on the number of gallons of gasoline, gasohol, diesel fuel, blended fuel, or alternative fuel for which the licensee or person is precollecting the tax under such section or sections.

2. An additional tax, at the rate established in subsection B, shall be imposed on any licensee or person subject to the tax under § 58.1-2224. Such additional tax shall be imposed on the number of gallons of fuel for which the licensee or person is subject to the tax under such section.

B. The additional taxes imposed under subsection A shall be imposed at a cents per gallon rate determined by the Department. The taxes shall be based upon 5.5 percent of the statewide average retail price of a gallon of self-serve unleaded regular gasoline, excluding federal and state excise taxes, as determined and certified by the Department rounded up to the nearest one-tenth of one cent. Beginning July 1, 2004, such rate shall be determined every six months by the Department unless the Department certifies that the change in the statewide average retail price of a gallon of self-serve unleaded regular gasoline has been less than 10 percent during the six-month period. However, the rate shall be determined not less than annually.

C. The tax imposed under this section on gallons of fuel for which the licensee or person is precollecting the tax under § 58.1-2217 or § 58.1-2249 is imposed on the ultimate consumer but shall be precollected as prescribed herein, and the levies and assessments imposed on the licensee or person for such tax are imposed on them as agents of the Commonwealth for the precollection of the tax.

*D. The taxes imposed under subsection A shall be due and paid by such licensee or person at the same time that the tax under §§ 58.1-2217, 58.1-2224, or § 58.1-2249, as applicable, is due. All provisions of this chapter including but not limited to return filing and reporting requirements, payment requirements and due dates for payment of tax, requirements to precollect tax, late payment penalties and interest, jeopardy assessments, civil penalties, discounts, deductions, and exemptions from tax shall apply mutatis mutandis to the taxes imposed under this section.*

§ 58.1-2289. Disposition of tax revenue generally.

A. ~~Unless~~ Except as otherwise provided in subsection F and elsewhere in this section, all taxes and fees, including civil penalties, collected by the Commissioner pursuant to this chapter, less a reasonable amount to be allocated for refunds, shall be promptly paid into the state treasury and shall constitute special funds within the Commonwealth Transportation Fund. Any balances remaining in these funds at the end of the year shall be available for use in subsequent years for the purposes set forth in this chapter, and any interest income on such funds shall accrue to these funds. Except as provided in subsection F and § 33.1-23.03:1, no portion of the revenue derived from taxes collected pursuant to §§ 58.1-2217, 58.1-2249 or § 58.1-2701, and remaining after authorized refunds for nonhighway use of fuel, shall be used for any purpose other than the construction, reconstruction or maintenance of the roads and projects comprising the State Highway System, the Interstate System and the secondary system of state highways and expenditures directly and necessarily required for such purposes, including the retirement of revenue bonds.

Revenues collected under this chapter may be also used for (i) contributions toward the construction, reconstruction or maintenance of streets in cities and towns of such sums as may be provided by law and (ii) expenditures for the operation and maintenance of the Department of Transportation, the Department of Rail and Public Transportation, the Department of Aviation, the Virginia Port Authority, and the Department of Motor Vehicles as may be provided by law.

The Governor is hereby authorized to transfer out of such fund an amount necessary for the inspection of gasoline and motor grease measuring and distributing equipment, and for the inspection and analysis of gasoline for purity.

B. ~~The~~ Except as provided in subsection F, the tax collected on each gallon of aviation fuel sold and delivered or used in this Commonwealth, less refunds, shall be paid into a special fund of the state treasury. Proceeds of this special fund within the Commonwealth Transportation Fund shall be disbursed upon order of the Department of Aviation, on warrants of the Comptroller, to defray the cost of the administration of the laws of this Commonwealth relating to aviation, for the construction, maintenance and improvement of airports and landing fields to which the public now has or which it is proposed shall have access, and for the promotion of aviation in the interest of operators and the public generally.

C. One-half cent of the tax collected on each gallon of fuel on which the refund has been paid ~~at the rate of seventeen cents per gallon, or in the case of diesel fuel, fifteen and one-half cents per gallon, for gasoline, gasohol, diesel, blended fuel, and alternative fuel,~~ for fuel consumed in tractors and unlicensed equipment used for agricultural purposes shall be paid into a special fund of the state treasury, known as the Virginia Agricultural Foundation Fund, to be disbursed to make certain refunds and defray the costs of the research and educational phases of the agricultural program, including supplemental salary payments to certain employees at Virginia Polytechnic Institute and State University, the Department of Agriculture and Consumer Services and the Virginia Truck and Ornamentals Research Station, including reasonable expenses of the Virginia Agricultural Council.

D. One and one-half cents of the tax collected on each gallon of fuel used to propel a commercial watercraft upon which a refund has been paid shall be paid to the credit of the Game Protection Fund of the state treasury to be made available to the Board of Game and Inland Fisheries until expended for the purposes provided generally in subsection C of § 29.1-701, including acquisition, construction, improvement and maintenance of public boating access areas on the public waters of this Commonwealth and for other activities and purposes of direct benefit and interest to the boating public and for no other purpose. However, one and one-half cents per gallon on fuel used by commercial fishing, oystering, clamming, and crabbing boats shall be paid to the Department of Transportation to be used for the construction, repair, improvement and maintenance of the public docks of this Commonwealth used by

said commercial watercraft. Any expenditures for the acquisition, construction, improvement and maintenance of the public docks shall be made according to a plan developed by the Virginia Marine Resources Commission.

From the tax collected pursuant to the provisions of this chapter from the sales of gasoline used for the propelling of watercraft, *after deduction for the additional revenues generated from the increase in the rate of tax on gasoline and the additional tax on gasoline imposed by this chapter effective July 1, 2004, and after deduction for lawful refunds*, there shall be paid into the state treasury for use by the Marine Resources Commission, the Virginia Soil and Water Conservation Board, the State Water Control Board, and the Commonwealth Transportation Board to (i) improve the public docks as specified in this section, (ii) improve commercial and sports fisheries in Virginia's tidal waters, (iii) make environmental improvements including, without limitation, fisheries management and habitat enhancement in the Chesapeake and its tributaries, and (iv) further the purposes set forth in § 33.1-223, a sum as established by the General Assembly.

E. Notwithstanding other provisions of this section *except subsection F*, there shall be transferred from moneys collected pursuant to this section to a special fund within the Commonwealth Transportation Fund in the state treasury, to be used to meet the necessary expenses of the Department of Motor Vehicles, an amount equal to one percent of a sum to be calculated as follows: the tax revenues collected pursuant to this chapter, at the tax rates in effect on December 31, 1986, less refunds authorized by this chapter and less taxes collected for aviation fuels.

*F. An amount equivalent to the net additional revenues generated by increases in the rate of taxes under this chapter and the additional taxes imposed pursuant to § 58.1-2288.1 effective July 1, 2004, pursuant to enactments of the 2004 Session of the General Assembly, shall be deposited by the Comptroller into the Transportation Trust Fund established under § 33.1-23.03:1. As provided in subsection A of § 58.1-638, of such amount deposited to the Transportation Trust Fund pursuant to this subsection, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund, and an aggregate of 14.7 percent shall be set aside as the Commonwealth Mass Transit Fund.*

§ 58.1-2402. Levy.

A. There is hereby levied, in addition to all other taxes and fees of every kind now imposed by law, a tax upon the sale or use of motor vehicles in Virginia, other than (i) vehicles with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more, or (ii) a sale to or use by a person for rental as an established business or part of an established business or incidental or germane to such business.

There shall also be levied a tax upon the rental of a motor vehicle in Virginia, without regard to whether such vehicle is required to be licensed by the Commonwealth. However, such tax shall not be levied upon a rental to a person for re-rental as an established business or part of an established business, or incidental or germane to such business.

The amount of the tax to be collected shall be determined by the Commissioner by the application of the following rates against the gross sales price or gross proceeds:

1. ~~Three-Four and one-half~~ percent of the sale price of each motor vehicle sold in Virginia. If such motor vehicle is a manufactured home as defined in § 36-85.3, the tax shall be three percent of the sale price of each such manufactured home sold in this Commonwealth; if such vehicle is a mobile office as defined in § 58.1-2401, the tax shall be two percent of the sale price of each mobile office sold in this Commonwealth.

2. ~~Three-Four and one-half~~ percent of the sale price of each motor vehicle, or three percent of the sale price of each manufactured home as defined in § 36-85.3, or two percent of the sale price of each mobile office as defined in § 58.1-2401, not sold in Virginia but used or stored for use in this Commonwealth. When any such motor vehicle or manufactured home is first used or stored for use in Virginia six months or more after its acquisition, the tax shall be based on its current market value.

3. Four percent of the gross proceeds from the rental in Virginia of any motor vehicle, except those with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more.

4. In addition to the tax levied pursuant to subdivision A 3, a tax of ~~four-six~~ percent of the gross proceeds shall be levied on the rental in Virginia of any daily rental vehicle, whether or not such vehicle is required to be licensed in the Commonwealth.

5. The minimum tax levied on the sale of any motor vehicle in the Commonwealth shall be ~~thirty-five dollars~~ \$35, except as provided by those exemptions defined in § 58.1-2403.

B. A transaction taxed under subdivision A 1 shall not also be taxed under subdivision A 2, nor shall the same transaction be taxed more than once under either subdivision. A motor vehicle subject to the tax imposed under subdivision A 3 shall be subject to the tax under either subdivision A 1 or A 2 when it ceases to be used for rental as an established business or part of an established business, or incidental or germane to such business.

C. Any motor vehicle, trailer or semitrailer exempt from this tax under subdivision 1 or 2 of § 58.1-2403 shall be subject to the tax, based on the current market value when such vehicle is no longer owned, rented or used by the United States government or any governmental agency, or the Commonwealth of Virginia or any political subdivision thereof. Further, any motor vehicle, trailer or semitrailer exempt from the tax imposed by this chapter under subdivision 11 of § 58.1-2403 or §§ 46.2-663 through 46.2-674 shall be subject to the tax, based on the current market value, when such vehicle is subsequently licensed to operate on the highways of this Commonwealth.

D. Any person who with intent to evade or to aid another person to evade the tax provided for herein, falsely states the selling price of a vehicle on a bill of sale, assignment of title, application for title, or any other document or paper submitted to the Commissioner pursuant to any provisions of this title or Title 46.2, shall be guilty of a Class 3 misdemeanor.

E. Effective January 1, 1997, any amount designated as a "processing fee" and any amount charged by a dealer for processing a transaction, which is required to be included on a buyer's order pursuant to subdivision 10 of § 46.2-1530, shall be subject to the tax.

§ 58.1-2425. Disposition of revenues.

A. All funds collected hereunder by the Commissioner shall be forthwith paid into the state treasury. Except as otherwise provided in this section, these funds shall constitute special funds within the Commonwealth Transportation Fund. Any balances remaining in these funds at the end of the year shall be available for use in subsequent years for the purposes set forth in this chapter, and any interest income on such funds shall accrue to these funds. The revenue so derived, after refunds have been deducted, is hereby allocated for the construction, reconstruction and maintenance of highways and the regulation of traffic thereon and for no other purpose. However, (i) all funds collected pursuant to the provisions of this chapter from manufactured homes, as defined in § 46.2-100, shall be distributed to the city, town, or county wherein such manufactured home is to be situated as a dwelling; (ii) all funds ~~collected from the additional generated by a four percent tax imposed by subdivision A 4 of § 58.1-2402~~ on the rental of daily rental vehicles pursuant to subdivision A 4 of § 58.1-2402 shall be distributed quarterly to the city, town, or county wherein such vehicle was delivered to the rentee; (iii) effective January 1, 1987, an amount equivalent to the net additional revenues generated by enactments of the 1986 Special Session of the Virginia General Assembly which amended §§ 46.2-694, 46.2-697, 58.1-2401, 58.1-2402 and this section shall be ~~distributed~~ deposited to and paid into the Transportation Trust Fund established under § 33.1-23.03:1, a special fund within the Commonwealth Transportation Fund, and are hereby appropriated to the Commonwealth Transportation Board for transportation needs; (iv) an amount equivalent to the net additional revenues generated by increases in the rate of taxes under subdivisions A 1 and A 2 of § 58.1-2402 effective July 1, 2004, pursuant to enactments of the 2004 Session of the General Assembly, shall be deposited into the Transportation Trust Fund; (v) all funds generated by a two percent tax on the rental of daily rental vehicles pursuant to subdivision A 4 of § 58.1-2402 shall be deposited into the general fund of the state treasury; and (vi) except as otherwise provided in clause (iii) of this sentence, all moneys collected from the tax on the gross proceeds from the rental in Virginia of any motor vehicle pursuant to subdivision A 3 of § 58.1-2402 at the tax rate in effect on December 31, 1986, shall be paid by the Commissioner into the state treasury and shall be set aside in a special fund within the Commonwealth Transportation Fund to be used to meet the expenses of the Department of Motor Vehicles.

B. As provided in subsection A of § 58.1-638, of the funds becoming part of the Transportation Trust Fund pursuant to ~~clause~~ clauses (iii) and (iv) of subsection A of this section, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund; and an aggregate of 14.5 percent in fiscal year 1998-1999 and 14.7 percent in fiscal year 1999-2000 and thereafter shall be set aside as the Commonwealth Mass Transit Fund.

§ 58.1-2701. Amount of tax.

A. Except as provided in subsection B, every motor carrier shall pay a road tax equivalent to ~~nineteen~~ *three and one-half cents per gallon greater than the sum of the taxes imposed on each gallon of diesel fuel under subsection B of § 58.1-2217 and § 58.1-2288.1* calculated on the amount of motor fuel, diesel fuel or liquefied gases (which would not exist as liquids at a temperature of ~~sixty~~ *sixty* degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute), used in its operations within the Commonwealth.

The tax imposed by this chapter shall be in addition to all other taxes of whatever character imposed on a motor carrier by any other provision of law.

B. In lieu of the tax imposed in subsection A, motor carriers registering qualified highway vehicles that are not registered under the International Registration Plan shall pay a fee of ~~\$100~~ *\$150* per year for each qualified highway vehicle. The fee is due and payable when the vehicle registration fees are paid pursuant to the provisions of Article 7 (§ 46.2-685 et seq.) of Chapter 6 of Title 46.2.

If a vehicle becomes a qualified highway vehicle before the end of its registration period, the fee due at the time the vehicle becomes a qualified highway vehicle shall be prorated monthly to the registration expiration month. Fees paid under this subsection shall not be refunded unless a full refund of the registration fee paid is authorized by law.

C. All taxes and fees paid under the provisions of this chapter shall be credited to the Highway Maintenance and Operating Fund, a special fund within the Commonwealth Transportation Fund.

§ 58.1-2706. Credit for payment of motor fuel, diesel fuel or liquefied gases tax.

A. Every motor carrier subject to the road tax shall be entitled to a credit on such tax equivalent to ~~sixteen cents per gallon~~ *the sum of the taxes imposed on each gallon of diesel fuel under subsection B of § 58.1-2217 and § 58.1-2288.1* on all motor fuel, diesel fuel and liquefied gases purchased by such carrier within the Commonwealth for use in its operations either within or without the Commonwealth and upon which the motor fuel, diesel fuel or liquefied gases tax imposed by the laws of the Commonwealth has been paid by such carrier. Evidence of the payment of such tax in such form as may be required by, or is satisfactory to, the Department shall be furnished by each carrier claiming the credit herein allowed.

B. When the amount of the credit to which any motor carrier is entitled for any quarter exceeds the amount of the tax for which such carrier is liable for the same quarter, the excess may: (i) be allowed as a credit on the tax for which such carrier would be otherwise liable for any of the eight succeeding quarters or (ii) be refunded, upon application, duly verified and presented and supported by such evidence as may be satisfactory to the Department.

C. The Department may allow a refund upon receipt of proper application and review. It shall be at the discretion of the Department to determine whether an audit is required.

D. The refund may be allowed without a formal hearing if the amount of refund is agreed to by the applicant. Otherwise, a formal hearing on the application shall be held by the Department after notice of not less than ~~ten~~ *10* days to the applicant and the Attorney General.

E. Whenever any refund is ordered it shall be paid out of the Highway Maintenance and Construction Fund.

F. Whenever a person operating under lease to a motor carrier to perform transport services on behalf of the carrier purchases motor fuel, diesel fuel or liquefied gases relating to such services, such payments or purchases may, at the discretion of the Department, be considered payment or purchases by the carrier.

§ 58.1-3833. County food and beverage tax.

A. Any county is hereby authorized to levy a tax on food and beverages sold, for human consumption, by a restaurant, as such term is defined in subdivision 9 of § 35.1-1, not to exceed ~~eight and~~

~~one-half percent, when added to the state and local general sales and use tax, four percent~~ of the amount charged for such food and beverages. Such tax shall not be levied on food and beverages sold through vending machines or by any person described in subdivisions 1, 2, 3, and 5 of § 35.1-25, as well as nonprofit cafeterias in public schools, nursing homes, and hospitals. Grocery stores and convenience stores selling prepared foods ready for human consumption at a delicatessen counter shall be subject to the tax, for that portion of the grocery store or convenience store selling such items.

This tax shall be levied only if the tax is approved in a referendum within the county which shall be held in accordance with § 24.2-684 and initiated either by a resolution of the board of supervisors or on the filing of a petition signed by a number of registered voters of the county equal in number to 10 percent of the number of voters registered in the county, as appropriate on January 1 of the year in which the petition is filed with the court of such county. The clerk of the circuit court shall publish notice of the election in a newspaper of general circulation in the county once a week for three consecutive weeks prior to the election. If the voters affirm the levy of a local meals tax, the tax shall be effective in an amount and on such terms as the governing body may by ordinance prescribe. If such resolution of the board of supervisors or such petition states for what projects and/or purposes the revenues collected from the tax are to be used, then the question on the ballot for the referendum shall include language stating for what projects and/or purposes the revenues collected from the tax are to be used.

The term "beverage" as set forth herein shall mean alcoholic beverages as defined in § 4.1-100 and nonalcoholic beverages served as part of a meal. The tax shall be in addition to the sales tax currently imposed by the county pursuant to the authority of Chapter 6 (§ 58.1-600 et seq.) of this title. Collection of such tax shall be in a manner prescribed by the governing body.

B. Notwithstanding the provisions of subsection A of this section, any county with a population of at least 70,000 but no more than 100,000, any county with a population of at least 17,910 but no more than 18,000, any county with a population of at least 34,000 but no more than 34,400, and any county having a county manager plan of government are hereby authorized to levy a tax on food and beverages sold for human consumption by a restaurant, as such term is defined in § 35.1-1 and as modified in subsection A above and subject to the same exemptions, not to exceed four percent of the amount charged for such food and beverages, provided that the governing body of the respective county holds a public hearing before adopting a local food and beverage tax, and the governing body by unanimous vote adopts such tax by local ordinance. The tax shall be effective in an amount and on such terms as the governing body may by ordinance prescribe.

C. Nothing herein contained shall affect any authority heretofore granted to any county, city or town to levy a meals tax. The county tax limitations imposed pursuant to § 58.1-3711 shall apply to any tax levied under this section, mutatis mutandis. All food and beverage tax collections and all meals tax collections shall be deemed to be held in trust for the county, city or town imposing the applicable tax. The wrongful and fraudulent use of such collections other than remittance of the same as provided by law shall constitute embezzlement pursuant to § 18.2-111.

D. No county which has heretofore adopted an ordinance pursuant to subsection A of this section shall be required to submit an amendment to its meals tax ordinance to the voters in a referendum.

E. Notwithstanding any other provision of this section, no locality shall levy any tax under this section upon alcoholic beverages sold in factory sealed containers and purchased for off-premises consumption or food purchased for human consumption as "food" is defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that act, except for the following items: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and nonfactory sealed beverages.

3. That of the net additional revenues generated by the increases in the taxes under §§ 58.1-801, 58.1-803, 58.1-807, and 58.1-808 of the Code of Virginia pursuant to the second enactment of this act, supplemental deposits to the Revenue Stabilization Fund under § 2.2-1828 of the Code of Virginia shall be made as specified in the Appropriation Act.

4. That the amendments to § 58.1-2402 of the Code of Virginia pursuant to the second enactment of this act shall be applicable only to sales and rentals of motor vehicles occurring on or after July 1, 2004.

- 5. That the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of the 2000 Session of the General Assembly is repealed.
- 6. That the provisions of the first enactment of this act shall expire midnight on June 30, 2006. The provisions of all other enactments shall have no expiration date.
- 7. That this act is effective on July 1, 2004.

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

**RECONSIDERATION**

Senator Chichester moved to reconsider the vote by which the committee amendment to Item 5-0 #1s to **S.B. 30** (thirty) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The question was put on agreeing to the committee amendment to Item 5-0 #1s to **S.B. 30**.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--26. NAYS--12. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Ticer, Wagner, Whipple--26.

NAYS--Bolling, Cuccinelli, Hawkins, Martin, Newman, Obenshain, O'Brien, Rerras, Ruff, Wampler, Watkins, Williams--12.

RULE 36--Stosch--1.

The amendment was agreed to.

The following committee amendment was taken up:

Revenues

Item 0 #2s

Revenues

Language

Language:

Item 0, strike lines 4 through 12, and insert:

“A BILL to appropriate the public revenue for the two years ending respectively on the thirtieth day of June 2005, and the thirtieth day of June 2006, to provide a portion of such revenues, and to amend and re-enact §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-1001, 58.1-1009, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706, and 58.1-3833 of the Code of Virginia, to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.2 consisting of a section numbered 10.1-2135, by adding in Title 32.1 a chapter numbered 15 consisting of sections numbered 32.1-366 and 32.1-367, by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, by adding in Chapter 10 of Title 58.1 an article numbered 2.1 consisting of sections numbered 58.1-1021.01 through 58.1-1021.05, by adding in Chapter 22 of Title 58.1 an article numbered 8.1 consisting of a section numbered 58.1-2288.1, and to repeal the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000.”

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

Senator Bell offered the following amendments:

- 1. Page 379, Line 40, introduced, after line 39  
insert

Item 506.1

*“Reversion Clearing Account — Grants to Museums (23200) \$0 (\$12,310,843)  
Fund Sources: General \$0 (\$12,310,843)  
Authority: Discretionary Inclusion  
1. The Director of the Department of Planning and Budget shall transfer all general funds in the second year from Items 252 (Frontier Culture Museum), 253 (Gunston Hall), 261 (Science Museum of Virginia), and 264 (Virginia Museum of Fine Arts) to this Item.  
2. It is the intent of the General Assembly that legislation be submitted during the 2005 Session to change the state agency status as defined by this act for these institutions.”*

- 2. Page 195, Line 34, introduced, after line 33  
insert

Item 262

*“E. Out of the amounts for Financial Assistance for cultural and Artistic Affairs shall be \$12,310,843 the second year from the general fund for grants to regional or state-wide museums and cultural entities.”*

On motion of Senator Bell, the reading of the amendments was waived.

Senator Bell moved that the amendments be agreed to.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Reynolds offered the following amendment:

1. Page 69, Line 14			Item 97 3s
Commerce and Trade	FY 04-05	FY 05-06	
Department of Agriculture	\$150,000	\$150,000	GF
And Consumer Services	3.00	3.00	FTE

Language:

Page 69, line 14, strike "\$7,890,059" and insert "\$8,040,059".

Page 69, line 14, strike "\$7,890,335" and insert "\$8,040,335".

Page 69, line 22, before "All" insert "A."

Page 69, after line 23, insert:

*"B. Out of the amounts in this Item shall be transferred to the Agricultural Education Program in the College of Agriculture and Life Sciences at Virginia Polytechnic Institute and State University \$150,000 and three positions the first year and \$150,000 and three positions the second year from the general fund to support agricultural education specialists to be located in the eastern and western parts of Virginia."*

On motion of Senator Reynolds, the reading of the amendment was waived.

Senator Reynolds moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Marsh offered the following amendment:

1. Page 139, Line 26, introduced		Item 163
insert	State Council of Higher Education for Virginia	
	<i>"H.1. It is the intent of the General Assembly to provide \$1,000,000 in general fund support each year for the Brown v. Board of Education Scholarship Program and Fund."</i>	
	<i>2. In order to provide sufficient funds for this purpose, the Director of the Department of Planning and Budget shall unallot \$950,000 annually from general fund appropriations provided to institutions of higher education for Student Financial Assistance Programs (10800) as set out elsewhere in this Act.</i>	
	<i>3. The Director of the Department of Planning and Budget shall transfer and allot those funds to the Brown v. Board of Education Scholarship Fund established herein, based on a plan submitted by the State Council of Higher Education for Virginia to the Director no later than July 15 of each year.</i>	

Senator Marsh withdrew his amendment.

Senator Obenshain offered the following amendment:

1. Page 466, Line 48, introduced		Item 4-514-Abortion Services
insert		General Provisions
	<i>"No allotment of appropriations in this Act shall be made to any nonstate agency or organization that provides abortion services or abortion counseling services, except hospitals, as defined in Section 32.1-123, Code of Virginia."</i>	

On motion of Senator Obenshain, the reading of the amendment was waived.

Senator Obenshain moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--16. NAYS--23. RULE 36--0.

YEAS--Bell, Bolling, Colgan, Cuccinelli, Devolites, Hanger, Martin, Mims, Newman, Obenshain, O'Brien, Puckett, Rerras, Ruff, Wagner, Williams--16.

NAYS--Blevins, Chichester, Deeds, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puller, Quayle, Reynolds, Saslaw, Stosch, Ticer, Wampler, Watkins, Whipple--23.

RULE 36--0.

The amendment was rejected.

**STATEMENT ON VOTE**

Senator Wampler stated that he voted nay on the question of agreeing to the amendment offered by Senator Obenshain to **S.B. 30**, whereas he intended to vote yea.

Senator Devolites offered the following amendment:

- 1. Page 288, Line 4, introduced  
insert

Item 360

Department of Social Services

*“D. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private, and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violence Offender Reentry Initiative Collaboration, Special Improvement Projects, and Section 1115 Social Security Demonstration Grants and any new grant programs authorized under the federal Temporary Assistance for Needy Families Block Grant program.”*

On motion of Senator Devolites, the reading of the amendment was waived.

Senator Devolites moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Cuccinelli offered the following amendments:

- 1. Page 480, Line 26  
strike

Part 5. Enactment Numbers 2 - 6.

Page 480, line 26 through page 501, line 23

insert

*“3. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2006, pursuant to § 4-11.00 of this act. That this act is effective on July 1, 2004, pursuant to § 4-12.00 of this act.”*

2. Page 480, Line 2

Part 5. Title

strike

all of lines 2 through 7

insert

*“2. That the Code of Virginia is amended by adding in Title 32.1 a chapter number 15, consisting of sections numbered §§ 32.1-366 and 32.1-367 as follows:*

3. Page 1, line 5 after “amend” strike remainder of line.

Page 1, strike lines 6 through 11 and insert:

*“the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 and 32.1-367.”*

4. Page 251, Line 45

Department of Medical Assistance Services		Item 326
Medical Assistance Services (45600)	\$16,000,000	\$16,000,000
Fund sources: General	\$8,000,000	\$8,000,000
Fund Sources: Federal	\$8,000,000	\$8,000,000

Page 251, after line 45, insert:

*“3. Of this amount, \$8,000,000 from the general fund each year and \$8,000,000 from the federal trust fund each year shall be used to add 320 new waiver slots under the Mental Retardation Waiver Program beginning July 1, 2004.”*

Item 506.1

Page 379, after line 39, insert:

<i>“Reversion Clearing Account — Direct Aid to Public Education (23200)</i>		
Fund Sources: General	(\$8,000,000)	(\$8,000,000)
	(\$8,000,000)	(\$8,000,000)

*1. The Director of Planning and Budget shall transfer \$8,000,000 from the general fund each year from Item 146 (Direct Aid to Public Education) to this Item.”*

Senator Cuccinelli withdrew amendments Nos. 1, 2, and 3.

On motion of Senator Cuccinelli, the reading of amendment No. 4 was waived.

Senator Cuccinelli moved that amendment No. 4 be agreed to.

The question was put on agreeing to amendment No. 4.

Amendment No. 4 was rejected.

At 2:45 p.m., Senator Norment moved that the Senate recess until 3:00 p.m.

The motion was agreed to.

The hour of 3:00 p.m. having arrived, the Chair was resumed.

Senator Chichester moved that the Rules be suspended and the third reading of the title of **S.B. 30** (thirty) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 30**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--9. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wampler, Watkins, Whipple, Williams--30.

NAYS--Bell, Bolling, Cuccinelli, Devolites, Martin, Newman, Obenshain, O'Brien, Wagner--9.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Lucas stated that she was abstaining pursuant to Rule 36 on Item 326 #3s, Item 326 #7s, Item 326 #8s, Item 326 #41s, Item 326 #46s, Item 326 #47s, and Item 326 #49s, but voting on **S.B. 30** as a whole.

#### STATEMENT ON VOTE

Senator Newman stated that he was abstaining pursuant to Rule 36 on Item 312 #1s and Item 326 #10s, but voting on **S.B. 30** as a whole.

#### STATEMENT ON VOTE

Senator Stosch stated that he was abstaining pursuant to Rule 36 on Item 5-0 #1s, but voting on **S.B. 30** as a whole.

#### CALENDAR

#### UNFINISHED BUSINESS — SENATE

On motion of Senator Norment, the following Senate bills were passed by for the day:

**S.B. 81** (eighty-one).

**S.B. 226** (two hundred twenty-six).

**S.B. 285** (two hundred eighty-five).

- S.B. 318 (three hundred eighteen).
- S.B. 409 (four hundred nine).
- S.B. 463 (four hundred sixty-three).
- S.B. 468 (four hundred sixty-eight).
- S.B. 598 (five hundred ninety-eight).
- S.B. 600 (six hundred).

### HOUSE BILLS ON THIRD READING

**H.B. 1486** (one thousand four hundred eighty-six), on motion of Senator Stosch, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

- H.B. 493** (four hundred ninety-three).
- H.B. 949** (nine hundred forty-nine).
- H.B. 221** (two hundred twenty-one).
- H.B. 237** (two hundred thirty-seven).
- H.B. 288** (two hundred eighty-eight).
- H.B. 293** (two hundred ninety-three).
- H.B. 295** (two hundred ninety-five).
- H.B. 298** (two hundred ninety-eight).
- H.B. 322** (three hundred twenty-two).
- H.B. 342** (three hundred forty-two).
- H.B. 354** (three hundred fifty-four).
- H.B. 363** (three hundred sixty-three).
- H.B. 460** (four hundred sixty).
- H.B. 553** (five hundred fifty-three).
- H.B. 596** (five hundred ninety-six).
- H.B. 625** (six hundred twenty-five).
- H.B. 628** (six hundred twenty-eight).
- H.B. 687** (six hundred eighty-seven).
- H.B. 848** (eight hundred forty-eight).
- H.B. 864** (eight hundred sixty-four).
- H.B. 884** (eight hundred eighty-four).
- H.B. 924** (nine hundred twenty-four).
- H.B. 926** (nine hundred twenty-six).
- H.B. 928** (nine hundred twenty-eight).
- H.B. 1179** (one thousand one hundred seventy-nine).
- H.B. 1181** (one thousand one hundred eighty-one).
- H.B. 1183** (one thousand one hundred eighty-three).
- H.B. 1186** (one thousand one hundred eighty-six).
- H.B. 1187** (one thousand one hundred eighty-seven).
- H.B. 1238** (one thousand two hundred thirty-eight).
- H.B. 1241** (one thousand two hundred forty-one).
- H.B. 1267** (one thousand two hundred sixty-seven).
- H.B. 1269** (one thousand two hundred sixty-nine).
- H.B. 1327** (one thousand three hundred twenty-seven).
- H.B. 1424** (one thousand four hundred twenty-four).

The motion was agreed to.

**H.B. 493** (four hundred ninety-three) was taken up.

Senator Norment offered the following amendments for Senator Stolle:

1. Line 59, engrossed, after *B*.

strike

remainder of line 59 and all of lines 60 through 63

insert

*In a criminal prosecution pursuant to subsection A, it shall be prima facie evidence of the intent to steal the timber if the timber was harvested or removed from property marked with readily visible paint marks not more than 100 feet apart on trees or posts along the property line, where the paint marks were vertical lines at least two inches in width and at least eight inches in length and the center of the mark was no less than three feet or more than six feet from the ground or normal water surface.*

2. Line 66, engrossed, after appropriation

strike

remainder of line 66 and all of line 67

insert

cannot be determined for periods of imprisonment in state correctional facilities and cannot be determined for

On motion of Senator Norment, the reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 354** (three hundred fifty-four) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 66, engrossed, after *thereof*

insert

*, provided that, any moneys borrowed, whether through the use of bonds or other indebtedness, may be secured or paid solely from funds received pursuant to subdivision 11 or funds received from the fees and charges imposed by the Authority pursuant to subdivision 14*

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 848** (eight hundred forty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL for the relief of Julius Earl Ruffin.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 864** (eight hundred sixty-four) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 65, engrossed, after *subsection B*,  
insert

*in*

2. Line 73, engrossed, after *B*.  
strike

remainder of line 73 and all of lines 74 through 77

insert

*If the employer is required to institute an action against any party to recover some or all of its lien pursuant to subsection D of § 65.2-309, the employer shall not be 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 by the employee, his personal representative or other person.*

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 928** (nine hundred twenty-eight) was taken up.

The following amendments proposed by the Committee on Finance were offered:

1. Line 12, engrossed, after *governing body of*  
strike

*any county, city or town*

insert

*Prince William County*

2. Line 16, engrossed, after *qualifying under*  
strike

*the county's, city's, or town's*

insert

*Prince William County's*

3. Line 21, engrossed, after *Should*

strike

*a locality*

insert

*Prince William County*

The reading of the amendments was waived.

On motion of Senator Chichester, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 493** (four hundred ninety-three) with amendments.

**H.B. 949** (nine hundred forty-nine).

**H.B. 221** (two hundred twenty-one).

**H.B. 237** (two hundred thirty-seven).

**H.B. 288** (two hundred eighty-eight).

**H.B. 293** (two hundred ninety-three).

**H.B. 295** (two hundred ninety-five).

**H.B. 298** (two hundred ninety-eight).

**H.B. 322** (three hundred twenty-two).

**H.B. 342** (three hundred forty-two).

**H.B. 354** (three hundred fifty-four) with amendment.

**H.B. 363** (three hundred sixty-three).

**H.B. 460** (four hundred sixty).

**H.B. 553** (five hundred fifty-three).

**H.B. 596** (five hundred ninety-six).

**H.B. 625** (six hundred twenty-five).

**H.B. 628** (six hundred twenty-eight).

**H.B. 687** (six hundred eighty-seven).

**H.B. 848** (eight hundred forty-eight) with substitute.

**H.B. 864** (eight hundred sixty-four) with amendments.

**H.B. 884** (eight hundred eighty-four).

**H.B. 924** (nine hundred twenty-four).

**H.B. 926** (nine hundred twenty-six).

**H.B. 928** (nine hundred twenty-eight) with amendments.

**H.B. 1179** (one thousand one hundred seventy-nine).

**H.B. 1181** (one thousand one hundred eighty-one).

**H.B. 1183** (one thousand one hundred eighty-three).

**H.B. 1186** (one thousand one hundred eighty-six).

**H.B. 1187** (one thousand one hundred eighty-seven).

**H.B. 1238** (one thousand two hundred thirty-eight).

**H.B. 1241** (one thousand two hundred forty-one).

**H.B. 1267** (one thousand two hundred sixty-seven).

**H.B. 1269** (one thousand two hundred sixty-nine).

**H.B. 1327** (one thousand three hundred twenty-seven).

**H.B. 1424** (one thousand four hundred twenty-four).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 639** (six hundred thirty-nine).

**H.B. 883** (eight hundred eighty-three).

**H.B. 1350** (one thousand three hundred fifty).

**H.B. 689** (six hundred eighty-nine).

**H.B. 1208** (one thousand two hundred eight).

**H.B. 1243** (one thousand two hundred forty-three).

#### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 52** (fifty-two).

**H.B. 56** (fifty-six).

**H.B. 105** (one hundred five).

**H.B. 176** (one hundred seventy-six).

**H.B. 300** (three hundred).

**H.B. 303** (three hundred three).

**H.B. 316** (three hundred sixteen).

**H.B. 410** (four hundred ten).

**H.B. 411** (four hundred eleven).

**H.B. 465** (four hundred sixty-five).

**H.B. 525** (five hundred twenty-five).

**H.B. 559** (five hundred fifty-nine).

**H.B. 601** (six hundred one).

**H.B. 604** (six hundred four).

**H.B. 679** (six hundred seventy-nine).

**H.B. 682** (six hundred eighty-two).

**H.B. 683** (six hundred eighty-three).

**H.B. 714** (seven hundred fourteen).

**H.B. 819** (eight hundred nineteen).

**H.B. 837** (eight hundred thirty-seven).

**H.B. 874** (eight hundred seventy-four).

**H.B. 908** (nine hundred eight).

**H.B. 911** (nine hundred eleven).

**H.B. 919** (nine hundred nineteen).

**H.B. 931** (nine hundred thirty-one).

**H.B. 934** (nine hundred thirty-four).

**H.B. 968** (nine hundred sixty-eight).

**H.B. 975** (nine hundred seventy-five).

**H.B. 986** (nine hundred eighty-six).  
**H.B. 994** (nine hundred ninety-four).  
**H.B. 1026** (one thousand twenty-six).  
**H.B. 1088** (one thousand eighty-eight).  
**H.B. 1112** (one thousand one hundred twelve).  
**H.B. 1185** (one thousand one hundred eighty-five).  
**H.B. 1191** (one thousand one hundred ninety-one).  
**H.B. 1206** (one thousand two hundred six).  
**H.B. 1248** (one thousand two hundred forty-eight).  
**H.B. 1320** (one thousand three hundred twenty).  
**H.B. 1321** (one thousand three hundred twenty-one).  
**H.B. 1340** (one thousand three hundred forty).  
**H.B. 1426** (one thousand four hundred twenty-six).  
**H.B. 1427** (one thousand four hundred twenty-seven).  
**H.B. 1453** (one thousand four hundred fifty-three).  
**H.B. 438** (four hundred thirty-eight).  
**H.B. 715** (seven hundred fifteen).  
**H.B. 827** (eight hundred twenty-seven).  
**H.B. 963** (nine hundred sixty-three).  
**H.B. 970** (nine hundred seventy).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 52** (fifty-two).  
**H.B. 56** (fifty-six).  
**H.B. 105** (one hundred five).  
**H.B. 176** (one hundred seventy-six).  
**H.B. 300** (three hundred).  
**H.B. 303** (three hundred three).  
**H.B. 316** (three hundred sixteen).  
**H.B. 410** (four hundred ten).  
**H.B. 411** (four hundred eleven).  
**H.B. 465** (four hundred sixty-five).  
**H.B. 525** (five hundred twenty-five).  
**H.B. 559** (five hundred fifty-nine).  
**H.B. 601** (six hundred one).  
**H.B. 604** (six hundred four).  
**H.B. 679** (six hundred seventy-nine).  
**H.B. 682** (six hundred eighty-two).  
**H.B. 683** (six hundred eighty-three).

**H.B. 714** (seven hundred fourteen).  
**H.B. 819** (eight hundred nineteen).  
**H.B. 837** (eight hundred thirty-seven).  
**H.B. 874** (eight hundred seventy-four).  
**H.B. 908** (nine hundred eight).  
**H.B. 911** (nine hundred eleven).  
**H.B. 919** (nine hundred nineteen).  
**H.B. 931** (nine hundred thirty-one).  
**H.B. 934** (nine hundred thirty-four).  
**H.B. 968** (nine hundred sixty-eight).  
**H.B. 975** (nine hundred seventy-five).  
**H.B. 986** (nine hundred eighty-six).  
**H.B. 994** (nine hundred ninety-four).  
**H.B. 1026** (one thousand twenty-six).  
**H.B. 1088** (one thousand eighty-eight).  
**H.B. 1112** (one thousand one hundred twelve).  
**H.B. 1185** (one thousand one hundred eighty-five).  
**H.B. 1191** (one thousand one hundred ninety-one).  
**H.B. 1206** (one thousand two hundred six).  
**H.B. 1248** (one thousand two hundred forty-eight).  
**H.B. 1320** (one thousand three hundred twenty).  
**H.B. 1321** (one thousand three hundred twenty-one).  
**H.B. 1340** (one thousand three hundred forty).  
**H.B. 1426** (one thousand four hundred twenty-six).  
**H.B. 1427** (one thousand four hundred twenty-seven).  
**H.B. 1453** (one thousand four hundred fifty-three).  
**H.B. 438** (four hundred thirty-eight).  
**H.B. 715** (seven hundred fifteen).  
**H.B. 827** (eight hundred twenty-seven).  
**H.B. 963** (nine hundred sixty-three).  
**H.B. 970** (nine hundred seventy).

#### HOUSE JOINT RESOLUTIONS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House joint resolutions be waived:

**H.J.R. 275** (two hundred seventy-five).  
**H.J.R. 276** (two hundred seventy-six).  
**H.J.R. 312** (three hundred twelve).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House joint resolutions were passed by for the day:

**H.J.R. 275** (two hundred seventy-five).

**H.J.R. 276** (two hundred seventy-six).

**H.J.R. 312** (three hundred twelve).

#### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 354** (three hundred fifty-four).

**H.J.R. 378** (three hundred seventy-eight).

**H.J.R. 383** (three hundred eighty-three).

**H.J.R. 384** (three hundred eighty-four).

**H.J.R. 388** (three hundred eighty-eight).

**H.J.R. 392** (three hundred ninety-two).

**H.J.R. 393** (three hundred ninety-three).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

**S.J.R. 198** (one hundred ninety-eight).

**S.J.R. 199** (one hundred ninety-nine).

**S.J.R. 202** (two hundred two).

#### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

**H.J.R. 374** (three hundred seventy-four).

**H.J.R. 375** (three hundred seventy-five).

**H.J.R. 376** (three hundred seventy-six).

**H.J.R. 379** (three hundred seventy-nine).

**H.J.R. 380** (three hundred eighty).

**H.J.R. 381** (three hundred eighty-one).

**H.J.R. 382** (three hundred eighty-two).

**H.J.R. 385** (three hundred eighty-five).

**H.J.R. 386** (three hundred eighty-six).

**H.J.R. 387** (three hundred eighty-seven).

**H.J.R. 394** (three hundred ninety-four).

**H.J.R. 395** (three hundred ninety-five).

**H.J.R. 396** (three hundred ninety-six).  
**H.J.R. 397** (three hundred ninety-seven).  
**H.J.R. 398** (three hundred ninety-eight).  
**H.J.R. 399** (three hundred ninety-nine).  
**H.J.R. 400** (four hundred).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

**S.J.R. 200** (two hundred).  
**S.J.R. 201** (two hundred one).  
**S.J.R. 203** (two hundred three).

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
February 26, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 424.** Commending Dr. Daniel A. Domenech.

**H.J.R. 427.** Commending Mally Paige Gent.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.  
NAYS--0.  
RULE 36--0.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 424** and **H.J.R. 427**.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Rerras introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 210.** Commending the Delmarva Firemen's Association.  
Patrons--Rerras; Delegate: Lewis

**S.J.R. 211.** On the death of Robert L. Hicks, Sr.  
Patrons--Rerras, Miller and Wagner; Delegates: Alexander, Drake and Howell, A.T.

**S.J.R. 212.** On the death of Trooper Anthony Daryl Campbell.  
Patrons--Rerras; Delegate: Lewis

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator O'Brien introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 213.** Celebrating the life of Jacob Wesley Alexander Salter.  
Patrons--O'Brien and Cuccinelli

### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

**H.J.R. 424** (four hundred twenty-four).

**H.J.R. 427** (four hundred twenty-seven).

On motion of Senator Norment, a leave of absence for the day was granted Senator Stolle.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, FEBRUARY 27, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Nicholas G. Bacalis, Saints Constantine & Helen Greek Orthodox Cathedral, Richmond, Virginia, offered the following prayer:

Our Most Gracious Lord, we thank You for this great nation in which we live, and for the blessing of being residents of our historic Commonwealth. We thank You for the opportunity afforded us as members of this esteemed body to serve our fellow citizens. Bless us as we carry out the responsibilities entrusted to us. Help us to be cognizant of the needs of all our citizens, being especially mindful of those in our midst for whom we can make a difference. Guide us in the discussions, deliberations, and decisions which we shall undertake, giving us understanding of the issues for the greater good. Allow us to each do our part in maintaining the integrity and proper moral standards upon which our state and our nation were founded. For You are the God of truth, mercy, and justice to Whom we offer glory and thanksgiving to the ages of ages. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Bolling and Obenshain notified the Clerk of their presence.

On motion of Senator Bell, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
February 26, 2004

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 556.** A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to notice of certain facility for civil commitment of persons convicted of sexually violent offenses.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILLS:

**H.B. 29.** A BILL to amend and reenact Chapter 1042 of the Acts of Assembly of 2003, which appropriated the public revenue and provided a portion of such revenue for the two years ending, respectively, on the thirtieth day of June, 2003, and the thirtieth day of June, 2004.

**H.B. 30.** A BILL for all proposed appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2005, and the thirtieth day of June, 2006, and to amend and reenact §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3840 and 58.1-3912 of the Code of Virginia, to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 through 32.1-367, to amend the Code of Virginia by adding §§ 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.2 and 58.1-395, and repealing §§ 58.1-390, 58.1-394, and 58.1-3831 of the Code of Virginia and repealing Chapter 289 of the 1989 Acts of Assembly.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.  
NAYS--0.  
RULE 36--0.

The House bills communicated as passed by the House of Delegates, the first reading of their titles required by the Constitution having been dispensed with, were referred as follows:

**H.B. 29** and **H.B. 30** were referred to the Committee on Finance.

#### COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

**H.B. 35** (thirty-five) with substitute.  
**H.B. 151** (one hundred fifty-one).  
**H.B. 346** (three hundred forty-six) with amendment.  
**H.B. 485** (four hundred eighty-five).  
**H.B. 502** (five hundred two).  
**H.B. 608** (six hundred eight).

- H.B. 644** (six hundred forty-four).  
**H.B. 677** (six hundred seventy-seven).  
**H.B. 777** (seven hundred seventy-seven).  
**H.B. 997** (nine hundred ninety-seven).  
**H.B. 998** (nine hundred ninety-eight).  
**H.B. 1194** (one thousand one hundred ninety-four).  
**H.B. 1263** (one thousand two hundred sixty-three).  
**H.B. 1312** (one thousand three hundred twelve) with amendment.  
**H.B. 1423** (one thousand four hundred twenty-three).  
**H.B. 1444** (one thousand four hundred forty-four).  
**H.B. 1474** (one thousand four hundred seventy-four).

The following bills, having been considered by the committee in session, were recommended for rereferral by the Committee on Transportation pursuant to Senate Rule 20 (j):

**H.B. 250** (two hundred fifty) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 774** (seven hundred seventy-four) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 993** (nine hundred ninety-three) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 1005** (one thousand five) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1136** (one thousand one hundred thirty-six) with the recommendation that it be rereferred to the Committee for Courts of Justice.

**H.B. 250, H.B. 774, H.B. 993, and H.B. 1136** were rereferred to the Committee for Courts of Justice pursuant to Senate Rule 20 (j).

**H.B. 1005** was rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

## CALENDAR

### UNFINISHED BUSINESS — HOUSE

**H.B. 355** (three hundred fifty-five) was taken up.

On motion of Senator Stosch, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 569** (five hundred sixty-nine) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### UNFINISHED BUSINESS — SENATE

**S.B. 81** (eighty-one) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 27, engrossed, after physicians,  
insert

*chiropractors,*

2. Line 37, engrossed, after physician,  
insert

*chiropractor,*

On motion of Senator Obenshain, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 226** (two hundred twenty-six) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 137, engrossed, after August 1,  
strike

2005

insert

2004

On motion of Senator Bolling, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 285** (two hundred eighty-five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 13, engrossed, after *under*

strike

*this chapter*

insert

*Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the Code of Virginia*

On motion of Senator O'Brien, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 318** (three hundred eighteen) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

Senator Howell moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--6. NAYS--33. RULE 36--0.

YEAS--Colgan, Deeds, Lucas, Newman, Reynolds, Saslaw--6.

NAYS--Bell, Blevins, Bolling, Chichester, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--33.

RULE 36--0.

**S.B. 409** (four hundred nine) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 108, engrossed, after *who is*  
strike

*under*

insert

*the subject of an*

2. Line 108, engrossed, after *assessment*  
insert

*, in those cases in which such custodial or noncustodial parent is not the subject of the investigation*

On motion of Senator Ruff, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 463** (four hundred sixty-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 169, engrossed, after *by the*  
insert

*Virginia*

2. Line 328, engrossed, after *by the*  
insert

*Virginia*

On motion of Senator Whipple, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 468** (four hundred sixty-eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.

On motion of Senator Whipple, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 598** (five hundred ninety-eight) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 141, engrossed, after *disparity*  
strike  
*exists*

2. Line 148, engrossed, after the  
strike  
constitutional

On motion of Senator Williams, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 600** (six hundred) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 12, engrossed, after A.  
insert  
*Amelia,*

2. Line 12, engrossed, after Counties  
strike  
, and any county with a population between 8,700 and 8,800,

On motion of Senator Hawkins, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 14** (fourteen) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 57, engrossed, after *on or after*

strike

*January 1, 2003*

insert

*July 1, 2004*

On motion of Senator Deeds, the amendment was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Lambert--1.

**S.B. 244** (two hundred forty-four) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 17, engrossed, after *visitors,*

strike

*the boards [~~shall~~ may] appoint representatives*

insert

*representatives appointed by the boards shall be*

2. Line 17, engrossed, after *from*

strike

*among those*

3. Line 19, engrossed, after *Colleges,*

strike

*the Board [~~shall~~ may] appoint representatives*

insert

*representatives appointed by the Board shall be*

4. Line 20, engrossed, after *from*

strike

*among those*

On motion of Senator Edwards, the amendments were agreed to.

The recorded vote is as follows:

YEAS--24. NAYS--15. RULE 36--0.

YEAS--Bell, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Puckett, Puller, Rerras, Reynolds, Saslaw, Ticer, Wampler, Whipple--24.

NAYS--Blevins, Bolling, Hanger, Martin, Norment, Obenshain, O'Brien, Potts, Quayle, Ruff, Stolle, Stosch, Wagner, Watkins, Williams--15.

RULE 36--0.

**S.B. 283** (two hundred eighty-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 87, engrossed, after *Tennessee*

insert

*, if Tennessee has similar reciprocity provisions for persons domiciled in Virginia*

2. Line 91, engrossed, after *Tennessee*

insert

*, if Tennessee has similar reciprocity provisions for persons domiciled in Virginia*

On motion of Senator Wampler, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 349** (three hundred forty-nine) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 4, engrossed, title, after *Virginia*,

strike

the remainder of line 4 and all of line 5

insert

*relating to classifications of personal property for taxation; vehicles owned or leased by certain members of volunteer rescue squads, volunteer fire departments, volunteer rescue squad auxiliaries, and volunteer fire department auxiliaries.*



The recorded vote is as follows:

YEAS--3. NAYS--36. RULE 36--0.

YEAS--Blevins, Colgan, Hawkins--3.

NAYS--Bell, Bolling, Chichester, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

RULE 36--0.

**S.B. 585** (five hundred eighty-five) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 282, engrossed, after *election, if*  
insert

(i)

2. Line 283, engrossed, after *June 30, 2003*  
insert

*or (ii) the entity is organized exclusively to foster, sponsor, and promote physical education, athletic programs, and contests for youths in the Commonwealth.*

On motion of Senator Colgan, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 627** (six hundred twenty-seven) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

On motion of Senator Devolites, the substitute was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Norment--1.

RULE 36--Potts--1.

**S.B. 684** (six hundred eighty-four) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 50, engrossed, after campgrounds in  
strike  
the remainder of line 50 and all of lines 51 and 52  
insert  
*Stafford County.*

On motion of Senator Watkins, the amendment was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--O'Brien--1.

RULE 36--0.

#### HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 1486** (one thousand four hundred eighty-six).

**H.B. 52** (fifty-two).

**H.B. 56** (fifty-six).

**H.B. 105** (one hundred five).

**H.B. 176** (one hundred seventy-six).

**H.B. 300** (three hundred).

**H.B. 303** (three hundred three).

**H.B. 316** (three hundred sixteen).

**H.B. 410** (four hundred ten).

**H.B. 411** (four hundred eleven).

**H.B. 465** (four hundred sixty-five).

**H.B. 525** (five hundred twenty-five).

**H.B. 559** (five hundred fifty-nine).

**H.B. 601** (six hundred one).

**H.B. 604** (six hundred four).

**H.B. 679** (six hundred seventy-nine).

**H.B. 682** (six hundred eighty-two).

**H.B. 683** (six hundred eighty-three).

**H.B. 714** (seven hundred fourteen).

**H.B. 819** (eight hundred nineteen).

**H.B. 837** (eight hundred thirty-seven).

**H.B. 874** (eight hundred seventy-four).

**H.B. 908** (nine hundred eight).

**H.B. 911** (nine hundred eleven).

**H.B. 919** (nine hundred nineteen).

**H.B. 931** (nine hundred thirty-one).  
**H.B. 934** (nine hundred thirty-four).  
**H.B. 968** (nine hundred sixty-eight).  
**H.B. 975** (nine hundred seventy-five).  
**H.B. 986** (nine hundred eighty-six).  
**H.B. 994** (nine hundred ninety-four).  
**H.B. 1026** (one thousand twenty-six).  
**H.B. 1088** (one thousand eighty-eight).  
**H.B. 1112** (one thousand one hundred twelve).  
**H.B. 1185** (one thousand one hundred eighty-five).  
**H.B. 1191** (one thousand one hundred ninety-one).  
**H.B. 1206** (one thousand two hundred six).  
**H.B. 1248** (one thousand two hundred forty-eight).  
**H.B. 1320** (one thousand three hundred twenty).  
**H.B. 1321** (one thousand three hundred twenty-one).  
**H.B. 1340** (one thousand three hundred forty).  
**H.B. 1426** (one thousand four hundred twenty-six).  
**H.B. 1427** (one thousand four hundred twenty-seven).  
**H.B. 1453** (one thousand four hundred fifty-three).

The motion was agreed to.

**H.B. 1486** (one thousand four hundred eighty-six) was taken up.

Senator Stosch offered the following amendment:

1. Line 29, engrossed, after line 28  
insert

2. That if an organization or entity that is a recipient of voluntary contributions at the time this act becomes effective is removed from the list of such organizations in accordance with this act, the following shall be the first two new organizations added to such list in the order in which they appear herein: (i) the Department of Emergency Management for the Office of Commonwealth Preparedness and (ii) all entities in the Commonwealth that officially have been designated as cancer centers by the National Cancer Institute.

3. That the Tax Commissioner shall provide descriptions, including their purpose, of (i) the Office of Commonwealth Preparedness and (ii) all entities in the Commonwealth officially designated as cancer centers by the National Cancer Institute in the instructions that accompany the annual Virginia income tax return package.

On motion of Senator Stosch, the reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 105** (one hundred five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 410** (four hundred ten) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 29, engrossed, after officers of  
strike  
the
2. Line 30, engrossed, after held  
strike  
or to the electoral board as specified in § 24.2-660
3. Line 46, engrossed, after *locking*  
insert  
*or activation*

The reading of the amendments was waived.

On motion of Senator Martin, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 411** (four hundred eleven) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 4, engrossed, Title, after *pollbooks*  
insert  
*and registration inquiry devices*
2. Line 35, engrossed, after *pollbooks*  
strike  
[ *or electronic voter registration look-up devices* ] *are used in the locality*  
insert  
*are used in the locality or electronic voter registration inquiry devices are used in precincts in the locality*

The reading of the amendments was waived.

On motion of Senator Martin, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 465** (four hundred sixty-five) was taken up.

Senator Quayle offered the following amendments:

1. Line 20, engrossed, after *per month*,  
insert

*or*

2. Line 20, engrossed, after (ii)  
strike

*actual connect time, at a rate not to exceed \$20 per hour, or (iii)*

On motion of Senator Quayle, the reading of the amendments was waived.

On motion of Senator Quayle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 525** (five hundred twenty-five) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 303, engrossed, after *legislative*,  
insert

*executive,*

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 601** (six hundred one) was taken up.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 19, engrossed  
strike

all of lines 19 through 30

insert

B. Every public water supply operator shall at least quarterly test the public water supply for the presence of methyl tertiary butyl ether (MTBE). The locality shall maintain a record of testing conducted pursuant to this subsection. If the results of any test conducted pursuant to this subsection indicates the presence of MTBE in excess of fifteen parts per billion, the locality shall immediately notify the Department of Environmental Quality and the Department of Health. The Division of Consolidated Laboratory Services shall maintain and make available, upon the request of any person, a list of

laboratories, accredited under the provisions of the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.) to analyze samples, located throughout the Commonwealth that possess the technical expertise to analyze water samples for the presence of MTBE. Any lab seeking accreditation under the Safe Drinking Water Act may contact the Division of Consolidated Laboratory Services. The Division of Consolidated Laboratory Services shall establish a fee system to offset the costs of tests performed on behalf of public water supply operators.

- 2. Line 19, engrossed, after ~~least~~  
strike

~~quarterly~~

insert

*annually*

- 3. Line 30, engrossed, after ~~operators.~~  
insert

*Such test may be conducted simultaneously with other tests.*

The reading of the amendments was waived.

On motion of Senator Quayle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 683** (six hundred eighty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 837** (eight hundred thirty-seven) was taken up.

The following amendments proposed by the Committee on Privileges and Elections were offered:

- 1. Line 197, engrossed, after *removed*  
insert

*from the plain view of the officers of election or*

- 2. Line 214, engrossed, after compartment  
strike

*which*

insert

*that*

The reading of the amendments was waived.

Senator Martin requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

Senator Martin moved that amendment No. 1 be rejected.

The question was put on agreeing to amendment No. 1.

Amendment No. 1 was rejected.

On motion of Senator Martin, amendment No. 2 was agreed to.

Senator Devolites offered the following amendment:

1. Line 197, engrossed, after line 196  
insert

*No voting or counting equipment, including inoperative equipment, shall be removed from the plain view of the officers of election or from the polling place at any time during the election and through the determination of the vote as provided in Section 24.2-657 except as explicitly provided pursuant to the provisions of this title.*

On motion of Senator Devolites, the reading of the amendment was waived.

Senator Devolites moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, not being supported by one-fifth of the Senators present, the yeas and nays were refused.

The amendment was agreed to.

The amendments were ordered to be engrossed.

**H.B. 908** (nine hundred eight) was taken up.

Senator Ruff offered the following amendments:

1. Line 40, engrossed, after Precinct 1-2,  
strike  
Precinct 2, and Precinct ~~3~~ 4  
insert  
and Precinct 2
2. Line 73, engrossed, after the  
strike  
Precinct 5 Precinct  
insert  
*Precinct 4 and Precinct 5 Precincts*

3. Line 266, engrossed, after (Cumberland Road),  
 strike  
 and

4. Line 267, engrossed, after (Davenport Road)  
 insert

, east on State Route 631 to State Route 639 (Putney Road), south on State Route 639 approximately 0.5 mile to an unnamed vehicular trail, west on the unnamed trail approximately 0.1 mile to the extension of an unnamed service road (the western boundary of census block 510499901004033, south on the service road extension and then the service road to the head of an unnamed stream, south and then east on the unnamed stream to Big Guinea Creek, and east on Big Guinea Creek to State Route 639

5. Line 270, engrossed, after (Cumberland Road),  
 strike  
 and

6. Line 271, engrossed, after (Davenport Road)  
 insert

, east on State Route 631 to State Route 639 (Putney Road), and south on State Route 639 to Big Guinea Creek

On motion of Senator Ruff, the reading of the amendments was waived.

On motion of Senator Ruff, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1321** (one thousand three hundred twenty-one) was taken up.

The following amendment proposed by the Committee on Privileges and Elections was offered:

1. Line 84, engrossed, after ~~200~~  
 strike  
*\$1,000*  
 insert  
*\$500*

The reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1427** (one thousand four hundred twenty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 24.2-303.2 and 24.2-304.02 of the Code of Virginia, relating to certain Senatorial and House of Delegates districts respectively.

The reading of the substitute was waived.

On motion of Senator Martin, the substitute was agreed to.

Senator Puckett offered the following amendments to the substitute:

1. Line 147, substitute, after line 146

insert

*Sixth. All of Bland County; part of Giles County comprised of the Glen Lyn, Rich Creek, Narrows, Pearisburg, Staffordsville, White Gate, Sugar Run, Eggleston, Pembroke, and Hatfield Precincts; part of Pulaski County comprised of the Belspring, New River, West Cloyd, Draper, South Pulaski, Newbern, Massie, Walker, and Robinson Precincts and part of the Dublin Precinct; part of Tazewell County comprised of the Springville and Graham Precincts; and part of Wythe County comprised of the Royal Oak, Evansham, Pine Ridge, Spiller, Withers, and Max Meadows Precincts and part of the Evergreen Precinct.*

*Seventh. All of the City of Radford; part of Montgomery County comprised of the B-2, B-3, C-1, C-2, C-3, C-4, D-1, D-2, D-3 Part 1, D-4, D-5, E-1, and E-2 Precincts; part of Pulaski County comprised of the Hiwasee 302/Snowville 304 Precinct and part of the Dublin Precinct; and Montgomery A.*

2. Line 306, substitute, after line 305

insert

4. That the effect of the first enactment further shall be to supersede a certain segment of the boundary line between the Sixth and Seventh House of Delegates districts as follows:

The boundary segment between the Sixth and Seventh Districts within Pulaski County beginning at the intersection of Giles Avenue (State Route T-747) and Broad Street (United States Highway 11), then west on Broad Street to the western corporate limits of the Town of Dublin, north on the corporate limits of the Town of Dublin to Cleburne Avenue (State Highway 100), north on Cleburne Avenue approximately 0.2 miles to a pipeline, and east on the pipeline to Old Giles Road is superseded by a segment beginning at the intersection of Giles Avenue (State Route T-747) and Broad Street (United States Highway 11), then east on Broad Street to the eastern corporate limits of the Town of Dublin, north and then northwest on the corporate limits of the Town of Dublin to Old Giles Road, and north on Old Giles Road to the pipeline.

On motion of Senator Puckett, the reading of the amendments was waived.

On motion of Senator Puckett, the amendments were agreed to.

The substitute with amendments was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 1486** (one thousand four hundred eighty-six) with amendment.

**H.B. 52** (fifty-two).

**H.B. 56** (fifty-six).  
**H.B. 105** (one hundred five) with substitute.  
**H.B. 300** (three hundred).  
**H.B. 303** (three hundred three).  
**H.B. 316** (three hundred sixteen).  
**H.B. 410** (four hundred ten) with amendments.  
**H.B. 411** (four hundred eleven) with amendments.  
**H.B. 465** (four hundred sixty-five) with amendments.  
**H.B. 525** (five hundred twenty-five) with amendment.  
**H.B. 559** (five hundred fifty-nine).  
**H.B. 601** (six hundred one) with amendments.  
**H.B. 604** (six hundred four).  
**H.B. 679** (six hundred seventy-nine).  
**H.B. 682** (six hundred eighty-two).  
**H.B. 683** (six hundred eighty-three) with substitute.  
**H.B. 714** (seven hundred fourteen).  
**H.B. 819** (eight hundred nineteen).  
**H.B. 837** (eight hundred thirty-seven) with amendments.  
**H.B. 874** (eight hundred seventy-four).  
**H.B. 908** (nine hundred eight) with amendments.  
**H.B. 911** (nine hundred eleven).  
**H.B. 919** (nine hundred nineteen).  
**H.B. 931** (nine hundred thirty-one).  
**H.B. 934** (nine hundred thirty-four).  
**H.B. 968** (nine hundred sixty-eight).  
**H.B. 975** (nine hundred seventy-five).  
**H.B. 986** (nine hundred eighty-six).  
**H.B. 994** (nine hundred ninety-four).  
**H.B. 1026** (one thousand twenty-six).  
**H.B. 1088** (one thousand eighty-eight).  
**H.B. 1112** (one thousand one hundred twelve).  
**H.B. 1185** (one thousand one hundred eighty-five).  
**H.B. 1191** (one thousand one hundred ninety-one).  
**H.B. 1206** (one thousand two hundred six).  
**H.B. 1248** (one thousand two hundred forty-eight).  
**H.B. 1320** (one thousand three hundred twenty).  
**H.B. 1321** (one thousand three hundred twenty-one) with amendment.  
**H.B. 1340** (one thousand three hundred forty).  
**H.B. 1426** (one thousand four hundred twenty-six).  
**H.B. 1427** (one thousand four hundred twenty-seven) with substitute with amendments.  
**H.B. 1453** (one thousand four hundred fifty-three).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 176** (one hundred seventy-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 4.03 and 5.01 as amended of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding a section numbered 4.03.1, relating to the election, powers and responsibilities of the mayor, and the appointment and qualifications of the chief administrative officer.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

**H.B. 176**, on motion of Senator Lambert, was passed by for the day.

**H.B. 639** (six hundred thirty-nine) was taken up and, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--33.

NAYS--Deeds, Martin, Obenshain, Puller, Ticer, Whipple--6.

RULE 36--0.

**H.B. 883** (eight hundred eighty-three) was taken up, the committee amendment having been agreed to on February 25, 2004.

The amendment was ordered to be engrossed.

**H.B. 883**, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--35.

NAYS--Hanger, Houck, Obenshain--3.

RULE 36--0.

### RECONSIDERATION

Senator Rerras moved to reconsider the vote by which **H.B. 639** (six hundred thirty-nine) was passed with its title.

The motion was agreed to by unanimous consent.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 639**, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Devolites, Hanger, Hawkins, Houck, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--32.

NAYS--Deeds, Edwards, Howell, Obenshain, Puller, Ticer, Whipple--7.

RULE 36--0.

**H.B. 1350** (one thousand three hundred fifty) was read by title the third time and, on motion of Senator Hawkins, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 689** (six hundred eighty-nine) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--Potts--1.

**H.B. 1208** (one thousand two hundred eight) was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Chichester, Obenshain, Stosch--3.

RULE 36--0.

**H.B. 1243** (one thousand two hundred forty-three) was read by title the third time.

Senator Reynolds offered the following amendment:

1. Line 39, engrossed, after Census,  
insert  
*at least 19,000 but not more than 19,500,*

On motion of Senator Reynolds, the reading of the amendment was waived.

On motion of Senator Reynolds, the amendment was agreed to.

The amendment was ordered to be engrossed.

Senator Chichester moved that **H.B. 1243** be passed with its title.

### RECONSIDERATION

Senator Watkins moved, as a substitute motion, to reconsider the vote by which the amendment offered by Senator Reynolds to **H.B. 1243** (one thousand two hundred forty-three) was agreed to and ordered to be engrossed.

The substitute motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Puckett, Reynolds--2.

RULE 36--0.

**H.B. 1243**, on motion of Senator Norment, was passed by for the day.

**H.B. 438** (four hundred thirty-eight) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Ruff--1.

RULE 36--0.

**H.B. 715** (seven hundred fifteen) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**H.B. 827** (eight hundred twenty-seven) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--8. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--30.

NAYS--Bell, Hanger, Martin, Newman, Obenshain, O'Brien, Ruff, Stosch--8.

RULE 36--0.

**H.B. 963** (nine hundred sixty-three) was read by title the third time.

Senator Norment offered the following amendment:

1. Line 13, engrossed, after *operations*.

insert

*Any lighting installed prior to the effective date of the ordinance shall be conforming and shall not be treated as nonconforming under any ordinance.*

On motion of Senator Norment, the reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 963**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--30.

NAYS--Hanger, Hawkins, Martin, Obenshain, O'Brien, Ruff, Wagner, Williams--8.

RULE 36--0.

**H.B. 970** (nine hundred seventy) was read by title the third time.

Senator Norment offered the following amendment:

1. Line 19, engrossed, after *30,000*,

insert

*any county with a population between 34,500 and 35,000,*

On motion of Senator Norment, the reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 970**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Hanger, Hawkins, Martin, Ruff--4.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 1208** (one thousand two hundred eight) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1208**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Chichester, Colgan, Stosch--3.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 123** (one hundred twenty-three).

**H.B. 124** (one hundred twenty-four).

**H.B. 148** (one hundred forty-eight).

**H.B. 152** (one hundred fifty-two).

**H.B. 162** (one hundred sixty-two).

**H.B. 167** (one hundred sixty-seven).

**H.B. 214** (two hundred fourteen).

**H.B. 217** (two hundred seventeen).

**H.B. 238** (two hundred thirty-eight).

**H.B. 350** (three hundred fifty).

**H.B. 409** (four hundred nine).

**H.B. 415** (four hundred fifteen).

**H.B. 508** (five hundred eight).

**H.B. 509** (five hundred nine).

**H.B. 527** (five hundred twenty-seven).

**H.B. 537** (five hundred thirty-seven).

**H.B. 543** (five hundred forty-three).

**H.B. 546** (five hundred forty-six).

**H.B. 548** (five hundred forty-eight).

**H.B. 555** (five hundred fifty-five).

**H.B. 598** (five hundred ninety-eight).

**H.B. 638** (six hundred thirty-eight).

**H.B. 654** (six hundred fifty-four).

**H.B. 716** (seven hundred sixteen).

**H.B. 760** (seven hundred sixty).

**H.B. 784** (seven hundred eighty-four).

**H.B. 828** (eight hundred twenty-eight).

**H.B. 856** (eight hundred fifty-six).

**H.B. 978** (nine hundred seventy-eight).

**H.B. 985** (nine hundred eighty-five).

**H.B. 1022** (one thousand twenty-two).

**H.B. 1027** (one thousand twenty-seven).

**H.B. 1028** (one thousand twenty-eight).

**H.B. 1039** (one thousand thirty-nine).

**H.B. 1041** (one thousand forty-one).

**H.B. 1048** (one thousand forty-eight).  
**H.B. 1049** (one thousand forty-nine).  
**H.B. 1056** (one thousand fifty-six).  
**H.B. 1062** (one thousand sixty-two).  
**H.B. 1083** (one thousand eighty-three).  
**H.B. 1085** (one thousand eighty-five).  
**H.B. 1094** (one thousand ninety-four).  
**H.B. 1095** (one thousand ninety-five).  
**H.B. 1096** (one thousand ninety-six).  
**H.B. 1103** (one thousand one hundred three).  
**H.B. 1107** (one thousand one hundred seven).  
**H.B. 1111** (one thousand one hundred eleven).  
**H.B. 1117** (one thousand one hundred seventeen).  
**H.B. 1124** (one thousand one hundred twenty-four).  
**H.B. 1133** (one thousand one hundred thirty-three).  
**H.B. 1144** (one thousand one hundred forty-four).  
**H.B. 1145** (one thousand one hundred forty-five).  
**H.B. 1178** (one thousand one hundred seventy-eight).  
**H.B. 1189** (one thousand one hundred eighty-nine).  
**H.B. 1193** (one thousand one hundred ninety-three).  
**H.B. 1254** (one thousand two hundred fifty-four).  
**H.B. 1261** (one thousand two hundred sixty-one).  
**H.B. 1274** (one thousand two hundred seventy-four).  
**H.B. 1302** (one thousand three hundred two).  
**H.B. 1326** (one thousand three hundred twenty-six).  
**H.B. 1330** (one thousand three hundred thirty).  
**H.B. 1355** (one thousand three hundred fifty-five).  
**H.B. 1360** (one thousand three hundred sixty).  
**H.B. 1435** (one thousand four hundred thirty-five).  
**H.B. 1441** (one thousand four hundred forty-one).  
**H.B. 1447** (one thousand four hundred forty-seven).  
**H.B. 1480** (one thousand four hundred eighty).  
**H.B. 64** (sixty-four).  
**H.B. 404** (four hundred four).  
**H.B. 437** (four hundred thirty-seven).  
**H.B. 451** (four hundred fifty-one).  
**H.B. 513** (five hundred thirteen).  
**H.B. 675** (six hundred seventy-five).  
**H.B. 930** (nine hundred thirty).  
**H.B. 1201** (one thousand two hundred one).  
**H.B. 1482** (one thousand four hundred eighty-two).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain,

O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 123** (one hundred twenty-three).  
**H.B. 124** (one hundred twenty-four).  
**H.B. 148** (one hundred forty-eight).  
**H.B. 152** (one hundred fifty-two).  
**H.B. 162** (one hundred sixty-two).  
**H.B. 167** (one hundred sixty-seven).  
**H.B. 214** (two hundred fourteen).  
**H.B. 217** (two hundred seventeen).  
**H.B. 238** (two hundred thirty-eight).  
**H.B. 350** (three hundred fifty).  
**H.B. 409** (four hundred nine).  
**H.B. 415** (four hundred fifteen).  
**H.B. 508** (five hundred eight).  
**H.B. 509** (five hundred nine).  
**H.B. 527** (five hundred twenty-seven).  
**H.B. 537** (five hundred thirty-seven).  
**H.B. 543** (five hundred forty-three).  
**H.B. 546** (five hundred forty-six).  
**H.B. 548** (five hundred forty-eight).  
**H.B. 555** (five hundred fifty-five).  
**H.B. 598** (five hundred ninety-eight).  
**H.B. 638** (six hundred thirty-eight).  
**H.B. 654** (six hundred fifty-four).  
**H.B. 716** (seven hundred sixteen).  
**H.B. 760** (seven hundred sixty).  
**H.B. 784** (seven hundred eighty-four).  
**H.B. 828** (eight hundred twenty-eight).  
**H.B. 856** (eight hundred fifty-six).  
**H.B. 978** (nine hundred seventy-eight).  
**H.B. 985** (nine hundred eighty-five).  
**H.B. 1022** (one thousand twenty-two).  
**H.B. 1027** (one thousand twenty-seven).  
**H.B. 1028** (one thousand twenty-eight).  
**H.B. 1039** (one thousand thirty-nine).  
**H.B. 1041** (one thousand forty-one).  
**H.B. 1048** (one thousand forty-eight).  
**H.B. 1049** (one thousand forty-nine).  
**H.B. 1056** (one thousand fifty-six).  
**H.B. 1062** (one thousand sixty-two).  
**H.B. 1083** (one thousand eighty-three).  
**H.B. 1085** (one thousand eighty-five).  
**H.B. 1094** (one thousand ninety-four).  
**H.B. 1095** (one thousand ninety-five).  
**H.B. 1096** (one thousand ninety-six).  
**H.B. 1103** (one thousand one hundred three).

**H.B. 1107** (one thousand one hundred seven).  
**H.B. 1111** (one thousand one hundred eleven).  
**H.B. 1117** (one thousand one hundred seventeen).  
**H.B. 1124** (one thousand one hundred twenty-four).  
**H.B. 1133** (one thousand one hundred thirty-three).  
**H.B. 1144** (one thousand one hundred forty-four).  
**H.B. 1145** (one thousand one hundred forty-five).  
**H.B. 1178** (one thousand one hundred seventy-eight).  
**H.B. 1189** (one thousand one hundred eighty-nine).  
**H.B. 1193** (one thousand one hundred ninety-three).  
**H.B. 1254** (one thousand two hundred fifty-four).  
**H.B. 1261** (one thousand two hundred sixty-one).  
**H.B. 1274** (one thousand two hundred seventy-four).  
**H.B. 1302** (one thousand three hundred two).  
**H.B. 1326** (one thousand three hundred twenty-six).  
**H.B. 1330** (one thousand three hundred thirty).  
**H.B. 1355** (one thousand three hundred fifty-five).  
**H.B. 1360** (one thousand three hundred sixty).  
**H.B. 1435** (one thousand four hundred thirty-five).  
**H.B. 1441** (one thousand four hundred forty-one).  
**H.B. 1447** (one thousand four hundred forty-seven).  
**H.B. 1480** (one thousand four hundred eighty).  
**H.B. 64** (sixty-four).  
**H.B. 404** (four hundred four).  
**H.B. 437** (four hundred thirty-seven).  
**H.B. 451** (four hundred fifty-one).  
**H.B. 513** (five hundred thirteen).  
**H.B. 675** (six hundred seventy-five).  
**H.B. 930** (nine hundred thirty).  
**H.B. 1201** (one thousand two hundred one).  
**H.B. 1482** (one thousand four hundred eighty-two).

#### HOUSE JOINT RESOLUTIONS ON THIRD READING

**H.J.R. 275** (two hundred seventy-five) was read by title the third time.

The following amendment proposed by the Committee on Privileges and Elections was offered:

1. Line 15, engrossed, after line 14  
insert

RESOLVED FURTHER, That the General Assembly confirm the following appointment made by the Senate Committee on Privileges and Elections to the Board of the Virginia Office for Protection and Advocacy pursuant to § 51.5-39.2 of the Code of Virginia:  
Elizabeth Priaulx, 5215 11th Street North, Arlington, Virginia 22205, for an unexpired term ending June 30, 2004, to succeed Mary Giliberti.

The reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 275**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.J.R. 276** (two hundred seventy-six) was read by title the third time.

The following amendment proposed by the Committee on Privileges and Elections was offered:

1. Line 18, engrossed, after line 17

insert

RESOLVED FURTHER, That the General Assembly confirm the following appointment made by the Senate Committee on Privileges and Elections to the Board of Directors of the Virginia Commonwealth University Health System Authority pursuant to § 23-50.16.5:

John D. Ward, M.D., 3125 Chestnut Grove Court, Richmond, Virginia 23233, for a term of three years ending June 30, 2006, to succeed himself.

The reading of the amendment was waived.

On motion of Senator Martin, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 276**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Lambert--1.

**H.J.R. 312** (three hundred twelve) was read by title the third time and, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### COMMENDING RESOLUTION IMMEDIATE CONSIDERATION

On motion of Senator Puckett, the Rules were suspended and **S.J.R. 207** (two hundred seven), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.J.R. 207**, on motion of Senator Puckett, was ordered to be engrossed and was agreed to.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Howell introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 214.** Commending Dick and Janet Hays.

Patrons--Howell; Delegate: Plum

**S.J.R. 215.** Commending Linda Miller.

Patrons--Howell; Delegate: Plum

**S.J.R. 216.** Commending Nancy Susco.

Patrons--Howell; Delegate: Plum

**S.J.R. 217.** Commending Karen Connell Cleveland.

Patrons--Howell; Delegate: Plum

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Martin introduced a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 218.** Confirming appointments by the Governor.

Patron--Martin

Referred to Committee on Privileges and Elections

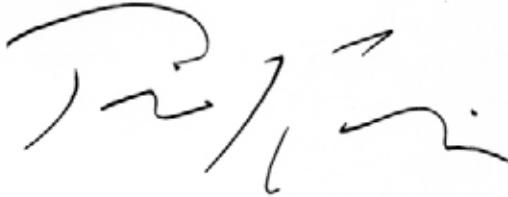
Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Obenshain introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 219.** Commending Wanda Wilt.

Patrons--Obenshain and Hanger; Delegate: Weatherholtz

On motion of Senator O'Brien, a leave of absence for the day was granted Senator Cuccinelli on account of pressing personal business.

On motion of Senator Chichester, the Senate adjourned until Monday, March 1, 2004, at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, MARCH 1, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Darryl G. Thompson, Mount Olive Baptist Church, Glen Allen, Virginia, offered the following prayer:

Almighty God, we are thankful for the blessings and challenges of this day. We ask that You would continue to smile upon us. Grant to this body the wisdom, love and courage for the living of this day. As we trust You, we receive that peace that surpasses all understanding. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Devolites, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates

February 27, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 58.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-370.2, relating to maintenance and repair of nonconforming signs.

**S.B. 95.** A BILL to amend and reenact §§ 2.2-4303 and 2.2-4304 of the Code of Virginia, relating to procurement; online auctions and the General Services Administration.

**S.B. 186.** A BILL to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.

- S.B. 267.** A BILL to amend the Code of Virginia by adding in Title 62.1 a chapter numbered 5.6, consisting of sections numbered 62.1-69.45 through 62.1-69.52, relating to the Rivanna River Basin Commission.
- S.B. 352.** A BILL to amend and reenact §§ 2.2-3703, 2.2-3711, 2.2-3714, 2.2-3806, 22.1-279.8, 23-50.16:32, 32.1-283.1, 32.1-283.2, 44-146.18, 44-146.22, 52-8.3, 54.1-2517, 54.1-2523, and 56-575.4, of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 2.2-3705.1, 2.2-3705.2, 2.2-3705.3, 2.2-3705.4, 2.2-3705.5, 2.2-3705.6, 2.2-3705.7, and 2.2-3705.8, and to repeal § 2.2-3705 of the Code of Virginia, relating to the Virginia Freedom of Information Act; reorganization of current record exemptions.
- S.B. 406.** A BILL to amend and reenact § 62.1-69.34 of the Code of Virginia, relating to membership of the Virginia Roanoke River Basin Advisory Committee.
- S.B. 494.** A BILL to amend and reenact § 18.2-127 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.6, relating to trespass to cemeteries; injury to cemetery property.
- S.B. 535.** A BILL to amend the Code of Virginia by adding a section numbered 38.2-3100.2, relating to insurance; funding agreements.
- S.B. 562.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; investigations of local auditors.
- S.B. 652.** A BILL to amend and reenact § 58.1-3823 of the Code of Virginia, relating to transient occupancy tax.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

- S.B. 101.** A BILL to amend and reenact §§ 46.2-923 and 46.2-924 of the Code of Virginia, relating to pedestrians crossing highways.
- S.B. 274.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons authorized to perform marriage rites.
- S.B. 289.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.
- S.B. 334.** A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 11, consisting of sections numbered 9.1-185 through 9.1-199, relating to regulation of bail enforcement agents; penalties.
- S.B. 381.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.
- S.B. 452.** A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid; emergency.
- S.B. 548.** A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 20.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites.

**H.B. 1212.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

THE HOUSE OF DELEGATES HAS RULED AS NOT GERMANE THE AMENDMENT PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 995.** A BILL to amend and reenact §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231, and 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; annual banquet and annual mixed beverage banquet licenses.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 570.** A BILL to amend and reenact §§ 19.2-74, 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of certain illegal aliens and unidentified people.

**H.B. 952.** A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

THE HOUSE OF DELEGATES HAS AGREED TO WITH AMENDMENTS THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 73.** Designating January 15, 2004, through December 2005, as Brown v. Board of Education Year in Virginia.

**S.J.R. 120.** Designating February 9-15, 2004, as National Courtesy Week in Virginia.

THE HOUSE OF DELEGATES HAS AGREED TO WITH A SUBSTITUTE THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 91.** Memorializing the Congress of the United States to propose a federal marriage amendment to the Constitution of the United States.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 401.** On the death of James R. Butler.

**H.J.R. 402.** Celebrating the life of Lillian Bradford Croy.

**H.J.R. 403.** Commending the Vienna Raiders.

**H.J.R. 404.** Commending the James River High School softball team.

**H.J.R. 405.** Commending R. DuVal Dickinson.

**H.J.R. 406.** Celebrating the life of Judge James F. Ingram.

**H.J.R. 407.** On the death of John L. Backus.

**H.J.R. 408.** Celebrating the life of Chief Warrant Officer Ian D. Manuel.

**H.J.R. 409.** Commending Judy Seiff.

**H.J.R. 410.** Commending the Reverend Dr. Robert Bluford, Jr.

**H.J.R. 411.** Commending Mary Lee Carter.

**H.J.R. 412.** Commending Benjamin T. Pitts.

**H.J.R. 413.** Commending the West Point Volunteer Fire Department and Rescue Squad.

**H.J.R. 414.** Commending Smurfit-Stone Container Corporation's West Point paper mill and its employees and the River's Edge Cafe and its employees.

**H.J.R. 415.** Commending Children's Hospital of the King's Daughters.

**H.J.R. 416.** Commending Hebron Presbyterian Church.

**H.J.R. 417.** Celebrating the life of Isaac Fleischmann.

**H.J.R. 418.** On the death of Pastor Marshall O. Bonds.

**H.J.R. 419.** On the death of Doris B. Chrisman.

**H.J.R. 420.** Commending the crew of the H. L. Hunley.

**H.J.R. 421.** Commending Kenny Hunt.

**H.J.R. 422.** On the death of James L. Williams.

**H.J.R. 423.** Commending Katherine K. Hanley.

**H.J.R. 425.** Commending Bedford County on the occasion of its 250th anniversary.

**H.J.R. 426.** Commending the Blessed Sacrament Huguenot Academy football team.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 11.** A BILL to amend and reenact § 2.2-603 of the Code of Virginia, relating to the elimination of agency reports on the cost of federal mandates.

**S.B. 13.** A BILL to designate a portion of U.S. Route 220 the "Sam Snead Memorial Highway."

**S.B. 34.** A BILL to designate the U.S. Route 340 bridge over the Norfolk Southern right-of-way north of the Town of Berryville in Clarke County the "Jack and Carter Hardesty Bridge."

- S.B. 98.** A BILL to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.
- S.B. 107.** A BILL to authorize the release of personal data by the Department of Motor Vehicles to toll facility operators and toll technology entities.
- S.B. 119.** A BILL to amend and reenact §§ 8.1A-201, 8.2-103, 8.2-104, 8.2-310, 8.2-323, 8.2-401, 8.2-503, 8.2-505, 8.2-506, 8.2-509, 8.2-605, 8.2-705, 8.2A-103, 8.2A-514, 8.2A-526, 8.4-104, 8.4-208, 8.7-102, 8.7-103, 8.7-104, 8.7-202, 8.7-203, 8.7-204, 8.7-205, 8.7-206, 8.7-208, 8.7-209, 8.7-210, 8.7-301, 8.7-302, 8.7-303, 8.7-305, 8.7-307, 8.7-309, 8.7-401, 8.7-402, 8.7-403, 8.7-404, 8.7-501, 8.7-502, 8.7-503, 8.7-504, 8.7-505, 8.7-506, 8.7-507, 8.7-509, 8.7-601, 8.7-602, 8.7-603, 8.8A-103, 8.9A-102, 8.9A-203, 8.9A-207, 8.9A-208, 8.9A-301, 8.9A-310, 8.9A-312, 8.9A-313, 8.9A-314, 8.9A-317, 8.9A-338, and 8.9A-601 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 8.7-105.1 and 8.7-106, and to repeal § 8.7-105 of the Code of Virginia, relating to Article 7 of the Uniform Commercial Code - Documents of Title.
- S.B. 126.** A BILL to establish the Virginia-North Carolina Interstate High-Speed Rail Compact.
- S.B. 148.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 33.1 a section numbered 33.1-252.2, relating to disclosure of certain information relating to use of toll facilities.
- S.B. 149.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain client lists.
- S.B. 155.** A BILL to designate the Interstate Route 66 bridges over U.S. Route 29 in Fairfax County the "George Fortune, Jr., Memorial Bridges."
- S.B. 160.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-2962.2, relating to physician-patient relationships; effect of certain emergency room evaluations.
- S.B. 177.** A BILL to amend and reenact § 19.2-163.7 of the Code of Virginia, relating to counsel in capital cases.
- S.B. 179.** A BILL to amend and reenact § 60.2-528 of the Code of Virginia, relating to benefit charges.
- S.B. 194.** A BILL to amend and reenact § 60.2-612 of the Code of Virginia, relating to eligibility for unemployment compensation benefits.
- S.B. 242.** A BILL to amend and reenact § 59.1-200 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 46, consisting of sections numbered 59.1-525 through 59.1-529, relating to price gouging.
- S.B. 259.** A BILL to amend and reenact § 46.2-734 of the Code of Virginia, relating to license plates of reconstructed vehicles.
- S.B. 260.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to establishment of a statewide comprehensive volunteer roadside management program within the Virginia Department of Transportation authorizing individuals, communities, and local governments to provide landscape materials, services, funding, and appropriate signing.

- S.B. 270.** A BILL to amend and reenact §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270, and 22.1-271.2 of the Code of Virginia, relating to enrollment of certain children in public schools.
- S.B. 278.** A BILL to repeal § 32.1-19.1 of the Code of Virginia, relating to reporting of telemedicine initiatives.
- S.B. 280.** A BILL to amend and reenact § 15.2-2108.11 of the Code of Virginia, relating to provision of cable television services by certain localities.
- S.B. 288.** A BILL to amend and reenact §§ 46.2-1700, 46.2-1701, 46.2-1702, 46.2-1703, 46.2-1705, and 46.2-1707 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-1701.2 and 46.2-1701.3, relating to driver training schools.
- S.B. 328.** A BILL to amend and reenact §§ 16.1-69.9:3 and 17.1-511 of the Code of Virginia, relating to notice of retirement.
- S.B. 343.** A BILL to amend and reenact § 8.01-216.3 of the Code of Virginia, relating to Virginia Fraud Against Taxpayers Act.
- S.B. 347.** A BILL to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for textbooks and other educational materials for free distribution.
- S.B. 350.** A BILL to amend and reenact § 46.2-752 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to local motor vehicle taxes and fees.
- S.B. 354.** A BILL to amend and reenact §§ 2.2-3703, 2.2-3705, and 2.2-3711 of the Code of Virginia, relating to the Freedom of Information Act; applicability; sexually violent predator commitment review committee.
- S.B. 362.** A BILL to amend and reenact §§ 46.2-604 and 46.2-731 of the Code of Virginia, relating to content of vehicle registration cards; issuance of disabled parking license plates.
- S.B. 365.** A BILL to amend and reenact §§ 10.1-1322, 10.1-1402, 10.1-1402.1, as it shall become effective July 1, 2004, and 62.1-44.15:6, as it is currently effective until July 1, 2004, of the Code of Virginia, and to amend and reenact the third enactment of Chapter 822 of the Acts of Assembly as it applies to § 62.1-44.15:6 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 10.1-1402.1:1, relating to environmental permit fees.
- S.B. 404.** A BILL to amend and reenact §§ 22.1-254 and 22.1-254.2 of the Code of Virginia, relating to excusals from compulsory school attendance requirements.
- S.B. 408.** A BILL to amend and reenact § 46.2-870 of the Code of Virginia, relating to maximum speed limits generally.
- S.B. 416.** A BILL to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to expeditious and efficient reporting of standards of learning test results to schools and school divisions.
- S.B. 419.** A BILL to repeal the second enactment of Chapter 326 of the Acts of Assembly of 2003, relating to motor vehicle taxes and license fees imposed by counties, cities, and towns; delinquent parking citations.

- S.B. 436.** A BILL to amend and reenact § 63.2-2002 of the Code of Virginia, relating to Neighborhood Assistance Act tax credit.
- S.B. 444.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Virginia Sheriffs' Institute; fees.
- S.B. 471.** A BILL to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to parking in certain counties.
- S.B. 495.** A BILL to amend and reenact §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265 of the Code of Virginia, relating to attorney-issued summons.
- S.B. 498.** A BILL to amend and reenact § 54.1-2910.1 of the Code of Virginia, relating to podiatric specialty board certification.
- S.B. 511.** A BILL to amend and reenact § 46.2-2000 of the Code of Virginia, relating to the definition of "minibus."
- S.B. 525.** A BILL to amend and reenact §§ 2.2-4303 and 2.2-4308 of the Code of Virginia, relating to the Virginia Public Procurement Act; design-build construction management contracts.
- S.B. 536.** A BILL to amend the Code of Virginia by adding in Title 6.1 a chapter numbered 19, consisting of sections numbered 6.1-472 and 6.1-473, relating to Asset-Backed Securities Facilitation Act.
- S.B. 538.** A BILL to amend and reenact §§ 13.1-754, 13.1-916, 13.1-1008, 13.1-1009, 13.1-1019, 13.1-1022, 13.1-1023.1, 13.1-1024, 13.1-1048, 13.1-1050.1, 13.1-1059, 13.1-1064, 13.1-1070, 13.1-1239, 13.1-1254, 50-73.69, 50-73.83, 50-73.132, 50-73.124 and 50-73.137:1 of the Code of Virginia; to amend the Code of Virginia by adding in Article 7 of Chapter 12 of Title 13.1 a section numbered 13.1-1041.1, by adding sections numbered 13.1-1049.1 and 50-73.46:1, by adding in Article 8 of Chapter 2.1 of Title 50 a section numbered 50-73.52:1, and by adding a section numbered 50-73.137:2; and to repeal §§ 13.1-1041 and 50-73.46 of the Code of Virginia, relating to business entities.
- S.B. 542.** A BILL to amend and reenact §§ 6.1-32.3, 6.1-32.11, 6.1-32.19, and 6.1-32.20 of the Code of Virginia, relating to subsidiary trust companies and trust company holding companies.
- S.B. 576.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.
- S.B. 618.** A BILL to amend and reenact §§ 38.2-3407.10 and 38.2-5803 of the Code of Virginia, relating to health insurance provider panels.
- S.B. 685.** A BILL to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation; emergency.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

- H.B. 1.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.
- H.B. 40.** A BILL to amend the Code of Virginia by adding a section numbered 3.1-14.2, relating to agriculture curriculum specialists.
- H.B. 45.** A BILL to amend and reenact § 16.1-267 of the Code of Virginia, relating to compensation of appointed counsel.
- H.B. 49.** A BILL to amend and reenact § 8.01-417 of the Code of Virginia, relating to providing documents to opposing party.
- H.B. 144.** A BILL to amend and reenact §§ 3.1-796.104, 3.1-796.104:1, and 3.1-796.106 of the Code of Virginia, relating to animal control officer training.
- H.B. 291.** A BILL to amend and reenact § 9.1-903 of the Code of Virginia, relating to sex offender registration procedures.
- H.B. 340.** A BILL to amend and reenact § 46.2-1992 of the Code of Virginia, relating to trailer dealers; persons dealing solely in utility/cargo trailers weighing 3,000 pounds or less exempt from licensure requirements; emergency.
- H.B. 449.** A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.
- H.B. 534.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to civil immunity.
- H.B. 564.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to devices used to supply nitrous oxide to the engines of motor vehicles.
- H.B. 565.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-27.3, relating to civil recoveries involving health care provider professional services.
- H.B. 643.** A BILL authorizing the Department of Conservation and Recreation to accept title to certain real property along abandoned railroad lines in several counties.
- H.B. 805.** A BILL to amend and reenact § 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; prohibited acts by mixed beverage licensees; exception.
- H.B. 907.** A BILL to amend and reenact § 63.2-405 of the Code of Virginia, relating to medical assistance services; application.
- H.B. 1108.** A BILL to amend and reenact §§ 22.1-340, 22.1-342, and 22.1-343 of the Code of Virginia, relating to the Department of Correctional Education.
- H.B. 1120.** A BILL to amend and reenact § 46.2-914 of the Code of Virginia, relating to mopeds; drivers to have identification.

**H.B. 1123.** A BILL to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

**H.B. 1132.** A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.

**H.B. 1305.** A BILL to amend and reenact § 46.2-703 of the Code of Virginia, relating to the International Fuels Tax Agreement; violation; vehicle seizures; penalties.

**H.B. 1309.** A BILL to amend and reenact § 4.1-305 of the Code of Virginia, relating to community-based probation for underage alcohol offenders.

**H.B. 1316.** A BILL to amend and reenact § 4.1-201 of the Code of Virginia, relating to alcoholic beverage control; conduct not prohibited by licensed wineries and farm wineries.

**H.B. 1445.** A BILL to amend and reenact § 46.2-834 of the Code of Virginia, relating to school crossing guard; use of hand-held stop signs to control traffic.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 535.** A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

**H.B. 552.** A BILL to amend and reenact §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015, and 46.2-1051 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.

**H.B. 589.** A BILL to amend and reenact §§ 37.1-67.01, 37.1-67.1 and 37.1-71 of the Code of Virginia, relating to transportation under emergency custody and temporary detention orders.

**H.B. 982.** A BILL to amend and reenact §§ 16.1-69.48:5, 16.1-107 and 16.1-112 of the Code of Virginia, relating to fees for services of district courts.

**H.B. 1177.** A BILL to amend and reenact §§ 10.1-603.2 through 10.1-603.9, 10.1-603.11 through 10.1-603.15, and 62.1-44.5 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 10.1-603.2:1, 10.1-603.2:2, 10.1-603.4:1, 10.1-603.12:1 through 10.1-603.12:7, and 10.1-603.13:1, and to repeal § 10.1-603.10 of the Code of Virginia, relating to the reorganization of stormwater management programs; penalty.

**H.B. 1234.** A BILL to amend and reenact §§ 16.1-69.48:1 and 20-15 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.1, relating to domestic violence; fund for prosecutions.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

- S.J.R. 49.** Endorsing the establishment of a school of pharmacy in Buchanan County.
- S.J.R. 114.** Commemorating the 250th anniversary of the beginning of the French and Indian War.
- S.J.R. 117.** Designating March 25th, in 2004 and in each succeeding year as Greek Independence Day in Virginia.
- S.J.R. 130.** Encouraging the Supreme Court of Virginia to amend the Rules of Court on electronic filing.
- S.J.R. 143.** On the death of Officer Rodney F. Poccaschi.
- S.J.R. 173.** Commending Paul Michael Marretti.
- S.J.R. 174.** On the death of Elizabeth Pfohl Campbell.
- S.J.R. 176.** On the death of James L. Williams.
- S.J.R. 177.** Commending Officer Dennis L. Baines.
- S.J.R. 178.** Commending Fire Inspector Woodrow Earl Webb, Jr.
- S.J.R. 179.** Commending Officer Richard A. Schugeld.
- S.J.R. 180.** Commending the Nandua High School boys' basketball team.
- S.J.R. 181.** Commending Samuel Hopkins Shrum.
- S.J.R. 183.** Commending the Great Bridge High School baseball team.
- S.J.R. 184.** Commending the Great Bridge High School wrestling team.
- S.J.R. 185.** Commending Cox Communications.
- S.J.R. 186.** On the death of Howard Worth Smith, Jr.
- S.J.R. 187.** On the death of Clement Conger.
- S.J.R. 188.** Commending Cathy Herndon.
- S.J.R. 189.** Commending the Arlington Committee of 100.
- S.J.R. 190.** Commending the Deep Creek High School boys' indoor track and field team.
- S.J.R. 191.** Commending the Deep Creek High School boys' outdoor track and field team.
- S.J.R. 192.** Commending Dennis Schuler, Sr., and Larry J. Delp.
- S.J.R. 193.** Commending James F. Prater.
- S.J.R. 194.** Celebrating the life of Mel Street.
- S.J.R. 195.** Commending Ashley Shiflett, Veronica Paulson, and Kristin Windle.

**S.J.R. 196.** Commending Adam Loan.

**S.J.R. 197.** Commending Calvin Thomas Eaves, Sr.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 401, H.J.R. 402, H.J.R. 403, H.J.R. 404, H.J.R. 405, H.J.R. 406, H.J.R. 407, H.J.R. 408, H.J.R. 409, H.J.R. 410, H.J.R. 411, H.J.R. 412, H.J.R. 413, H.J.R. 414, H.J.R. 415, H.J.R. 416, H.J.R. 417, H.J.R. 418, H.J.R. 419, H.J.R. 420, H.J.R. 421, H.J.R. 422, H.J.R. 423, H.J.R. 425, and H.J.R. 426.**

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Hawkins from the Committee on Agriculture, Conservation and Natural Resources:

**H.B. 182** (one hundred eighty-two) with substitute.

**H.B. 758** (seven hundred fifty-eight) with amendment.

**H.B. 766** (seven hundred sixty-six) with substitute.

**H.B. 918** (nine hundred eighteen) with substitute.

**H.B. 1142** (one thousand one hundred forty-two) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**H.B. 47** (forty-seven) with amendment.

**H.B. 215** (two hundred fifteen) with substitute.

**H.B. 320** (three hundred twenty).

**H.B. 321** (three hundred twenty-one) with amendment.

**H.B. 332** (three hundred thirty-two) with amendment.

**H.B. 375** (three hundred seventy-five).

**H.B. 382** (three hundred eighty-two).

**H.B. 441** (four hundred forty-one).

**H.B. 447** (four hundred forty-seven) with amendments.

**H.B. 466** (four hundred sixty-six).

**H.B. 530** (five hundred thirty).

**H.B. 600** (six hundred) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 658** (six hundred fifty-eight).

**H.B. 755** (seven hundred fifty-five).

**H.B. 771** (seven hundred seventy-one).

**H.B. 787** (seven hundred eighty-seven) with amendment.

**H.B. 812** (eight hundred twelve) with substitute.

**H.B. 820** (eight hundred twenty).

**H.B. 871** (eight hundred seventy-one) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 942** (nine hundred forty-two).

**H.B. 1063** (one thousand sixty-three) with amendment.

**H.B. 1172** (one thousand one hundred seventy-two) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1264** (one thousand two hundred sixty-four).

**H.B. 1430** (one thousand four hundred thirty) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 600, H.B. 871, H.B. 1172, and H.B. 1430** were rereferred to the Committee on Finance.

#### GUESTS PRESENTED

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Quayle presented Senator H. Russell Potts, Jr., on the occasion of his induction into the Virginia Sports Hall of Fame, to the Senate.

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Stosch presented Stafford Efford, noted architect and former Senate page (1924, 1926, and 1927), to the Senate.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Rerras introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 220.** On the death of Theodore F. Constant.

Patrons--Rerras; Delegate: Joannou

### CALENDAR

#### UNFINISHED BUSINESS — SENATE

**S.B. 244** (two hundred forty-four) was taken up.

On motion of Senator Edwards, the amendments were agreed to.

The recorded vote is as follows:

YEAS--28. NAYS--9. RULE 36--0.

YEAS--Bell, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Miller, Mims, Newman, Norment, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Ticer, Wampler, Whipple, Williams--28.

NAYS--Blevins, Bolling, Cuccinelli, Hanger, Martin, Obenshain, Ruff, Stosch, Wagner--9.

RULE 36--0.

**S.B. 399** (three hundred ninety-nine) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 36, engrossed, after *shall be*  
     strike  
                     the remainder of line 36 and all of lines 37 and 38  
     insert  
                     \$15.

On motion of Senator Norment, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--Whipple--1.

RULE 36--0.

**S.B. 556** (five hundred fifty-six) was taken up.

On motion of Senator Marsh, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 123** (one hundred twenty-three).  
**H.B. 124** (one hundred twenty-four).  
**H.B. 148** (one hundred forty-eight).  
**H.B. 152** (one hundred fifty-two).  
**H.B. 162** (one hundred sixty-two).  
**H.B. 167** (one hundred sixty-seven).  
**H.B. 214** (two hundred fourteen).  
**H.B. 217** (two hundred seventeen).  
**H.B. 238** (two hundred thirty-eight).  
**H.B. 350** (three hundred fifty).  
**H.B. 409** (four hundred nine).  
**H.B. 415** (four hundred fifteen).  
**H.B. 508** (five hundred eight).  
**H.B. 509** (five hundred nine).  
**H.B. 527** (five hundred twenty-seven).  
**H.B. 537** (five hundred thirty-seven).  
**H.B. 543** (five hundred forty-three).  
**H.B. 546** (five hundred forty-six).  
**H.B. 548** (five hundred forty-eight).  
**H.B. 555** (five hundred fifty-five).  
**H.B. 598** (five hundred ninety-eight).  
**H.B. 638** (six hundred thirty-eight).  
**H.B. 654** (six hundred fifty-four).  
**H.B. 716** (seven hundred sixteen).  
**H.B. 760** (seven hundred sixty).  
**H.B. 784** (seven hundred eighty-four).  
**H.B. 828** (eight hundred twenty-eight).  
**H.B. 856** (eight hundred fifty-six).  
**H.B. 978** (nine hundred seventy-eight).  
**H.B. 985** (nine hundred eighty-five).  
**H.B. 1022** (one thousand twenty-two).  
**H.B. 1027** (one thousand twenty-seven).  
**H.B. 1028** (one thousand twenty-eight).



2. Line 109, engrossed, after *services of*  
strike

*a*

3. Line 109, engrossed, after *qualified*  
strike

*professional*

insert

*professionals*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 350** (three hundred fifty) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 22, engrossed, after *or any*  
insert

*patient or*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 415** (four hundred fifteen) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 16, engrossed, after *Committee on*  
strike

*Courts of Justice*

insert

*General Laws*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 638** (six hundred thirty-eight) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10 and 8.01-195.11, relating to compensation for wrongful incarceration for a felony conviction.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 654** (six hundred fifty-four) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 15, engrossed, after nurse,  
insert  
*licensed practical nurse, phlebotomist,*

2. Line 54, engrossed, after nurse,  
insert  
*licensed practical nurse, phlebotomist,*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 856** (eight hundred fifty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303 of the Code of Virginia, relating to the practice of optometry.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 985** (nine hundred eighty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1022** (one thousand twenty-two) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 20, engrossed, after *credit*.  
insert

*Any continuing education courses completed by an auctioneer pursuant to a requirement of the Certified Auctioneer's Institute or participation in the educational programs sponsored by the National Auctioneer's Association or Virginia Auctioneer's Association shall satisfy the continuing education requirement of this section.*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1039** (one thousand thirty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-4301 of the Code of Virginia, relating to the Virginia Public Procurement Act; contracts for professional services.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1041** (one thousand forty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

Senator Obenshain offered the following amendments to the substitute:

1. Line 27, substitute, after *present*  
strike  
*during the unlawful sale,*  
insert  
*either (i)*
2. Line 28, substitute, after *substance*  
insert  
*or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care*
3. Line 164, substitute, after *present*  
strike  
*during the unlawful sale,*  
insert  
*either (i)*
4. Line 165, substitute, after *substance*  
insert  
*or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care*

On motion of Senator Obenshain, the reading of the amendments was waived.

On motion of Senator Obenshain, the amendments were agreed to.

The substitute with amendments was ordered to be engrossed.

**H.B. 1056** (one thousand fifty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01 through 19.2-163.04 and 19.2-163.4:1, and to repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1094** (one thousand ninety-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1107** (one thousand one hundred seven) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 42, engrossed, after ~~12~~  
strike  
*six ] months*  
insert  
*60 days*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1111** (one thousand one hundred eleven) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 135, engrossed, after *property*  
strike  
remainder of line 135  
insert  
*by either of the parties for a non-marital separate purpose or the dissipation of such funds*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1124** (one thousand one hundred twenty-four) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

- Line 19, engrossed, after surplus.  
insert

*State institutions of higher education enumerated in § 23-14 shall have their current and future use of real property approved by their Board of Visitors, subject to the review of these Master Plans on a periodic basis by the Department.*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1144** (one thousand one hundred forty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §18.2-308.2:2 of the Code of Virginia, relating to firearms purchases by residents of another state and by residents of Virginia in another state.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1261** (one thousand two hundred sixty-one) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 11, engrossed, after *Department*  
insert  
*of General Services*

2. Line 12, engrossed  
strike  
*and the Attorney General*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1330** (one thousand three hundred thirty) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 50, engrossed, after *24 hours*  
strike  
*of*  
insert  
*from when the department discovered or should have discovered*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1447** (one thousand four hundred forty-seven) was taken up.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 14, engrossed, after *contractor to*  
strike  
*retain*  
insert  
*be paid*

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1480** (one thousand four hundred eighty) was taken up.

Senator Wagner offered the following amendments:

1. Line 15, engrossed, after and  
strike  
Pacific Rim  
insert  
Asian
2. Line 17, engrossed, after *Asian-American*  
strike  
community  
insert  
communities in the Commonwealth

On motion of Senator Wagner, the reading of the amendments was waived.

On motion of Senator Wagner, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 176** (one hundred seventy-six) with substitute.
- H.B. 123** (one hundred twenty-three).
- H.B. 124** (one hundred twenty-four).
- H.B. 148** (one hundred forty-eight) with amendments.
- H.B. 152** (one hundred fifty-two).
- H.B. 162** (one hundred sixty-two).
- H.B. 167** (one hundred sixty-seven).
- H.B. 214** (two hundred fourteen).

- H.B. 217** (two hundred seventeen).  
**H.B. 238** (two hundred thirty-eight).  
**H.B. 350** (three hundred fifty) with amendment.  
**H.B. 409** (four hundred nine).  
**H.B. 415** (four hundred fifteen) with amendment.  
**H.B. 508** (five hundred eight).  
**H.B. 509** (five hundred nine).  
**H.B. 527** (five hundred twenty-seven).  
**H.B. 537** (five hundred thirty-seven).  
**H.B. 543** (five hundred forty-three).  
**H.B. 546** (five hundred forty-six).  
**H.B. 548** (five hundred forty-eight).  
**H.B. 555** (five hundred fifty-five).  
**H.B. 598** (five hundred ninety-eight).  
**H.B. 638** (six hundred thirty-eight) with substitute.  
**H.B. 654** (six hundred fifty-four) with amendments.  
**H.B. 716** (seven hundred sixteen).  
**H.B. 760** (seven hundred sixty).  
**H.B. 784** (seven hundred eighty-four).  
**H.B. 828** (eight hundred twenty-eight).  
**H.B. 856** (eight hundred fifty-six) with substitute.  
**H.B. 978** (nine hundred seventy-eight).  
**H.B. 985** (nine hundred eighty-five) with substitute.  
**H.B. 1022** (one thousand twenty-two) with amendment.  
**H.B. 1027** (one thousand twenty-seven).  
**H.B. 1028** (one thousand twenty-eight).  
**H.B. 1039** (one thousand thirty-nine) with substitute.  
**H.B. 1041** (one thousand forty-one) with substitute with amendments.  
**H.B. 1048** (one thousand forty-eight).  
**H.B. 1049** (one thousand forty-nine).  
**H.B. 1056** (one thousand fifty-six) with substitute.  
**H.B. 1062** (one thousand sixty-two).  
**H.B. 1083** (one thousand eighty-three).  
**H.B. 1085** (one thousand eighty-five).  
**H.B. 1094** (one thousand ninety-four) with substitute.  
**H.B. 1095** (one thousand ninety-five).  
**H.B. 1096** (one thousand ninety-six).  
**H.B. 1103** (one thousand one hundred three).  
**H.B. 1107** (one thousand one hundred seven) with amendment.  
**H.B. 1111** (one thousand one hundred eleven) with amendment.  
**H.B. 1117** (one thousand one hundred seventeen).  
**H.B. 1124** (one thousand one hundred twenty-four) with amendment.  
**H.B. 1133** (one thousand one hundred thirty-three).  
**H.B. 1144** (one thousand one hundred forty-four) with substitute.  
**H.B. 1145** (one thousand one hundred forty-five).  
**H.B. 1178** (one thousand one hundred seventy-eight).  
**H.B. 1189** (one thousand one hundred eighty-nine).  
**H.B. 1193** (one thousand one hundred ninety-three).  
**H.B. 1254** (one thousand two hundred fifty-four).  
**H.B. 1261** (one thousand two hundred sixty-one) with amendments.  
**H.B. 1274** (one thousand two hundred seventy-four).  
**H.B. 1302** (one thousand three hundred two).

- H.B. 1326** (one thousand three hundred twenty-six).
- H.B. 1330** (one thousand three hundred thirty) with amendment.
- H.B. 1355** (one thousand three hundred fifty-five).
- H.B. 1360** (one thousand three hundred sixty).
- H.B. 1435** (one thousand four hundred thirty-five).
- H.B. 1441** (one thousand four hundred forty-one).
- H.B. 1447** (one thousand four hundred forty-seven) with amendment.
- H.B. 1480** (one thousand four hundred eighty) with amendments.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Houck moved to reconsider the vote by which the following House bills were passed en bloc with their titles:

- H.B. 176** (one hundred seventy-six) with substitute.
- H.B. 123** (one hundred twenty-three).
- H.B. 124** (one hundred twenty-four).
- H.B. 148** (one hundred forty-eight) with amendments.
- H.B. 152** (one hundred fifty-two).
- H.B. 162** (one hundred sixty-two).
- H.B. 167** (one hundred sixty-seven).
- H.B. 214** (two hundred fourteen).
- H.B. 217** (two hundred seventeen).
- H.B. 238** (two hundred thirty-eight).
- H.B. 350** (three hundred fifty) with amendment.
- H.B. 409** (four hundred nine).
- H.B. 415** (four hundred fifteen) with amendment.
- H.B. 508** (five hundred eight).
- H.B. 509** (five hundred nine).
- H.B. 527** (five hundred twenty-seven).
- H.B. 537** (five hundred thirty-seven).
- H.B. 543** (five hundred forty-three).
- H.B. 546** (five hundred forty-six).
- H.B. 548** (five hundred forty-eight).
- H.B. 555** (five hundred fifty-five).
- H.B. 598** (five hundred ninety-eight).
- H.B. 638** (six hundred thirty-eight) with substitute.
- H.B. 654** (six hundred fifty-four) with amendments.
- H.B. 716** (seven hundred sixteen).
- H.B. 760** (seven hundred sixty).
- H.B. 784** (seven hundred eighty-four).
- H.B. 828** (eight hundred twenty-eight).

- H.B. 856** (eight hundred fifty-six) with substitute.  
**H.B. 978** (nine hundred seventy-eight).  
**H.B. 985** (nine hundred eighty-five) with substitute.  
**H.B. 1022** (one thousand twenty-two) with amendment.  
**H.B. 1027** (one thousand twenty-seven).  
**H.B. 1028** (one thousand twenty-eight).  
**H.B. 1039** (one thousand thirty-nine) with substitute.  
**H.B. 1041** (one thousand forty-one) with substitute with amendments.  
**H.B. 1048** (one thousand forty-eight).  
**H.B. 1049** (one thousand forty-nine).  
**H.B. 1056** (one thousand fifty-six) with substitute.  
**H.B. 1062** (one thousand sixty-two).  
**H.B. 1083** (one thousand eighty-three).  
**H.B. 1085** (one thousand eighty-five).  
**H.B. 1094** (one thousand ninety-four) with substitute.  
**H.B. 1095** (one thousand ninety-five).  
**H.B. 1096** (one thousand ninety-six).  
**H.B. 1103** (one thousand one hundred three).  
**H.B. 1107** (one thousand one hundred seven) with amendment.  
**H.B. 1111** (one thousand one hundred eleven) with amendment.  
**H.B. 1117** (one thousand one hundred seventeen).  
**H.B. 1124** (one thousand one hundred twenty-four) with amendment.  
**H.B. 1133** (one thousand one hundred thirty-three).  
**H.B. 1144** (one thousand one hundred forty-four) with substitute.  
**H.B. 1145** (one thousand one hundred forty-five).  
**H.B. 1178** (one thousand one hundred seventy-eight).  
**H.B. 1189** (one thousand one hundred eighty-nine).  
**H.B. 1193** (one thousand one hundred ninety-three).  
**H.B. 1254** (one thousand two hundred fifty-four).  
**H.B. 1261** (one thousand two hundred sixty-one) with amendments.  
**H.B. 1274** (one thousand two hundred seventy-four).  
**H.B. 1302** (one thousand three hundred two).  
**H.B. 1326** (one thousand three hundred twenty-six).  
**H.B. 1330** (one thousand three hundred thirty) with amendment.  
**H.B. 1355** (one thousand three hundred fifty-five).  
**H.B. 1360** (one thousand three hundred sixty).  
**H.B. 1435** (one thousand four hundred thirty-five).  
**H.B. 1441** (one thousand four hundred forty-one).  
**H.B. 1447** (one thousand four hundred forty-seven) with amendment.  
**H.B. 1480** (one thousand four hundred eighty) with amendments.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 176** (one hundred seventy-six) with substitute.
- H.B. 123** (one hundred twenty-three).
- H.B. 124** (one hundred twenty-four).
- H.B. 148** (one hundred forty-eight) with amendments.
- H.B. 152** (one hundred fifty-two).
- H.B. 162** (one hundred sixty-two).
- H.B. 167** (one hundred sixty-seven).
- H.B. 214** (two hundred fourteen).
- H.B. 217** (two hundred seventeen).
- H.B. 238** (two hundred thirty-eight).
- H.B. 350** (three hundred fifty) with amendment.
- H.B. 409** (four hundred nine).
- H.B. 415** (four hundred fifteen) with amendment.
- H.B. 508** (five hundred eight).
- H.B. 509** (five hundred nine).
- H.B. 527** (five hundred twenty-seven).
- H.B. 537** (five hundred thirty-seven).
- H.B. 543** (five hundred forty-three).
- H.B. 546** (five hundred forty-six).
- H.B. 548** (five hundred forty-eight).
- H.B. 555** (five hundred fifty-five).
- H.B. 598** (five hundred ninety-eight).
- H.B. 654** (six hundred fifty-four) with amendments.
- H.B. 716** (seven hundred sixteen).
- H.B. 760** (seven hundred sixty).
- H.B. 784** (seven hundred eighty-four).
- H.B. 828** (eight hundred twenty-eight).
- H.B. 856** (eight hundred fifty-six) with substitute.
- H.B. 978** (nine hundred seventy-eight).
- H.B. 985** (nine hundred eighty-five) with substitute.
- H.B. 1022** (one thousand twenty-two) with amendment.
- H.B. 1027** (one thousand twenty-seven).
- H.B. 1028** (one thousand twenty-eight).
- H.B. 1039** (one thousand thirty-nine) with substitute.
- H.B. 1041** (one thousand forty-one) with substitute with amendments.
- H.B. 1048** (one thousand forty-eight).
- H.B. 1049** (one thousand forty-nine).
- H.B. 1056** (one thousand fifty-six) with substitute.
- H.B. 1062** (one thousand sixty-two).
- H.B. 1083** (one thousand eighty-three).
- H.B. 1085** (one thousand eighty-five).
- H.B. 1094** (one thousand ninety-four) with substitute.
- H.B. 1095** (one thousand ninety-five).
- H.B. 1096** (one thousand ninety-six).
- H.B. 1103** (one thousand one hundred three).
- H.B. 1107** (one thousand one hundred seven) with amendment.
- H.B. 1111** (one thousand one hundred eleven) with amendment.
- H.B. 1117** (one thousand one hundred seventeen).
- H.B. 1124** (one thousand one hundred twenty-four) with amendment.
- H.B. 1133** (one thousand one hundred thirty-three).

- H.B. 1144** (one thousand one hundred forty-four) with substitute.  
**H.B. 1145** (one thousand one hundred forty-five).  
**H.B. 1178** (one thousand one hundred seventy-eight).  
**H.B. 1189** (one thousand one hundred eighty-nine).  
**H.B. 1193** (one thousand one hundred ninety-three).  
**H.B. 1254** (one thousand two hundred fifty-four).  
**H.B. 1261** (one thousand two hundred sixty-one) with amendments.  
**H.B. 1274** (one thousand two hundred seventy-four).  
**H.B. 1302** (one thousand three hundred two).  
**H.B. 1326** (one thousand three hundred twenty-six).  
**H.B. 1330** (one thousand three hundred thirty) with amendment.  
**H.B. 1355** (one thousand three hundred fifty-five).  
**H.B. 1360** (one thousand three hundred sixty).  
**H.B. 1435** (one thousand four hundred thirty-five).  
**H.B. 1441** (one thousand four hundred forty-one).  
**H.B. 1447** (one thousand four hundred forty-seven) with amendment.  
**H.B. 1480** (one thousand four hundred eighty) with amendments.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 638** (six hundred thirty-eight) on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--5. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Lambert, Locke, Lucas, Marsh, Miller--5.

RULE 36--0.

**H.B. 1243** (one thousand two hundred forty-three) was taken up, the vote by which the Senate agreed to the amendment offered by Senator Reynolds having been reconsidered on February 27, 2004.

Senator Reynolds withdrew the amendment.

**H.B. 1243**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:  
YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Chichester, Colgan, Martin, Stosch--4.  
RULE 36--0.

**H.B. 64** (sixty-four) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 64**, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:  
YEAS--31. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Puckett, Puller, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple, Williams--31.

NAYS--Cuccinelli, Hanger, Obenshain, O'Brien, Potts, Quayle, Ruff, Wagner--8.  
RULE 36--0.

**H.B. 404** (four hundred four), on motion of Senator Whipple, was passed by for the day.

**H.B. 437** (four hundred thirty-seven) was read by title the third time.

The following amendment proposed by the Committee on General Laws was offered:

1. Line 95, engrossed, after more than  
strike  
~~one such game~~ *two such games*  
insert  
one such game

The reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 437**, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Colgan, Houck, Newman, Ruff--4.

RULE 36--0.

**H.B. 451** (four hundred fifty-one), on motion of Senator Newman, was passed by for the day.

**H.B. 513** (five hundred thirteen) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Blevins, Deeds, Reynolds--3.

RULE 36--0.

**H.B. 675** (six hundred seventy-five) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--25. NAYS--15. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--25.

NAYS--Blevins, Colgan, Deeds, Edwards, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Reynolds, Saslaw, Ticer, Whipple--15.

RULE 36--0.

**H.B. 930** (nine hundred thirty) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1201** (one thousand two hundred one) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-1111 of the Code of Virginia, relating to regulations of the Division of Purchases and Supply; outsourcing.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1201**, on motion of Senator O'Brien, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--14. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Howell, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Wagner, Watkins, Williams--26.

NAYS--Colgan, Deeds, Edwards, Hawkins, Houck, Lambert, Locke, Marsh, Miller, Puller, Stosch, Ticer, Wampler, Whipple--14.

RULE 36--0.

**H.B. 1482** (one thousand four hundred eighty-two), on motion of Senator Mims, was passed by for the day.

#### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 35** (thirty-five).

**H.B. 151** (one hundred fifty-one).

**H.B. 346** (three hundred forty-six).

**H.B. 485** (four hundred eighty-five).

**H.B. 502** (five hundred two).

**H.B. 608** (six hundred eight).

**H.B. 644** (six hundred forty-four).

**H.B. 677** (six hundred seventy-seven).

**H.B. 777** (seven hundred seventy-seven).  
**H.B. 997** (nine hundred ninety-seven).  
**H.B. 998** (nine hundred ninety-eight).  
**H.B. 1194** (one thousand one hundred ninety-four).  
**H.B. 1263** (one thousand two hundred sixty-three).  
**H.B. 1312** (one thousand three hundred twelve).  
**H.B. 1423** (one thousand four hundred twenty-three).  
**H.B. 1444** (one thousand four hundred forty-four).  
**H.B. 1474** (one thousand four hundred seventy-four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 35** (thirty-five).  
**H.B. 151** (one hundred fifty-one).  
**H.B. 346** (three hundred forty-six).  
**H.B. 485** (four hundred eighty-five).  
**H.B. 502** (five hundred two).  
**H.B. 608** (six hundred eight).  
**H.B. 644** (six hundred forty-four).  
**H.B. 677** (six hundred seventy-seven).  
**H.B. 777** (seven hundred seventy-seven).  
**H.B. 997** (nine hundred ninety-seven).  
**H.B. 998** (nine hundred ninety-eight).  
**H.B. 1194** (one thousand one hundred ninety-four).  
**H.B. 1263** (one thousand two hundred sixty-three).  
**H.B. 1312** (one thousand three hundred twelve).  
**H.B. 1423** (one thousand four hundred twenty-three).  
**H.B. 1444** (one thousand four hundred forty-four).  
**H.B. 1474** (one thousand four hundred seventy-four).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Wampler introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 221.** On the deaths of June Carter Cash and Johnny Cash.

Patrons--Wampler and Puckett; Delegates: Johnson and Kilgore

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Lambert introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 222.** Celebrating the life of Alma Alverta Norris Jackson.

Patrons--Lambert, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

### CONFERENCE PROCEDURES

Senator Potts, Chair of the Committee on Education and Health, appointed Senators Marsh, Lambert, and Reynolds, the conferees on the part of the Senate for **S.B. 556** (five hundred fifty-six).

### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

February 29, 2004

- H.B. 14.** An Act to amend and reenact §§ 2.2-216, 2.2-2634, 10.1-200, 10.1-1118, 10.1-1155, 23-31, and 51.5-75 of the Code of Virginia and to repeal §§ 2.2-2820.1 and 3.1-362 of the Code of Virginia, the fifth enactment clause of Chapters 755 and 914 of the Acts of Assembly of 1996, and the third enactment clause of Chapter 891 of the Acts of Assembly of 1998, relating to the elimination of obsolete agency reporting requirements.
- H.B. 231.** An Act to amend and reenact §§ 59.1-198 and 59.1-204 of the Code of Virginia, relating to cure offers for consumer disputes involving consumer purchases.
- H.B. 240.** An Act to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.
- H.B. 241.** An Act to amend and reenact § 2.08, as amended, of Chapter 240 of the Acts of Assembly of 1954, which provided a charter for the Town of Christiansburg, relating to mayor and council.
- H.B. 246.** An Act to amend and reenact § 58.1-602 of the Code of Virginia, relating to sales and use tax definitions.
- H.B. 309.** An Act to amend and reenact §§ 54.1-2956.1, 54.1-2956.3, 54.1-2956.4 and 54.1-2956.5 of the Code of Virginia, relating to the practice of occupational therapy.
- H.B. 474.** An Act to amend and reenact § 65.2-801 of the Code of Virginia, relating to workers' compensation insurance; self-insurers.
- H.B. 484.** An Act to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to reporting of gun sales.
- H.B. 516.** An Act to amend and reenact § 52-8.4 of the Code of Virginia, relating to commercial motor vehicle safety; hours of service; emergency.
- H.B. 877.** An Act to amend and reenact §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; procedure for certain patients to obtain access to their records.

**H.B. 878.** An Act to amend and reenact §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, and 37.1-134.21 of the Code of Virginia, relating to access to health records and information for guardians ad litem and attorneys representing minors and certain adults in certain court proceedings.

**H.B. 879.** An Act to amend and reenact § 32.1-127.1:03 of the Code of Virginia, relating to health records privacy.

**H.B. 1084.** An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for textbooks and other educational materials for free distribution.

**H.B. 1363.** An Act to amend and reenact §§ 24.2-943 and 24.2-944 of the Code of Virginia, relating to political campaign advertisements; basic requirements and additional requirements for radio and television advertisements.

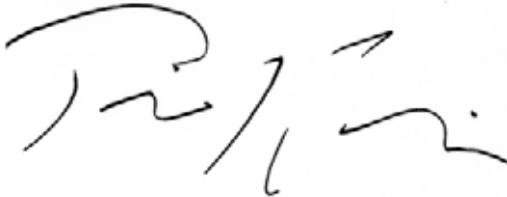
On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee reports.

#### COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**H.B. 29** (twenty-nine) with amendments.

**H.B. 30** (thirty) with amendments.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, MARCH 2, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Timothy M. Hinz, King of Glory Lutheran Church, Williamsburg, Virginia, offered the following prayer:

Almighty God, to Whom all hearts are open, all desires known, and from Whom no secrets are hid:

We give You thanks and praise for this Commonwealth, for this land and its people, who are represented here at this Senate meeting by elected servants. To these officials You have given the authority to serve, to offer ourselves and our days for the blessing of the many citizens of Virginia. As You consider everything we do, send to each Your wisdom and Your understanding. Form the thoughts of our hearts this day, that all discussion and decisions may be pleasing in Your sight, and a reflection of Your face shining upon us.

We offer a special petition that You will bless and guide the election process of our country as many states are taking part in primaries and caucuses today. O God, bring forth leaders at every level that show forth Your desires for this humble nation.

And now, we begin, and ask Your blessing and presence. Into Your hands, O Lord, we commend our Commonwealth, ourselves, and all things. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple.

A quorum was present.

After the roll call, Senators Mims and Williams notified the Clerk of their presence.

On motion of Senator Cuccinelli, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
March 1, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 130.** A BILL to amend and reenact § 60.2-513 of the Code of Virginia, relating to unemployment compensation; employer penalties.

**S.B. 257.** A BILL to amend and reenact § 33.1-72.1 of the Code of Virginia, relating to taking subdivision streets into the secondary system of state highways.

**S.B. 266.** A BILL to amend and reenact § 32.1-325 of the Code of Virginia, relating to the development of a long-term care partnership plan.

**S.B. 421.** A BILL to amend and reenact § 46.2-833 of the Code of Virginia, relating to traffic light signals; penalty.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

**S.B. 35.** A BILL to amend and reenact § 63.2-100 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9 of Title 63.2 a section numbered 63.2-913, relating to subsidized custody for children.

**S.B. 189.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

**S.B. 252.** A BILL to amend and reenact §§ 46.2-838, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, and 46.2-1015 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.

**S.B. 479.** A BILL to amend and reenact §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6, and 22.1-292.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-200.01 and 22.1-202.1, relating to the Standards of Quality.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 546.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 318.** A BILL to amend and reenact §§ 2.2-3705, 2.2-3711, 2.2-4002, 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 63.2-1607.1, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 928.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-3916.02, relating to real estate taxes; alternative payment schedules.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 848.** A BILL for the relief of Julius Earl Ruffin.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 355.** A BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership; board of directors; membership.

**H.B. 569.** A BILL to amend and reenact § 18.2-46.3 of the Code of Virginia, relating to recruitment of juveniles for criminal street gang; penalty.

THE HOUSE OF DELEGATES HAS AGREED TO WITH AMENDMENT THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 77.** Memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states such as Virginia that have successfully increased student achievement through their own standards and accountability reforms.

THE HOUSE OF DELEGATES HAS AGREED TO WITH A SUBSTITUTE THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 79.** Memorializing the Congress of the United States to enact legislation that would allow states to regulate and impose a fee upon municipal solid waste imported from other states.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 127.** A BILL to amend and reenact § 46.2-698 of the Code of Virginia, relating to fees for registration of certain farm vehicles; vehicles used by plant nurseries or Christmas tree farms.

**S.B. 162.** A BILL to repeal § 19.2-42 of the Code of Virginia, relating to duties of the attorney for the Commonwealth; magistrates.

**S.B. 167.** A BILL to amend and reenact § 59.1-369 of the Code of Virginia, relating to the Virginia Racing Commission; satellite facilities.

**S.B. 277.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to maintenance of property acquired by Virginia Department of Transportation for construction of transportation projects.

**S.B. 432.** A BILL to amend and reenact § 28.2-1205 of the Code of Virginia, relating to applications for state-owned bottomlands permits.

**S.B. 565.** A BILL to develop a reference database of statewide health-related data; Secretary of Health and Human Resources.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 354.** A BILL to amend and reenact §§ 51.5-53 and 51.5-56 of the Code of Virginia, relating to Assistive Technology Loan Fund Authority; powers.

**H.B. 493.** A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 81.** Encouraging the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide nonfinancial assistance in developing demonstration projects designed to divert individuals with mental illness, substance abuse, and co-occurring disorders from jail or secure detention.

**S.J.R. 115.** Recognizing and supporting members of the National Guard and Reserve by conducting awareness programs and by holding Military Appreciation Day and other ceremonies.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

**H.B. 390** (three hundred ninety).

**H.B. 471** (four hundred seventy-one) with amendments with the recommendation that it be referred to the Committee for Courts of Justice.

**H.B. 472** (four hundred seventy-two) with amendments.

**H.B. 609** (six hundred nine) with amendments.

**H.B. 798** (seven hundred ninety-eight) with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 818** (eight hundred eighteen) with amendment.

- H.B. 898 (eight hundred ninety-eight).
- H.B. 920 (nine hundred twenty).
- H.B. 938 (nine hundred thirty-eight).
- H.B. 1007 (one thousand seven).
- H.B. 1342 (one thousand three hundred forty-two).
- H.B. 1404 (one thousand four hundred four).
- H.B. 1407 (one thousand four hundred seven) with amendments.
- H.B. 1408 (one thousand four hundred eight).

The following bill, having been considered by the committee in session, was recommended for rereferral by the Committee on Commerce and Labor pursuant to Senate Rule 20 (j):

**H.B. 599** (five hundred ninety-nine) with the recommendation that it be rereferred to the Committee on Finance.

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

- H.B. 17 (seventeen).
- H.B. 79 (seventy-nine).
- H.B. 104 (one hundred four).
- H.B. 184 (one hundred eighty-four) with amendments.
- H.B. 282 (two hundred eighty-two) with amendment.
- H.B. 285 (two hundred eighty-five).
- H.B. 414 (four hundred fourteen).
- H.B. 464 (four hundred sixty-four) with substitute.
- H.B. 515 (five hundred fifteen).
- H.B. 549 (five hundred forty-nine).
- H.B. 600 (six hundred).
- H.B. 615 (six hundred fifteen) with amendments.
- H.B. 632 (six hundred thirty-two) with substitute.
- H.B. 640 (six hundred forty).
- H.B. 645 (six hundred forty-five).
- H.B. 656 (six hundred fifty-six).
- H.B. 660 (six hundred sixty).
- H.B. 663 (six hundred sixty-three).
- H.B. 718 (seven hundred eighteen).
- H.B. 801 (eight hundred one).
- H.B. 863 (eight hundred sixty-three).
- H.B. 871 (eight hundred seventy-one).
- H.B. 872 (eight hundred seventy-two).
- H.B. 902 (nine hundred two).
- H.B. 1057 (one thousand fifty-seven).
- H.B. 1076 (one thousand seventy-six) with substitute.
- H.B. 1093 (one thousand ninety-three).
- H.B. 1143 (one thousand one hundred forty-three) with substitute.
- H.B. 1148 (one thousand one hundred forty-eight).
- H.B. 1149 (one thousand one hundred forty-nine) with substitute.
- H.B. 1159 (one thousand one hundred fifty-nine).
- H.B. 1172 (one thousand one hundred seventy-two) with amendment.
- H.B. 1174 (one thousand one hundred seventy-four).
- H.B. 1233 (one thousand two hundred thirty-three).

**H.B. 471** was rereferred to the Committee for Courts of Justice.

**H.B. 599** was rereferred to the Committee on Finance pursuant to Senate Rule 20 (j).

**H.B. 798** was rereferred to the Committee on Finance.

### GUESTS PRESENTED

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Potts presented to the Senate Sam Huff, on his 30<sup>th</sup> anniversary as the "Voice of the Washington Redskins," and Jay Shropshire, former Clerk of the Senate.

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

Senators Lambert, Marsh, Stosch, and Watkins presented the recipients of the 2004 Virginia's Outstanding Scientists and Virginia's Outstanding Industrialists Awards to the Senate, as follows: Dr. Anatoly Radyuskin, Old Dominion physics professor and a Thomas Jefferson National Accelerator Facility senior scientist, Dr. Harvey Schenkein, Virginia Commonwealth University School of Dentistry assistant dean of research, and Dr. John J. Tyson, Virginia Polytechnic Institute and State University distinguished professor of biology, Virginia's Outstanding Scientists for 2004; Dr. Lemont Burwell Kier, Virginia Commonwealth University School of Pharmacy medicinal chemistry professor, recipient of Virginia's Life Achievement in Science award for 2004; Dr. John S. Langford, president and chairman of Aurora Flight Sciences Corporation and Dr. Ken Murphy, chief executive officer and founder of Lunar Innovations, Inc., Virginia's Outstanding Industrialists for 2004; and Beverley W. Armstrong, vice chairman of CCA Industries, recipient of Virginia's Life Achievement in Industry award for 2004.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puller introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 223.** Commending Linda Laws Corliss.

Patron--Puller

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Houck introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 224.** Commending Joe Wilson.

Patrons--Houck and Chichester; Delegate: Howell, W.J.

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Lambert requested and was granted unanimous consent to introduce a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 226.** Celebrating the life of Shirley Mae Montague Willis-Robinson.

Patrons--Lambert, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, and Williams

**CALENDAR****UNFINISHED BUSINESS — HOUSE**

**H.B. 20** (twenty) was taken up.

On motion of Senator Stolle, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 570** (five hundred seventy) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 952** (nine hundred fifty-two) was taken up.

On motion of Senator Hanger, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 995** (nine hundred ninety-five) was taken up.

Senator Hanger moved that the Senate recede from its amendment.

### PARLIAMENTARY INQUIRY

Senator Stolle propounded a parliamentary inquiry as to whether **H.B. 995** was properly before the Senate.

The Chair deferred his answer until March 3, 2004.

**H.B. 995**, on motion of Senator Norment, was passed by for the day.

**H.B. 1212** (one thousand two hundred twelve) was taken up.

On motion of Senator Hawkins, the Senate insisted on its amendment and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

## CONFERENCE PROCEDURES

Senator Stosch, Chair of the Committee on General Laws, appointed Senators Wampler, Hawkins, and Ruff, the conferees on the part of the Senate for **H.B. 355** (three hundred fifty-five).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Stolle, Rerras, and Lucas, the conferees on the part of the Senate for **H.B. 569** (five hundred sixty-nine).

## UNFINISHED BUSINESS — SENATE

**S.B. 58** (fifty-eight) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 18, engrossed  
strike  
3-120-170  
insert  
30-120-170
2. Line 23, engrossed, after *sign shall*  
strike  
*then*
3. Line 32, engrossed, after *locality*.  
strike  
the remainder of line 32 and all of lines 33 through 36

Senator Martin moved that the amendments be agreed to.

The question was put on agreeing to the amendments.

The amendments were rejected.

The recorded vote is as follows:

YEAS--15. NAYS--22. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Cuccinelli, Devolites, Edwards, Hanger, Martin, Newman, Puckett, Rerras, Reynolds, Ruff, Wagner, Watkins--15.

NAYS--Chichester, Colgan, Deeds, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, O'Brien, Potts, Puller, Quayle, Saslaw, Stolle, Stosch, Ticer, Wampler, Whipple--22.

RULE 36--0.

## STATEMENT ON VOTE

Senator Hawkins stated that he was recorded as not voting on the question of agreeing to the amendments proposed by the House of Delegates to **S.B. 58**, whereas he intended to vote nay.

**S.B. 95** (ninety-five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 111, engrossed, after *from a*

strike

*Schedule 70*

On motion of Senator Devolites, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 101** (one hundred one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 46.2-924 of the Code of Virginia, relating to installation and maintenance of certain signs requiring motorists to yield the right-of-way to pedestrians.

On motion of Senator Devolites, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 186** (one hundred eighty-six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 16, engrossed, after and (1st reference)

strike

Pacific Rim

insert

*Asian*

2. Line 16, engrossed, after education,

strike

and

3. Line 17, engrossed, after general government

strike

*. In addition, the Board shall advise the Governor on*

insert

*, and*

4. Line 18, engrossed, after *Asian-American*  
strike  
*community of*  
insert  
*communities in*

On motion of Senator Miller, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 267** (two hundred sixty-seven) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 69, engrossed  
strike  
all of lines 69 and 70 and through *process.* on line 71

On motion of Senator Deeds, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 274** (two hundred seventy-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons authorized to perform marriage rites.

On motion of Senator Devolites, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 289** (two hundred eighty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.

On motion of Senator O'Brien, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 334** (three hundred thirty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 11, consisting of sections numbered 9.1-185 through 9.1-199, relating to regulation of bail enforcement agents; penalties.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 352** (three hundred fifty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 278, engrossed

strike

all of lines 278 through 293

2. Line 556, engrossed, after 15.

insert

*Records of the Virginia Commonwealth University Health System Authority pertaining to any of the following: an individual's qualifications for or continued membership on its medical or teaching staffs; proprietary information gathered by or in the possession of the Authority from third parties pursuant to a promise of confidentiality; contract cost estimates prepared for confidential use in awarding contracts for construction or the purchase of goods or services; data, records or information of a proprietary nature produced or collected by or for the Authority or members of its medical or teaching staffs; financial statements not publicly available that may be filed with the Authority from third parties; the identity, accounts or account status of any customer of the Authority; consulting or other reports paid for by the Authority to assist the Authority in connection with its strategic planning and goals; the determination of marketing and operational strategies where disclosure of such strategies would be harmful to the competitive position of the Authority; and data, records or information of a proprietary nature produced or collected by or for employees of the Authority, other than the Authority's financial or administrative records, in the conduct of or as a result of study or research on medical, scientific, technical or scholarly issues, whether sponsored by the Authority alone or in conjunction with a governmental body or a private concern, when such data, records or information have not been publicly released, published, copyrighted or patented.*

16.

3. Line 564, engrossed

strike

16.

insert

17.

4. Line 569, engrossed

strike

17.

insert

18.

5. Line 574, engrossed

strike

18.

insert

19.

6. Line 577, engrossed

strike

19.

insert

20.

On motion of Senator Houck, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 381** (three hundred eighty-one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

Senator Puller moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--39. RULE 36--0.

YEAS--0.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

RULE 36--0.

**S.B. 406** (four hundred six) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 58, engrossed, after *members* (first reference)

strike

*nonlegislative citizen members*

On motion of Senator Ruff, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 452** (four hundred fifty-two) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid; emergency.

On motion of Senator Whipple, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 494** (four hundred ninety-four) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 17, engrossed, after *and*  
insert

*reasonable*

2. Line 40, engrossed, after Class 6 felony.  
strike

the remainder of line 40, all of lines 41 and 42 and through *person*. on line 43

3. Line 43, engrossed, after *person*  
strike

*violating this section*

insert

*convicted under this section who is required to pay restitution by the court*

4. Line 45, engrossed, after *cemetery*  
insert

*regardless of whether the property damaged is owned by the cemetery or by another person*

On motion of Senator Mims, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 535** (five hundred thirty-five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 26, engrossed, after *claim*;  
strike

*or*

On motion of Senator Stosch, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 548** (five hundred forty-eight), on motion of Senator Norment, was passed by temporarily.

**S.B. 562** (five hundred sixty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 256, engrossed, after *board*,  
strike

*having charter or statutory*

insert

*who by charter, ordinance, or statute have*

2. Line 264, engrossed, after person.

insert

*Local governing bodies shall adopt guidelines to govern the disclosure required by this subdivision.*

On motion of Senator Lambert, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 652** (six hundred fifty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 46, engrossed, after *members*.

strike

the remainder of line 46 and all of lines 47 through 54

insert

*The governing bodies of the City of Williamsburg, the County of James City, and the County of York shall each designate one of their members to serve as members of the Williamsburg Area Destination Marketing Committee. These three members of the Committee shall have two votes apiece.*

2. Line 63, engrossed, after *officio*.

insert

*Each of these five members of the Committee shall have one vote apiece.*

3. Line 64, engrossed

strike

all of line 64

On motion of Senator Norment, the amendments were agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Cuccinelli, O'Brien--2.

RULE 36--0.

**S.J.R. 73** (seventy-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 4, engrossed, title, after *Designating*

strike

*January 15, 2004, through December*

insert

*2004 and*

2. Line 4, engrossed, title, after *Education*

strike

*Year*

insert

*years*

3. Line 76, engrossed

strike

January 15, 2004, through December

insert

2004 and

4. Line 76, engrossed, after *Education*

strike

*Year*

insert

years

5. Line 90, engrossed, after designation of  
strike

this year

insert

these years

On motion of Senator Marsh, the amendments were agreed to.

**S.J.R. 91** (ninety-one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

Memorializing the Congress of the United States to propose a constitutional amendment to protect the fundamental institution of marriage as a union between a man and a woman.

On motion of Senator Cuccinelli, the substitute was agreed to.

**S.J.R. 120** (one hundred twenty) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 3, engrossed, title, after *Designating*  
strike

*February 9-15,*

insert

*the second week in February in*

2. Line 3, engrossed, title, after *2004,*

insert

*and in each succeeding year,*

3. Line 20, engrossed

strike

February 9-15,

insert

the second week in February in

4. Line 20, engrossed, after *2004,*

insert

and in each succeeding year,

5. Line 22, engrossed, after Cotillions

insert

and the directors of all other affiliates of the National League of Junior Cotillions located in Virginia and made known to the Clerk of the Senate

On motion of Senator Houck, the amendments were agreed to.

**S.B. 548** (five hundred forty-eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

Senator Puckett moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--13. NAYS--26. RULE 36--0.

YEAS--Lambert, Locke, Lucas, Martin, Mims, Newman, Potts, Puckett, Puller, Reynolds, Ticer, Watkins, Whipple--13.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Marsh, Miller, Norment, O'Brien, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Williams--26.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate agreed to the amendments proposed by the House of Delegates to **S.J.R. 120** (one hundred twenty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.J.R. 120**, on motion of Senator Norment, was passed by for the day.

### CALENDAR

On motion of Senator Norment, the following business was taken up out of its Calendar order.

### HOUSE BILLS ON SECOND READING

Senator Chichester moved that the Rules be suspended and the second reading of the title of **H.B. 29** (twenty-nine) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 29** was read by title the third time.

The following amendments proposed by the Committee on Finance were offered:

Revenues Item 0 #3s  
 Revenues Language

Language:

Page 1, delete lines 30 through 44 and insert:

	First Year	Second Year	Total
Unreserved Balance, June 30, 2002	\$70,004,000	\$241,626,000	\$311,630,000
Additions to Balance	\$33,897,722	(\$242,103,277)	(\$208,205,555)
Official Revenue Estimates	\$10,806,719,319	11,578,212,479	\$22,384,931,798
Transfers	\$684,218,981	\$594,240,969	\$1,278,459,950
Revenue Stabilization Fund	\$245,900,000	\$0	\$245,900,000
Lottery Proceeds Fund	\$363,691,427	\$385,100,000	\$748,791,427
Total General Fund Resources Available for Appropriation	\$12,204,431,449	\$12,557,076,171	\$24,761,507,620

Page 1, delete lines 46 through 50 and insert:

	First Year	Second Year	Total
Balance, June 30, 2002	\$1,709,638,968	\$0	\$1,709,638,968
Official Revenue Estimates	\$13,530,535,470	\$14,960,922,399	\$28,491,457,869
Bond Proceeds	\$818,735,371	\$365,298,000	\$1,184,033,371
Total Nongeneral Fund Revenues Available for Appropriation	\$16,058,909,809	\$15,326,220,399	\$31,385,130,208
<b>TOTAL PROJECTED REVENUES</b>	<b>\$28,263,341,258</b>	<b>\$27,883,296,570</b>	<b>\$56,146,637,828</b>

Page 2, delete lines 1 through 4.

Executive Offices Item 53 #2s  
 Division Of Debt Collection Language

Language:

Page 13, strike lines 29-37 and insert:

“A.1. For collection of accounts receivable of \$3,000 or more that are 60 days or more past due, each state agency and institution shall forward those claims to the Office of Attorney General, Division of Debt Collection for collection. The Attorney General shall review forwarded accounts, determine the appropriate collection efforts if any, for each account, and take such actions on the accounts as he may so determine.

2. For collection of accounts receivable under \$3,000 that are 60 days or more past due, each agency and institution shall contract with a private collection agency for the collection of those debts. Prior to referring accounts receivable of less than \$3,000, agencies and institutions may refer such accounts to the Office of the Attorney General, Division of Debt Collection. The Attorney General may accept the account for collection or return it to the agency or institution for collection by a private collection agency.

B.1. There is hereby created on the books of the Comptroller a special nonreverting fund known as the “Debt Collection Recovery Fund.” The Division of Debt Collection shall deposit to the Fund all revenues generated by it from receivables collected on behalf of state agencies. This provision shall apply whether such payment is made directly to the affected agency or to the Office of the Attorney General. Amounts collected from receivables in trust or federal funds, however, shall be returned to such funds.

2. The Secretary of Finance may make exemptions from the required deposits to the Fund, as specified in B.1. above, upon his determination that such collections are more appropriately returned to the fund source in which such receivables are due. Any such exemptions shall be reported to the Chairmen of the Senate Finance and House Appropriations Committees within 30 days of such approval.

3. From the amounts deposited into the Fund, 30 percent, not to exceed \$1,800,000 in any fiscal year, shall be paid to the Division of Debt Collection.

4. Thirty percent shall be returned to the state agency for which the claim was collected. Out of the balance in the Fund, the State Comptroller shall transfer up to \$1,570,000 to the general fund on or before June 30, 2004. Any amount in excess of the transfer which remains in the Debt Collection Recovery Fund each year after the transfer shall be returned on a pro rata basis to all state agencies having claims collected by the Division of Debt Collection during the course of the year, to the extent that such collections contributed to the balance in the Fund.

5. The Division of Debt Collection in the Office of the Attorney General and the Department of Accounts shall promulgate rules necessary to implement these provisions.”

Administration

Item 58 #1s

Secretary Of Administration

Language

Language:

Page 15, following line 28, insert:

“C.1. The Secretary of Administration and the Secretary of Education shall rely on the advice of a third party professional engineer with experience in the field of building environmental controls to make a definitive recommendation on the management of the environmental controls for the Library of Virginia. The Secretaries shall report their recommendations to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no later than August 1, 2004.

2. No later than August 1, 2004 the Attorney General shall take such legal action as is necessary to achieve an equitable resolution for the Commonwealth with regard to the serious environmental control issues in the Library of Virginia.”

Education: Elementary & Secondary

Item 147 #1s

Direct Aid To Public Education

FY 02-03

FY 03-04

\$0

(\$9,311,347)

GF

Language:

Page 57, line 38, strike "\$2,752,643,222" and insert "\$2,743,331,875".

Education: Elementary & Secondary			Item 148 #1s
Direct Aid To Public Education	FY 02-03	FY 03-04	
	\$0	\$16,666,667	GF

Language:

Page 82, line 29, strike "\$1,233,899,374" and insert "\$1,250,566,041".

Education: Elementary & Secondary			Item 150 #1s
Direct Aid To Public Education	FY 02-03	FY 03-04	
	\$0	\$383,565	GF

Language:

Page 84, line 5, strike "\$11,113,652" and insert "\$11,497,217".

Education: Higher Education			Item 227 #1s
Virginia Commonwealth University	FY 02-03	FY 03-04	
	\$0	\$510,000	GF

Language:

Page 119, line 3, strike "\$281,032,447" and insert "\$281,542,447".

Page 119, line 17, strike "\$6,801,470" and insert "\$8,501,470".

Health And Human Resources			Item 305 #1s
Department Of Health	FY 02-03	FY 03-04	
	\$0	\$50,000	GF

Language:

Page 172, line 9, strike "\$12,538,129" and insert "\$12,588,129".

Page 172, after line 51, insert:

"C. Out of this appropriation, \$50,000 the second year from the general fund shall be provided to the Virginia Primary Care Association to provide gap coverage for obstetrical services in rural communities at risk of losing obstetrical services."

Health And Human Resources			Item 329 #1s
Department Of Mental Health, Mental Retardation And Substance Abuse Services			Language

Language:

Page 204, after line 33, insert:

"Q.1 Notwithstanding the Commissioner's discretion to grant licenses pursuant to this chapter or any Board regulation regarding licensing, no initial license shall be granted by the Commissioner to a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, if such provider is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner of the Department of Mental Health, Mental Retardation or Substance Abuse Services or owned or operated by an agency of the Commonwealth.

2. Further, upon receiving notice of a proposal for or an application to obtain initial licensure from a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, the Commissioner shall, within 15 days of such receipt,

notify the local governing body of and the community services board serving the jurisdiction in which the facility is to be located of such proposal or application and its proposed location.

Within 30 days of the date of the notice, local governing bodies and community services boards shall submit to the Commissioner comments on such proposals or applications. The local governing body shall notify the Commissioner within 30 days of the date of the notice concerning the compliance of the applicant with this section and any applicable local ordinances.

3. No license shall be issued by the Commissioner to such provider until the conditions of this section have been met, i.e., local governing body and community services board comments have been received and the local governing body has determined compliance with the provisions of this section and any relevant local ordinances.

4. No existing provider that has made application for licensure and obtained a certificate of occupancy or has received a license in accordance with the law and regulations in effect on January 1, 2004, shall be required to comply with the provisions of this section.

5. The provisions of this act shall not apply to the jurisdictions located in Planning District 8.”

Health And Human Resources			Item 329 #2s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 02-03	FY 03-04	
	\$0	\$1,000,000	GF

Language:

Page 199, line 42, strike “\$15,688,674” and insert “\$16,688,674”.

Page 204, after line 33 insert:

“P. Out of this appropriation, \$1,000,000 the second year from the general fund shall be used to provide substance abuse services through community services boards. In the event that funding in excess of this appropriation is necessary to prevent a reduction in federal funding from the Substance Abuse Prevention and Treatment block grant, the Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall transfer such funds as are necessary to prevent a reduction.”

Health And Human Resources		Item 329 #3s
Department Of Mental Health, Mental Retardation And Substance Abuse Services		Language

Language:

Page 204, after line 33, insert:

“Q. The Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall move expeditiously but no later than June 30, 2004 to approve Comprehensive Services Act programming to be provided by a private contractor in a state-owned building at the Southwest Virginia Mental Health Institute.”

Health And Human Resources		Item 345 #1s
Department Of Rehabilitative Services		Language

Language:

Page 207, after line 16, insert:

“The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning disabled persons in hospitals to rehabilitation facilities. As part of this expedited process, the Department of

Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of referrals from local departments of social services.”

Natural Resources			Item 380 #1s
Department Of Conservation And Recreation	FY 02-03	FY 03-04	
	\$0	\$467,907	NGF

Language:

Page 218, line 40, strike “\$20,974,631” and insert “\$21,442,538”.

Page 220, line 33, strike “\$370,879 the first year” and insert “\$467,907 the second year”.

Public Safety	Item 401 #1s
Secretary Of Public Safety	
	Language

Language:

Page 226, after line 2, insert:

“E. Notwithstanding the provisions of Item 480 of Chapter 1042, of the Acts of Assembly of 2003, the Secretary of Public Safety, in coordination with the Secretary of Transportation, shall authorize the transfer, for consideration, of the motor vehicle dealer center adjacent to the Franconia Customer Service Center from the Department of Motor Vehicles to the Department of Alcoholic Beverage Control. Furthermore, notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from such transfer shall be deposited into the general fund.”

Public Safety	Item 408 #1s
Department Of Corrections, Central Activities	
	Language

Language:

Page 229, following line 26, insert:

“H. The Department of Corrections shall develop preliminary plans for construction of a medium security prison, in addition to those authorized in Senate Bill 39 of the 2004 General Assembly, and shall present such plans to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2004. The plans may consider either or both construction and operation of such prison under this act, the Public Private Education and Infrastructure Act, the Corrections Private Management Act, or such other means as may be appropriate. The Department shall give first priority consideration to locating such prison within the Mount Rogers Planning District. The next priority for the location of a subsequent facility shall be given to a location within Charlotte County.”

Public Safety	Item 417 #1s
Division Of Community Corrections	
	Language

Language:

Page 231, strike lines 7-20 and insert:

“D. The following projects are hereby exempted from the provisions of Paragraph C.1. in order to proceed in planning. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the governing bodies of these proposed facilities shall submit the required community-based corrections plans, facility specifications, and the expected financing costs to the Department of Corrections by May 1, 2004, in order that the Board of Corrections may complete its review of these projects prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such

projects, for consideration by the General Assembly at its 2005 Session. The review by the Board of Corrections of each of these projects shall be consistent with Paragraphs D., E., and F. below.

1. The Pamunkey Regional Jail Authority.
2. The Hampton Roads Regional Jail Authority, for a planning study.
3. The Hampton Roads Regional Jail Authority, for a preliminary study of the feasibility of a specialized facility for mental health treatment.
4. The Portsmouth City Jail, for a replacement project consisting of additional space to be constructed at the Hampton Roads Regional Jail complex.
5. The Gloucester County Jail.
6. The Roanoke County-Salem Jail.
7. The Pittsylvania County Jail.
8. The Riverside Regional Jail Authority.
9. The Rappahannock Regional Jail Authority.
10. The Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center, for an expansion project involving the development of a new community corrections facility with approximately 204 beds, and a 120-bed expansion of the existing jail.

D. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility.

E. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security.”

Page 231, line 21, strike “D” and insert “F”.

Page 231, line 21, strike “may” and insert “shall”.

Public Safety	Item 457 #1s
Department Of State Police	
	Language

Language:

Page 240, line 11, strike “State Agency Radio System” and insert “Statewide Agencies Radio System”.

Central Appropriations			Item 512 #1s
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$225,000	GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$24,230,841”.

Page 254, after line 35, insert:

“S. Out of this appropriation, \$225,000 the second year from the general fund is provided to the Department of General Services for unanticipated utility cost increases at the seat of government.”

Central Appropriations			Item 512 #3s
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$22,193	GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$24,028,034”.

Page 254, after line 35 insert:

“S. Out of this Item, \$22,193 the second year from the general fund shall be transferred to the Virginia Crime Commission (Item 18, Chapter 1042, 2003 Session) for the replacement of federal funds.”

Central Appropriations

Item 512 #5s

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

“S. Under Item 491 A. of Chapter 1042, 2003 Acts of Assembly, available funding up to \$200,000 in the access road program shall be used to fund the planning and initial preliminary engineering costs for the transportation improvements required as part of the construction of the New Marine Terminal in the City of Portsmouth. Any such funding spent on the improvements shall be returned to the access road program once federal authorization of the project is received.”

Central Appropriations

Item 512 #6s

Central Appropriations

FY 02-03  
\$0

FY 03-04  
\$50,000

GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$24,055,841”.

Page 254, after line 35, insert:

“S. Included in the amount for Economic Contingency is \$50,000 from the general fund in the second year to match an equivalent amount from the Commonwealth of Kentucky for a celebration of the 50th anniversary of Breaks Interstate Park.”

Central Appropriations

Item 512 #7s

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

“S. Under Item 398 of Chapter 1042, 2003 Acts of Assembly, on page 413, language beginning with “It is the intent of the General Assembly” and ending with “Code of Virginia.” is nullified.”

Central Appropriations

Item 512 #11s

Central Appropriations

FY 02-03  
\$0

FY 03-04  
\$100,000,000

GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$124,005,841”.

Page 254, after line 35, insert:

“S. Of this appropriation \$100,000,000 from the general fund in the second year is provided for a deposit to the Revenue Stabilization Fund (Item 278.10, Chapter 1042, 2003 Acts of Assembly).”

Central Appropriations

Item 512 #12s

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

“S. The Director of Department of Planning and Budget shall unallot \$127,500 the second year from the general fund in Item 142 of Chapter 1042, 2003 Acts of Assembly.”

Administration			Item C-1.60 #1s
Department Of General Services	FY 02-03	FY 03-04	
	\$0	\$15,596,000	NGF

Language:

Page 268, line 2, strike “\$13,528,000” and insert “\$29,124,000”.

Transportation			Item C-129 #1s
Department Of Transportation			
			Language

Language:

Page 280, line 20, after “approve any such agreement.” insert:

“Not later than 30 days prior to the approval of such agreement, a report describing the proposed agreement shall be submitted to the Chairmen of the Senate Finance and House Appropriations Committees.”

Central Appropriations			Item C-152.1 #1s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$7,500,000	NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Fitness Center \$7,500,000  
 Fund Sources: Debt Service \$7,500,000”.  
 Trust and Agency

Central Appropriations			Item C-152.1 #2s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$31,600,000	NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Medical Research Building (MR-6) \$31,800,000  
 Fund Sources: Bond Proceeds \$31,800,000”.

Central Appropriations			Item C-152.1 #3s
Central Capital Outlay			
			Language

Language:

Page 281, following line 26

“C-152.1. Improvements: Rouss Hall (16747)

Fund Sources:

That the following provision shall be stricken from item C-47.20, Chapter 1042, 2003 Acts of Assembly, for the University of Virginia during enrolling of SB 29:

“The operation and maintenance of this facility shall be the responsibility of non-general fund sources.”

Central Appropriations			Item C-152.1 #4s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$1,000,000	NGF

Language:

Page 281, following line 26

“C-152.1. Improvements: Cocke Hall Renovation (207-16584) \$1,000,000  
 Fund Sources: Higher Education Operating \$1,000,000”.

Central Appropriations		Item C-152.1 #5s
Central Capital Outlay		Language

Language:

Page 281, following line 26

“C-152.1. New Construction: Student Housing  
 Fund Sources:

“A. Subject to 4-4.01x of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements for the development of one or more student housing projects on campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

B. The University is further authorized to enter into a ground lease through a Public-Private Partnership for a term not to exceed fifty years for the construction and development of on campus student housing. The Public-Private Partnership shall be deemed to be a purpose consistent with the general mission and auxiliary enterprises of the University within the meaning of 2.2-1155(B) of the Code of Virginia.”

Central Appropriations		Item C-152.1 #6s
Central Capital Outlay		Language

Language:

Page 281, following line 26

“C-152.1. Acquisition: Hospital Property (16882)  
 Fund Sources:

That the provision in italics shall be inserted in C-28.25, Chapter 1042, 2003 Acts of Assembly, during enrolling of SB 29:

“C-28.25 Acquire *and Renovate* Hospital Property”

Central Appropriations			Item C-152.1 #8s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$3,500,000	NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Ash Lawn Performance Facility \$3,500,000  
 Fund Sources: Higher Education Operating \$3,500,000”.

Central Appropriations			Item C-152.1 #9s
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$7,700,000	NGF

Language:

Page 281, following line 26

“C-152.1. New Construction: Medical Research Building (MR-6) \$7,700,000

Fund Sources: Bond Proceeds \$7,700,000”.

Transfers	Item 3-1.01 #1s
Interfund Transfers	
	Language

Language:

Page 295, line 26, strike “\$1,690,850” and insert “\$418,100” in the second year.

Transfers	Item 3-1.01 #1s
Interfund Transfers	
	Language

Language:

Page 292, line 25, strike “\$384,991,376” and insert “\$383,972,603.”

The reading of the amendments was waived.

On motion of Senator Chichester, the amendments were agreed to.

**H.B. 29**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Chichester was ordered to inform the House of Delegates thereof.

Senator Chichester moved that the Rules be suspended and the second reading of the title of **H.B. 30** (thirty) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 30** was read by title the third time.

The following amendments proposed by the Committee on Finance were offered:

Revenues	Item 0 #2s
Revenues	Language

Language:

Item 0, strike lines 4 through 12, and insert:

“A BILL to appropriate the public revenue for the two years ending respectively on the thirtieth day of June 2005, and the thirtieth day of June 2006, to provide a portion of such revenues, and to amend and re-enact §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-1001, 58.1-1009, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706, and 58.1-3833 of the Code of Virginia, to amend the Code of Virginia by adding in Title 10.1 a chapter numbered 21.2 consisting of a section numbered 10.1-2135, by adding in Title 32.1 a chapter numbered 15 consisting of sections numbered 32.1-366 and 32.1-367, by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, by adding in Chapter 10 of Title 58.1 an article numbered 2.1 consisting of sections numbered 58.1-1021.01 through 58.1-1021.05, by adding in Chapter 22 of Title 58.1 an article numbered 8.1 consisting of a section numbered 58.1-2288.1, and to repeal the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of 2000.”

Revenues	Item 0 #3s
Revenues	Language

Language:

Page 1, strike lines 25 through 32 and insert:

	First Year	Second Year	Total
Unreserved Balance, June 30, 2004	\$232,861,556	\$0	\$232,861,556
Additions to Balance	(\$500,000)	(\$500,000)	(\$1,000,000)
Official Revenue Estimates	\$13,034,257,782	\$13,766,304,591	\$26,800,562,373
Lottery Proceeds Fund	\$395,000,000	\$402,000,000	\$797,000,000

Transfers	\$93,866,289	\$94,910,681	\$188,776,970
Total General Fund Resources Available for Appropriation	\$13,755,485,627	\$14,262,715,272	\$28,018,200,899

Page 1, strike lines 34 through 40 and insert:

	First Year	Second Year	Total
Balance, June 30, 2004	\$1,854,347,481	\$0	\$1,854,347,481
Official Revenue Estimates	\$16,049,825,419	\$16,931,147,512	\$32,980,972,931
Bond Proceeds	\$984,242,290	\$111,663,475	\$1,095,905,765
Total Nongeneral Fund Revenue Available for Appropriation	\$18,888,415,190	\$17,042,810,987	\$35,931,226,177
<b>TOTAL PROJECTED REVENUE</b>	<b>\$32,643,900,817</b>	<b>\$31,305,526,259</b>	<b>\$63,949,427,076</b>

Legislative Department Item 2 #1s  
 Auditor Of Public Accounts Language

Language:

Page 8, following line 13, insert:

“The Auditor of Public Accounts shall review the operations of the State Comptroller as they relate to the Commonwealth's financial accounting and control operations. The Secretary of Finance, State Comptroller, State Treasurer, Director of Planning and Budget and the Chief Information Officer will all provide any assistance and cooperation necessary for the Auditor to conduct this review. In conducting the review, the Auditor shall determine the factors that have led to the current structure of the Commonwealth's financial accounting and control operations, the Comptroller's responsibility for financial and internal controls, the impact of decentralization on the financial structure and internal controls, and whether the Commonwealth has a modern financial system and structure. Additionally, Auditor of Public Accounts shall provide the Chairmen of the Senate Finance Committee, the House Appropriations Committee and the House Finance Committee an assessment of information available to them, and how any changes in the Commonwealth's financial accounting and control operations could enhance their oversight and what resources would be necessary to accomplish this function. The Auditor shall submit a planning document to the Chairmen of Senate Finance and House Appropriations and Finance Committees outlining the scope of this review by July 15, 2004. A preliminary report of initial findings, recommendations and issues shall be available to the Governor and the General Assembly by December 1, 2004, and a final report by November 15, 2005 with recommendations for proposed budgetary and statutory changes.”

Legislative Department Item 2 #2s  
 Auditor Of Public Accounts Language

Language:

Page 8, following line 13, insert:

“The Auditor of Public Accounts shall conduct an audit to determine the amount of deferred maintenance costs in the Commonwealth in accordance with Item C-194.20 of this Act. The Auditor shall use the funding provided in Item C-194.20 of this Act to assist agencies and institutions to acquire the software and training necessary to accumulate the information to perform the audit.”

Legislative Department			Item 10 #1s
Dr. Martin Luther King, Jr. Memorial	FY 04-05	FY 05-06	
Commission	\$10,000	\$10,000	GF

Language:

Page 10, line 26, strike "\$40,000" and insert "\$50,000".  
 Page 10, line 26, strike "\$40,000" and insert "\$50,000".

Legislative Department			Item 11 #1s
Joint Commission On Health Care			
			Language

Language:

Page 10, after line 37, insert:  
 "The Joint Commission on Health Care should support the continuation of state funding of local initiatives to address the needs of adults and juveniles with mental health, mental retardation, or co-occurring disorders who come into contact with the criminal justice system."

Legislative Department			Item 13 #1s
Commissioners For Promotion Of	FY 04-05	FY 05-06	
Uniformity Of Legislation	\$21,000	\$23,000	GF

Language:

Page 11, line 16, strike "\$39,500" and insert "\$60,500".  
 Page 11, line 16, strike "\$39,500" and insert "\$62,500".

Legislative Department			Item 18 #1s
Virginia Crime Commission	FY 04-05	FY 05-06	
	\$88,772	\$88,772	GF

Language:

Page 12, line 22, strike "\$500,436" and insert "\$589,208".  
 Page 12, line 22, strike "\$500,436" and insert "\$589,208".

Legislative Department			Item 18 #2s
Virginia Crime Commission			
			Language

Language:

Page 12, line 27, insert:  
 "The Virginia Crime Commission shall examine the statutory basis for computer crimes in the Code of Virginia, including a determination of the appropriate definitions and elements constituting offenses in this area."

Legislative Department			Item 23 #1s
Legislative Department Reversion	FY 04-05	FY 05-06	
Clearing Account	(\$300,000)	(\$300,000)	GF

Language:

Page 14, line 38, strike "(\$547,000)" and insert "(\$847,000)".

Page 14, line 38, strike “(\$547,000)” and insert “(\$847,000)”.

Judicial Department	Item 26 #1s
Supreme Court	
	Language

Language:

Page 17, lines 11-13, strike “in lieu of travel and all other expenses incurred incident to the conduct of the business of the Court, except lodging expenses incurred while conducting the business of the Court,” and insert “for expenses not otherwise reimbursed.”

Judicial Department	Item 31 #1s
Court Of Appeals Of Virginia	
	Language

Language:

Page 18, lines 29-32, strike “in lieu of travel and all other expenses incurred incident to the conduct of the business of the Court, except lodging expenses incurred while conducting the business of the Court,” and insert “for expenses not otherwise reimbursed.”

Judicial Department			Item 32 #2s
Circuit Courts	FY 04-05	FY 05-06	
	\$1,065,645	\$1,045,645	GF
	5.00	5.00	FTE

Language:

Page 19, line 2, strike “\$75,756,553” and insert “\$76,822,198”.  
 Page 19, line 2, strike “\$79,070,327” and insert “\$80,115,972”.

Judicial Department			Item 32 #3s
Circuit Courts	FY 04-05	FY 05-06	
	(\$250,000)	(\$400,000)	GF

Language:

Page 19, line 2, strike “\$75,756,553” and insert “\$75,506,553”.  
 Page 19, line 2, strike “\$79,070,327” and insert “\$78,670,327”.

Judicial Department			Item 33 #1s
General District Courts	FY 04-05	FY 05-06	
	\$385,870	\$380,870	GF
	2.00	2.00	FTE

Language:

Page 20, line 2, strike “\$75,218,062” and insert “\$75,603,932”.  
 Page 20, line 2, strike “\$75,218,062” and insert “\$75,598,932”.

Judicial Department			Item 33 #2s
General District Courts	FY 04-05	FY 05-06	
	\$1,500,000	\$1,796,812	GF
	49.00	49.00	FTE

Language:

Page 20, line 2, strike “\$75,218,062” and insert “\$76,718,062”.

Page 20, line 2, strike "\$75,218,062" and insert "\$77,014,874".

Judicial Department			Item 39 #1s
Public Defender Commission	FY 04-05	FY 05-06	
	\$258,542	\$355,770	GF
	4.00	6.00	FTE

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$23,937,460".

Page 25, line 33, strike "\$23,693,663" and insert "\$24,049,433".

Page 33, line 32, strike "PUBLIC DEFENDER COMMISSION" and insert:  
"INDIGENT DEFENSE COMMISSION"

Page 33, line 39, strike "Public Defender Commission" and insert:  
"Indigent Defense Commission"

Judicial Department			Item 39 #3s
Public Defender Commission	FY 04-05	FY 05-06	
	\$2,930,551	\$3,204,386	GF
	49.25	49.25	FTE

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$26,609,469".

Page 25, line 33, strike "\$23,693,663" and insert "\$26,898,049".

Judicial Department			Item 39 #4s
Public Defender Commission	FY 04-05	FY 05-06	
	\$402,100	\$0	GF

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$24,081,018".

Judicial Department			Item 39 #5s
Public Defender Commission	FY 04-05	FY 05-06	
	\$206,723	\$185,503	GF

Language:

Page 25, line 33, strike "\$23,678,918" and insert "\$23,885,641".

Page 25, line 33, strike "\$23,693,663" and insert "\$23,879,166".

Judicial Department			Item 41 #1s
Virginia State Bar	FY 04-05	FY 05-06	
	\$800,000	\$800,000	GF

Language:

Page 26, line 14, strike "\$5,423,515" and insert "\$6,223,515".

Page 26, line 14, strike "\$5,423,515" and insert "\$6,223,515".

Executive Offices			Item 51 #1s
Attorney General And Department Of Law	FY 04-05	FY 05-06	
	\$500,000	\$500,000	NGF

Language:

Page 30, line 27, strike "\$1,938,429" and insert "\$2,438,429".

Page 30, line 27, strike "\$1,938,429" and insert "\$2,438,429".

Page 30, line 32, strike "750,000" and insert "1,250,000".

Page 30, line 33, strike "750,000" and insert "1,250,000".

Page 30, strike line 34 and insert "Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust".

Page 30, line 36, after "1994" insert "and amended herein".

Page 30, line 37, after "fees" insert "civil penalties,".

Page 30, line 40, after "litigation" insert:

"or enforcement efforts pursuant to Article 5 (Section 3.1-336.1 et seq.) and Article 6 (Section 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia. In addition, the Department of Law is authorized to deposit to the Fund any attorneys' fees which from time to time may be obtained."

Page 30, line 43, strike "750,000" and insert "1,250,000".

Page 30, line 45, after "fund." insert:

"In addition to the uses of the Fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, a portion of the Fund not to exceed \$500,000 may be used to pay costs associated with enforcement efforts pursuant to Article 5 (Section 3.1-336.1 et seq.) and Article 6 (Section 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Article 1.1 (Section 37.1-70.1 et seq.) of Chapter 2 of Title 37.1 of the Code of Virginia."

Executive Offices

Item 53 #3s

Division Of Debt Collection

Language

Language:

Page 31, line 29, after "\$1,000." insert:

"Notwithstanding any provision of the Code of Virginia, the University of Virginia Medical Center shall be exempt from participating in the Office of the Attorney General's debt collection process, provided that the University demonstrates to the Secretary of Finance that a change in the debt collection agent is cost effective, in which case the University of Virginia shall have the authority to collect its Medical Center accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to compromise, settle, and discharge Medical Center accounts receivable claims."

Executive Offices

Item 53 #5s

Division Of Debt Collection

Language

Language:

Page 31, strike lines 24-33 and insert:

"A.1. For collection of accounts receivable of \$3,000 or more that are 60 days or more past due, each state agency and institution shall forward those claims to the Office of Attorney General, Division of Debt Collection for collection. The Attorney General shall review forwarded accounts, determine the appropriate collection efforts if any, for each account, and take such actions on the accounts as he may so determine.

2. For collection of accounts receivable under \$3,000 that are 60 days or more past due, each agency and institution shall contract with a private collection agency for the collection of those debts. Prior to referring accounts receivable of less than \$3,000, agencies and institutions may refer such accounts to the Office of the Attorney General, Division of Debt Collection. The Attorney General may accept the account for collection or return it to the agency or institution for collection by a private collection agency.

B.1. There is hereby created on the books of the Comptroller a special nonreverting fund known as the "Debt Collection Recovery Fund." The Division of Debt Collection shall deposit to the Fund all revenues generated by it from receivables collected on behalf of state agencies. This provision shall apply whether such payment is made directly to the affected agency or to the Office of the Attorney General. Amounts collected from receivables in trust or federal funds, however, shall be returned to such funds.

2. The Secretary of Finance may make exemptions from the required deposits to the Fund, as specified in B.1. above, upon his determination that such collections are more appropriately returned to the fund source in which such receivables are due. Any such exemptions shall be reported to the Chairmen of the Senate Finance and House Appropriations Committees within 30 days of such approval.

3. From the amounts deposited into the Fund, 30 percent, not to exceed \$1,800,000 in any fiscal year, shall be paid to the Division of Debt Collection.

4. Thirty percent shall be returned to the state agency for which the claim was collected. Out of the balance in the Fund, the State Comptroller shall transfer up to \$3,454,000 to the general fund on or before June 30, 2005, and up to \$3,444,000 on or before June 30, 2006. Any amount in excess of the transfer which remains in the Debt Collection Recovery Fund each year after the transfer shall be returned on a pro rata basis to all state agencies having claims collected by the Division of Debt Collection during the course of the year, to the extent that such collections contributed to the balance in the Fund.

5. The Division of Debt Collection of the Office of the Attorney General and the Department of Accounts shall promulgate rules necessary to implement these provisions."

Administration

Secretary Of Administration

Item 58 #1s

Language

Language:

Page 34, following line 5, insert:

"A. The Secretary of Administration and the Secretary of Education shall rely on the advice of a third party professional engineer with experience in the field of building environmental controls to make a definitive recommendation on the management of the environmental controls for the Library of Virginia. The Secretaries shall report their recommendations to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no later than August 1, 2004.

B. No later than August 1, 2004 the Attorney General shall take such legal action as is necessary to achieve an equitable resolution for the Commonwealth with regard to the serious environmental control issues in the Library of Virginia."

Administration

Commonwealth Competition Council

FY 04-05  
(\$262,297)  
-3.00

FY 05-06  
(\$262,297)  
-3.00

Item 62 #1s

GF  
FTE

Language:

Page 35, line 40, strike "\$262,297" and insert "\$0".

Page 35, line 40, strike "\$262,297" and insert "\$0".

Page 35, strike lines 39 through 50.

Page 36, strike lines 1 through 26.

Administration  
Compensation Board

Item 63 #1s

Language

Language:

Page 37, line 6, strike "9,698" and "9,781" and insert "9,699" and "9,782".

Page 37, line 14, strike "507" and insert "506".

Page 37, line 15, strike "550" and insert "549".

Administration  
Compensation Board

Item 63 #3s

Language

Language:

Page 37, line 11, strike "1,080" and "1,080" and insert "1,403" and "1,403".

Administration  
Compensation Board

Item 64 #2s

Language

Language:

Page 40, line 54, strike:

"\$95,528" "\$95,528" "\$98,394" and insert "\$97,677" "\$97,677" "\$100,607".

Administration  
Compensation Board

Item 64 #3s

Language

Language:

Page 45, strike line 26 and insert:

"Financial Assistance for Administration (xxx)... \$9,486,236 \$9,486,236

Financial Assistance for Local Law Enforcement..... \$247,393,166 \$249,610,616"

Administration  
Compensation Board

Item 65 #1s

	FY 04-05	FY 05-06	
	\$284,043	\$239,091	GF

Language:

Page 43, line 20, strike "\$43,866,915" and insert "\$44,150,958".

Page 43, line 20, strike "\$43,866,915" and insert "\$44,106,006".

Administration  
Compensation Board

Item 65 #4s

Language

Language:

Page 45, strike line 26 and insert:

"Financial Assistance for Administration (xxx)... \$12,617,317 \$12,617,317

Financial Assistance for Local Attorneys

For the Commonwealth..... \$31,249,599 \$31,249,599".

Administration			Item 66 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$14,000	\$14,000	GF

Language:

- Page 45, line 15, strike "\$39,514,522" and insert "\$39,528,522".
- Page 45, line 15, strike "\$39,514,522" and insert "\$39,528,522".
- Page 45, line 32, strike "100,000-249,999" and insert "100,000-174,999".
- Page 45, following line 32, insert "175,000-249,999 \$110,302 \$110,302 \$117,090".

Administration			Item 66 #3s
Compensation Board	FY 04-05	FY 05-06	
	\$5,295,183	\$5,295,183	NGF

Language:

- Page 45, line 15, strike "\$39,514,522" and insert "\$44,809,705".
- Page 45, line 15, strike "\$39,514,522" and insert "\$44,809,705".
- Page 45, strike line 16 and insert:  
"Financial Assistance for Administration (xxx)... \$10,468,619   \$10,468,619  
Financial Assistance for Circuit Court Services... \$24,581,061   \$24,581,061  
Financial Assistance for Maintenance of Local Land Records..... \$9,760,025   \$9,760,025"
- Page 46, line 55, strike "\$1,489,213" and "\$1,489,213" and insert "\$9,760,025" and "\$9,760,025"
- Page 46, line 56, strike "operating".
- Page 47, strike line 1 and insert:  
"personal services to process land records in accordance with the Board's staffing standards."

Administration			Item 67 #3s
Compensation Board	FY 04-05	FY 05-06	
	\$13,200,000	\$13,200,000	GF

Language:

- Page 47, line 10, strike "\$62,303,558" and insert "\$75,503,558".
- Page 47, line 10, strike "\$66,137,960" and insert "\$79,337,960".

Administration			Item 69 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$85,515	\$192,486	GF

Language:

- Page 51, line 43, strike "\$21,801,282" and insert "\$21,886,797".
- Page 51, line 43, strike "\$21,801,282" and insert "\$21,993,768".
- Page 53, line 3, at the end of the line, insert a new paragraph D as follows:  
"D.1. Out of the amounts in this Item shall be provided \$85,515 in the first year and \$192,486 in the second year from the general fund for the Compensation Board to implement a Deputy Treasurers' Career Development Plan. The Compensation Board shall adopt minimum criteria for the Deputy Treasurers' Career Development Plan by July 15, 2004. The minimum criteria shall include initial and continuing education requirements for the Deputy Treasurers and performance criteria. The Compensation Board shall submit the minimum criteria for Deputy Treasurers' Career Development Plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2004.

2. For each Deputy Treasurer selected by the Treasurer for participation in the Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 per cent, effective December 1, following receipt of the Treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the Treasurer as part of the annual budget request to the Compensation Board on February 1st of each year. The first period for Treasurers to make this certification and select Deputy Treasurers for participation in the Career Development Program will be on the budget request submitted to the Compensation Board on or before February 1, 2004, for a salary increase effective date of December 1, 2004. Subsequent new certifications and selections for participation will occur each year as a part of the annual budget request submission on or before February 1st of each year, for an effective date of salary increase of the following December 1st."

Administration			Item 69 #2s
Compensation Board	FY 04-05	FY 05-06	
	(\$5,536,713)	(\$5,536,713)	GF

Language:

Page 51, line 43, strike "\$21,801,282" and insert "\$16,264,569".

Page 51, line 43, strike "\$21,801,282" and insert "\$16,264,569".

Page 45, strike line 26 and insert:

"Financial Assistance for Administration (xxx)...	\$7,860,338	\$7,860,338	
Financial Assistance for Treasurers.....	\$7,384,347	\$7,384,347	
Financial Assistance for State Tax Services....	\$1,019,884	\$1,019,884"	

Administration			Item 69.10 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$5,536,713	\$5,536,713	GF

Language:

Page 53, following line 3, insert:

"69.10. Revenue Administration Services (73210)	\$5,536,713	\$5,536,713	
Fund Sources: General	\$5,536,713	\$5,536,713."	
Financial Assistance for Administration (xxx)...	\$515,271	\$515,271	
Financial Assistance to Local Directors of Finance.....	\$5,021,442	\$5,021,442"	

Administration			Item 70 #1s
Compensation Board	FY 04-05	FY 05-06	
	\$97,161	\$238,840	GF

Language:

Page 53, line 4, strike "\$16,076,334" and insert "\$16,173,495".

Page 53, line 4, strike "\$16,076,334" and insert "\$16,315,174".

Page 53, following line 27, insert:

"C.1. Out of the amounts in this Item shall be provided \$76,888 in the first year and \$185,909 in the second year from the general fund for the Compensation Board to establish a Commissioners' Career Development Plan. The Compensation Board shall adopt minimum criteria for the Commissioners of the Revenue Career Development Plan by August 1, 2004. The minimum criteria shall include initial and continuing education requirements for the Commissioners of the Revenue and Deputy Commissioners of the Revenue; specify the base duties, state income tax duties, and real estate services performed by Commissioners to be considered as part of the Career Development Plan; and the adoption of certain Standards of Accountability to be attained by the Commissioners of the Revenue with respect to how the Commissioners' offices are managed and operated. The

Compensation Board shall submit the minimum criteria for Commissioners of the Revenue Career Development Plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2004.

2. Following receipt of the Commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Plan have been met, and provided that such certification is received by the Compensation Board on or before November 1, 2004, the Compensation Board shall increase the annual salary shown in Paragraph A of this Item by the amount shown herein for a 12-month period effective December 1, 2004. Subsequent certifications shall be submitted by Commissioners of the Revenue as part of their annual budget request to the Compensation Board on February 1 of each year, with the salary increase becoming effective on the following December 1st for a 12-month period. The salary supplement will be based upon the levels of service offered by the Commissioner of the Revenue for his/her locality and will be in accordance with the following schedule:

a. 4.7 per cent increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Plan;

b. 2.3 per cent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Plan and provide State Income Tax or Real Estate services as described in the minimum criteria for the Commissioners of the Revenue Career Development Plan; and

c. 2.3 per cent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Plan and provide State Income Tax and Real Estate services, as described in the minimum criteria for the Commissioners of the Revenue Career Development Plan.

D.1. Out of the amounts in this Item shall be provided \$20,273 in the first year and \$52,571 in the second year from the general fund for the Compensation Board to implement a Deputy Commissioners' Career Development Plan. The Compensation Board shall adopt minimum criteria for the Deputy Commissioners' Career Development Plan by July 15, 2004. The minimum criteria shall include initial and continuing education requirements for the Deputy Commissioners of the Revenue; specify the base duties, state income tax duties, and real estate services performed by Commissioners' offices to be considered as part of the Career Development Plan; and the adoption of certain Standards of Accountability to be attained by the Deputy Commissioners of the Revenue. The Compensation Board shall submit the minimum criteria for Deputy Commissioners of the Revenue Career Development Plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2004.

2. For each Deputy Commissioner selected by the Commissioner of the Revenue for participation in the Career Development Plan, the Compensation Board shall increase the annual salary established for that position by 9.3 per cent effective December 1, following receipt of the Commissioner of the Revenue's certification that the minimum requirements of the Deputy Commissioners' Career Development Plan have been met, and provided that such certification is submitted by the Commissioner of the Revenue as part of the annual budget request to the Compensation Board on February 1st of each year. The first period for Commissioners of the Revenue to make this certification and select deputy commissioners for participation in the Career Development Plan will be on the budget request submitted to the Compensation Board on or before February 1, 2004, for a salary increase effective date of December 1, 2004. Subsequent new certifications and selections for participation will occur each year as a part of the annual budget request submission on or before February 1st of each year, for an effective date of salary increase of the following December 1st."

Language:

Page 45, strike line 26 and insert:

“Financial Assistance for Administration (xxx)...	\$7,485,578	\$7,485,578
Financial Assistance for Local		
Commissioners of the Revenue.....	\$8,371,660	\$8,371,660
Financial Assistance for State Tax Services....	\$219,096	\$219,096”.

Administration Item 78 #1s

Department Of General Services

Language

Language:

Page 57, after line 19, insert:

“D. The Department of Accounts shall provide a treasury loan of up to \$5,000,000 to the Department of General Services to support expansion and the department's overview of the statewide Virginia Partners in Procurement (VaPP) spend management program for the purpose of creating savings for the Commonwealth's agencies and institutions by collaborating in areas where there is an overlap in purchasing. Such loan shall bear interest at a rate equal to the general fund composite investment rate and shall be repaid no later than June 30, 2008. Funding for repayment of this loan will be from rebates or surcharges collected and/or fees added to the statewide spend management contracts. The General Assembly strongly encourages all state agencies and institutions of higher education to participate in the statewide spend management program authorized in this item.”

Administration Item 79 #1s

Department Of General Services

Language

Language:

Page 58, line 8, strike the first “\$200,000” and insert “\$158,513”.

Page 58, line 8, strike the second “\$200,000” and insert “\$158,513”.

Page 58, line 12, insert:

“Notwithstanding any other provision of law, the FY 2005 and FY 2006 service charge payment to the City of Richmond for the Museum of Fine Arts shall not exceed the amount listed in this item.”

Administration Item 79 #2s

Department Of General Services

Language

Language:

Page 57, line 42, strike “\$23,171,209” and insert “\$23,562,008”.

Page 57, line 43, strike “\$23,571,669” and insert “\$24,028,797”.

Administration Item 79 #4s

Department Of General Services

Language

Language:

Page 57, following line 43, insert:

“2. The internal service fund shall assess a special fee sufficient to meet the funding requirements of Virginia Public Building Authority's Capital Repairs and Improvement Revolving Fund. The internal service fund shall transfer these funds to the Treasury Board for payment into the Virginia

Public Building Authority's Capital Repairs and Improvement Revolving Fund; none of these funds may be used for debt service related to any outstanding bonds. Should the internal fund borrow moneys from the Virginia Public Building Authority's Capital Repairs and Improvement Revolving Fund, the rates of the fund shall be sufficient to repay any borrowing with interest."

Administration Item 90 #1s  
 Department Of Veterans Services Language

Language:

Page 62, line 36, following "Charlottesville" strike ", is contingent upon the".  
 Page 62, strike lines 37 to 39.

Administration Item 94 #1s  
 State Board Of Elections Language

Language:

Page 63, line 44, following "recent" insert "provisional".

Administration Item 94 #2s  
 State Board Of Elections Language

Language:

Page 64, line 30, following "registrar" strike "by an amount up to 10 percent of the annual compensation set for the general registrar pursuant to this act."

Commerce And Trade Item 95 #2s  
 Secretary Of Commerce And Trade Language

Language:

Page 68, after line 55, insert:  
 "C. Notwithstanding other provisions of this Act or the Code of Virginia, when assessing qualified applications for assistance, the highest priority for awards made under the Governor's Development Opportunity Fund, the various workforce services programs administered by the Department of Business Assistance, the small business incubator program, or the financial assistance programs administered by the Virginia Small Business Financing Authority shall be to applicants from economically distressed areas of the Commonwealth. Economic distressed areas are localities that (1) have average unemployment rates using the most recent 6-month average that are 200 percent higher than the most recent 6-month statewide average unemployment rate or (2) are within planning districts that have average unemployment rates for the most recent 6-month average that are at least one and one-half percent greater than the most recent 6-month statewide average."

Commerce And Trade Item 97 #2s  
 Department Of Agriculture And Consumer Services Language

Language:

Page 69, line 22, insert "A." before "All".  
 Page 69, after line 23, insert:

“B. The department shall work with the Secretary of Commerce and Trade to develop performance goals and strategies to measure the impact of the department's activities in these areas: (1) marketing and promoting of products; (2) food safety and inspection services; (3) animal industry veterinary services and diagnostic laboratory services; and (4) plant pest and disease control services. The department shall submit these goals and measures by December 1, 2004, to the Chairmen of the Senate Finance and House Appropriations Committees. In addition, it is the intent of the General Assembly that the department incorporate these performance goals and strategies in budget amendments for review and approval by the 2005 Session.”

Commerce And Trade			Item 99 #4s
Department Of Agriculture And Consumer Services			
			Language

Language:

Page 70, line 40, strike “D.” and insert “D.1.”.

Page 70, line 43, strike “Winegrowers Advisory Board” and insert “Wine Board”.

Page 70, after line 44, insert:

“2. The Department of Alcoholic Beverage Control shall work with the Virginia Wine Board to report on the sales of Virginia-produced wines in the Commonwealth. The Virginia Wine Board shall report by January 12, 2005, to the Chairmen of the Senate Committees on Finance and Agriculture, Conservation and Natural Resources and to the Chairmen of the House Committees on Appropriations and Agriculture, Chesapeake and Natural Resources on the amount of sales and tax dollars derived from the sales of Virginia wines.”

Commerce And Trade			Item 99 #5s
Department Of Agriculture And	FY 04-05	FY 05-06	
Consumer Services	\$110,000	\$110,000	GF
	2.00	2.00	FTE

Language:

Page 69, line 30, strike “\$4,636,361” and insert “\$4,746,361”.

Page 69, line 30, strike “\$4,636,361” and insert “\$4,746,361”.

Commerce And Trade			Item 99 #6s
Department Of Agriculture And	FY 04-05	FY 05-06	
Consumer Services	\$100,000	\$0	GF

Language:

Page 69, line 30, strike “\$4,636,361” and insert “\$4,736,361”.

Commerce And Trade			Item 95.1 #2s
Secretary Of Commerce And Trade	FY 04-05	FY 05-06	
	\$150,000	\$150,000	GF
	1.00	1.00	FTE

Language:

Page 69, after line 3, insert:

“95.1. Administrative and Support Services General Management

    and Direction

	\$150,000	\$150,000
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Fund Sources: General

	\$150,000	\$150,000.”
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“Contingent upon passage of Senate Bill 543 by the 2004 Session of the General Assembly, the Governor shall transfer one position and requisite funding from the Department of Agriculture and

Consumer Services and one position and requisite funding from the Office of the Secretary of Commerce and Trade to the Office of the Secretary of Agriculture and Forestry.”

Commerce And Trade			Item 102 #3s
Department Of Agriculture And	FY 04-05	FY 05-06	
Consumer Services	\$100,000	\$0	GF

Language:

Page 71, line 36, strike “\$3,667,962” and insert “\$3,767,962”.

Commerce And Trade			Item 104 #1s
Department Of Agriculture And Consumer Services			
			Language

Language:

Page 72, line 9, insert “A.1.” before “Notwithstanding”.

Page 72, after line 14, insert:

“2. However, any such entity that is subject to any permit fee, application fee, inspection fee, or similar fee, imposed by any locality shall not be subject to this registration fee.”

Commerce And Trade			Item 104 #3s
Department Of Agriculture And	FY 04-05	FY 05-06	
Consumer Services	\$0	(\$500,000)	NGF

Language:

Page 72, line 1, strike “\$2,243,624” and insert “\$1,743,624”.

Page 72, line 9, before “Notwithstanding”, insert “A.”.

Page 72, line 11, after “\$9”, insert “the first year and \$4 the second year”.

Page 72, after line 14, insert:

“B. By December 30, 2004, the department shall report to the Chairmen of the Senate Finance and Agriculture, Conservation and Natural Resources Committees, and House Appropriations and Agriculture, Chesapeake and Natural Resources Committees on the number of devices by type, which are subject to the fee requirement.”

Commerce And Trade			Item 107 #2s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$150,000	\$150,000	GF
	2.00	2.00	FTE

Language:

Page 73, line 18, strike “\$11,966,255” and insert “\$12,116,255”.

Page 73, line 18, strike “\$11,966,255” and insert “\$12,116,255”.

Commerce And Trade			Item 107 #3s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$300,000	\$0	GF

Language:

Page 73, line 18, strike “\$11,966,255” and insert “\$12,266,255”.

Commerce And Trade			Item 107 #4s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$0	(\$148,700)	GF

Language:

Page 73, line 18, strike "\$11,966,255" and insert "\$11,817,555".

Page 73, line 36, strike "and".

Page 73, line 37, strike "\$148,700 the second year".

Commerce And Trade			Item 107 #5s
Department Of Business Assistance	FY 04-05	FY 05-06	
	\$534,605	\$563,571	GF
	\$1,065,924	\$1,065,924	NGF
	24.00	24.00	FTE

Language:

Page 73, line 18, strike "\$11,966,255" and insert "\$13,566,784".

Page 73, line 18, strike "\$11,966,255" and insert "\$13,595,750".

Page 74, after line 37, insert:

"F. To encourage equal opportunity in state procurement, the Department of Business Assistance shall recognize and fully implement the Governor's Executive Order 29 issued on July 2, 2002.

G.1. The Department of Business Assistance shall continue the study authorized under Item 125 of Chapter 1042 of the 2003 Acts of Assembly.

2. However, any monies held in an institutional fund outside of the state treasury for the purpose of carrying out the study shall be transferred to the state treasury. Such monies shall be treated as special funds, and shall not be taken into consideration in, nor be used to reduce, state appropriations or payments, but such funds shall be used in accordance with the wishes of the donors to offset the costs of conducting analyses of the availability and utilization of minority business enterprises or otherwise strengthen the services rendered by the department to minority business enterprises in the Commonwealth. The Director, Department of Planning and Budget is authorized to establish a nongeneral fund appropriation for the purpose of expending revenues that are received for this study.

H. The Department of Business Assistance is authorized to relocate from its present location to another less-expensive location more accessible to the public.

I. In developing the operating plan for the consolidated agency, the Department of Business Assistance shall seek input from representatives of affected client and industry groups. Upon completion of the operating plan, the Director, Department of Business Assistance shall submit copies to the Chairmen of the Senate Finance and House Appropriations Committees for their review.

J. It is the intent of the General Assembly that proposed legislation in the 2005 Session to effectuate the merger shall ensure that the core operations of the Department of Minority Business Enterprise shall continue."

Commerce And Trade			Item 108 #2s
Department Of Forestry	FY 04-05	FY 05-06	
	\$159,000	\$159,000	GF

Language:

Page 74, line 47, strike "\$23,769,792" and insert "\$23,928,792".

Page 74, line 47, strike "\$23,766,671" and insert "\$23,925,671".

Commerce And Trade			Item 108 #5s
Department Of Forestry	FY 04-05	FY 05-06	
	\$125,000	\$250,000	GF

Language:

Page 74, line 47, strike "\$23,769,792" and insert "\$23,894,792".

Page 74, line 47, strike "\$23,766,671" and insert "\$24,016,671".

Page 75, strike lines 34 through 36 and insert:

"G. The appropriation in the Forestry and Reforestation Incentives subprogram includes \$125,000 the first year and \$250,000 the second year from the general fund for the Reforestation of Timberlands Fund. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia."

Commerce And Trade

Item 109 #1s

Department Of Housing And

Community Development

Language

Language:

Page 76, after line 3, insert:

"As a condition of appropriation, the Department of Housing and Community Development shall work towards accomplishing these goals and strategies in the 2004-2006 biennium:

In the program area of economic development, the department shall target community economic development activities to distressed areas of the Commonwealth with a goal of creating or retaining jobs and new private investment. The goal is to create or retain 4,500 jobs and to stimulate \$110 million of investment that can be directly tied to the department's efforts in each year of the biennium.

In the program area of infrastructure development, the department shall provide access to new safe drinking water and approved wastewater disposal systems to households. The goal is to provide new water and/or wastewater service to 1,500 households through the department's funded projects in each year of the biennium.

In the program area of fire and building safety, the department shall increase fire safety in buildings subject to inspection by the State Fire Marshal's Office. The goal is to eliminate fire code violations by inspecting 4,000 buildings annually and bringing 95 percent of the buildings into compliance with the Statewide Fire Prevention Code in each year of the biennium.

In the program area of housing assistance, the department shall increase the availability of decent, safe and affordable housing to individuals and families at 60 percent of median income or below. The goal is to produce 100 units of new affordable rental housing, improve 2,950 units of substandard housing and provide homeownership opportunities to 400 households in each year of the biennium.

In the program area addressing homelessness, the department shall reduce the number of families and individuals experiencing homelessness. The goal is to prevent 2,400 households from becoming homeless and to move 5,000 homeless individuals and families into permanent housing in each year of the biennium."

Commerce And Trade

Item 111 #6s

Department Of Housing And

Community Development

FY 04-05

\$200,000

FY 05-06

\$200,000

GF

Language:

Page 77, line 2, strike "\$40,027,706" and insert "\$40,227,706".

Page 77, line 2, strike "\$40,027,706" and insert "\$40,227,706".

Page 79, after line 19, insert:

"H. Out of the amounts in this Item and contingent upon passage of Senate Bill 407 (2004 Session) shall be provided \$200,000 the first year and \$200,000 the second year from the general fund for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate

Finance and House Appropriations Committees on the status, needs and accomplishments of the Center.”

Commerce And Trade	Item 121 #1s
Department Of Mines, Minerals And Energy	
	Language

Language:

Page 81, line 44, strike “\$16,093” and insert “\$21,136”.

Page 81, line 45, strike “\$16,093” and insert “\$21,136”.

Commerce And Trade			Item 125 #1s
Department Of Minority Business	FY 04-05	FY 05-06	
Enterprise	(\$634,605)	(\$663,571)	GF
	(\$1,065,924)	(\$1,065,924)	NGF
	-24.00	-24.00	FTE

Language:

Page 83, line 7, strike “\$1,700,529” and insert “\$0”.

Page 83, line 7, strike “\$1,729,495” and insert “\$0”.

Page 83, strike lines 7 through 56 and insert:

“Notwithstanding Title 2.2, Part C, Chapter 14, Code of Virginia, the Department of Minority Business Enterprise will be merged into the Department of Business Assistance effective July 1, 2004. The powers and duties heretofore exercised by such agency shall hereafter be vested in the Department of Business Assistance.”

Commerce And Trade			Item 128 #3s
Virginia Economic Development	FY 04-05	FY 05-06	
Partnership	(\$250,000)	(\$250,000)	GF

Language:

Page 84, line 33, strike “\$16,683,880” and insert “\$16,433,880”.

Page 84, line 33, strike “\$16,151,939” and insert “\$15,901,939”.

Page 86, strike lines 45 through 48.

Commerce And Trade			Item 128 #4s
Virginia Economic Development	FY 04-05	FY 05-06	
Partnership	(\$500,000)	\$0	GF

Language:

Page 84, line 33, strike “\$16,683,880” and insert “\$16,183,880”.

Page 86, line 39, strike “\$1,000,000” and insert “\$500,000”.

Page 86, line 41, after “the Commonwealth” strike “is contingent upon the passage into”.

Page 86, strike lines 42 through 44 and insert: “The Partnership shall submit a plan to the Chairmen of the Senate Finance and House Appropriations Committees by January 12, 2005. The plan shall: (1) define distressed areas of the Commonwealth and set goals, strategies and outcomes for the special marketing program; (2) describe how the monies will be leveraged with local, private, federal, and other state dollars and in-kind assistance; (3) identify local and regional funding

partners; and (4) identify other state economic development programs that can be targeted to distressed areas.”

Commerce And Trade Item 133 #2s  
 Virginia Racing Commission Language

Language:

Page 89, line 37, after “year.”, insert:

“In no event, however, shall any funds be expended for that purpose until obligations in § 59.1-392 D.6., Code of Virginia are funded.”

Commerce And Trade Item 134 #10s  
 Virginia Tourism Authority FY 04-05      FY 05-06  
\$200,000      \$0      GF

Language:

Page 89, line 43, strike “\$11,369,914” and insert “\$11,569,914”.

Page 91, after line 12, insert:

“J. Out of the amounts provided for Tourist Promotion, \$200,000 the first year from the general fund shall be provided to “See Virginia First”, a public-private partnership operated by the Virginia Association of Broadcasters to advertise Virginia tourism.”

Commerce And Trade Item 134 #11s  
 Virginia Tourism Authority FY 04-05      FY 05-06  
\$0      (\$150,000)      GF

Language:

Page 89, line 43, strike “\$11,370,098” and insert “\$11,220,098”.

Page 91, line 2, strike “and \$150,000 the”.

Page 91, line 3, strike “second year”.

Page 91, line 4, after “tourism.”, insert: “The Virginia Tourism Authority shall submit to the Chairmen of the Senate Finance and House Appropriations Committees by January 12, 2005, the workplan and the results of the first year’s funding for the outdoor resources tourism initiative. The report shall include information defining the initiative and the related tourism activities; the number of visitors participating in outdoor resources tourism; the economic impact of this tourism market in Virginia; and the growth potential of this market in relation to other segments of the Virginia tourism industry.”

Commerce And Trade Item 134 #12s  
 Virginia Tourism Authority Language

Language:

Page 91, line 9, strike “is contingent upon the passage into”.

Page 91, strike lines 10 through 12 and insert “.”.

Commerce And Trade Item 134 #13s  
 Virginia Tourism Authority Language

Language:

Page 91, after line 12, insert:

“J. The Authority shall work with the Secretary of Commerce and Trade to develop performance goals and strategies to measure the impact of the Authority's programs and activities, specifically in the areas of (1) marketing and promotions, (2) customer service and industry relations, and (3) film and television productions in Virginia. The Authority shall submit these goals and measures by December 1, 2004, to the Chairmen of the Senate Finance and House Appropriations Committees. In addition, it is the intent of the General Assembly that the Authority incorporate these performance goals and strategies in budget amendments for review and approval by the 2005 Session.”

Education: Elementary & Secondary  
Secretary Of Education

Item 135 #1s

Language

Language:

Page 94, after line 4, insert:

“F. Senior institutions of higher education shall make arrangements with community colleges for the remediation of students accepted for admission by the senior institutions.”

Education: Elementary & Secondary  
Secretary Of Education

Item 135 #1s

FY 04-05  
\$984,000

FY 05-06  
\$0

GF

Language:

Page 92, line 3, strike “\$621,136” and insert “\$1,605,136”.

Page 94, after line 4, insert:

“F. Out of this appropriation, \$984,000 the first year from the general fund is designated to support the continuation of the school efficiency reviews pilot, in cooperation with the Department of Planning and Budget.”.

Education: Elementary & Secondary  
Secretary Of Education

Item 135 #2s

FY 04-05  
\$100,000

FY 05-06  
\$0

GF

Language:

Page 92, line 3, strike “\$621,136” and insert “\$721,136”.

Page 94, after line 4, insert:

“F. Out of this appropriation, \$100,000 the first year from the general fund is provided for the following capital needs assessment and feasibility study. In the pre-planning phase for the consolidation at a single campus, the Secretaries of Education, Health and Human Resources, Administration, and Finance, together with the State Board of Education, the Department of Education, the two schools for the deaf, blind, and multi-disabled, the Woodrow Wilson Rehabilitation Center, the Department of General Services, and the Department of Planning and Budget shall complete a capital needs assessment and feasibility study for consolidating the State's two existing schools for the deaf, blind, and multi-disabled on land at the Woodrow Wilson Rehabilitation Center. The Secretaries of Education, Health and Human Resources, Administration, and Finance shall submit a joint report on the capital needs assessment and feasibility study to the Governor and the Chairmen of the House Committees on Appropriations and Education, and the Senate Committees on Finance and Education and Health Committees by October 1, 2004. Building upon the work of the 2003 Consolidation Task Force, the report shall also include a suggested timeline of steps necessary to achieve a well-planned consolidation of the two existing schools at the new location no later than September 1, 2007, including the closing of the existing sites and

disposition of the properties as well as a mechanism to assist the local school divisions with program development for those children who will not continue at the new school.”.

Education: Elementary & Secondary			Item 135 #4s
Secretary Of Education	FY 04-05	FY 05-06	
	(\$50,000)	\$0	GF

Language:

Page 92, line 3, strike “\$621,136” and insert “\$571,136”.  
 Page 94, line 1, strike “\$50,000 the first year from the general fund and”

Education: Elementary & Secondary			Item 135 #5s
Secretary Of Education			
			Language

Language:

Page 93, strike lines 15 through 60.

Education: Elementary & Secondary			Item 141 #1s
Department Of Education, Central	FY 04-05	FY 05-06	
Office Operations	(\$297,500)	(\$381,500)	GF

Language:

Page 97, line 18, strike “\$8,558,146” and insert “\$8,260,646”.  
 Page 97, line 18, strike “\$8,779,646” and insert “\$8,398,146”.  
 Page 99, line 2, strike “\$2,007,500 the first year and \$2,229,000 the second” and insert “\$1,710,000 the first year and \$1,847,500 the second”.

Education: Elementary & Secondary			Item 141 #2s
Department Of Education, Central	FY 04-05	FY 05-06	
Office Operations	\$0	\$320,000	GF

Language:

Page 97, line 18, strike “\$8,779,646” and insert “\$9,099,646”.  
 Page 98, line 55, after “certificate” strike “for”.  
 Page 98, strike lines 56 through 60.  
 Page 98, line 61, strike “annually thereafter for the life of the certificate.”  
 Page 99, line 2, strike “\$2,229,000” and insert “\$2,549,000”.

Education: Elementary & Secondary			Item 144 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$600,000	\$600,000	GF

Language:

Page 100, line 2, strike “\$457,997,916” and insert “\$458,597,916”.  
 Page 100, line 2, strike “\$465,142,441” and insert “\$465,742,441”.

Education: Elementary & Secondary			Item 144 #2s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$908,500)	(\$1,408,500)	GF

Language:

Page 100, line 2, strike “\$457,997,916” and insert “\$457,089,416”.

Page 100, line 2, strike "\$465,142,441" and insert "\$463,733,941".

Page 101, after line 3, insert:

"A. 1. This appropriation includes \$3,467,910 the first year and \$3,688,379 the second year from the general fund for targeted education initiatives to improve student achievement and teacher quality, including a mentoring program for teachers with no experience working in schools that are at-risk of not meeting adequate yearly progress, a middle school math teacher initiative in at-risk schools, and turnaround specialists in schools that have consistently failed to show improvement in student progress.

2. The Department of Education shall continue to work with the school divisions to estimate the cost impacts of the federal No Child Left Behind Act. The Superintendent of Public Instruction shall provide an update on expected local cost impacts, as well as State costs, to the Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2004 and subsequent updates as needed."

Education: Elementary & Secondary			Item 145 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$22,112,566	\$253,093	GF

Language:

Page 103, line 40, strike "\$265,335,825" and insert "\$287,448,391".

Page 103, line 40, strike "\$275,092,690" and insert "\$275,345,783".

Education: Elementary & Secondary			Item 145 #2s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$24,909,601)	(\$27,487,057)	GF

Language:

Page 103, line 40, strike "\$265,335,825" and insert "\$240,426,224".

Page 103, line 40, strike "\$275,092,690" and insert "\$247,605,633".

Education: Elementary & Secondary			Item 146 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$208,047,357	\$209,787,477	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$3,128,474,490".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$3,144,251,597".

Page 111, after line 35, insert:

"10. Included in the amounts provided to update the Standards of Quality for the 2004-06 biennium, approximately \$350 million reflects growth in prevailing salaries and related fringe benefits. It is the desire of the General Assembly that on average local school divisions continue to improve the average salary for classroom teachers by at least three percent per year, the actual average annual rate increase in recent years."

Education: Elementary & Secondary			Item 146 #2s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$213,170,176	\$217,264,809	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$3,133,597,309".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$3,151,728,929".

Page 109, line 43, strike "Funding in support of an additional 9".

Page 109, strike lines 44 through 47.

Page 111, after line 44, insert:

“By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected Average Daily Membership and the resulting impact on the education budget.

The Superintendent of Public Instruction shall submit to the Chairmen of the House Appropriations and Senate Finance Committees: (a) by September 1, 2004, an update on the Department of Education's on-going efforts to increase consistency of Annual School Report (ASR) data submitted and used in estimating costs, including updated documentation for Annual School Report submissions by school divisions and the schedule for publishing the ASR-related tables in the Superintendent's Annual Report; (b) by September 1, 2005, updated comprehensive documentation of the Standards of Quality (SOQ) cost model and the schedule for publishing key SOQ model reports.”.

Education: Elementary & Secondary			Item 146 #3s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$49,274,224	\$49,555,079	GF

Language:

Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,969,701,357”.

Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,984,019,199”.

Page 122, line 38, strike “unserved”.

Page 122, strike line 39.

Page 122, line 55, strike “\$5,400” and insert “\$6,000”.

Page 122, strike line 56 and insert “the at-risk four-year-olds in”.

Page 123, strike lines 1 through 10.

Education: Elementary & Secondary			Item 146 #4s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$41,010	\$7,506	GF

Language:

Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,920,468,143”.

Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,934,471,626”.

Page 115, line 27, strike “\$64,567,263” and insert “\$64,608,273”.

Page 115, line 28, strike “\$65,025,564” and insert “\$65,033,070”.

Education: Elementary & Secondary			Item 146 #5s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$469,788)	(\$483,033)	GF

Language:

Page 105, line 15, strike “\$2,920,427,133” and insert “\$2,919,957,345”.

Page 105, line 15, strike “\$2,934,464,120” and insert “\$2,933,981,087”.

Page 117, line 46, strike “\$68,878,904” and insert “\$68,409,116”.

Page 117, line 47, strike "\$69,033,753" and insert "\$68,550,720".

Education: Elementary & Secondary			Item 146 #6s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$1,088,338)	(\$1,133,754)	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,919,338,795".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,933,330,366".

Page 126, line 48, strike "failed the".

Page 126, strike line 49 and insert "qualify for the federal Free Lunch Program."

Education: Elementary & Secondary			Item 146 #7s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$0	\$254,248	GF

Language:

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,934,718,368".

Page 114, line 50, strike "and \$400,000 the second year".

Page 115, line 2, after "City of Norton." insert "An additional state payment of \$200,000 the second year from the general fund is provided as a Small School Division Assistance grant for the school division of the City of Norton."

Education: Elementary & Secondary			Item 146 #8s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$22,814,336	\$23,095,322	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,943,241,469".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,957,559,442".

Page 113, strike lines 40 through 45.

Education: Elementary & Secondary			Item 146 #9s
Direct Aid To Public Education			
			Language

Language:

Page 128, line 23, strike "is contingent".

Page 128, strike lines 24 through 26.

Education: Elementary & Secondary			Item 146 #10s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$1,466,336)	(\$2,241,415)	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,918,960,797".

Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,932,222,705".

Page 115, strike lines 8 through 25.

Education: Elementary & Secondary			Item 146 #11s
Direct Aid To Public Education			
			Language

Language:

Page 114, line 1, strike "is contingent upon the passage".  
 Page 114, strike lines 2 through 4.

Education: Elementary & Secondary			Item 146 #29s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$12,263,573	\$5,240,323	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,932,690,706".  
 Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,939,704,443".

Education: Elementary & Secondary			Item 146 #30s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	(\$5,814,667)	(\$7,168,942)	GF

Language:

Page 105, line 15, strike "\$2,920,427,133" and insert "\$2,914,612,466".  
 Page 105, line 15, strike "\$2,934,464,120" and insert "\$2,927,295,178".

Education: Elementary & Secondary			Item 147 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$10,322,268	\$12,724,788	GF

Language:

Page 128, line 28, strike "\$1,279,045,675" and insert "\$1,289,367,943".  
 Page 128, line 28, strike "\$1,328,043,698" and insert "\$1,340,768,486".

Education: Elementary & Secondary			Item 149 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$88,914	\$88,965	GF

Language:

Page 130, line 23, strike "\$12,781,908" and insert "\$12,870,822".  
 Page 130, line 23, strike "\$13,049,102" and insert "\$13,138,067".  
 Page 131, line 11, strike "1,300" and insert "1,400".  
 Page 131, line 35, strike "2002-2003" and insert "2003-2004".

Education: Elementary & Secondary			Item 151 #1s
Direct Aid To Public Education	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

Page 131, line 51, strike "\$2,700,000" and insert "\$2,900,000".  
 Page 131, line 51, strike "\$2,700,000" and insert "\$2,900,000".  
 Page 132, after line 3, insert:  
 "This appropriation includes \$200,000 each year from the general fund for the Jobs for Virginia Graduates program to place career specialists in schools."

Education: Higher Education			Item 163 #1s
State Council Of Higher Education For Virginia	FY 04-05	FY 05-06	
	\$1,699,302	\$1,418,847	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$49,224,767".

Page 136, line 24, strike "\$46,384,948" and insert "\$47,803,795".

Page 137, line 5, strike "\$39,891,082" and insert "\$41,590,384".

Page 137, line 6, strike "\$40,740,733" and insert "\$42,159,580".

Page 137, line 8, strike "Out of the amounts cited in this".

Page 137, strike lines 9 through 15.

Page 137, strike lines 28 through 33, and insert:

"1. Payments to students out of this appropriation shall not exceed \$2,500 for qualified undergraduate students and \$2,000 for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with §§ 23-38.12 through 23-38.19, Code of Virginia."

Education: Higher Education

			Item 163 #2s
State Council Of Higher Education For	FY 04-05	FY 05-06	
Virginia	\$50,000	\$50,000	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$47,575,465".

Page 136, line 24, strike "\$46,384,948" and insert "\$46,434,948".

Page 139, line 26, insert:

"H. Out of this appropriation, \$50,000 in each year from the general fund is provided for the Brown v. Board of Education Scholarship Program and Fund. The State Council of Higher Education for Virginia shall administer this program as set out in Senate Bill 230 of the 2004 session of the General Assembly."

Education: Higher Education

			Item 163 #3s
State Council Of Higher Education For	FY 04-05	FY 05-06	
Virginia	(\$1,990,168)	\$0	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$45,535,297".

Page 139, strike lines 7 through 25.

Education: Higher Education

			Item 163 #4s
State Council Of Higher Education For	FY 04-05	FY 05-06	
Virginia	(\$160,000)	(\$160,000)	GF

Language:

Page 136, line 24, strike "\$47,525,465" and insert "\$47,365,465".

Page 136, line 24, strike "\$46,384,948" and insert "\$46,224,948".

Page 138, strike lines 34 through 54.

Page 139, strike lines 1 through 6.

Education: Higher Education

			Item 164 #1s
State Council Of Higher Education For	FY 04-05	FY 05-06	
Virginia	(\$432,297)	(\$371,708)	GF

Language:

Page 139, line 27, strike "\$6,680,728" and insert "\$6,248,431".

Page 139, line 27, strike "\$6,592,208" and insert "\$6,220,500".

Page 141, line 56, strike "\$5,606,894" and insert "\$5,174,597".

Page 141, line 57, strike "\$5,606,894" and insert "\$5,235,186"  
 Page 142, after "Library.", strike lines 4 through 10.

Education: Higher Education			Item 165 #4s
State Council Of Higher Education For Virginia	FY 04-05 (\$135,290) -1.00	FY 05-06 (\$135,290) -1.00	GF FTE

Language:

Page 140, line 38, strike "\$9,842,470" and insert "\$9,707,180".  
 Page 140, line 38, strike "\$9,848,424" and insert "\$9,713,134".

Education: Higher Education			Item 168 #3s
Christopher Newport University	FY 04-05 \$400,000	FY 05-06 \$400,000	GF

Language:

Page 143, line 29, strike "\$34,870,597" and insert "\$35,270,597".  
 Page 143, line 29, strike "\$35,707,092" and insert "\$36,107,092".

Education: Higher Education			Item 168 #8s
Christopher Newport University	FY 04-05 \$0 \$0	FY 05-06 \$162,682 \$87,603	GF NGF

Language:

Page 143, line 29, strike "\$35,707,092" and insert "\$35,957,377".

Education: Higher Education			Item 168 #9s
Christopher Newport University			Language

Language:

Page 144, line 5, insert:  
 "C. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$14,229,712 in nongeneral funds the first year and \$15,155,910 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 168 #10s
Christopher Newport University	FY 04-05 \$213,830 \$219,781	FY 05-06 \$394,763 \$405,749	GF NGF

Language:

Page 143, line 29, strike "\$34,870,597" and insert "\$35,304,208".  
 Page 143, line 29, strike "\$35,707,092" and insert "\$36,507,604".  
 Page 144, line 5, insert:  
 "C. Out of this appropriation, \$213,830 is provided in the first year and \$394,763 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment

and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”.

Education: Higher Education			Item 168 #11s
Christopher Newport University	FY 04-05	FY 05-06	
	\$3,311,789	\$3,311,789	GF
	\$565,868	\$1,154,371	NGF

Language:

Page 143, line 29, strike “\$34,870,597” and insert “\$38,748,254”.

Page 143, line 29, strike “\$35,707,092” and insert “\$40,173,252”.

Page 144, line 5, insert:

“C. Out of this appropriation, \$3,311,789 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 168 #12s
Christopher Newport University	FY 04-05	FY 05-06	
	(\$664,224)	(\$1,062,035)	GF
	(\$287,203)	(\$574,407)	NGF

Language:

Page 143, line 29, strike “\$34,870,597” and insert “\$33,919,170”.

Page 143, line 29, strike “\$35,707,092” and insert “\$34,070,650”.

Page 143, strike lines 44 through 49.

Page 144, strike lines 1 through 5.

Education: Higher Education			Item 169 #1s
Christopher Newport University	FY 04-05	FY 05-06	
	\$315,711	\$315,711	GF

Language:

Page 144, line 6, strike “\$2,490,787” and insert “\$2,806,498”.

Page 144, line 6, strike “\$2,490,787” and insert “\$2,806,498”.

Education: Higher Education			Item 172 #3s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$542,127	\$608,765	NGF

Language:

Page 144, line 35, strike “\$100,624,631” and insert “\$101,166,758”.

Page 144, line 35, strike “\$100,285,985” and insert “\$100,894,750”.

Education: Higher Education			Item 172 #4s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	(\$299,581)	(\$443,354)	GF
	(\$507,980)	(\$751,748)	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$99,817,070".

Page 144, line 35, strike "\$100,285,985" and insert "\$99,090,883".

Page 145, strike lines 23 through 34.

Education: Higher Education			Item 172 #5s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$2,227,638	\$2,227,638	GF
	\$2,484,176	\$5,002,503	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$105,336,445".

Page 144, line 35, strike "\$100,285,985" and insert "\$107,516,126".

Page 145, line 35, insert:

"E. Out of this appropriation, \$2,227,638 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 172 #6s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$399,070	\$736,745	GF
	\$925,720	\$1,709,022	NGF

Language:

Page 144, line 35, strike "\$100,624,631" and insert "\$101,949,421".

Page 144, line 35, strike "\$100,285,985" and insert "\$102,731,752".

Page 145, line 35, insert:

"E. Out of this appropriation, \$399,070 is provided in the first year and \$736,745 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 172 #7s
The College Of William And Mary In Virginia			
			Language

Language:

Page 145, line 35, insert:

"E. In conjunction with Senate Joint Resolution 90 of the 2004 General Assembly, the College of William and Mary may pursue the development of a prototype charter agreement to present to the

joint subcommittee for its consideration in studying the administrative and financial relationships between the Commonwealth and its public institutions of higher education.”

Education: Higher Education Item 172 #8s  
The College Of William And Mary In Virginia  
Language

Language:

Page 145, line 35, insert:

“E. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$62,426,730 in nongeneral funds the first year and \$65,795,017 in nongeneral funds the second year in tuition and mandatory educational and general fee revenue.”

Education: Higher Education Item 172 #9s  
The College Of William And Mary In FY 04-05 FY 05-06  
Virginia \$171,985 \$172,317 NGF

Language:

Page 144, line 35, strike “\$100,624,631” and insert “\$100,796,616”.

Page 144, line 35, strike “\$100,285,985” and insert “\$100,458,302”.

Education: Higher Education Item 172 #10s  
The College Of William And Mary In Virginia  
Language

Language:

Page 145, line 16, strike “The”

Page 145, strike lines 17 through 22.

Education: Higher Education Item 176 #1s  
Richard Bland College  
Language

Language:

Page 147, line 4, insert:

“D. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$2,354,839 in nongeneral funds the first year and \$2,496,026 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education Item 176 #2s  
Richard Bland College FY 04-05 FY 05-06  
(\$63,000) (\$63,000) GF  
(\$44,000) (\$44,000) NGF

Language:

Page 146, line 34, strike “\$6,795,035” and insert “\$6,688,035”.

Page 146, line 34, strike “\$6,814,478” and insert “\$6,707,478”.

Page 146, strike lines 44 through 51.

Page 147, strike lines 1 through 3.

Education: Higher Education			Item 176 #3s
Richard Bland College	FY 04-05	FY 05-06	
	\$63,000	\$63,000	GF
	\$94,444	\$192,667	NGF

Language:

Page 146, line 34, strike "\$6,795,035" and insert "\$6,952,479".

Page 146, line 34, strike "\$6,814,478" and insert "\$7,070,145".

Page 143, line 44, insert:

"Out of this appropriation, \$63,000 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 176 #4s
Richard Bland College	FY 04-05	FY 05-06	
	\$44,445	\$82,052	GF
	\$39,290	\$72,536	NGF

Language:

Page 146, line 34, strike "\$6,795,035" and insert "\$6,878,770".

Page 146, line 34, strike "\$6,814,478" and insert "\$6,969,066".

Page 143, line 44, insert:

"B. Out of this appropriation, \$44,445 is provided in the first year and \$82,052 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 176 #5s
Richard Bland College	FY 04-05	FY 05-06	
	\$43,871	\$45,918	NGF

Language:

Page 146, line 34, strike "\$6,795,035" and insert "\$6,838,906".

Page 146, line 34, strike "\$6,814,478" and insert "\$6,860,396".

Education: Higher Education			Item 180 #4s
Virginia Institute Of Marine Science	FY 04-05	FY 05-06	
	\$373,627	\$373,627	GF

Language:

Page 147, line 30, strike "\$17,727,904" and insert "\$18,101,531".

Page 147, line 30, strike "\$17,371,016" and insert "\$17,744,643".

Page 148, strike lines 11 through 20.

Education: Higher Education			Item 180 #6s
Virginia Institute Of Marine Science	FY 04-05	FY 05-06	
	\$92,746	\$171,224	GF
	\$221,376	\$408,695	NGF

Language:

Page 147, line 30, strike "\$17,727,904" and insert "\$18,042,026".

Page 147, line 30, strike "\$17,371,016" and insert "\$17,950,935".

Page 148, line 21, insert:

"E. Out of this appropriation, \$92,746 is provided in the first year and \$171,224 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 182 #1s
George Mason University	FY 04-05	FY 05-06	
	\$139,352	\$150,200	GF
	\$129,703	\$139,800	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$215,946,759".

Page 148, line 47, strike "\$215,490,073" and insert "\$215,780,073".

Education: Higher Education			Item 182 #3s
George Mason University	FY 04-05	FY 05-06	
	\$3,260,000	\$3,260,000	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$218,937,704".

Page 148, line 47, strike "\$215,490,073" and insert "\$218,750,073".

Education: Higher Education			Item 182 #4s
George Mason University	FY 04-05	FY 05-06	
	(\$3,642,662)	(\$4,021,514)	GF
	(\$352,622)	(\$705,244)	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$211,682,420".

Page 148, line 47, strike "\$215,490,073" and insert "\$210,763,315".

Page 149, strike lines 28 through 39.

Education: Higher Education			Item 182 #5s
George Mason University	FY 04-05	FY 05-06	
	\$6,684,010	\$6,684,010	GF
	\$5,124,670	\$10,454,328	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$227,486,384".

Page 148, line 47, strike "\$215,490,073" and insert "\$232,628,411".

Page 149, line 53, insert:

"F. Out of this appropriation, \$6,684,010 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 182 #6s
George Mason University	FY 04-05	FY 05-06	
	\$0	\$1,346,942	GF
	\$0	\$1,022,256	NGF

Language:

Page 148, line 47, strike "\$215,490,073" and insert "\$217,859,271".

Education: Higher Education			Item 182 #7s
George Mason University			
			Language

Language:

Page 149, line 53, insert:

"F. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$119,748,761 in nongeneral funds the first year and \$127,453,945 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 182 #8s
George Mason University	FY 04-05	FY 05-06	
	\$1,002,308	\$1,850,415	GF
	\$1,353,739	\$2,499,211	NGF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$218,033,751".

Page 148, line 47, strike "\$215,490,073" and insert "\$219,839,699".

Page 149, line 53, insert:

"F. Out of this appropriation, \$1,002,308 is provided in the first year and \$1,850,415 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 182 #9s
George Mason University	FY 04-05	FY 05-06	
	\$140,482	\$140,482	GF

Language:

Page 148, line 47, strike "\$215,677,704" and insert "\$215,818,186".  
Page 148, line 47, strike "\$215,490,073" and insert "\$215,630,555".

Education: Higher Education  
George Mason University

Item 182 #10s

Language

Language:

Page 149, line 46, strike "The"  
Page 149, strike lines 47 through 52.

Education: Higher Education  
James Madison University

Item 186 #2s

	FY 04-05	FY 05-06	
	(\$1,389,648)	(\$2,067,449)	GF
	(\$931,412)	(\$1,862,825)	NGF

Language:

Page 150, line 31, strike "\$136,809,392" and insert "\$134,488,332".  
Page 150, line 31, strike "\$138,108,694" and insert "\$134,178,420".  
Page 150, strike lines 42 through 49.  
Page 151, strike lines 1 through 4.

Education: Higher Education  
James Madison University

Item 186 #3s

	FY 04-05	FY 05-06	
	\$6,531,007	\$6,531,007	GF
	\$4,777,669	\$9,836,241	NGF

Language:

Page 150, line 31, strike "\$136,809,392" and insert "\$148,118,068".  
Page 150, line 31, strike "\$138,108,694" and insert "\$154,475,942".  
Page 151, line 13, insert:

"C. Out of this appropriation, \$6,531,007 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education  
James Madison University

Item 186 #4s

	FY 04-05	FY 05-06	
	\$0	\$1,088,860	GF
	\$0	\$1,238,158	NGF

Language:

Page 150, line 31, strike "\$138,108,694" and insert "\$140,435,712".

Education: Higher Education  
James Madison University

Item 186 #5s

Language

Language:

Page 151, line 13, insert:

“C. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$81,774,053 in nongeneral funds the first year and \$88,953,978 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 186 #6s
James Madison University	FY 04-05	FY 05-06	
	\$536,834	\$991,078	GF
	\$1,041,988	\$1,923,671	NGF

Language:

Page 150, line 31, strike “\$136,809,392” and insert “\$138,388,214”.

Page 150, line 31, strike “\$138,108,694” and insert “\$141,023,443”.

Page 151, line 13, insert:

“C. Out of this appropriation, \$536,834 is provided in the first year and \$991,078 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 186 #7s
James Madison University	FY 04-05	FY 05-06	
	\$966,185	\$967,697	NGF

Language:

Page 150, line 31, strike “\$136,809,392” and insert “\$137,775,577”.

Page 150, line 31, strike “\$138,108,694” and insert “\$139,076,391”.

Education: Higher Education			Item 190 #4s
Longwood University	FY 04-05	FY 05-06	
	\$155,316	\$155,652	NGF

Language:

Page 151, line 48, strike “\$32,086,391” and insert “\$32,241,707”.

Page 151, line 48, strike “\$32,427,726” and insert “\$32,583,378”.

Education: Higher Education			Item 190 #5s
Longwood University	FY 04-05	FY 05-06	
	(\$546,620)	(\$745,351)	GF
	(\$147,601)	(\$295,203)	NGF

Language:

Page 151, line 48, strike “\$32,086,391” and insert “\$31,392,170”.

Page 151, line 48, strike “\$32,427,726” and insert “\$31,387,172”.

Page 152, strike lines 29 through 39.

Education: Higher Education			Item 190 #6s
Longwood University	FY 04-05	FY 05-06	
	\$3,282,745	\$3,282,745	GF
	\$588,335	\$1,200,203	NGF

Language:

Page 151, line 48, strike "\$32,086,391" and insert "\$35,957,471".

Page 151, line 48, strike "\$32,427,726" and insert "\$36,910,674".

Page 152, line 40, insert:

"F. Out of this appropriation, \$3,282,745 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 190 #7s
Longwood University	FY 04-05	FY 05-06	
	\$0	\$513,199	GF
	\$0	\$284,856	NGF

Language:

Page 151, line 48, strike "\$32,427,726" and insert "\$33,225,781".

Education: Higher Education			Item 190 #8s
Longwood University			
			Language

Language:

Page 152, line 50, insert:

"F. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$14,542,951 in nongeneral funds the first year and \$15,589,831 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 190 #9s
Longwood University	FY 04-05	FY 05-06	
	\$162,910	\$300,758	GF
	\$177,061	\$326,881	NGF

Language:

Page 151, line 48, strike "\$32,086,391" and insert "\$32,426,362".

Page 151, line 48, strike "\$32,427,726" and insert "\$33,055,365".

Page 152, line 40, insert:

"F. Out of this appropriation, \$162,910 is provided in the first year and \$300,758 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional

authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 191 #1s
Longwood University	FY 04-05	FY 05-06	
	\$109,472	\$109,472	GF

Language:

Page 152, line 40, strike “\$2,244,638” and insert “\$2,354,110”.  
 Page 152, line 40, strike “\$2,244,638” and insert “\$2,354,110”.

Education: Higher Education			Item 194 #3s
Mary Washington College	FY 04-05	FY 05-06	
	\$2,820,805	\$2,821,284	NGF

Language:

Page 153, line 24, strike “\$36,497,598” and insert “\$39,318,403”.  
 Page 153, line 24, strike “\$36,494,738” and insert “\$39,316,022”.

Education: Higher Education			Item 194 #4s
Mary Washington College	FY 04-05	FY 05-06	
	(\$409,437)	(\$409,437)	GF

Language:

Page 153, line 24, strike “\$36,497,598” and insert “\$36,088,161”.  
 Page 153, line 24, strike “\$36,494,738” and insert “\$36,085,301”.  
 Page 153, strike lines 35 through 44.

Education: Higher Education			Item 194 #5s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,147,002	\$1,147,002	GF
	\$989,445	\$2,018,468	NGF

Language:

Page 153, line 24, strike “\$36,497,598” and insert “\$38,634,045”.  
 Page 153, line 24, strike “\$36,494,738” and insert “\$39,660,208”.  
 Page 154, line 1, insert:  
 “C. Out of this appropriation, \$1,147,002 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 194 #6s
Mary Washington College			
			Language

Language:

Page 154, line 1, insert:

“C. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$22,538,396 in nongeneral funds the first year and \$23,793,475 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 194 #7s
Mary Washington College	FY 04-05	FY 05-06	
	\$156,959	\$289,771	GF
	\$266,590	\$492,166	NGF

Language:

Page 153, line 24, strike “\$36,497,598” and insert “\$36,921,147”.

Page 153, line 24, strike “\$36,494,738” and insert “\$37,276,675”.

Page 154, line 1, insert:

“C. Out of this appropriation, \$156,959 is provided in the first year and \$289,771 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 195 #1s
Mary Washington College	FY 04-05	FY 05-06	
	\$25,324	\$25,324	GF

Language:

Page 154, line 1, strike “\$1,016,397” and insert “\$1,041,721”.

Page 154, line 1, strike “\$1,016,397” and insert “\$1,041,721”.

Education: Higher Education			Item 198 #1s
Mary Washington College	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

Page 154, line 22, strike “\$202,575” and insert “\$302,575”.

Page 154, line 22, strike “\$202,575” and insert “\$302,575”.

Education: Higher Education			Item 200 #1s
Norfolk State University	FY 04-05	FY 05-06	
	\$0	\$333,757	GF
	\$0	\$364,108	NGF

Language:

Page 155, line 14, strike “\$69,247,068” and insert “\$69,944,933”.

Education: Higher Education			Item 200 #2s
Norfolk State University	FY 04-05	FY 05-06	
	(\$85,400)	(\$85,400)	GF
	\$0	\$0	NGF

Language:

Page 155, line 14, strike “\$68,890,053” and insert “\$68,804,653”.

Page 155, line 14, strike "\$69,247,068" and insert "\$69,161,668".

Page 156, strike lines 37 through 46.

Education: Higher Education			Item 200 #3s
Norfolk State University			
			Language

Language:

Page 156, line 47, insert:

"H. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$31,320,780 in nongeneral funds the first year and \$34,995,787 in nongeneral funds the second year in tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 200 #4s
Norfolk State University	FY 04-05	FY 05-06	
	\$33,384	(\$401,866)	GF
	\$0	\$401,866	NGF

Language:

Page 155, line 14, strike "\$68,890,053" and insert "\$68,923,437".

Education: Higher Education			Item 200 #5s
Norfolk State University	FY 04-05	FY 05-06	
	\$254,988	\$470,748	GF
	\$451,567	\$833,662	NGF

Language:

Page 155, line 14, strike "\$68,890,053" and insert "\$69,596,608".

Page 155, line 14, strike "\$69,247,068" and insert "\$70,551,478".

Page 156, line 47, insert:

"H. Out of this appropriation, \$254,988 is provided in the first year and \$470,748 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 204 #4s
Old Dominion University	FY 04-05	FY 05-06	
	\$2,043,744	\$2,045,257	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$147,982,902".

Page 157, line 26, strike "\$149,163,120" and insert "\$151,208,377".

Education: Higher Education			Item 204 #5s
Old Dominion University	FY 04-05	FY 05-06	
	(\$4,386,981)	(\$6,408,254)	GF
	(\$2,008,944)	(\$4,017,887)	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$139,543,233".

Page 157, line 26, strike "\$149,163,120" and insert "\$138,736,979".

Page 158, strike lines 51 through 55.

Page 159, strike lines 1 through 7.

Education: Higher Education			Item 204 #6s
Old Dominion University	FY 04-05	FY 05-06	
	\$11,660,544	\$11,660,544	GF
	\$2,827,035	\$5,767,152	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$160,426,737".

Page 157, line 26, strike "\$149,163,120" and insert "\$166,590,816".

Page 159, line 21, insert:

"K. Out of this appropriation, \$11,660,544 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs."

Education: Higher Education			Item 204 #7s
Old Dominion University			
			Language

Language:

Page 159, line 21, insert:

"K. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$67,045,899 in nongeneral funds the first year and \$70,743,624 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue."

Education: Higher Education			Item 204 #8s
Old Dominion University	FY 04-05	FY 05-06	
	\$623,720	\$1,151,484	GF
	\$893,567	\$1,649,662	NGF

Language:

Page 157, line 26, strike "\$145,939,158" and insert "\$147,456,445".

Page 157, line 26, strike "\$149,163,120" and insert "\$151,964,266".

Page 159, line 21, insert:

"K. Out of this appropriation, \$623,720 is provided in the first year and \$1,151,484 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and

recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 204 #10s
Old Dominion University			
			Language

Language:  
 Page 159, line 14, strike “The”  
 Page 159, strike lines 15 through 20.

Education: Higher Education			Item 205 #1s
Old Dominion University	FY 04-05	FY 05-06	
	\$248,240	\$248,240	GF

Language:  
 Page 159, line 21, strike “\$9,598,779” and insert “\$9,847,019”.  
 Page 159, line 21, strike “\$9,598,779” and insert “\$9,847,019”.

Education: Higher Education			Item 208 #5s
Radford University	FY 04-05	FY 05-06	
	\$648,189	\$648,942	NGF

Language:  
 Page 160, line 25, strike “\$64,460,612” and insert “\$65,108,801”.  
 Page 160, line 25, strike “\$65,754,529” and insert “\$66,403,471”.

Education: Higher Education			Item 208 #6s
Radford University	FY 04-05	FY 05-06	
	(\$787,986)	(\$1,484,543)	GF
	(\$630,828)	(\$1,261,657)	NGF

Language:  
 Page 160, line 25, strike “\$64,460,612” and insert “\$63,041,798”.  
 Page 160, line 25, strike “\$65,754,529” and insert “\$63,008,329”.  
 Page 160, strike lines 40 through 50.

Education: Higher Education			Item 208 #7s
Radford University	FY 04-05	FY 05-06	
	\$5,571,645	\$5,571,645	GF
	\$1,214,496	\$2,477,573	NGF

Language:  
 Page 160, line 25, strike “\$64,460,612” and insert “\$71,246,753”.  
 Page 160, line 25, strike “\$65,754,529” and insert “\$73,803,747”.  
 Page 161, line 4, insert:  
 “D. Out of this appropriation, \$5,571,645 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate,

and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education  
Radford University

Item 208 #8s

Language

Language:

Page 161, line 4, insert:

“D. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$30,611,506 in nongeneral funds the first year and \$32,223,653 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education  
Radford University

Item 208 #9s

	FY 04-05	FY 05-06	
	\$311,173	\$574,473	GF
	\$411,649	\$759,967	NGF

Language:

Page 160, line 25, strike “\$64,460,612” and insert “\$65,183,434”.

Page 160, line 25, strike “\$65,754,529” and insert “\$67,088,969”.

Page 161, line 4, insert:

“D. Out of this appropriation, \$311,173 is provided in the first year and \$574,473 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education  
Radford University

Item 208 #10s

	FY 04-05	FY 05-06	
	(\$75,000)	(\$50,000)	GF

Language:

Page 160, line 25, strike “\$64,460,612” and insert “\$64,385,612”.

Page 160, line 25, strike “\$65,754,529” and insert “\$65,704,529”.

Page 160, strike lines 51 through 54.

Page 161, strike lines 1-3.

Education: Higher Education  
Radford University

Item 209 #1s

	FY 04-05	FY 05-06	
	\$417,186	\$417,186	GF

Language:

Page 161, line 4, strike “\$4,290,215” and insert “\$4,707,401”.

Page 161, line 4, strike “\$4,290,215” and insert “\$4,707,401”.

Education: Higher Education  
Southwest Virginia Higher Education  
Center

Item 212 #1s

	FY 04-05	FY 05-06	
	3.00	3.00	FTE

Language:

Education: Higher Education Item 212 #2s  
 Southwest Virginia Higher Education Center Language

Language:

Page 161, strike lines 42 through 47.

Education: Higher Education			Item 212 #3s
Southwest Virginia Higher Education Center	FY 04-05	FY 05-06	
	\$135,292	\$135,292	GF

Language:

Page 161, line 37, strike "\$1,875,458" and insert "\$2,010,750".

Page 161, line 37, strike "\$1,875,753" and insert "\$2,011,045".

Education: Higher Education Item 213 #5s  
 University Of Virginia Language

Language:

Page 164, line 55, strike "Such reserve funds"

Page 164, strike lines 56 and 58.

Page 164, line 55, after "revenues.", insert: "Annual contributions to such reserve funds shall not exceed two percent of the asset value of the educational and general buildings constructed with nongeneral fund revenues for which such reserves are established."

Page 165, line 10, insert:

"4. In reviewing the financial and administrative relationships between the Commonwealth and its public higher education institutions, the joint subcommittee established pursuant to Senate Joint Resolution 90 of the 2004 General Assembly shall review and make recommendation on whether the interest earned in this account should be retained by the University."

Education: Higher Education Item 213 #8s  
 University Of Virginia Language

Language:

Page 165, line 35, insert:

"O. In conjunction with Senate Joint Resolution 90 of the 2004 General Assembly, the University of Virginia may pursue the development of a prototype charter agreement to present to the joint subcommittee for its consideration in studying the administrative and financial relationships between the Commonwealth and its public institutions of higher education."

Education: Higher Education Item 213 #9s  
 University Of Virginia Language

Language:

Page 165, line 35, insert:

“O. Out of this appropriation, \$69,000 is provided each year from the general fund and \$53,189 is provided each year from nongeneral funds in support of the State Arboretum at Blandy Farm.”

Education: Higher Education  
University Of Virginia

Item 213 #10s

Language

Language:

Page 165, line 35, insert:

“O. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$216,504,154 in nongeneral funds the first year and \$229,001,949 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education  
University Of Virginia

Item 213 #11s

	FY 04-05	FY 05-06	
	\$7,686,315	\$7,686,315	GF
	\$9,273,040	\$18,917,002	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$379,321,656”.

Page 162, line 8, strike “\$372,357,689” and insert “\$398,961,006”.

Page 165, line 35, insert:

“O.1. Out of this appropriation, \$7,686,315 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.

2. Out of this appropriation, the University may allocate funds to attract and retain distinguished faculty clinicians associated with the School of Medicine and the University's related health professional programs.”

Education: Higher Education  
University Of Virginia

Item 213 #12s

	FY 04-05	FY 05-06	
	(\$721,675)	(\$943,349)	GF
	(\$377,892)	(\$755,783)	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$361,262,734”.

Page 162, line 8, strike “\$372,357,689” and insert “\$370,658,557”.

Page 165, strike lines 10 through 21.

Education: Higher Education  
University Of Virginia

Item 213 #13s

	FY 04-05	FY 05-06	
	\$1,128,517	\$2,083,416	GF
	\$2,731,780	\$5,043,286	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$366,222,598”.

Page 162, line 8, strike “\$372,357,689” and insert “\$379,484,391”.

Page 165, line 35, insert:

“O. Out of this appropriation, \$1,128,517 is provided in the first year and \$2,083,416 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 213 #14s
University Of Virginia	FY 04-05	FY 05-06	
	\$0	\$333,653	GF
	\$0	\$501,606	NGF

Language:

Page 162, line 8, strike “\$372,357,689” and insert “\$373,192,948”.

Education: Higher Education			Item 213 #15s
University Of Virginia	FY 04-05	FY 05-06	
	\$21,867	\$44,843	GF
	(\$22,097)	\$11,844	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$362,362,071”.

Page 162, line 8, strike “\$372,357,689” and insert “\$372,414,376”.

Education: Higher Education			Item 213 #16s
University Of Virginia	FY 04-05	FY 05-06	
	(\$11,200,000)	(\$23,000,000)	NGF

Language:

Page 162, line 8, strike “\$362,362,301” and insert “\$351,162,301”.

Page 162, line 8, strike “\$372,357,689” and insert “\$349,357,689”.

Education: Higher Education			Item 213 #17s
University Of Virginia			
			Language

Language:

Page 165, line 28, strike “The”

Page 165, strike lines 29 through 34.

Education: Higher Education			Item 221 #3s
University Of Virginia's College At Wise			
			Language

Language:

Page 168, line 1, insert:

“B. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$4,999,436 in nongeneral funds the first year and \$5,436,120 in nongeneral funds the second year in tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 221 #4s
University Of Virginia's College At Wise	FY 04-05	FY 05-06	
	\$465,000	\$465,000	GF
	\$280,341	\$576,762	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,883,876”.

Page 167, line 32, strike “\$14,135,756” and insert “\$15,177,518”.

Page 168, line 1, insert:

“B. Out of this appropriation, \$465,000 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 221 #5s
University Of Virginia's College At Wise	FY 04-05	FY 05-06	
	(\$221,112)	(\$221,112)	GF
	\$0	\$0	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$13,917,423”.

Page 167, line 32, strike “\$14,135,756” and insert “\$13,914,644”.

Page 167, strike lines 42 through 51.

Education: Higher Education			Item 221 #6s
University Of Virginia's College At Wise	FY 04-05	FY 05-06	
	\$76,960	\$142,080	GF
	\$77,461	\$143,004	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,292,956”.

Page 167, line 32, strike “\$14,135,756” and insert “\$14,420,840”.

Page 168, line 1, insert:

“B. Out of this appropriation, \$76,960 is provided in the first year and \$142,080 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment

and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 221 #7s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$0	\$127,566	GF
	\$0	\$74,554	NGF

Language:

Page 167, line 32, strike “\$14,135,756” and insert “\$14,337,876”.

Education: Higher Education			Item 221 #8s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$206,795	\$206,795	GF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,345,330”.

Page 167, line 32, strike “\$14,135,756” and insert “\$14,342,551”.

Education: Higher Education			Item 221 #9s
University Of Virginia's College At	FY 04-05	FY 05-06	
Wise	\$96,886	\$97,052	NGF

Language:

Page 167, line 32, strike “\$14,138,535” and insert “\$14,235,421”.

Page 167, line 32, strike “\$14,135,756” and insert “\$14,232,808”.

Education: Higher Education			Item 225 #2s
Virginia Commonwealth University			Language

Language:

Page 169, line 39, strike “\$137,500” and insert “\$262,500”.

Page 169, line 40, strike “\$137,500” and insert “\$262,500”.

Education: Higher Education			Item 225 #5s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$1,700,000	\$1,700,000	GF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$318,389,832”.

Page 168, line 43, strike “\$328,929,473” and insert “\$330,629,473”.

Page 169, line 7, strike “\$5,146,343” and insert “\$7,246,343”.

Page 169, line 8, strike “\$5,146,343” and insert “\$7,246,343”.

Education: Higher Education			Item 225 #6s
Virginia Commonwealth University			Language

Language:

Page 169, line 21, insert:

“4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in §4-1.04 of this act, the General Fund appropriation for the Family Practice

programs shall be exempt from any reductions provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement.”

Education: Higher Education

Item 225 #10s

Virginia Commonwealth University

Language

Language:

Page 173, line 8, insert:

“Q. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$137,593,464 in nongeneral funds the first year and \$147,641,295 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education

Item 225 #11s

Virginia Commonwealth University

	FY 04-05	FY 05-06	
	\$14,086,902	\$14,086,902	GF
	\$6,469,808	\$13,263,107	NGF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$337,246,542”.

Page 168, line 43, strike “\$328,929,473” and insert “\$356,279,482”.

Page 173, line 8, insert:

“Q. Out of this appropriation, \$14,086,902 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education

Item 225 #12s

Virginia Commonwealth University

	FY 04-05	FY 05-06	
	(\$1,703,325)	(\$1,956,251)	GF
	(\$200,573)	(\$441,145)	NGF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$314,785,934”.

Page 168, line 43, strike “\$328,929,473” and insert “\$326,532,077”.

Page 172, strike lines 41 through 52.

Education: Higher Education

Item 225 #13s

Virginia Commonwealth University

	FY 04-05	FY 05-06	
	\$1,521,646	\$2,809,193	GF
	\$2,042,941	\$3,771,584	NGF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$320,254,419”.

Page 168, line 43, strike “\$328,929,473” and insert “\$335,510,250”.

Page 173, line 8, insert:

“Q. Out of this appropriation, \$1,521,646 is provided in the first year and \$2,809,193 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 225 #14s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$0	\$1,956,961	GF
	\$0	\$1,394,117	NGF

Language:

Page 168, line 43, strike “\$328,929,473” and insert “\$332,280,551”.

Education: Higher Education			Item 225 #16s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$0	\$55,000	GF
	\$0	\$83,794	NGF

Language:

Page 168, line 43, strike “\$328,929,473” and insert “\$329,068,267”.

Education: Higher Education			Item 225 #17s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	(\$7,897,781)	(\$17,701,279)	NGF

Language:

Page 168, line 43, strike “\$316,689,832” and insert “\$308,792,051”.

Page 168, line 43, strike “\$328,929,473” and insert “\$311,228,194”.

Education: Higher Education			Item 225 #18s
Virginia Commonwealth University			
			Language

Language:

Page 173, line 1, strike “The”

Page 173, strike lines 2 through 7.

Education: Higher Education			Item 226 #1s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$16,913	\$16,913	GF

Language:

Page 173, line 8, strike “\$11,599,345” and insert “\$11,616,258”.

Page 173, line 8, strike “\$11,599,345” and insert “\$11,616,258”.

Education: Higher Education			Item 230 #2s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,364,726	\$1,364,726	GF
	\$725,206	\$725,206	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$509,071,271".

Page 174, line 20, strike "\$517,392,172" and insert "\$519,482,104".

Education: Higher Education			Item 230 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$433,567	\$433,567	GF
	\$546,433	\$546,433	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$507,961,339".

Page 174, line 20, strike "\$517,392,172" and insert "\$518,372,172".

Page 178, line 27, insert:

"T. This appropriation includes \$433,567 each year from the general fund and \$546,433 in each year from nongeneral funds for the annual lease or debt service costs of academic space in Fairfax County."

Education: Higher Education			Item 230 #5s
Virginia Community College System			
			Language

Language:

Page 465, after line 44, insert:

"Sale or lease of interest in real property granted by purchase, deed or gift; the State Board for Community Colleges shall be authorized to lease, sell, or convey any interest it may have in real property that has been or may hereafter be acquired by purchase, will or deed of gift provided that the terms of the lease, sale or conveyance have been reviewed by the Department of General Services to ensure that a fair market value for the use or purchase of the property has been agreed to by all parties. Notwithstanding any other provisions of law, all proceeds from such leases, sales and conveyances shall be held, used and administered by the Virginia Community College System in the same manner as all other gifts and bequests are held, used and administered."

Education: Higher Education			Item 230 #12s
Virginia Community College System	FY 04-05	FY 05-06	
	\$288,560	\$381,168	GF
	\$36,356	\$112,181	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$507,306,255".

Page 174, line 20, strike "\$517,392,172" and insert "\$517,885,521".

Education: Higher Education			Item 230 #13s
Virginia Community College System	FY 04-05	FY 05-06	
	\$433,566	\$433,566	GF
	\$546,434	\$546,434	NGF

Language:

Page 174, line 20, strike "\$506,981,339" and insert "\$507,961,339".

Page 174, line 20, strike "\$517,392,172" and insert "\$518,372,172".

Page 178, line 27, insert:

“T. This appropriation includes \$433,566 each year from the general fund and \$546,434 in each year from nongeneral funds for the annual lease or debt service costs of academic space in the Arlington/Alexandria area.”

Education: Higher Education Item 230 #14s  
 Virginia Community College System

Language

Language:

Page 178, line 27, insert:

“T. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$202,132,774 in nongeneral funds the first year and \$217,051,810 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education Item 230 #15s  
 Virginia Community College System

	FY 04-05	FY 05-06	
	\$32,525,702	\$32,525,702	GF
	\$8,734,934	\$17,906,614	NGF

Language:

Page 174, line 20, strike “\$506,981,339” and insert “\$548,241,975”.

Page 174, line 20, strike “\$517,392,172” and insert “\$567,824,488”.

Page 178, line 27, insert:

“T. Out of this appropriation, \$32,525,702 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education Item 230 #16s  
 Virginia Community College System

	FY 04-05	FY 05-06	
	(\$14,503,553)	(\$20,885,499)	GF
	(\$3,384,793)	(\$6,769,586)	NGF

Language:

Page 174, line 20, strike “\$506,981,339” and insert “\$489,092,993”.

Page 174, line 20, strike “\$517,392,172” and insert “\$489,737,087”.

Page 175, strike lines 2 through 13.

Education: Higher Education Item 230 #17s  
 Virginia Community College System

	FY 04-05	FY 05-06	
	\$2,353,291	\$4,344,537	GF
	\$2,272,410	\$4,195,218	NGF

Language:

Page 174, line 20, strike “\$506,981,339” and insert “\$511,607,040”.

Page 174, line 20, strike “\$517,392,172” and insert “\$525,931,927”.

Page 162, line 35, insert:

“O. Out of this appropriation, \$2,353,291 is provided in the first year and \$4,344,537 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 230 #18s
Virginia Community College System	FY 04-05	FY 05-06	
	\$0	\$5,899,010	GF
	\$0	\$3,527,642	NGF

Language:

Page 174, line 20, strike “\$517,392,172” and insert “\$526,818,824”.

Education: Higher Education			Item 230 #20s
Virginia Community College System	FY 04-05	FY 05-06	
	\$4,547,805	\$4,547,805	NGF

Language:

Page 174, line 20, strike “\$506,981,339” and insert “\$511,529,144”.

Page 174, line 20, strike “\$517,392,172” and insert “\$521,939,977”.

Education: Higher Education			Item 231 #1s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,418,598	\$1,418,598	GF

Language:

Page 178, line 27, strike “\$71,178,055” and insert “\$72,596,653”.

Page 178, line 27, strike “\$71,178,055” and insert “\$72,596,653”.

Education: Higher Education			Item 237 #1s
Virginia Military Institute			
			Language

Language:

Page 180, line 1, insert:

“B. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$14,315,824 in nongeneral funds the first year and \$15,091,081 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education			Item 237 #2s
Virginia Military Institute	FY 04-05	FY 05-06	
	(\$89,707)	(\$145,564)	GF
	(\$606,835)	(\$606,835)	NGF

Language:

Page 179, line 32, strike “\$23,286,222” and insert “\$22,589,680”.

Page 179, line 32, strike “\$23,287,948” and insert “\$22,535,549”.

Page 179, strike lines 43 through 53.

Education: Higher Education			Item 237 #4s
Virginia Military Institute	FY 04-05	FY 05-06	
	\$66,015	\$121,872	GF
	\$188,219	\$347,481	NGF

Language:

Page 179, line 32, strike "\$23,286,222" and insert "\$23,540,456".

Page 179, line 32, strike "\$23,287,948" and insert "\$23,757,301".

Page 180, line 1, insert:

"B. Out of this appropriation, \$66,015 is provided in the first year and \$121,872 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Higher Education			Item 237 #5s
Virginia Military Institute	FY 04-05	FY 05-06	
	\$1,608,737	\$2,224,732	NGF

Language:

Page 179, line 32, strike "\$23,286,222" and insert "\$24,894,959".

Page 179, line 32, strike "\$23,287,948" and insert "\$25,512,680".

Education: Higher Education			Item 238 #1s
Virginia Military Institute	FY 04-05	FY 05-06	
	\$23,692	\$23,692	GF

Language:

Page 180, line 1, strike "\$798,494" and insert "\$822,186".

Page 180, line 1, strike "\$798,494" and insert "\$822,186".

Education: Higher Education			Item 240 #1s
Virginia Military Institute			
			Language

Language:

Page 180, line 40, strike "\$204,201" and insert "\$199,660".

Page 180, line 41, strike "\$1,199,503" and insert "\$1,172,824".

Education: Higher Education			Item 242 #1s
Virginia Polytechnic Institute And State University			
			Language

Language:

Page 182, line 51, insert:

"J. In conjunction with Senate Joint Resolution 90 of the 2004 General Assembly, Virginia Polytechnic Institute and State University may pursue the development of a prototype charter agreement to present to the joint subcommittee for its consideration in studying the administrative

and financial relationships between the Commonwealth and its public institutions of higher education.”

Education: Higher Education

Item 242 #2s

Virginia Polytechnic Institute And State University

Language

Language:

Page 182, line 51, insert:

“J. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$188,136,345 in nongeneral funds the first year and \$199,897,309 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education

Item 242 #3s

Virginia Polytechnic Institute And State University

FY 04-05
\$8,221,211
\$8,638,192

FY 05-06
\$8,221,211
\$17,708,294

GF
NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$379,270,452”.

Page 181, line 28, strike “\$361,243,110” and insert “\$387,172,615”.

Page 182, line 51, insert:

“J. Out of this appropriation, \$8,221,211 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate, and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education

Item 242 #4s

Virginia Polytechnic Institute And State University

FY 04-05
(\$513,276)
(\$657,842)

FY 05-06
(\$976,551)
(\$1,315,685)

GF
NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$361,239,931”.

Page 181, line 28, strike “\$361,243,110” and insert “\$358,950,874”.

Page 182, strike lines 26 through 37.

Education: Higher Education

Item 242 #5s

Virginia Polytechnic Institute And State University

FY 04-05
\$1,234,679
\$2,233,194

FY 05-06
\$2,279,408
\$5,081,469

GF
NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$365,878,922”.

Page 181, line 28, strike “\$361,243,110” and insert “\$368,603,987”.

Page 182, line 51, insert:

“J. Out of this appropriation, \$1,234,679 is provided in the first year and \$2,279,408 is provided in the second year from the general fund for the state share of a three percent salary increase for all

faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 242 #6s
Virginia Polytechnic Institute And State University	FY 04-05 (\$2,466,505)	FY 05-06 (\$2,740,891)	NGF

Language:

Page 181, line 28, strike “\$362,411,049” and insert “\$359,944,544”.  
 Page 181, line 28, strike “\$361,243,110” and insert “\$358,502,219”.

Education: Higher Education			Item 242 #7s
Virginia Polytechnic Institute And State University			Language

Language:

Page 182, line 44, strike “The”  
 Page 182, strike lines 45 through 50.

Education: Higher Education			Item 246 #1s
Virginia Cooperative Extension And Agricultural Experiment Station	FY 04-05 \$2,089,286 39.00	FY 05-06 \$2,089,286 39.00	GF FTE

Language:

Page 184, line 39, strike “\$71,748,805” and insert “\$73,838,091”.  
 Page 184, line 39, strike “\$72,023,805” and insert “\$74,113,091”.

Education: Higher Education			Item 246 #3s
Virginia Cooperative Extension And Agricultural Experiment Station			Language

Language:

Page 185, strike the remainder of line 22, after “profitability.”  
 Page 185, strike lines 23 through 26.

Education: Higher Education			Item 246 #4s
Virginia Cooperative Extension And Agricultural Experiment Station	FY 04-05 \$628,440 \$170,102	FY 05-06 \$1,160,197 \$314,034	GF NGF

Language:

Page 184, line 39, strike “\$71,748,805” and insert “\$72,547,347”.  
 Page 184, line 39, strike “\$72,023,805” and insert “\$73,498,036”.  
 Page 185, line 27, insert:  
 “E. Out of this appropriation, \$628,440 is provided in the first year and \$1,160,197 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent

salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education Item 247 #2s  
Virginia State University Language

Language:

Page 187, line 1, insert:

“E. With approval from the Secretary of Education, Virginia State University is authorized to implement upgrades to the campus administrative system from nongeneral fund resources, including tuition and fee revenue.”

Education: Higher Education Item 247 #3s  
Virginia State University Language  
FY 04-05 FY 05-06  
(\$187,000) \$0 GF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$45,835,902”.

Page 186, line 41, after “facilities”, strike “.” and insert:

“, and costs associated with upgrading the campus telecommunications network.”

Education: Higher Education Item 247 #4s  
Virginia State University Language

Language:

Page 187, line 1, insert:

“E. In accordance with Section 4-2.01 of this Act, the institution may generate up to \$21,536,648 in nongeneral funds the first year and \$24,278,188 in nongeneral funds the second year from tuition and mandatory educational and general fee revenue.”

Education: Higher Education Item 247 #5s  
Virginia State University Language  
FY 04-05 FY 05-06  
\$536,564 \$536,564 GF  
\$1,661,721 \$3,456,380 NGF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$48,221,187”.

Page 185, line 43, strike “\$45,978,142” and insert “\$49,971,086”.

Page 187, line 1, insert:

“E. Out of this appropriation, \$536,564 is provided from the general fund each year to address base funding needs identified by the Joint Subcommittee Studying Higher Education Funding Policies and to mitigate the pressure on student tuition and fees. These amounts reflect a portion of the additional general fund support needed to provide adequate base support of the institution's core academic function. These additional funds will allow the institution to serve more students, retain existing students more effectively, increase the number of students receiving a degree or certificate,

and enhance the quality and rigor of its academic programs. The Secretary of Education shall monitor the institution's efforts to meet these objectives and other statewide needs.”

Education: Higher Education			Item 247 #6s
Virginia State University	FY 04-05	FY 05-06	
	(\$319,038)	(\$319,038)	GF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$45,703,864”.

Page 185, line 43, strike “\$45,978,142” and insert “\$45,659,104”.

Page 185, strike lines 44 through 53.

Education: Higher Education			Item 247 #7s
Virginia State University	FY 04-05	FY 05-06	
	\$160,526	\$296,355	GF
	\$329,227	\$607,803	NGF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$46,512,655”.

Page 185, line 43, strike “\$45,978,142” and insert “\$46,882,300”.

Page 187, line 1, insert:

“E. Out of this appropriation, \$160,526 is provided in the first year and \$296,355 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade.”

Education: Higher Education			Item 247 #8s
Virginia State University	FY 04-05	FY 05-06	
	\$0	\$553,524	GF
	\$0	\$667,555	NGF

Language:

Page 185, line 43, strike “\$45,978,142” and insert “\$47,199,221”.

Education: Higher Education			Item 247 #9s
Virginia State University	FY 04-05	FY 05-06	
	\$329,757	\$329,757	GF

Language:

Page 185, line 43, strike “\$46,022,902” and insert “\$46,352,659”.

Page 185, line 43, strike “\$45,978,142” and insert “\$46,307,899”.

Education: Higher Education			Item 247 #10s
Virginia State University	FY 04-05	FY 05-06	
	(\$114,672)	(\$348,461)	GF
	\$114,672	\$348,461	NGF

Language:

Education: Higher Education			Item 247 #1s
Virginia State University	FY 04-05	FY 05-06	
	\$1,525,854	\$1,519,763	NGF

Language:

Page 185, line 43, strike "\$46,022,902" and insert "\$47,548,756".  
Page 185, line 43, strike "\$45,978,142" and insert "\$47,497,905".

Education: Higher Education			Item 251 #1s
Cooperative Extension And Agricultural	FY 04-05	FY 05-06	
Research Services	\$20,117	\$37,138	GF
	\$741	\$1,368	NGF

Language:

Page 187, line 34, strike "\$7,275,641" and insert "\$7,296,499".  
Page 187, line 34, strike "\$8,083,452" and insert "\$8,121,958".  
Page 188, line 18, insert:

"D. Out of this appropriation, \$20,117 is provided in the first year and \$37,138 is provided in the second year from the general fund for the state share of a three percent salary increase for all faculty, effective November 25, 2004. In combination with these funds, the University, with approval from its governing board, may use nongeneral fund revenues to support up to an additional 1.5 percent salary increase for teaching and research faculty, effective November 25, 2004. This additional authority is provided to assist the institution in addressing issues of faculty retention and recruitment and to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions by the end of the decade."

Education: Other			Item 254 #2s
Jamestown-Yorktown Foundation	FY 04-05	FY 05-06	
	\$153,000	\$362,000	GF
	\$153,000	\$362,000	NGF
	3.00	7.00	FTE

Language:

Page 189, line 14, strike "\$12,086,638" and insert "\$12,392,638".  
Page 189, line 14, strike "\$12,216,411" and insert "\$12,940,411".

Education: Other			Item 255 #1s
Jamestown 2007			
			Language

Language:

Page 192, after line 18, insert:  
"G. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq., Code of Virginia) shall not apply to the expenditure of funds from the Virginia 400th Anniversary Fund. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown 2007 through the expenditure of funds from the Virginia 400th Anniversary Fund. The guidelines shall implement a system of competitive negotiation for professional services; shall prohibit discrimination because of race, religion, color,

sex or national origin of the bidder or offeror in the solicitation or award of contracts; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown 2007 with funds from the Virginia 400th Anniversary Fund: §§ 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4340 through 2.2-4342, and 2.2-4367 through 2.2-4377, Code of Virginia.”

Education: Other			Item 259 #1s
The Library Of Virginia	FY 04-05	FY 05-06	
	\$250,000	\$250,000	GF

Language:

Page 194, line 1, strike “\$16,191,477” and insert “\$16,441,477”.

Page 194, line 1, strike “\$16,191,477” and insert “\$16,441,477”.

Education: Other			Item 260 #1s
The Library Of Virginia			
			Language

Language:

Page 194, strike lines 14-18.

Education: Other			Item 262 #1s
Virginia Commission For The Arts			
			Language

Language:

Page 195, strike lines 27 through 33.

Education: Other			Item 264 #1s
Virginia Museum Of Fine Arts			
			Language

Language:

Page 196, line 27, insert:

“D. Notwithstanding any other provisions of law, the payment to the City of Richmond for payment in lieu of taxes for FY 2005 and FY 2006 shall not exceed \$158,513.”

Education: Higher Education			Item 265 #2s
Eastern Virginia Medical School	FY 04-05	FY 05-06	
	\$370,481	\$370,481	GF

Language:

Page 196, line 36, strike “\$11,847,875” and insert “\$12,218,356”.

Page 196, line 36, strike “\$11,847,875” and insert “\$12,218,356”.

Education: Higher Education			Item 267 #1s
Institute For Advanced Learning And Research	FY 04-05	FY 05-06	
	\$2,080,839	\$2,080,839	GF

Language:

Page 198, line 39, strike "\$1,521,681" and insert "\$3,602,520".

Page 198, line 39, strike "\$1,521,681" and insert "\$3,602,520".

Page 198, line 45, strike "\$1,521,681 in the first year and \$1,521,681 in the second year" and insert "\$3,062,520 in the first year and \$5,609,281 in the second year"

Education: Higher Education			Item 268 #1s
Roanoke Higher Education Authority	FY 04-05	FY 05-06	
	\$179,463	\$179,463	GF

Language:

Page 199, line 21, strike "\$618,075" and insert "\$797,538".

Page 199, line 21, strike "\$618,075" and insert "\$797,538".

Education: Higher Education			Item 269 #1s
Southeastern Universities Research Association, Incorporated	FY 04-05	FY 05-06	
	\$0	\$0	GFLanguage

Language:

Page 200, line 19, insert "C. Pursuant to Item 506 F. of this Act, a three-year grant totaling \$500,000 each year shall be provided to the Authority through the Commonwealth Technology Research Fund to support the development of the Hampton Roads Research Institute."

Education: Higher Education			Item 270 #1s
Virginia College Building Authority			
			Language

Language:

Page 201, lines 30 and 31, strike "\$52,168,843" and insert "\$53,668,843"

Page 202, line 4, strike "\$500,000" in each year and insert "\$2,000,000" in each year.

Finance			Item 272 #2s
Department Of Accounts			
			Language

Language:

Page 203, line 43, strike "The" and insert "A. The"

Page 203, after line 46, insert:

"B. As a condition of the appropriation in this item, the Department shall provide to the Chairmen of the House Appropriations and Senate Finance Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within forty-eight hours of their initial run after the close of the business month."

Finance			Item 274 #1s
Department Of Accounts	FY 04-05	FY 05-06	
	(\$2,460,000)	(\$3,280,000)	GF
	-13.00	-18.00	FTE

Language:

Page 204, line 7, strike "\$5,757,749" and insert "\$3,297,749".

Page 204, line 7, strike "\$6,577,749" and insert "\$3,297,749".

Finance			Item 274 #2s
Department Of Accounts	FY 04-05	FY 05-06	
	\$450,000	\$450,000	GF
	5.00	5.00	FTE

Language:

Page 204, line 7, strike "\$5,757,749" and insert "\$6,207,749".

Page 204, line 7, strike "\$6,577,749" and insert "\$7,027,749".

Finance			Item 280 #1s
Department Of Accounts Transfer	FY 04-05	FY 05-06	
Payments	\$0	\$100,000,000	GF

Language:

Page 207, line 10, strike "\$87,000,000" and insert "\$187,000,000".

Finance			Item 282 #1s
Department Of Accounts Transfer	FY 04-05	FY 05-06	
Payments	(\$640,000)	(\$1,980,000)	GF

Language:

Page 207, line 49, strike "\$2,500,000" and insert "\$1,860,000".

Page 207, line 49, strike "\$3,110,000" and insert "\$1,130,000".

Finance			Item 283 #1s
Department Of Planning And Budget	FY 04-05	FY 05-06	
	\$250,000	\$250,000	NGF
	2.00	2.00	FTE

Language:

Page 208, line 23, strike "\$5,551,734" and insert "\$5,801,734".

Page 208, line 23, strike "\$5,586,983" and insert "\$5,836,983".

Page 208, line 27, following "Virginia" insert "and Title 2.2, Chapter 26, Article 8, Code of Virginia".

Page 209, following line 9, insert:

"D.1. The Department of Planning and Budget shall provide staffing and operational support for the Commonwealth Competition Council. Other state agencies and institutions of the Commonwealth shall assist the Commonwealth Competition Council in its work, upon request of the chairman of the Council.

2. There is hereby created on the books of the Comptroller a special, nonreverting fund known as the "Commonwealth Competition Council Savings Recovery Fund." The special fund appropriation in this item provides \$250,000 each year from the Fund to cover the costs of the staffing and operational support that the Department of Planning and Budget provides to the council.

3. Prior to April 1 of each year, the Director of the Department of Planning and Budget shall notify the Auditor of Public Accounts of any savings recommendations put forth by the Commonwealth Competition Council in which the savings are likely to be realized in the current fiscal year or in the fiscal year beginning on the next July 1 after such notification. The Auditor of Public Accounts shall audit the implementation of such savings recommendations and shall certify to the State Comptroller by June 1 each year the total of any savings realized by state agencies or institutions as a result of the recommendations of the Commonwealth Competition Council. By July 1 of each year, the State

Comptroller shall transfer 10 percent of such certified savings to the Commonwealth Competition Council Savings Recovery Fund for support of the Council's operations. If such savings have since accrued to the benefit of the general fund of the Commonwealth, either by subsequent budgetary action or by reversion, at the time of such certification by the Auditor of Public Accounts, the State Comptroller shall transfer the equivalent of 10 percent of the affected certified savings from the general fund to the Commonwealth Competition Council Savings Recovery Fund. The total amount transferred to the Commonwealth Competition Council Savings Recovery Fund in accordance with the above provisions shall not exceed \$500,000 in any fiscal year.”.

Finance Item 286 #1s  
Department Of Taxation Language

Language:

Page 214, after line 29, insert:

“H. Notwithstanding § 58.1-439.12:01 D of Senate Bill 537 (2004 Session), the department is authorized to prorate, with no repayment necessary in succeeding fiscal years, the amount of award each eligible corporation receives to match the maximum allocation of tax credits stipulated in § 58.1-439.12:01 C of Senate Bill 537.”

Finance Item 286 #2s  
Department Of Taxation GF  
FY 04-05 FY 05-06  
(\$251,326) (\$251,326)

Language:

Page 210, line 11, strike “\$47,996,407” and insert “\$47,745,081”.

Page 210, line 11, strike “\$47,903,407” and insert “\$47,652,081”.

Finance Item 286 #3s  
Department Of Taxation GF  
FY 04-05 FY 05-06  
(\$2,408,376) (\$1,551,529)  
-20.00 -20.00 FTE

Language:

Page 210, line 11, strike “\$47,996,407” and insert “\$45,588,031”.

Page 210, line 11, strike “\$47,903,407” and insert “\$46,351,878”.

Finance Item 286 #4s  
Department Of Taxation GF  
FY 04-05 FY 05-06  
(\$854,951) (\$871,030)

Language:

Page 210, line 11, strike “\$47,996,407” and insert “\$47,141,456”.

Page 210, line 11, strike “\$47,903,407” and insert “\$47,032,377”.

Finance Item 290 #1s  
Department Of The Treasury GF  
FY 04-05 FY 05-06  
\$1,124,883 \$0

Language:

Page 216, line 33, strike “\$7,387,807” and insert “\$8,512,690”.

Page 216, after line 54, insert:

“C.1 From the amounts appropriated in Insurance Services, there shall be paid for the relief of Julius Earl Ruffin from the general fund, upon execution of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision, (i) the sum of \$500,000 to be paid to Julius Earl Ruffin on or before August 1, 2004, by check issued by the State Treasurer on warrant of the Comptroller and (ii) an annuity for the primary benefit of Julius Earl Ruffin providing for equal monthly payments for a period certain of thirty years commencing on or before September 1, 2004, in the cumulative amount of \$1,000,000.

2. The State Treasurer shall purchase the annuity at the lowest cost available from any A+ rated company, including any A+ rated company from which the State Lottery Department may purchase an annuity, and such annuity shall contain beneficiary provisions providing for the annuity's continued disbursement in the event of the death of Julius Earl Ruffin.”.

Finance			Item 290 #2s
Department Of The Treasury	FY 04-05	FY 05-06	
	(\$48,674)	(\$48,674)	GF

Language:

Page 216, line 33, strike “\$7,387,807” and insert “\$7,339,133”.

Page 216, line 33, strike “\$7,287,807” and insert “\$7,239,133”.

Finance			Item 295.10 #1s
Treasury Board	FY 04-05	FY 05-06	
	\$12,378,875	\$12,878,875	GF

Language:

Page 220, following line 35

“295.10. Capital Repairs and Improvements Revolving Fund \$12,378,875 \$12,878,875

Fund Sources: General \$12,378,875 \$12,878,875.”

The appropriation to this item is the initial deposit of \$12,378,875 GF the first year and \$12,878,87 GF the second year to the Capital Repairs and Improvements Revolving Fund, as provided for in Item C-194.1 of this act. Upon attaining a cash balance sufficient to sustain revolving loans of \$25,000,000 annually, the Virginia Public Building Authority may make loans from the fund to address necessary repairs, improvements and to address deferred maintenance as provided for in Item C-194.1.”

Finance			Item 296 #1s
Treasury Board	FY 04-05	FY 05-06	
	\$0	\$163,218	GF

Language:

Page 220, line 36, strike “\$345,609,242” and insert “\$345,772,460”.

Page 222, line 12, strike “\$54,406” and insert “\$217,624”

Finance			Item 296 #1s
Treasury Board	FY 04-05	FY 05-06	
	(\$2,475,875)	(\$2,503,695)	GF

Language:

Page 220, line 36, strike “\$299,294,769” and insert “\$296,818,894”.

Page 220, line 36, strike “\$345,609,242” and insert “\$343,105,547”.

Page 224, line 3, strike “\$7,523,468” and insert “\$7,347,593”.

Page 224, line 3, strike “\$28,601,563” and insert “\$28,097,868”.

Page 224, line 6, strike "\$1,494,938" and insert "\$1,319,063".

Page 224, line 6, strike "\$10,054,633" and insert "\$9,550,938".

Finance			Item 296 #7s
Treasury Board	FY 04-05	FY 05-06	
	\$929,277	\$5,052,529	GF

Language:

Page 220, line 36, strike "\$299,294,769" and insert "\$300,224,046".

Page 220, line 36, strike "\$345,609,242" and insert "\$350,661,771".

Health And Human Resources			Item 298 #2s
Secretary Of Health And Human Resources			
			Language

Language:

Page 228, after line 8, insert:

"The Secretary of Health and Human Resources, with agencies assisting as requested, shall study the availability of obstetrical services throughout the Commonwealth. In conducting the study, the Secretary shall: (i) assess the current availability of obstetrical services in the Commonwealth and identify any areas of the Commonwealth where there is inadequate access to such services; (ii) identify the main reasons why there are areas of the Commonwealth where there is inadequate access to obstetrical care; (iii) identify any specific problems regarding access to obstetrical care for Medicaid and FAMIS enrollees; (iv) evaluate the current availability and affordability of malpractice insurance for obstetricians and assess the degree to which this may be contributing to the lack of access to obstetrical care in certain areas of the Commonwealth; and (v) recommend actions that can be taken to improve access to obstetrical care throughout the Commonwealth. The Bureau of Insurance shall assist the Secretary in conducting this study and provide support and information regarding the availability of malpractice insurance and the trends in such premiums over the last ten years and future projections. The Secretary shall report the findings of the study to the Governor, and to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2004."

Health And Human Resources			Item 299 #1s
Comprehensive Services For At-Risk Youth And Families			
			Language

Language:

Page 231, after line 50, insert:

"F. The State Executive Council for the Comprehensive Services Act shall investigate the reasons leading to the practice of parents relinquishing custody of their children solely to obtain necessary and appropriate mental health services. The State Executive Council shall recommend policy options, including legislative action if appropriate, for abolishing this practice while continuing to make the services available and accessible to the children, and report to the Chairmen of the House Appropriations and Senate Finance Committees, and to the Chairman of the Joint Commission on Health Care, by November 1, 2004."

Health And Human Resources			Item 301 #1s
Department For The Aging	FY 04-05	FY 05-06	
	\$70,191	\$70,191	GF

Language:

- Page 232, line 16, strike "\$26,433,352" and insert "\$26,503,543".
- Page 232, line 16, strike "\$26,573,352" and insert "\$26,643,543".
- Page 233, line 24, strike "\$329,809" and insert "\$400,000".
- Page 233, line 25, strike "\$329,809" and insert "\$400,000".

Health And Human Resources			Item 301 #2s
Department For The Aging	FY 04-05	FY 05-06	
	\$1,000,000	\$1,000,000	GF

Language:

- Page 232, line 16, strike "\$26,433,352" and insert "\$27,433,352".
- Page 232, line 16, strike "\$26,573,352" and insert "\$27,573,352".
- Page 233, after line 39, insert:  
 "K. Out of this appropriation, \$1,000,000 from the general fund each year shall be provided to area agencies on aging to meet the documented needs of the elderly in local communities."

Health And Human Resources			Item 301 #3s
Department For The Aging	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

- Page 232, line 16, strike "\$26,433,352" and insert "\$26,633,352".
- Page 232, line 16, strike "\$26,573,352" and insert "\$26,773,352".

Health And Human Resources			Item 301 #9s
Department For The Aging			Language

Language:

- Page 232, strike lines 48 through 52.
- Page 233, strike lines 1 and 2.

Health And Human Resources			Item 302 #1s
Department For The Aging	FY 04-05	FY 05-06	
	\$400,000	\$400,000	GF

Language:

- Page 233, line 40, strike "\$15,711,959" and insert "\$16,111,959".
- Page 233, line 40, strike "\$15,711,959" and insert "\$16,111,959".
- Page 234, after line 40, insert:  
 "E. Out of this appropriation, \$400,000 from the general fund each year shall be provided to area agencies on aging for the documented need for congregate or home-delivered meals."

Health And Human Resources			Item 306 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

- Page 235, line 33, strike "\$1,851,884" and insert "\$2,051,884".
- Page 235, line 33, strike "\$1,851,884" and insert "\$2,051,884".
- Page 236, line 16, strike "\$300,000" and insert "\$500,000".

Page 236, line 17, strike "\$300,000" and insert "\$500,000".

Health And Human Resources			Item 306 #4s
Department Of Health	FY 04-05	FY 05-06	
	\$25,000	\$25,000	GF

Language:

Page 235, line 33, strike "\$1,851,884" and insert "\$1,876,884".

Page 235, line 33, strike "\$1,851,884" and insert "\$1,876,884".

Page 236, line 44, strike "\$25,000" and insert "\$50,000".

Page 236, line 45, strike "\$25,000" and insert "\$50,000".

Health And Human Resources			Item 306 #5s
Department Of Health	FY 04-05	FY 05-06	
	\$560,568	\$560,568	GF
	(\$560,568)	(\$560,568)	NGF

Language:

Page 235, line 41, strike "\$220,396" and insert "\$780,964".

Page 235, strike line 42 and insert "fund each year".

Page 236, strike line 43.

Page 236, strike "nongeneral funds the second year".

Health And Human Resources			Item 307 #2s
Department Of Health			
			Language

Language:

Page 238, line 2, after "services" insert a period.

Page 238, delete lines 3 through 6.

Health And Human Resources			Item 310 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$48,500	\$48,500	GF

Language:

Page 238, line 34, strike "\$89,997,059" and insert "\$90,045,559".

Page 238, line 34, strike "\$91,107,059" and insert "\$91,155,559".

Page 239, after line 15, insert:

"D. Out of this appropriation, \$48,500 from the general fund each year shall be used to purchase prescription medications for individuals who have drug-resistant tuberculosis and require prolonged treatment services."

Health And Human Resources			Item 310 #2s
Department Of Health	FY 04-05	FY 05-06	
	\$51,500	\$51,500	GF

Language:

Page 238, line 34, strike "\$89,997,059" and insert "\$90,048,559".

Page 238, line 34, strike "\$91,107,059" and insert "\$91,158,559".

Page 239, after line 15, insert:

"D. Out of this appropriation, \$51,500 from the general fund each year shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced

prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.”

Health And Human Resources			Item 311 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$225,000	\$225,000	GF

Language:

- Page 239, line 16, strike “\$2,926,102” and insert “\$3,151,102”.
- Page 239, line 16, strike “\$2,926,102” and insert “\$3,151,102”.
- Page 239, line 26, strike “\$333,072” and insert “\$558,072”.
- Page 239, line 27, strike “\$333,072” and insert “\$558,072”.

Health And Human Resources			Item 311 #2s
Department Of Health	FY 04-05	FY 05-06	
	\$60,000	\$60,000	GF
	1.00	1.00	FTE

Language:

- Page 239, line 16, strike “\$2,926,102” and insert “\$2,986,102”.
- Page 239, line 16, strike “\$2,926,102” and insert “\$2,986,102”.

Health And Human Resources			Item 312 #1s
Department Of Health	FY 04-05	FY 05-06	
	\$110,000	\$110,000	GF

Language:

- Page 240, line 15, strike “\$5,176,490” and insert “\$5,286,490”.
- Page 240, line 15, strike “\$5,176,490” and insert “\$5,286,490”.
- Page 242, after line 30, insert:  
“C. Out of this appropriation, \$110,000 from the general fund each year shall be transferred to the Rx Partnership to improve access to free medications for low-income Virginians.”

Health And Human Resources			Item 312 #2s
Department Of Health	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

- Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.
- Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.
- Page 240, line 22, strike “\$125,000” and insert “\$225,000”.
- Page 240, line 23, strike “\$125,000” and insert “\$225,000”.

Health And Human Resources			Item 312 #3s
Department Of Health	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

- Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.
- Page 240, line 15, strike “\$5,176,490” and insert “\$5,276,490”.
- Page 241, after line 56, insert:

“H. Out of this appropriation, \$100,000 from the general fund each year shall be provided to the Virginia Primary Care Association to provide gap coverage for obstetrical services in rural communities at risk of losing obstetrical services.”

Health And Human Resources  
Department Of Health

Item 314 #3s

Language

Language:

Page 242, line 53, strike each “\$180,000” and insert “\$200,000”.

Page 243, after line 29, insert:

“3. Of this appropriation, \$200,000 each year from federal funds shall be paid to the Virginia Health Care Foundation for programs that assist low-income persons in the acquisition of reduced cost medication from pharmaceutical manufacturers.”

Health And Human Resources  
Department Of Health

Item 314 #5s

FY 04-05	FY 05-06
\$250,000	\$250,000

GF

Language:

Page 242, line 31, strike “\$166,547,101” and insert “\$166,797,101”.

Page 242, line 31, strike “\$166,547,101” and insert “\$166,797,101”.

Page 242, line 52, strike “\$1,800,571” and insert “\$2,050,571”.

Page 242, line 53, strike “\$1,800,571” and insert “\$2,050,571”.

Page 243, after line 29, insert:

“3. Of this appropriation, \$250,000 each year from the general fund shall be paid to the Virginia Health Care Foundation to expand the Pharmacy Connect program to unserved or underserved regions of the Commonwealth.”

Health And Human Resources  
Department Of Medical Assistance  
Services

Item 322 #2s

FY 04-05	FY 05-06
\$300,000	\$200,000
\$300,000	\$200,000
2.00	2.00

GF  
NGF  
FTE

Language:

Page 246, line 25, strike “\$75,013,771” and insert “\$75,613,771”.

Page 246, line 25, strike “\$75,013,728” and insert “\$75,413,728”.

Page 248, after line 17, insert:

“G. Included in this appropriation is \$300,000 from the general fund and \$300,000 from nongeneral funds in the first year and \$200,000 from the general fund and \$200,000 from nongeneral funds in the second year for the Department of Medical Assistance Services (DMAS) to complete a baseline encounter data validation study to assess the accuracy, completeness, and quality of encounter data from contracted Medicaid/FAMIS managed care plans and from the DMAS Medicaid Management Information System. The study objectives include: an assessment of encounter data used for managed care plan rate-setting and risk-adjustment, the development of necessary revisions to the

recently implemented DMAS Medicaid Management Information System, and feedback to the health plans in the form of Data Quality Improvement Plans.”

Health And Human Resources			Item 322 #3s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$250,000	\$150,000	GF
	\$250,000	\$150,000	NGF
	2.00	2.00	FTE

Language:

Page 246, line 25, strike “\$75,013,771” and insert “\$75,513,771”.

Page 246, line 25, strike “\$75,013,728” and insert “\$75,313,728”.

Health And Human Resources		Item 322 #4s
Department Of Medical Assistance Services		Language

Language:

Page 248, after line 17, insert:

“G. The Department of Medical Assistance Services shall study the degree to which hospital emergency rooms are being used by Medicaid fee-for-service clients for non-emergency care, and identify actions that could be taken to limit inappropriate use of this treatment setting. In conducting its review, the Department shall: (i) assess recent trends in emergency room use by Medicaid fee-for-service enrollees; (ii) estimate the incidence of Medicaid clients using the emergency room for non-emergency care; (iii) identify effective actions taken by the HMOs participating in the Department's managed care program as well as other state Medicaid programs to limit inappropriate use of the emergency room; (iv) consult with physicians and hospitals in assessing and developing programs that direct patients to primary care settings; and (v) recommend actions that can be taken to ensure emergency room usage by Medicaid fee-for-service clients is appropriate and medically necessary. The Department shall report its findings and recommendations to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2004.”

Health And Human Resources			Item 322 #5s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$638,100	\$638,100	GF
	\$314,400	\$314,400	NGF
	4.00	4.00	FTE

Language:

Page 246, line 25, strike “\$75,013,771” and insert “\$75,966,271”.

Page 246, line 25, strike “\$75,013,728” and insert “\$75,966,228”.

Page 248, after line 17, insert:

“G. The Department of Medical Assistance Services shall have the authority to amend the Medallion II waiver to allow the Department to carve out dental services provided to children under the age of 21 from Medicaid managed care. In addition, the Department shall have the authority to amend the State Plans for Titles XIX (Medical Assistance Services) and XXI (Family Access to Medical Insurance Security) of the Social Security Act, as required by applicable statute and regulations to provide dental services to children enrolled in these programs on a fee-for-service basis. The Department shall have the authority to enact emergency regulations under Section 2.2-4011 of the Administrative Process Act, to effect this provision. The Department of Medical Assistance Services

may consider outsourcing such dental services to children under age 21 to an administrative services program.”

Health And Human Resources			Item 326 #3s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$3,992,156	\$4,210,160	GF
	\$3,992,156	\$4,210,160	NGF

Language:

Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,065,082,889”.

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,437,052,939”.

Page 264, after line 47, insert:

“BBB. Out of this appropriation, \$3,992,156 from the general fund and \$3,992,156 from nongeneral funds the first year and \$4,210,160 from the general fund and \$4,210,160 from nongeneral funds the second year shall be used to increase the rates paid for the community-based Medicaid mental retardation waiver program by three percent on July 1, 2004.”

Health And Human Resources			Item 326 #7s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$1,638,577	\$2,515,325	GF
	\$1,638,577	\$2,515,325	NGF

Language:

Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,060,375,731”.

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,433,663,269”.

Page 264, line 35, strike “\$344,756” and insert “\$2,328,089”.

Page 264, line 35, strike “\$459,675” and insert “\$3,434,675”.

Page 264, line 36, strike “\$344,756” and insert “\$2,328,089”.

Page 264, line 37, strike “\$459,675” and insert “\$3,434,675”.

Page 264, line 39, strike “is” and insert a period.

Page 264, delete lines 40 through 43.

Health And Human Resources			Item 326 #8s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$22,000,000	\$22,000,000	GF
	\$22,000,000	\$22,000,000	NGF

Language:

Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,101,098,577”.

Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,472,632,619”.

Page 251, after line 45, insert:

“3. Of this amount, \$22,000,000 from the general fund each year and \$22,000,000 from the federal trust fund each year shall be used to add 880 new waiver slots under the Mental Retardation Waiver Program beginning July 1, 2004. Any unexpended appropriations for this purpose shall not cancel but be available in the following fiscal year.”

Health And Human Resources			Item 326 #10s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$2,500,000	\$2,500,000	GF
	\$2,500,000	\$2,500,000	NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,062,098,577".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,433,632,619".

Page 258, line 59, strike "\$18,000,000" and insert "\$15,500,000"

Page 259, after line 12, insert:

"7. The Department of Medical Assistance Services shall make available under the Medicaid Preferred Drug List Program, without prior authorization, antidepressants and antianxiety medications used for the treatment of mental illness."

Health And Human Resources

Item 326 #20s

Department Of Medical Assistance Services

Language

Language:

Page 256, strike line 19.

Page 256, line 20, strike "Medicaid and Medicare Services for a" and insert:

"The Department of Medical Assistance Services shall discontinue efforts to seek approval of a".

Page 256, line 28, strike "eliminate" and insert "restore the".

Page 256, line 32, strike "The Department shall implement these necessary".

Page 256, strike lines 33 through 34, and insert:

"The Department shall study the impact of expanding elderly case management services to a statewide service. The Department shall report the results of its study to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15, 2004. The Department shall seek the input of appropriate agencies in conducting the study, including the Department for the Aging and the Area Agencies on Aging."

Health And Human Resources

Item 326 #22s

Department Of Medical Assistance Services

Language

Language:

Page 263, line 39, strike ", terminate".

Page 263, line 41, after "Waiver" insert:

", provided that individuals eligible for the waivers do not lose necessary services".

Health And Human Resources

Item 326 #25s

Department Of Medical Assistance Services

FY 04-05

FY 05-06

\$250,000

\$250,000

GF

\$250,000

\$250,000

NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,057,598,577".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,429,132,619".

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to provide an increase of \$250,000 from the general fund each year and \$250,000 from nongeneral funds each year to enhance reimbursements to inpatient hospitals with exceptionally high Medicaid utilization, specifically those inpatient hospitals with Medicaid utilization rates over 50 percent of their Neonatal Intensive Care Unit (NICU) patient populations. The enhanced reimbursements shall be proportionally distributed to the inpatient hospitals based on each hospital's share of the total NICU Medicaid patient days of the hospitals eligible for the enhanced reimbursements. In the event a hospital qualifying for this program would receive a

reimbursement rate in excess of the federal upper payment limit for such facilities, they shall be determined ineligible for the additional payment. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act.”

Health And Human Resources			Item 326 #28s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$11,492,974	GF
	\$0	\$11,492,974	NGF

Language:

- Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,451,618,567”.
- Page 264, line 6, strike “75” and insert “79”.
- Page 264, line 6, after “percent” insert “, effective July 1, 2005”.
- Page 264, line 7, strike “\$9,125,000” and insert “\$20,617,974”.
- Page 264, line 8, strike “\$9,125,000” and insert “\$20,617,974”.
- Page 264, line 9, strike “for the adjustment” and insert “is for this purpose.”
- Page 264, delete lines 10 through 13.

Health And Human Resources			Item 326 #29s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$5,395,530	GF
	\$0	\$5,395,530	NGF

Language:

- Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,439,423,679”.
- Page 264, line 18, strike “\$3” and insert “\$4.66”.
- Page 264, line 21, strike “\$3” and insert “\$4.66”.
- Page 264, line 27, strike “\$9,740,987” and insert “\$15,136,517”.
- Page 264, line 28, strike “\$9,740,987” and insert “\$15,136,517”.
- Page 264, line 29, after “funds” insert “is for this purpose.”
- Page 264, delete lines 30 through 33.

Health And Human Resources			Item 326 #30s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$1,449,104	GF
	\$0	\$1,449,104	NGF

Language:

- Page 250, line 37, strike “\$4,428,632,619” and insert “\$4,431,530,827”.
- Page 264, line 47, insert:  
 “BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to increase the dispensing fee paid to pharmacists from \$3.75 to \$4.00 per prescription per month. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act.”

Health And Human Resources			Item 326 #31s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$280,604	\$297,437	GF
	\$280,604	\$297,437	NGF

Language:

- Page 250, line 37, strike “\$4,057,098,577” and insert “\$4,057,659,785”.

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,429,227,493".

Page 264, line 47, insert:

"BBB. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services to increase reimbursements to physicians delivering services to recipients in hospital emergency rooms effective July 1, 2004. Out of this appropriation, the expenditure of \$280,604 the first year and \$297,437 the second year from the general fund and \$280,604 the first year and \$297,437 the second year from nongeneral funds shall be used to increase reimbursements by 4 percent above the fiscal year 2004 level. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Health And Human Resources Item 326 #39s  
Department Of Medical Assistance Services Language

Language:

Page 264, after line 47, insert:

"BBB. The Department of Medical Assistance Services may make available to its enrollees those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems."

Health And Human Resources Item 326 #40s  
Department Of Medical Assistance Services Language

Language:

Page 264, after line 47, insert:

"BBB. Contingent upon (i) receiving approval by the Robert Wood Johnson (RWJ) Foundation for a Cash and Counseling Demonstration and Evaluation grant, or (ii) an appropriation for a fiscal agent and staff to implement the program, the Department of Medical Assistance Services shall request a §1115 Research and Demonstration Waiver from the Centers for Medicare and Medicaid services. The waiver application shall include the location of the two demonstration sites as Lynchburg and Winchester. The Department shall promulgate emergency regulations to become effective within 280 days or less after receiving approval from the Centers for Medicare and Medicaid Services."

Health And Human Resources			Item 326 #41s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$6,000,000	GF
	\$0	\$6,000,000	NGF

Language:

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,440,632,619".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$6,000,000 from the general fund and \$6,000,000 from nongeneral funds shall be used to increase personal care provider rates offered under community-based Medicaid waiver programs by 10 percent on July 1, 2005."

Health And Human Resources			Item 326 #46s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$2,666,667	\$4,000,000	GF
	\$2,666,667	\$4,000,000	NGF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,062,431,911".

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,436,632,619".

Page 251, after line 45, insert:

"3. The appropriation includes \$2,666,667 the first year and \$4,000,000 the second year from the general fund and \$2,666,667 the first year and \$4,000,000 the second year from nongeneral funds for 160 new Mental Retardation Home and Community-based Waiver slots for individuals who are residing in mental retardation training centers, have been determined to be ready for discharge, and have chosen to be served in the community."

Health And Human Resources			Item 326 #47s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$2,000,000	\$0	GF

Language:

Page 250, line 37, strike "\$4,057,098,577" and insert "\$4,059,098,577".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$2,000,000 from the general fund in the first year is provided for start-up costs related to the development of mental retardation waiver services. Any unexpended appropriations as of June 30, 2005 shall not expire but be available for these purposes until June 30, 2006."

Health And Human Resources			Item 326 #48s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$21,800,000	(\$76,400,000)	GF
	(\$21,800,000)	\$76,400,000	NGF

Language:

Page 264, line 46, strike "\$310,700,000" and insert "\$288,900,000".

Page 264, line 46, strike "\$276,300,000" and insert "\$352,700,000".

Health And Human Resources			Item 326 #49s
Department Of Medical Assistance	FY 04-05	FY 05-06	
Services	\$0	\$5,837,400	GF
	\$0	\$5,837,400	NGF

Language:

Page 250, line 37, strike "\$4,428,632,619" and insert "\$4,440,307,419".

Page 264, after line 47, insert:

"BBB. Out of this appropriation, \$5,837,400 from the general fund and \$5,837,400 from nongeneral funds the second year shall be provided for 600 slots for a 1915(c) Medicaid Waiver for day support services. Contingent upon approval by the Centers for Medicare and Medicaid Services (CMS), the Department of Medical Assistance Services (DMAS) is directed to develop such Waiver in coordination with the Department of Mental Health, Mental Retardation, and Substance Services, and affected constituents."

Health And Human Resources			Item 330 #1s
Department Of Mental Health, Mental Retardation And Substance Abuse Services			
			Language

Language:

Page 268, after line 50, insert:

“L. Beginning on November 1, 2004, the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall annually submit a report to the Chairmen of the Senate Finance and House Appropriations Committees detailing implementation of the Department's plan to contract with participating private providers, contract amounts paid to each private provider, number of patients served, term of inpatient treatment, any savings realized by community-based treatment, and any fiscal impact to state hospitals.”

Health And Human Resources

Item 330 #2s

Department Of Mental Health, Mental Retardation And Substance Abuse Services

Language

Language:

Page 268, after line 50, insert:

“L. The Department of Mental Health, Mental Retardation, and Substance Abuse Services, in cooperation with the Department of Criminal Justice Services, shall incorporate information about programs that divert individuals with mental illness, substance abuse, and co-occurring disorders from jail or secure detention on the web-based internet site being designed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services. This is a recommendation of the Joint Commission on Health Care.”

Health And Human Resources

Item 330 #4s

Department Of Mental Health, Mental Retardation And Substance Abuse Services

FY 04-05  
\$0

FY 05-06  
(\$209,000)

GF

Language:

Page 266, line 18, strike “\$18,107,290” and insert “\$17,898,290”.

Health And Human Resources

Item 330 #5s

Department Of Mental Health, Mental Retardation And Substance Abuse Services

Language

Language:

Page 268, after line 50, insert:

“L.1. Notwithstanding the Commissioner's discretion to grant licenses pursuant to this chapter or any Board regulation regarding licensing, no initial license shall be granted by the Commissioner to a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, if such provider is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner of the Department of Mental Health, Mental Retardation or Substance Abuse Services or owned or operated by an agency of the Commonwealth.

2. Further, upon receiving notice of a proposal for or an application to obtain initial licensure from a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, the Commissioner shall, within 15 days of such receipt, notify the local governing body of and the community services board serving the jurisdiction in which the facility is to be located of such proposal or application and its proposed location.

Within 30 days of the date of the notice, local governing bodies and community services boards shall submit to the Commissioner comments on such proposals or applications. The local governing body shall notify the Commissioner within 30 days of the date of the notice concerning the compliance of the applicant with this section and any applicable local ordinances.

3. No license shall be issued by the Commissioner to such provider until the conditions of this section have been met, i.e., local governing body and community services board comments have been received and the local governing body has determined compliance with the provisions of this section and any relevant local ordinances.

4. No existing provider that has made application for licensure and obtained a certificate of occupancy or has received a license in accordance with the law and regulations in effect on January 1, 2004, shall be required to comply with the provisions of this section.

5. The provisions of this act shall not apply to the jurisdictions located in Planning District 8.”

Health And Human Resources Item 330 #6s  
Department Of Mental Health, Mental Retardation And Substance Abuse Services Language

Language:

Page 268, delete lines 31 through 50.

Health And Human Resources			Item 330 #7s
Department Of Mental Health, Mental	FY 04-05	FY 05-06	
Retardation And Substance Abuse	\$150,000	\$150,000	GF
Services	2.00	2.00	FTE

Language:

Page 266, line 18, strike “\$18,433,014” and insert “\$18,583,014”.

Page 266, line 18, strike “\$18,107,290” and insert “\$18,257,290”.

Health And Human Resources			Item 332 #2s
Department Of Mental Health, Mental	FY 04-05	FY 05-06	
Retardation And Substance Abuse	(\$2,666,667)	(\$4,000,000)	GF
Services			

Language:

Page 269, line 5, strike “\$24,269,206” and insert “\$21,602,539”.

Page 269, line 5, strike “\$27,608,206” and insert “\$23,608,206”.

Page 269, strike lines 26 through 33.

Health And Human Resources Item 332 #3s  
Department Of Mental Health, Mental Retardation And Substance Abuse Services Language

Language:

Page 269, line 36, after “fund” insert “is”

Page 269, line 37, delete “is contingent upon the” and insert a period.

Page 269, strike lines 38 through 40.

Health And Human Resources Item 332 #4s  
Department Of Mental Health, Mental Retardation And Substance Abuse Services Language

Language:

Page 269, line 43, after “fund” insert “is”.

Page 269, line 44, after “hospitals”, strike “is” and insert a period.

Page 269, strike lines 45 through 48.

Health And Human Resources			Item 332 #5s
Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 04-05 \$200,000	FY 05-06 \$400,000	GF

Language:

Page 269, line 5, strike "\$24,269,206" and insert "\$24,469,206".

Page 269, line 5, strike "\$27,608,206" and insert "\$28,008,206".

Page 269, after line 48, insert:

"F. Out of this appropriation, \$200,000 the first year and \$400,000 the second year from the general fund shall be used to develop a pilot program to divert forensic admissions of jail inmates from state mental health facilities, when clinically appropriate, and provide services to mentally ill persons in regional jail settings."

Health And Human Resources			Item 334 #2s
Grants To Localities	FY 04-05 \$1,000,000	FY 05-06 \$1,500,000	GF

Language:

Page 270, line 14, strike "\$227,576,495" and insert "\$228,576,495".

Page 270, line 14, strike "\$228,232,745" and insert "\$229,732,745".

Page 272, after line 43, insert:

"Q. Out of this appropriation, \$1,000,000 in the first year and \$1,500,000 the second year from the general fund is for Part C-Early Intervention Services for infants and toddlers."

Health And Human Resources			Item 334 #13s
Grants To Localities			

Language

Language:

Page 272, line 11, strike the first "4,125,000" and insert "6,125,000".

Page 272, line 11, strike the second "4,125,000" and insert "6,125,000".

Page 272, strike lines 27 through 35.

Health And Human Resources			Item 334 #14s
Grants To Localities			

Language

Language:

Page 272, line 38, after "fund" insert "is".

Page 272, line 40, after "(PACT)", strike:

"is contingent upon the passage into law of the" and insert a period.

Page 272, delete lines 41 through 43.

Health And Human Resources			Item 346 #1s
Virginia Center For Behavioral Rehabilitation	FY 04-05 \$0 0.00	FY 05-06 (\$1,991,000) -41.00	GF FTE

Language:

Page 276, line 4, strike "\$6,791,432" and insert "\$4,800,432".

Health And Human Resources			Item 349 #5s
Department Of Rehabilitative Services	FY 04-05	FY 05-06	
	\$800,000	\$800,000	GF

Language:

Page 276, line 37, strike "\$83,939,471" and insert "\$84,739,471".

Page 276, line 37, strike "\$83,939,471" and insert "\$84,739,471".

Page 277, line 15, strike "\$3,611,786" and insert "\$4,554,538".

Page 277, line 16, strike "\$3,754,538" and insert "\$4,554,538".

Health And Human Resources			Item 349 #8s
Department Of Rehabilitative Services	FY 04-05	FY 05-06	
	\$1,568,750	\$1,568,750	GF

Language:

Page 276, line 37, strike "\$83,939,471" and insert "\$85,508,221".

Page 276, line 37, strike "\$83,939,471" and insert "\$85,508,221".

Page 277, line 23, after "D." insert "1."

Page 277, line 24, strike "\$1,119,926" and insert "\$2,832,388".

Page 277, line 24, strike "\$1,263,638" and insert "\$2,832,388".

Page 277, after line 27, insert:

"2. Of this amount, \$1,568,750 from the general fund each year shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to \$250,000 each year shall be awarded to successful applicants. Organizations currently receiving more than \$250,000 each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, organizations shall submit plans to match 50 percent of general fund support with non-state funding each year.

3. Beginning November 1, 2005, grant recipients shall submit annual reports to the Chairmen of the Senate Finance and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources."

Health And Human Resources			Item 349 #9s
Department Of Rehabilitative Services			
			Language

Language:

Page 277, after line 43, insert:

"H.1. For grants awarded after July 1, 2004, the Commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.

2. Notwithstanding any other law to the contrary, the Commissioner may reallocate up to \$500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries."

Health And Human Resources			Item 349 #10s
Department Of Rehabilitative Services	FY 04-05	FY 05-06	
	\$300,000	\$300,000	GF

Language:

- Page 276, line 37, strike "\$83,939,471" and insert "\$84,239,471".
- Page 276, line 37, strike "\$83,939,471" and insert "\$84,239,471".
- Page 277, line 3, strike "\$3,385,210" and insert "\$3,976,210".
- Page 277, line 4, strike "\$3,676,210" and insert "\$3,976,210".

Health And Human Resources Item 350 #1s  
 Department Of Rehabilitative Services

Language

Language:

- Page 277, after line 49, insert:  
 "The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning disabled persons in hospitals to rehabilitation facilities. As part of this expedited process, the Department of Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of referrals from local departments of social services."

Health And Human Resources Item 354 #2s  
 Department Of Social Services

Language

Language:

- Page 281, after line 16, insert:  
 "I. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for federal food stamps and ensure that they have access to benefits under the food stamp program. To the extent permitted by federal law, the Department shall administer the food stamp program in a way that minimizes the procedural burden on qualified aliens and allays their concerns about the impact of food stamp receipt on their immigration sponsors and status."

Health And Human Resources			Item 354 #4s
Department Of Social Services	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

- Page 279, line 10, strike "\$46,868,606" and insert "\$46,968,606".
- Page 279, line 10, strike "\$46,873,490" and insert "\$46,973,490".
- Page 281, line 14, strike "\$100,000" and insert, "\$200,000".
- Page 281, line 15, strike "\$100,000" and insert, "\$200,000".

Health And Human Resources Item 354 #5s  
 Department Of Social Services

Language

Language:

- Page 281, after line 16, insert:  
 "I. The Department of Social Services shall implement the Guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of Federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the Department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a

minimum, the Department shall (1) identify the need for language assistance by analyzing the following factors: (a) the number or proportion of LEP persons in the eligible service population, (b) the frequency of contact with such persons, (c) the nature and importance of the program, activity or service, and (d) the costs of providing language assistance and resources available; (2) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (3) provide accurate and timely oral interpreter services; and (4) develop an effective implementation plan to address the identified needs of the LEP populations served.”

Health And Human Resources			Item 355 #1s
Department Of Social Services	FY 04-05	FY 05-06	
	\$1,000,000	\$1,000,000	GF

Language:

Page 281, line 18, strike “\$49,487,126” and insert “\$50,487,126”.

Page 281, line 18, strike “\$47,445,246” and insert “\$48,445,246”.

Page 282, after line 2, insert:

“3. Out of this appropriation, \$1,000,000 from the general fund each year shall be distributed according to the formula in this section.”

Health And Human Resources			Item 356 #3s
Department Of Social Services			
			Language

Language:

Page 283, line 8, strike “\$3,900,000” and insert “\$9,200,000”.

Page 283, line 9, strike “\$3,900,000” and insert “\$4,900,000”.

Health And Human Resources			Item 356 #7s
Department Of Social Services			
			Language

Language:

Page 284, after line 4, insert:

“1.1. Local departments of social services shall provide to eligible Temporary Assistance to Needy Families (TANF) recipients, under the administrative supervision of the Commissioner of Social Services, pre-employment and employment-related training services from the federal TANF grant funds appropriated for that purpose.

2. A limited number of local departments of social services are encouraged to participate in a pilot program to purchase employment-related training and placement services for TANF recipients from employment services organizations and the local workforce investment boards. The Commissioner of Social Services shall issue policy guidance for the development and operation of the pilot programs to purchase employment related training and placement services for TANF recipients from employment services organizations and the local workforce investment boards.

3. The pilot training and placement services for TANF recipients from employment services organizations and the local workforce investment boards shall be evaluated during a two-year period to assess the pre-employment and employment-related training services provided to the TANF recipients.”

Health And Human Resources			Item 356 #10s
Department Of Social Services	FY 04-05	FY 05-06	
	\$10,349,238	\$10,349,239	GF
	(\$10,349,238)	(\$10,349,238)	NGF

Language:

Page 282, line 11, strike "\$155,397,676" and insert "\$155,397,677".

Health And Human Resources  
 Department Of Social Services

Item 356 #11s

Language

Language:

Page 283, delete lines 43 through 59.

Page 284, delete lines 1 through 4.

Health And Human Resources  
 Department Of Social Services

Item 357 #3s

Language

Language:

Page 285, after line 35, insert:

"J. From the federal TANF grant, \$50,000 each year shall be transferred to the Bristol-Washington County Children's Advocacy Center for services to TANF-eligible populations."

Health And Human Resources  
 Department Of Social Services

Item 357 #4s

Language

Language:

Page 285, after line 35, insert:

"J. From the federal TANF grant, \$50,000 each year shall be transferred to the Lenowisco Planning District Children's Advocacy Center for services to TANF-eligible populations."

Health And Human Resources  
 Department Of Social Services

Item 357 #6s

	FY 04-05	FY 05-06	
	(\$10,349,238)	(\$10,349,239)	GF

Language:

Page 284, line 5, strike "\$152,196,355" and insert "\$141,847,117".

Page 284, line 5, strike "\$163,637,335" and insert "\$153,288,096".

Health And Human Resources  
 Department Of Social Services

Item 357 #8s

	FY 04-05	FY 05-06	
	\$200,000	\$200,000	GF

Language:

Page 284, line 5, strike "\$152,196,355" and insert "\$152,396,355".

Page 284, line 5, strike "\$163,637,335" and insert "\$163,837,335".

Health And Human Resources  
 Department Of Social Services

Item 357 #9s

	FY 04-05	FY 05-06	
	\$100,000	\$100,000	GF

Language:

Page 284, line 5, strike "\$152,196,355" and insert "\$152,296,355".

Page 284, line 5, strike "\$163,637,335" and insert "\$163,737,335".

Page 285, line 18, strike "\$584,980" and insert "\$684,980".

Page 285, line 21, strike "\$584,980" and insert "\$684,980".

Health And Human Resources			Item 359 #1s
Department Of Social Services	FY 04-05	FY 05-06	
	\$0	\$6,363,878	GF

Language:

Page 286, line 22, strike "\$20,098,755" and insert "\$26,462,633".

Page 286, line 33, strike "\$866" and insert "\$938".

Health And Human Resources			Item 360 #2s
Department Of Social Services			
			Language

Language:

Page 288, after line 3, insert:

"D. Out of this appropriation, the Department of Social Services shall allocate \$2,550,000 each year from the federal TANF block grant for employment and training and other services for hard-to-serve recipients to promote self-sufficiency."

Health And Human Resources			Item 360 #4s
Department Of Social Services			
			Language

Language:

Page 288, after line 3, insert:

"D. From the federal TANF grant, \$637,500 each year shall be made available to approved Centers for Employment Training."

Health And Human Resources			Item 360 #4s
Department Of Social Services	FY 04-05	FY 05-06	
	\$10,349,238	\$10,349,238	NGF

Language:

Page 287, line 5, strike "\$69,122,484" and insert "\$79,471,722".

Page 287, line 5, strike "\$68,122,484" and insert "\$78,471,722".

Health And Human Resources			Item 362 #2s
Department Of Social Services	FY 04-05	FY 05-06	
	\$4,300,000	\$2,150,000	GF
	\$4,300,000	\$2,150,000	NGF

Language:

Page 288, line 53, strike "\$306,249,218" and insert "\$314,849,218".

Page 288, line 53, strike "\$306,249,218" and insert "\$310,549,218".

Health And Human Resources			Item 362 #3s
Department Of Social Services			
			Language

Language:

Page 291, line 5, after "fund", insert:

"and \$1,062,500 from the federal TANF grant".

Page 291, line 6, after “fund”, insert:  
 “and \$1,062,500 from the federal TANF grant”.

Health And Human Resources Item 362 #8s  
 Department Of Social Services Language

Language:  
 Page 291, after line 20, insert:  
 “O. Out of this appropriation, \$9,300,000 each year from the federal TANF block grant shall be allocated for foster care and adoption workers in local Department of Social Services offices.”

Health And Human Resources Item 362 #9s  
 Department Of Social Services Language

Language:  
 Page 291, after line 20, insert:  
 “O. The Commissioner, in consultation with local departments of social services, shall develop a plan to implement and finance the federally required local Child and Family Services Review Performance Improvement Plan.”

Health And Human Resources			Item 362 #12s
Department Of Social Services	FY 04-05	FY 05-06	
	\$650,000	\$650,000	GF

Language:  
 Page 288, line 53, strike “\$306,249,218” and insert “\$306,899,218”.  
 Page 288, line 53, strike “\$306,249,218” and insert “\$306,899,218”.  
 Page 290, line 57, strike “\$541,578” and insert “\$1,191,578”.  
 Page 290, line 57, strike “\$541,578” and insert “\$1,191,578”.

Health And Human Resources Item 365 #4s  
 Department Of Social Services Language

Language:  
 Page 292, line 49, strike “\$4,838,528” and insert \$4,857,697”  
 Page 292, line 50, strike “\$12,887” and insert “\$51,225”  
 Page 292, delete lines 51 through 59 and insert:  
 “2. Unless otherwise set out in this Act, federal TANF block grant funding will be provided to state agencies and other provider organizations in the first and second year at the same level as provided in fiscal year 2004.”  
 Page 293, delete lines 1 through 7.

Natural Resources			Item 379 #2s
Chesapeake Bay Local Assistance	FY 04-05	FY 05-06	
Department	(\$1,449,221)	(\$1,451,098)	GF
	-20.00	-20.00	FTE

Language:  
 Page 297, line 31, strike “\$1,449,221” and insert “\$0”.  
 Page 297, line 31, strike “\$1,451,098” and insert “\$0”.

Page 297, strike lines 31 thru 47.

Page 298, strike lines 1 thru 3.

Page 297, after line 30, insert:

“Notwithstanding Title 10.1 Chapter 21, Code of Virginia, the Chesapeake Bay Local Assistance Department will be merged with the Department of Conservation and Recreation effective July 1, 2004. The powers and duties heretofore exercised by such agency shall hereafter be vested in the Department of Conservation and Recreation. The Chesapeake Bay Local Assistance Board shall remain a collegial body pursuant to Title 10.1 Chapter 21.”.

Natural Resources

Item 381 #1s

Department Of Conservation And Recreation

Language

Language:

Page 299, after line 57, insert:

“1.1. The Department shall conduct, or contract for, a marketing study of State Park user fees, including, but not limited to the fees charged for cabin rental, campground use, parking and boat launch use. The study shall identify the factors determining demand for state park services including demographics, locations, times of the year and other variables.

2. Based on the findings of the study, the Department shall: (1) establish marketing goals for its facilities and existing services, (2) identify new recreational products with the potential to increase nongeneral fund park revenue and increase the exposure of Virginians to the park system, and (3) to the extent that it is practical, revise its fee schedule to maximize the revenue available to the Conservation Resources Fund while maintaining adequate public access to the parks.

3. The study shall include a review of the potential for extraordinary pricing opportunities associated with particular facilities, locations, times of the year, or unique nature and recreational experiences, including package opportunities not currently included in the Department’s fee schedule. To the extent possible, the Department shall make use of marketing departments at Virginia universities or other pro bono services in producing the study. Copies of a final report from the review, the marketing goals, new product ideas, and potential fee increase options shall be delivered to the Chairmen of the House Appropriations and Senate Finance Committees by November 30, 2004.”

Natural Resources

Item 382 #1s

Department Of Conservation And Recreation

FY 04-05

FY 05-06

\$15,000

\$0

GF

Language:

Page 298, line 25, strike “\$22,738,678” and insert “\$22,753,678”.

Page 299, after line 57, insert:

“I. Included in the amounts for Flood Plain Management is \$15,000 in the first year for the operations and expenses of the Rappahannock River Basin Commission.”

Natural Resources

Item 382 #7s

Department Of Conservation And Recreation

FY 04-05

FY 05-06

\$200,000

\$200,000

GF

Language:

Page 298, line 25, strike “\$22,738,678” and insert “\$22,938,678”.

Page 298, line 25, strike “\$20,977,511” and insert “\$21,177,511”.

Page 299, after line 57, insert:

“I. In conjunction with other reporting requirements included in this Item, the Soil and Water Conservation Board shall prepare annual statistics, by District, that include: the number of farmers,

the number of acres in farms and in agricultural production (by product type), the number of farmers participating in District programs by program, the number of acres by product under each type of agricultural best management practice, the budgeted and expended funds for each agricultural best management practice, and other information needed by the Department of Conservation and Recreation to evaluate the quantitative impact of Soil and Water Conservation District practices and funding on Virginia's water quality and land conservation goals. This information shall be provided to the Director of the Department of Conservation and Recreation in a timely manner for the Department to complete its annual reporting requirements under this Item."

Natural Resources			Item 382 #11s
Department Of Conservation And Recreation	FY 04-05 \$150,000	FY 05-06 \$150,000	GF

Language:

- Page 298, line 25, strike "\$22,738,678" and insert "\$22,888,678".
- Page 298, line 25, strike "\$20,977,511" and insert "\$21,127,511".
- Page 298, line 45, strike "\$50,000" and insert "\$200,000".
- Page 298, line 46, strike "\$50,000" and insert "\$200,000".

Natural Resources			Item 382 #12s
Department Of Conservation And Recreation	FY 04-05 \$6,906,250	FY 05-06 \$6,906,250	NGF

Language:

- Page 298, line 25, strike "\$22,738,678" and insert "\$29,644,928".
- Page 298, line 25, strike "\$20,977,511" and insert "\$27,883,761".
- Page 299, after line 57, insert:

"1.1. Out of the amounts for Statewide Non-Point Source Pollution Control, \$6,906,250 from nongeneral funds each year shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997, Title 10.1, Chapter 21.1, Code of Virginia. The sources of funds for these nongeneral fund deposits is the Virginia Natural and Historic Resources Fund pursuant to the "Virginia Investment Act" (Senate Bill 635, 2004 Session).

2. The Department shall review Soil and Water Conservation District (SWCD) operations and identify potential improvements in water quality and soil erosion programs. The review shall consider the relative needs of the various Districts, practices that offer the most cost-effective use of nonpoint source funding, and practices that are most appropriate given the characteristics of the various districts. The review shall incorporate the most recent findings on best management practice effectiveness. Based on the findings of the review, the Department shall propose changes in SWCD practices, staffing and funding, including the potential for performance based funding, to improve the Commonwealth's non-point source programs. The Department shall coordinate this review with the requirements of HJR 72 (2004 Session) and any planned reviews of its nutrient management regulations. Copies of an interim report shall be provided to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance, and Agriculture, Conservation and Natural Resources by December 31, 2004. The final report including recommendations for SWCD practices and funding shall be provided by December 31, 2005."

Natural Resources			Item 382 #13s
Department Of Conservation And Recreation	FY 04-05 \$1,400,121 17.00	FY 05-06 \$1,212,684 17.00	GF FTE

Language:

Page 298, line 25, strike "\$22,738,678" and insert "\$24,138,799".

Page 298, line 25, strike "\$20,977,511" and insert "\$22,190,195".

Page 299, after line 57, insert:

"I.1. The Department of Conservation and Recreation (DCR) shall assume the responsibilities and budget resources of the Chesapeake Bay Local Assistance Department (CBLAD) appropriated herein effective July 1, 2004. The resources of the former Department shall continue within DCR to provide technical and financial assistance to localities pursuant to the Chesapeake Bay Preservation Act (§ 10.1-2100, et. seq.) The Chesapeake Bay Local Assistance Board shall continue as a collegial body.

2. The Secretary of Natural Resources shall prepare an agency reorganization plan to be submitted to the Chairmen of the Senate Finance and House Appropriations Committees by August 31, 2004. In developing the plan the Secretary shall consult with Tidewater localities and Tidewater Soil and Water Conservation Districts.

3. The plan shall include necessary steps to ensure that the purposes of the Chesapeake Bay Preservation Act are implemented by DCR, with former CBLAD resources and personnel constituting either a new division within DCR or a component of an existing division. The plan shall also identify any positions that will be eliminated or other actions needed to achieve the policy goals and cost savings.

4. It is the intent of the General Assembly that legislation in the 2005 Session effectuating the merger shall ensure that the core operations of the Chesapeake Bay Local Assistance Department and Chesapeake Bay Local Assistance Board shall continue.

J.1. The amounts provided to localities and planning district commissions for financial assistance in implementing the Chesapeake Bay Preservation Act shall be distributed on a competitive basis. Consideration shall be given to the availability of local resources, with more funding provided to localities with the greatest needs and where the greatest water quality benefits can be achieved.

2. Of the amounts in the Land Management program, the Department may expend a portion of its general fund appropriation for a water quality monitoring project in Caroline County."

Natural Resources			Item 382 #14s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$315,000	\$315,000	NGF
	4.00	4.00	FTE

Language:

Page 298, line 25, strike "\$22,738,678" and insert "\$23,053,678".

Page 298, line 25, strike "\$20,977,511" and insert "\$21,292,511".

Page 299, after line 57, insert:

"I. Pursuant to §10.1-2135.C.3, Code of Virginia, the amount for Land Management includes \$315,000 each year from the Virginia Natural and Historic Resources Fund to implement the land conservation and nonpoint water quality programs funded by the "Virginia Investment Act" (SB 635, 2004 Session). These funds shall be distributed by the Director as follows: \$100,000 annually to the Virginia Outdoors Foundation for inspection and management of conservation easements, \$60,000 annually to implement SB 523 (2004 Session), and \$155,000 annually to support other programs within the Department of Conservation and Recreation that receive funds from the Virginia Land Conservation Fund and the Water Quality Improvement Fund."

Natural Resources			Item 382 #15s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$500,000	\$500,000	NGF

Language:

Page 298, line 25, strike "\$22,738,678" and insert "\$23,238,678".

Page 298, line 25, strike "\$20,977,511" and insert "\$21,477,511".

Page 299, after line 57, insert:

"I. Notwithstanding the distribution specified in §10.1-2135.C.1, Code of Virginia, from the allocation intended for the Department of Conservation and Recreation for the Water Quality Improvement Fund, the Comptroller shall transfer from the sales and use tax revenue deposited into the Virginia Natural and Historic Resources Fund: \$500,000 the first year and \$500,000 the second year for grants to local Soil and Water Conservation Districts to assist in the development of agricultural conservation plans. These amounts shall be counted against the Department's annual transfer from the Virginia Natural and Historic Resources Fund for nonpoint source programs."

Natural Resources

Item 382 #16s

Department Of Conservation And Recreation

Language

Language:

Page 299, after line 57, insert:

"I. The Department shall provide mileage compensation to citizen members of the Roanoke River Basin Commission for travel to and from Commission meetings."

Natural Resources

Item 382 #17s

Department Of Conservation And

FY 04-05

FY 05-06

Recreation

\$1,102,500

\$0

GF

Language:

Page 298, line 25, strike "\$22,738,678" and insert "\$23,841,178".

Page 299, line 21, strike "\$1,917,500", and insert "\$3,020,000".

Natural Resources

Item 383 #2s

Department Of Conservation And Recreation

Language

Language:

Page 300, line 18, strike "the".

Page 300, line 19, strike "Commonwealth's matching share of support".

Page 300, line 21, strike "not to exceed", and insert "up to".

Page 300, line 21, after "year and", and insert "up to".

Natural Resources

Item 383 #10s

Department Of Conservation And Recreation

Language

Language:

Page 301, after line 50, insert:

"L. From nongeneral funds provided by the Virginia Natural and Historic Resources Fund for the Virginia Land Conservation Fund, the Virginia Land Conservation Foundation may provide a grant to the Nature Conservancy of up to \$1,000,000 to acquire a permanent easement on approximately 2,000 acres in Powhatan County owned by the Sisters of the Blessed Sacrament. This appropriation is contingent on written certification to the Chairmen of the House Appropriations and Senate Finance Committees, by the Secretary of Natural Resources that this property presently represents the best use of these land conservation funds, and that matching funds will be made available to

secure the easement. Certification by the Secretary must be made sixty days prior to the purchase of the easement.”

Natural Resources

Item 383 #11s

Department Of Conservation And Recreation

Language

Language:

Page 301, following line 50, insert:

“L. No funds shall be expended or authorized by the Department of Conservation and Recreation for the development of a state park on the property transferred from the Beaumont Juvenile Correctional Center until completion of the park master plan, which shall include adequate opportunity for public participation in the planning process. Nothing in this item shall preclude the Department from making necessary arrangements to secure the property in accordance with the terms of transfer from the Department of Juvenile Justice or from undertaking alterations necessary for public safety. The Department shall notify the Chairmen of the House Appropriations and Senate Finance Committees sixty days prior to any alterations to the property that are pursuant to development of a state park.”

Natural Resources

Item 383 #14s

Department Of Conservation And  
Recreation

FY 04-05  
\$14,812,500

FY 05-06  
\$14,812,500

NGF

Language:

Page 300, line 1, strike “\$25,666,442” and insert “\$40,478,942”.

Page 300, line 1, strike “\$25,666,442” and insert “\$40,478,942”.

Page 301, line 15, strike “H.”, and insert “H.1.”.

Page 301, line 22, after “funding;”, insert “descriptions of projects that received funding;”

Page 301, after line 24, insert:

“2. Included in the amount for Preservation for Open Space Lands is \$14,821,500 from nongeneral funds each year to be deposited into the Virginia Land Conservation Fund, §10.1-1012, Code of Virginia. The source of these nongeneral funds is the Virginia Natural and Historic Resources Fund pursuant to the “Virginia Investment Act” (SB 635, 2004 Session).

3. The Chairman of the Virginia Land Conservation Foundation or his designee, shall review the criteria used to evaluate grant applications. Based on this review, the Foundation shall develop new review criteria that better quantify the relative merits of each prospective grant parcel. The measurable criteria shall include, but are not limited to the following: the status of the parcel under a locality's master plan as a Chesapeake Bay Preservation Area, (2) the degree to which securing the parcel will protect local drinking water supplies, (3) the degree to which the parcel satisfies recreational needs of population centers, or other recreational needs as identified in the Virginia Outdoors Plan, (4) the extent to which the affected localities have identified the parcel as having important local water quality or recreational benefits, (5) other criteria that are relevant to the particular classes of open space preservation provided under Virginia law, and (6) the cost effectiveness of the parcel in satisfying these criteria compared to alternatives. By November 19, 2004 copies of the proposed revisions to the grant review criteria shall be provided to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance and Agriculture, Conservation and Natural Resources.

4. Beginning November 1, 2005, and annually thereafter, the Chairman of the Virginia Land Conservation Foundation shall submit a report to the Chairmen of the House Committees on Appropriations, and Agriculture, Chesapeake and Natural Resources, and the Senate Committees on Finance and Agriculture, Conservation and Natural Resources, and the Director of the Department of Planning and Budget on the activities of the Virginia Land Conservation Foundation including, but not limited to: implementation of the Foundation's strategic plan; projects under consideration

for funding, with their scores on the new grant review criteria developed under section "I.2" above; projects funded, with their scores on the new grant review criteria developed in section "I.2" above, expenditures from, interest earned by, and financial obligations of the Virginia Land Conservation Fund.".

Natural Resources			Item 383 #15s
Department Of Conservation And Recreation	FY 04-05	FY 05-06	
	\$569,476	\$521,476	GF
	14.00	14.00	FTE

Language:

Page 300, line 1, strike "\$25,666,442" and insert "\$26,235,918".

Page 300, line 1, strike "\$25,666,442" and insert "\$26,187,918".

Natural Resources			Item 384 #1s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$50,000	\$50,000	GF

Language:

Page 302, line 6, strike "\$19,202,376" and insert "\$19,252,376".

Page 302, line 6, strike "\$19,200,627" and insert "\$19,250,627".

Page 302, line 20, strike "Notwithstanding", and insert "A. Notwithstanding"

Page 302, after line 25, insert:

"B. Out of the appropriation for Administrative and Support Services, \$50,000 is provided each year from the general fund for a review of the efficiency and effectiveness of the Department's pollution permit programs, pursuant to Senate Bill 365 (2004 Session)."

Natural Resources			Item 385 #1s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$400,000	\$400,000	GF
	\$6,030,427	\$6,030,427	NGF

Language:

Page 302, line 26, strike "\$35,095,230" and insert "\$41,525,657".

Page 302, line 26, strike "\$35,012,786" and insert "\$41,443,213".

Page 303, strike lines 32 to 47.

Natural Resources			Item 386 #1s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	(\$150,000)	(\$150,000)	GF

Language:

Page 303, line 48, strike "\$8,339,506" and insert "\$8,189,506".

Page 303, line 48, strike "\$8,371,076" and insert "\$8,221,076".

Natural Resources			Item 388 #2s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$1,700,000	\$0	NGF

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$62,003,091".

Page 305, after line 14, insert:

“F. Notwithstanding the distribution specified in §10.1-2135, the Comptroller shall transfer \$1,700,000 from the Natural and Historic Resources Fund in the first year to the Combined Sewer Overflow Matching Fund, §62.1-241.12, Code of Virginia. From the Combined Sewer Overflow Matching Fund, the City of Richmond shall receive \$1,300,000 in the first year, and the City of Lynchburg shall receive \$400,000 in the first year to match federal funds received by each city. This appropriation shall count against the Department’s transfer in the first year from the Virginia Natural and Historic Resources Fund for point-source programs.”

Natural Resources			Item 388 #4s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$197,000	\$265,126	GF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$60,500,091”.

Page 304, line 18, strike “\$54,419,021” and insert “\$54,684,147”.

Page 304, line 50, strike “\$100,000 the first year”, and insert “\$297,000 the first year from the general fund and \$256,126 the second year”.

Page 304, line 54, strike “and Virginia Beach” and insert “Virginia Beach, and the Elizabeth River Restoration Trust”.

Natural Resources			Item 388 #5s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$600,000	\$0	NGF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$60,903,091”.

Page 305, after line 14, insert:

“F. Included in the amount for Construction Assistance is \$600,000 from nongeneral funds in the first year for public water needs assessment planning in the Lenowisco, Cumberland Plateau, and Mount Rogers Planning District Commissions in the amount of \$200,000 per planning district.”

Natural Resources			Item 388 #6s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$5,706,250	\$7,406,250	NGF

Language:

Page 304, line 18, strike “\$60,303,091” and insert “\$66,009,341”.

Page 304, line 18, strike “\$54,419,021” and insert “\$61,825,271”.

Page 305, after line 14, insert:

“F.1. Out of the amounts for Environmental Technical and Financial Assistance, \$5,706,250 from nongeneral funds in the first year and \$7,406,250 from nongeneral funds in the second year shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997, Title 10.1, Chapter 21.1, Code of Virginia. The source of funds for these nongeneral fund deposits is the Virginia Natural and Historic Resources Fund pursuant to the “Virginia Investment Act” (SB 635, 2004 Session).

2. Beginning in its January 2005 Annual Report on the Virginia Water Quality Improvement Fund, the Department shall provide the following additional information for approved projects: (1) annual projections of the nutrient reductions from the grant project out to either the year the facility will reach design capacity or ten years, whichever is longer, (2) the impact the project will have on nutrient reduction goals for any associated tributary strategy, and (3) the discounted net present

value of the grant award in terms of dollars per ton of nutrients removed based on the projections included in "F.2.(1)".

Natural Resources			Item 388 #7s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	\$60,000	\$60,000	NGF
	1.00	1.00	FTE

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$60,363,091".

Page 304, line 18, strike "\$54,419,021" and insert "\$54,479,021".

Page 305, after line 14, insert:

"F. Pursuant to §10.1-2135.C.3, Code of Virginia, the amount for Environmental Technical and Financial Assistance includes \$60,000 each year from the Virginia Natural and Historic Resources Fund for operating expenses of the point source water quality programs funded by the Water Quality Improvement Fund, including grants to localities for waste water treatment facility upgrades."

Natural Resources			Item 388 #8s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	(\$1,102,500)	\$0	GF

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$59,200,591".

Page 305, line 3, strike "\$5,752,500", and insert "\$3,020,000".

Natural Resources			Item 388 #9s
Department Of Environmental Quality	FY 04-05	FY 05-06	
	(\$1,630,000)	\$0	GF

Language:

Page 304, line 18, strike "\$60,303,091" and insert "\$58,673,091".

Page 305, strike lines 8 to 14.

Natural Resources			Item 393 #1s
Department Of Game And Inland Fisheries	FY 04-05	FY 05-06	
	\$10,000	\$20,000	NGF

Language:

Page 307, line 9, strike "\$34,989,619" and insert "\$34,999,619".

Page 307, line 9, strike "\$34,989,619" and insert "\$35,009,619".

Page 307, after line 35, insert:

"C. The Department shall maintain operation of, and visitor access to, state-owned fish hatcheries. To offset the costs of supervising visitors at hatcheries, the Department may charge a fee of up to \$1.00 per visitor."

Natural Resources			Item 393 #4s
Department Of Game And Inland Fisheries	FY 04-05	FY 05-06	
	(\$733,361)	(\$733,361)	GF

Language:

Page 307, line 9, strike "\$34,989,619" and insert "\$34,256,258".

Page 307, line 9, strike "\$34,989,619" and insert "\$34,256,258".

Page 307, strike lines 29 to 35.

Natural Resources			Item 399 #1s
Marine Resources Commission	FY 04-05	FY 05-06	
	\$637,000	\$511,500	GF
	10.00	10.00	FTE

Language:

Page 310, line 19, strike "\$11,451,099" and insert "\$12,088,099".

Page 310, line 19, strike "\$11,451,099" and insert "\$11,962,599".

Natural Resources			Item 400 #1s
Marine Resources Commission			
			Language

Language:

Page 311, line 28, strike "Out" insert "A. Out".

Page 311, after line 32, insert "B. The Marine Resources Commission shall not resume the collection of fees and royalties for the use of state-owned submerged bottomlands assessed by the Commission under the provisions of §28.2-1206.B, Code of Virginia until such time as the collection of those fees is expressly authorized by the General Assembly. This prohibition shall not prevent the assessment and collection of fees for the removal of state-owned bottom lands under §28.2-1206.C of the Code of Virginia."

Natural Resources			Item 402 #1s
Virginia Museum Of Natural History	FY 04-05	FY 05-06	
	\$0	(\$56,829)	GF

Language:

Page 312, line 2, strike "\$2,149,293" and insert "\$2,092,464".

Page 312, after line 11, strike "Out" and insert "A. Out".

Page 312, after line 17, insert:

"B. The Virginia Museum of Natural History shall review the feasibility of funding operating positions, including development activities, through increased grants and other voluntary contributions from the public and private sectors, or through cooperative arrangements with other organizations. The review shall address the operating needs of the new museum building in Martinsville. Copies of the review shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 30, 2004."

Public Safety			Item 404 #2s
Commonwealth's Attorneys' Services Council			
			Language

Language:

Page 313, strike lines 28-34.

Public Safety			Item 410 #3s
Department Of Corrections, Central Activities			
			Language

Language:

Page 316, following line 57, insert:

“H. The Department of Corrections shall develop preliminary plans for construction of a medium security prison, in addition to those authorized in this act, and shall present such plans to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2004. The plans may consider either or both construction and operation of such prison under this act, the Public Private Education and Infrastructure Act, the Corrections Private Management Act, or such other means as may be appropriate. The Department shall give first priority consideration to locating such prison within the Mount Rogers Planning District. The next priority for the location of a subsequent facility shall be given to a location within Charlotte County.”

Public Safety			Item 415 #1s
Division Of Community Corrections	FY 04-05	FY 05-06	
	\$926,551	\$1,463,224	GF
	25.00	25.00	FTE

Language:

Page 317, line 40, strike “\$58,809,844” and insert “\$59,736,395”.

Page 317, line 40, strike “\$58,809,844” and insert “\$60,273,068”.

Public Safety		Item 416 #1s
Division Of Community Corrections		
		Language

Language:

Page 319, following line 19, insert:

“4. The Pamunkey Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety		Item 416 #2s
Division Of Community Corrections		
		Language

Language:

Page 319, following line 19, insert:

“4. The Hampton Roads Regional Jail Authority, in order to conduct a planning study for the expansion of the Hampton Roads Regional Jail complex to serve the projected requirements for the region. Specific capital project recommendations resulting from this study shall be subject to the approval of the General Assembly prior to final approval by the Board of Corrections.”

Public Safety		Item 416 #3s
Division Of Community Corrections		
		Language

Language:

Page 319, following line 19, insert:

“4. The Portsmouth City Jail, in order to proceed in planning for replacement facilities, to consist of secure detention space to be constructed at the Hampton Roads Regional Jail complex. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Hampton Roads

Regional Jail Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #4s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The County of Gloucester, in order to proceed in planning for an expansion project for the Gloucester County Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the County may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #5s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The County of Roanoke and City of Salem, in order to proceed in planning for an expansion project for the Roanoke County-Salem Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Roanoke County and the City of Salem may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #7s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The County of Pittsylvania, in order to proceed in planning for a renovation project for the Pittsylvania County Jail. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Pittsylvania County may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #8s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The Riverside Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #9s

Division Of Community Corrections

Language

Language:

Page 319, strike line 9 and insert:

“for an expansion project involving the development of a new community corrections facility with approximately 204 beds and a 120-bed expansion to the existing regional jail.”

Public Safety

Item 416 #11s

Division Of Community Corrections

Language

Language:

Page 319, line 20, insert:

“C. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility.”

Public Safety

Item 416 #12s

Division Of Community Corrections

Language

Language:

Page 319, following line 19, insert:

“4. The Rappahannock Regional Jail Authority, in order to proceed in planning for an expansion project. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, the Authority may submit the required community-based corrections plan, facility specifications, and the expected financing costs to the Department of Corrections and State Board of Corrections prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2005 Session.”

Public Safety

Item 416 #13s

Division Of Community Corrections

Language

Language:

Page 319, line 20, insert:

“C. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards as adopted by the

Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security.”

Public Safety Item 416 #14s  
Division Of Community Corrections Language

Language:

Page 319, following line 19, insert:

“C. The Hampton Roads Regional Jail Authority, with the assistance of the Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services, shall prepare a preliminary report on the feasibility of developing a specialized facility at the regional jail complex for jail inmates referred by the criminal courts of the Commonwealth for evaluation and treatment, pursuant to the provisions of Chapter 11 of Title 19.2 of the Code of Virginia. Such facility would be owned by the Hampton Roads Regional Jail Authority, and operated under contract by the Department of Mental Health, Mental Retardation and Substance Abuse Services, with the goal of reducing waiting times for emergency treatment, evaluation of competency to stand trial and/or sanity, and restoration to competency to stand trial. The Departments of Corrections and Mental Health, Mental Retardation and Substance Abuse Services shall provide all necessary technical assistance to support this study in cooperation with the Hampton Roads Regional Jail Authority. A report on this study shall be provided to the Secretaries of Public Safety and Health and Human Resources, the Chairmen of the Senate Finance and House Appropriations Committees, and the Chairman of the Joint Commission on Health Care, by October 15, 2004.”

Public Safety Item 419 #1s  
Division Of Institutions Language

Language:

Page 320, line 15, before “To”, insert “A.”.

Page 320, after line 17, insert:

“B. The Governor may authorize or direct the transfer of prisoner labor, or of farm commodities produced, at any state agency to any other state agency. It is further provided that unit prices of foodstuffs or other commodities produced on farms shall be fixed on a basis no more frequently than semiannually by the Director, Department of Corrections. These unit prices shall be the basis for charging the value of foods produced by the farms and consumed by the producing agencies or sold to other state agencies of the Commonwealth under the provisions of § 2.2-1116, Code of Virginia.”

Public Safety	Item 420 #1s		
Division Of Institutions	FY 04-05	FY 05-06	
	\$894,000	\$894,000	GF
	15.00	15.00	FTE

Language:

Page 320, line 18, strike “\$405,086,042” and insert “\$405,980,042”.

Page 320, line 18, strike “\$407,600,523” and insert “\$408,494,523”.

Public Safety	Item 420 #2s		
Division Of Institutions	FY 04-05	FY 05-06	
	(\$635,408)	(\$1,980,665)	GF

Language:

Page 320, line 18, strike "\$405,086,042" and insert "\$404,450,634".  
 Page 320, line 18, strike "\$407,600,523" and insert "\$405,619,858".

Public Safety			Item 420 #3s
Division Of Institutions	FY 04-05	FY 05-06	
	\$1,445,715	\$1,445,715	GF

Language:

Page 320, line 18, strike "\$405,086,042" and insert "\$406,531,757".  
 Page 320, line 18, strike "\$407,600,523" and insert "\$409,046,238".

Public Safety			Item 420 #4s
Division Of Institutions	FY 04-05	FY 05-06	
	\$250,000	\$250,000	NGF

Language:

Page 320, line 18, strike "\$405,086,042" and insert "\$405,336,042".  
 Page 320, line 18, strike "\$407,600,523" and insert "\$407,850,523".  
 Page 320, line 33, strike "100,000" and "100,000" and insert "150,000" and "150,000".  
 Page 320, line 34, strike "Prison Family Support Services" and insert "Assisting Families of Inmates".  
 Page 320, line 35, strike "100,000" and "100,000" and insert "300,000" and "300,000".

Public Safety			Item 420 #5s
Division Of Institutions			Language

Language:

Page 321, line 31, after "D." insert "1."  
 Page 321, line 31, strike "may" and insert "shall".  
 Page 321, following line 36, insert:  
 "2. The Department shall prepare a plan to house a total of 1,000 state-responsible offenders in such local and regional jails as it may deem appropriate, pursuant to the jail contract bed program, during the 2004-06 biennium. As a companion to this plan, the Department shall submit a budget amendment to the Department of Planning and Budget requesting the anticipated funds required to implement this plan, either in full or in part. As approved by the Secretary of Public Safety, the plan and associated request for funding shall be presented to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2004."

Public Safety			Item 427 #1s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$433,260	\$519,912	GF
	12.00	12.00	FTE

Language:

Page 324, line 13, strike "\$27,463,414" and insert "\$27,896,674".  
 Page 324, line 13, strike "\$27,463,414" and insert "\$27,983,326".

Public Safety			Item 430 #2g
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$101,620	\$101,620	GF

Language:

Page 324, line 40, strike "\$65,420,178" and insert "\$65,521,798".

Page 324, line 40, strike "\$65,420,178" and insert "\$65,521,798".

Page 325, line 21, strike "\$914,585" and insert "\$1,016,205".

Page 325, line 21, strike "\$914,585" and insert "\$1,016,205".

Public Safety			Item 430 #3s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$220,000	\$220,000	GF

Language:

Page 324, line 40, strike "\$65,420,178" and insert "\$65,640,178".

Page 324, line 40, strike "\$65,420,178" and insert "\$65,640,178".

Public Safety			Item 430 #8s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$146,250	\$146,250	GF

Language:

Page 324, line 40, strike "\$65,420,178" and insert "\$65,566,428".

Page 324, line 40, strike "\$65,420,178" and insert "\$65,566,428".

Page 325, line 40, strike "828,750" and "828,750" and insert "975,000" and "975,000".

Public Safety			Item 430 #10s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$2,184,000	\$2,184,000	GF

Language:

Page 324, line 40, strike "\$65,420,178" and insert "\$67,604,178".

Page 324, line 40, strike "\$65,420,178" and insert "\$67,604,178".

Page 325, line 42, strike "18,620,828" and insert "20,804,828".

Page 325, line 43, strike "18,620,828" and insert "20,804,828".

Page 326, strike lines 22-40.

Public Safety			Item 430 #11s
Department Of Criminal Justice	FY 04-05	FY 05-06	
Services	\$83,600	\$75,850	GF
	1.00	1.00	FTE

Language:

Page 324, line 40, strike "\$65,420,178" and insert "\$65,503,778".

Page 324, line 40, strike "\$65,420,178" and insert "\$65,496,028".

Public Safety			Item 432 #2s
Department Of Criminal Justice Services			
			Language

Language:

Page 328, strike lines 12-18.

Page 328, line 19, strike "C" and insert "B".

Public Safety			Item 436 #2s
Department Of Fire Programs	FY 04-05	FY 05-06	
	(\$1,250,000)	\$0	GF

Language:

Page 329, line 32, strike "\$18,373,574" and insert "\$17,123,574".

Public Safety			Item 441 #1s
Department Of Juvenile Justice	FY 04-05	FY 05-06	
	\$788,289	\$788,289	GF

Language:

Page 331, line 41, strike "\$51,878,246" and insert "\$52,666,535".

Page 331, line 41, strike "\$51,878,246" and insert "\$52,666,535".

Public Safety			Item 445 #1s
Department Of Juvenile Justice			
			Language

Language:

Page 334, strike lines 18-25.

Public Safety			Item 445.1 #1s
Department Of Juvenile Justice	FY 04-05	FY 05-06	
	\$175,887	\$0	GF

Language:

Page 334, following line 25, insert:

"445.1 Corrections Special Reserve Fund (35900).....\$175,887.....\$0

Corrections Operating Special Reserve (35901).....\$175,887.....\$0

A. From the appropriation in this Item, \$175,887 the first year is provided for the estimated increase in the operating costs of juvenile correctional facilities resulting from the enactment of Senate Bill 339, as engrossed.

B. The funds shall be paid into the Corrections Special Reserve Fund, established in accordance with Section 30-19.1:4 of the Code of Virginia."

Public Safety			Item 456 #4s
Department Of State Police			
			Language

Language:

Page 338, line 11, strike line 11 and insert "This appropriation includes"

Page 338, line 15, after "sworn personnel" strike "is" and insert "."

Page 338, strike lines 16 through 19.

Technology			Item 463 #1s
Virginia Information Technologies Agency			
			Language

Language:

Page 342, following line 56, insert:

“D. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.”.

Technology Item 463 #1s  
Virginia Information Technologies Agency Language

Language:

Page 342, after line 56, insert:

“D. The requirement that the Department of Mental Health, Mental Retardation, and Substance Abuse Services purchase information technology equipment or services from the Virginia Information Technologies Agency according to the provisions of Chapters 981 and 1021, Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.”

Technology Item 463 #3s  
Virginia Information Technologies Agency Language

Language:

Page 342, following line 56, insert:

“D. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Department of State Police.”.

Technology Item 463 #4s  
Virginia Information Technologies Agency Language

Language:

Page 342, following line 56, insert:

“D. The Information Technology Investment Board in addition to the responsibilities as set forth in the 9th Enactment clause of Chapter 981 of the 2003 Acts of the Assembly, shall have the authority to postpone the implementation schedule of any state agency by a vote of the majority of members. The members may consider the following reasons for postponement: security and sensitivity of information, adverse economic affects on participants' benefits, unusual effects on the agency's budget, or other matters that could adversely affect the Commonwealth's operations in the opinion of the Chief Information Officer.”.

Technology Item 463 #5s  
Virginia Information Technologies Agency Language

Language:

Page 342, following line 56, insert:

“D. The Department of Human Resource Management shall review and may approve all compensation actions for employees of the Virginia Information Technologies Agency.”.

Technology			Item 466 #1s
Virginia Information Technologies Agency	FY 04-05	FY 05-06	
	(\$7,279,630)	(\$600,000)	GF

Language:

Page 343, line 30, strike “\$14,932,851” and insert “\$7,653,221”.

Page 343, line 30, strike “\$8,185,999” and insert “\$7,585,999”.

Page 344, strike lines 49 to 56.

Transportation  
Secretary Of Transportation

Item 469 #2s

Language

Language:

Page 348, line 29, strike "3." and insert "3.a."

Page 348, after line 38, insert:

"b. The Secretary shall ensure that \$1,300,000 the first year and \$1,300,000 the second year of congestion mitigation and air quality (CMAQ) funds allocated for the Richmond metropolitan region shall be transferred to the Department of Rail and Public Transportation. These funds shall be used by the Greater Richmond Transit Company (GRTC) to expand express bus service in Chesterfield County."

Transportation  
Secretary Of Transportation

Item 469 #3s

Language

Language:

Page 350, after line 3, insert:

"C.1. It is the intent of the General Assembly to continue and maintain as permanent and separate the Highway Maintenance and Operating Fund and the Transportation Trust Fund (the Fund or Funds). Deposits to either Fund shall include the revenues generated annually through the motor vehicle sales and use taxes, motor vehicle registration fees, and motor vehicle fuels taxes imposed pursuant to Chapters 11 and 15 of the Acts of Assembly, 1986 Special Session, and such other nongeneral fund revenues as the General Assembly may dedicate or appropriate to the Funds. All interest, dividends, and appreciation accruing to each Fund shall be part of that Fund. Money in each Fund may be invested as authorized by law.

2. The General Assembly shall appropriate the Funds' proceeds of special or dedicated revenues only for purposes of constructing, improving, maintaining, and regulating traffic on the roads embraced in the systems of state highways and other transportation infrastructure for the Commonwealth and its political subdivisions and furthering the interests of the Commonwealth in the areas of highways, public transportation, railways, seaports, and airports and for the operations of state agencies related to transportation and for the direct costs incurred by other state agencies to support the issuance of debt, conduct studies required by state or federal law and collect revenues for transportation projects."

Transportation  
Secretary Of Transportation

Item 469 #4s

Language

Language:

Page 350, after line 3, insert:

"C. Out of the additional revenues provided to the Transportation Trust Fund under Senate Bill 635 (2004 Session), \$167,839,911 the first year and \$179,040,289 the second year shall be deposited to the Priority Transportation Fund, and shall be deposited before any distribution set out in § 33.1-23.03:2, Code of Virginia."

Transportation  
Department Of Aviation

Item 470 #1s

Language

Language:

Page 350, after line 12, insert:

“The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of organizing and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.”

Transportation

Item 474 #1s

Department Of Aviation

Language

Language:

Page 351, strike lines 26 through 30.

Transportation

Item 474 #2s

Department Of Aviation

FY 04-05

FY 05-06

\$14,090,602

\$14,840,838

NGF

Language:

Page 350, line 43, strike “\$22,083,915” and insert “\$36,174,517”.

Page 350, line 43, strike “\$22,083,915” and insert “\$36,924,753”.

Page 350, line 44, strike “\$19,683,915 \$19,683,915” and insert “\$33,774,517 \$34,524,753”.

Transportation

Item 475 #2s

Department Of Motor Vehicles

Language

Language:

Page 351, line 44, insert “A.” before “The”.

Page 351, after line 46, insert:

“B. The Auditor of Public Accounts shall conduct a follow-up status review of his November 13, 2003, report entitled “Department of Motor Vehicles Cost Analysis Special Report.” The report shall specifically address the progress of the Department of Motor Vehicles' efforts to implement the cost methodology and develop effective productivity measures as recommended. In addition, the Auditor should report on the changes to the Department of Motor Vehicles budget processes to ensure that these activities include the development and monitoring of the budget, including all funding sources and overall financial policy. The Auditor shall submit his findings and any recommendations by December 1, 2004, to the Governor and the Secretary of Transportation and to the Chairmen of the House Committees on Transportation and Appropriations and to the Chairmen of the Senate Committees on Transportation and Finance.

C. The Department of Motor Vehicles shall work with the Secretary of Transportation to develop performance goals and strategies in budget amendments to be submitted for review and approval by the 2005 Session. Goals and strategies shall be based on realistic assumptions of revenues and appropriations, and shall address the major activities of the agency, including: (1) Driver Licensing; (2) Driver Monitoring; (3) Driver Reinstatement; (4) Vehicle Titling and Registration; (5) Vehicle

Insurance Monitoring; (6) Dealer Licensing and Regulation; and (7) Customer Records and Information.”

Transportation			Item 482 #1s
Department Of Rail And Public Transportation	FY 04-05	FY 05-06	
	\$408,000	\$408,000	NGF

Language:

Page 353, line 27, strike “\$155,507,039” and insert “\$155,915,039”.

Page 353, line 27, strike “\$252,963,017” and insert “\$253,371,017”.

Page 354, after line 58, insert:

“I. Out of the amounts for this Item, \$408,000 the first year and \$408,000 the second year shall be provided to the Greater Richmond Transit Company (GRTC) to continue two express bus operations of GRTC routes previously approved by the Board of Supervisors of Chesterfield County. To receive the funding, Chesterfield County shall match such monies on a dollar-for-dollar basis, and shall communicate its decision to participate in the program to the department no later than 30 days after enactment of this act. If the County elects not to participate, then the monies shall be made available for other programs and projects.”

Transportation			Item 482 #2s
Department Of Rail And Public Transportation	FY 04-05	FY 05-06	
	\$1,300,000	\$1,300,000	NGF

Language:

Page 353, line 27, strike “\$155,507,039” and insert “\$156,807,039”.

Page 353, line 27, strike “\$252,963,017” and insert “\$254,263,017”.

Page 354, after line 58, insert:

“I. Out of the amounts for this Item, \$1,300,000 the first year and \$1,300,000 the second year shall be provided to the Greater Richmond Transit Company (GRTC) to expand express bus service in Chesterfield County.”

Transportation			Item 482 #3s
Department Of Rail And Public Transportation			Language

Language:

Page 353, line 35, after “A.”, insert “1.”

Page 353, after line 38, insert:

“2. Not included in this appropriation is an amount estimated at \$10,122,400 the first year and \$10,403,000 the second year allocated directly to transit agencies from federal sources for the Surface Transportation Program (STP) and the Minimum Guarantee program.”

Transportation			Item 482 #4s
Department Of Rail And Public Transportation	FY 04-05	FY 05-06	
	\$86,304,938	\$90,900,135	NGF

Language:

Page 353, line 27, strike “\$155,507,039” and insert “\$241,811,977”.

Page 353, line 27, strike “\$252,963,017” and insert “\$343,863,152”.

Page 353, line 28, strike “\$5,083,665 \$5,157,906” and insert “\$6,378,239 \$6,521,408”.

Page 353, line 29, strike “\$92,107,321 \$99,939,968” and insert “\$155,541,451 \$166,751,567”.

Page 353, line 30, strike "\$56,455,277 \$145,922,328" and insert "\$78,031,512 \$168,647,362".

Transportation Item 483 #3s  
Department Of Rail And Public Transportation  
Language

Language:

Page 355, line 6, insert "A." before "Out".

Page 355, after line 14, insert:

"B. The Department shall report to the Secretary of Transportation and to the Chairmen of the Senate Committees on Finance and Transportation and to the Chairmen of the House Committees on Appropriations and Transportation by January 10, 2005, on the status of the Trans Dominion Express. The report shall include updated operating and capital costs to establish the line and potential funding sources. In addition, the report shall identify nonfinancial issues requiring resolution before the line can be started."

Transportation Item 483 #4s  
Department Of Rail And Public Transportation  
Language

Language:

Page 355, line 6, before "Out" insert "A."

Page 355, after line 14, insert:

"B. The department shall develop cost estimates for establishing commuter rail service in time for the Jamestown 2007 Commemoration from Richmond City's Main Street Station to the City of Williamsburg via the Richmond International Airport. The estimates shall be submitted by December 30, 2004 to the Secretary of Transportation and to the Chairmen of the Senate Finance and Transportation Committees and to the Chairmen of the House Appropriations and Transportation Committees."

Transportation			Item 483 #5s
Department Of Rail And Public Transportation	FY 04-05	FY 05-06	
	\$75,000	\$75,000	NGF
	1.00	1.00	FTE

Language:

Page 355, line 1, strike "\$3,750,000" and insert "\$3,825,000".

Page 355, line 1, strike "\$3,750,000" and insert "\$3,825,000".

Page 355, line 6, insert "A." before "Out".

Page 355, after line 14, insert:

"B. As part of its responsibilities in carrying out the provisions of Senate Bill 413 (2004 Session), the department shall submit a report to the Senate Finance and Transportation Committees and to the House Appropriations and Transportation Committees on the capital needs of rail transportation, including freight, passenger and "short rail" needs. This report shall include, but not be limited to, project descriptions and costs within a 10-year timeframe set out in two-year increments. This report shall also address the integration of rail transportation with other transportation modes. An interim report shall be submitted by December 30, 2004. The final report shall be submitted by December 30, 2005."

Transportation Item 484 #2s  
Department Of Transportation  
Language

Language:

Page 356, after line 26, insert:

“G. The Commonwealth Transportation Board shall develop regulations, as well as participation criteria, for the administration of the Travel Services (Logo) Signing Program, as a traffic control function of the Department of Transportation. Such regulations shall provide that any restaurant serving prepared food and operating at least six consecutive hours between 6:00 a.m. and 12:00 midnight, at least 360 days a year, will qualify for participation in the Travel Services (Logo) Signing Program under the category of food services. For purposes of this section, “prepared food” means hot or deli style food prepared to order on site. Restaurants with such hours serving prepared food shall be permitted to display their business logo on a Travel Services sign only if there is space available and at least one business logo is displayed at the same interchange in the category of food services that operates for at least twelve consecutive hours. The regulations shall further provide that once placed on a Travel Services sign, no participant shall be removed and replaced with another business solely on the basis of hours of operation, unless it is the only business on the sign under the food service category. These regulations shall be promulgated by September 30, 2004 and shall become effective on that date.”

Transportation

Item 484 #3s

Department Of Transportation

Language

Language:

Page 356, after line 26, insert:

“G. The Auditor of Public Accounts shall conduct a follow-up status review of his July 8, 2002, report entitled “Special Review of the Cash Management and Capital Budgeting Practices” for the Department of Transportation. The Auditor shall specifically review Transportation's implementation of the cash and expenditure forecasting model, project cost estimating system and the development of the Six Year Program as a financially constrained capital budget. The Auditor shall include Transportation's progress on implementing all other recommendations within the July 8, 2002 report. The Auditor shall report his findings to the Governor and the Secretary of Transportation and to the Chairmen of the House Committees on Transportation and Appropriations and to the Chairmen of the Senate Committees on Transportation and Finance no later than December 1, 2004.

H. The Department of Transportation shall work with the Secretary of Transportation to develop performance goals and strategies in budget amendments to be submitted for review and approval by the 2005 Session. Goals and strategies shall be based on realistic assumptions of revenues and appropriations, and shall address the major activities of the agency, including: (1) Highway System Maintenance; (2) Highway System Construction; (3) Financial Planning, Management, and Accountability; (4) Toll Facilities Operations and Management; (5) Environmental Evaluation and Planning; (6) Traffic Engineering; and (7) Transportation Research.”

Transportation

Item 484 #4s

Department Of Transportation

Language

Language:

Page 356, after line 26, insert:

“G. The department is authorized to donate the Marion Residency to the Town of Marion or to Smyth County for economic development purposes.”

Transportation Item 488 #3s  
Department Of Transportation Language

Language:

Page 357, after line 48 insert:

“C.1. The department shall adhere to the policy set by the 2002 Session of the General Assembly concerning the application of tolls or user fees on Interstate 81 in signing any comprehensive agreement pursuant to the Public-Private Transportation Act of 1995. State law prohibits the imposition of tolls or user fees on Interstate 81 on passenger cars, pickup or panel trucks, and motorcycles as such terms are defined in § 46.2-200, Code of Virginia. Unless the Federal Highway Administration exercises its authority to approve a pilot project for Interstate 81 permitting the use of tolls on passenger cars, this policy continues.

2. It is the intent of the General Assembly that the Commonwealth Transportation Board proceed with the environmental study of the Interstate 81 reconstruction project and that this study consider and incorporate the mitigating impacts of various rail options on the environment.”

Transportation Item 488 #5s  
Department Of Transportation FY 04-05      FY 05-06  
\$462,054,330      \$486,655,826      NGF

Language:

Page 357, line 13, strike “\$962,522,060” and insert “\$1,424,576,390”.

Page 357, line 13, strike “\$1,033,940,184” and insert “\$1,520,596,010”.

Page 357, line 16, strike “\$170,346,050 \$196,008,006” and insert “\$344,688,390 \$379,632,982”.

Page 357, line 17, strike “\$168,868,870 \$190,871,968” and insert “\$325,824,105 \$356,184,085”.

Page 357, line 18, strike “\$121,792,552 \$139,739,251” and insert “\$252,549,307 \$277,457,983”.

Transportation Item 492 #2s  
Department Of Transportation Language

Language:

Page 358, after line 49, insert:

“C. Out of the amounts for Financial Assistance for Planning, Access Roads, and Special Projects, \$50,000 the first year and \$50,000 the second year from the Commonwealth Transportation Fund shall be provided to support the transportation planning activities of the Northern Virginia Transportation Authority. The Authority shall comply with all applicable federal and state regulations to receive the monies.”

Transportation Item 493 #1s  
Department Of Transportation Language

Language:

Page 360, after line 23, insert:

“3. Contingent upon the availability of additional revenues, projects identified as part of the U.S. Route 58 Corridor Development Program shall be afforded the highest priority in terms of funding within their respective districts.”

Transportation			Item 493 #2s
Department Of Transportation	FY 04-05	FY 05-06	
	(\$167,839,911)	(\$179,040,289)	GF
	\$167,839,911	\$179,040,289	NGF

Language:

Page 362, strike lines 56 through 57.

Page 363, strike lines 1 through 27.

Transportation			Item 497 #1s
Virginia Port Authority	FY 04-05	FY 05-06	
	\$24,658,554	\$25,971,467	NGF

Language:

Page 364, line 16, strike “\$49,798,029” and insert “\$74,456,583”.

Page 364, line 16, strike “\$54,332,460” and insert “\$80,303,927”.

Page 364, line 18, strike “\$39,700,088 \$43,943,607” and insert “\$64,358,642 \$69,915,074”.

Central Appropriations			Item 502 #2s
Central Appropriations			
			Language

Language:

Page 369, after line 57, insert:

“E. There is hereby appropriated to the Tobacco Indemnification and Community Revitalization Endowment all proceeds of any sale of the Commission Allocation pursuant to the provisions of Chapter 482 of the 2002 Acts of Assembly.”

Central Appropriations			Item 502 #3s
Central Appropriations			
			Language

Language:

Page 369, after line 57, insert:

“E. The Tobacco Indemnification and Community Revitalization Commission shall develop recommendations on how Virginia Non-Participating Manufacturers (NPM) to the Master Settlement Agreement (MSA) may join the MSA in a manner that will not lead to a loss of jobs by the NPMs and will maximize revenue for the Commonwealth. In developing the recommendations the Commission shall examine these measures from the 2004 Session — Senate Bill 649, Senate Bill 675, House Bill 345, and House Bill 1428 — as well as manufacturers assessment proposals suggested by the NPMs. Recommendations shall be submitted to the Senate Committees on Finance and Agriculture, Conservation and Natural Resources, the House Committees on Appropriations and Agriculture, Chesapeake and Natural Resources, the Governor and the Attorney General by November 1, 2004.”

Central Appropriations			Item 504 #1s
Central Appropriations	FY 04-05	FY 05-06	
	(\$25,774,963)	(\$130,796,357)	GF

Language:

Page 370, line 26, strike "\$25,774,963" and insert "\$0".

Page 370, line 26, strike "\$130,796,357" and insert "\$0".

Page 370, strike lines 25 to 49.

Central Appropriations			Item 505 #3s
Central Appropriations	FY 04-05	FY 05-06	
	\$752,935	\$1,390,036	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$12,811,628".

Page 370, line 50, strike "\$116,397,852" and insert "\$117,787,888".

Page 376, following line 39, insert:

"P.1. In addition to the increase authorized in paragraphs F to L of this item, \$752,935 the first year and \$1,390,036 the second year is included for a 2.1 percent competitive salary adjustment effective November 25, 2004 for Justices of the Supreme Court of Virginia and Judges of the Court of Appeals of Virginia, Circuit Courts, General District Courts, Juvenile and Domestic Relations District Courts, and Combined District Courts.

2. The Senate Finance Committee's Subcommittee on General Government and the House Appropriations Committee's Subcommittee on Compensation and Retirement shall review the compensation and benefits provided to judges and justices. The subcommittees shall provide their joint findings and recommendations to the Chairmen of the Senate Finance Committee and the House Appropriations Committee and the Chief Justice of the Supreme Court by November 1, 2004. The Executive Secretary of the Supreme Court and the Director of the Department of Human Resource Management shall provide such assistance as may be required."

Central Appropriations			Item 505 #5s
Central Appropriations	FY 04-05	FY 05-06	
	\$5,628,521	\$5,628,521	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$17,687,214".

Page 370, line 50, strike "\$116,397,852" and insert "\$122,026,373".

Page 372, following line 45, insert:

"F. In lieu of the salary increases authorized in paragraphs F to L of this Act, sworn officers of the Virginia Department of State Police shall receive an increase in base salary and related employee benefits equal to 6.42 percent on July 1, 2004. This increase is sufficient, when combined with actions provided for elsewhere in this Act, to bring the starting salary for State Troopers to \$33,000 per year."

Central Appropriations			Item 505 #7s
Central Appropriations	FY 04-05	FY 05-06	
	\$18,552,158	\$18,552,158	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$30,610,851".

Page 370, line 50, strike "\$116,397,852" and insert "\$134,950,010".

Page 372, following line 45, insert:

“F. In lieu of the salary increases authorized in paragraphs F to L of this Act, sheriffs, deputy sheriffs and regional jail officers shall receive an increase in base salary and related employee benefits equal to 6.42 percent on July 1, 2004.”

Central Appropriations			Item 505 #8s
Central Appropriations	FY 04-05	FY 05-06	
	\$26,950,128	\$49,753,994	GF

Language:

- Page 370, line 50, strike “\$12,058,693” and insert “\$39,008,821”.
- Page 370, line 50, strike “\$116,397,852” and insert “\$166,151,846”.
- Page 372, line 48, strike “2005” and insert “2004”.
- Page 372, line 54, strike “\$28,354,907” and insert “\$26,950,128” and “\$49,753,994”.

Central Appropriations			Item 505 #9s
Central Appropriations	FY 04-05	FY 05-06	
	\$8,351,502	\$12,602,567	GF

Language:

- Page 370, line 50, strike “\$12,058,693” and insert “\$20,410,195”.
- Page 370, line 50, strike “\$116,397,852” and insert “\$129,000,419”.
- Page 372, line 52, strike “2005” and insert “2004”.
- Page 374, line 55, strike “\$12,408,550” and insert “\$8,351,502” and “\$12,602,567”.

Central Appropriations			Item 505 #10s
Central Appropriations	FY 04-05	FY 05-06	
	\$397,880	\$397,880	GF

Language:

- Page 370, line 50, strike “\$12,058,693” and insert “\$12,456,573”.
- Page 370, line 50, strike “\$116,397,852” and insert “\$116,795,732”.
- Page 372, following line 45, insert:  
 “F. Sworn officers of the Capitol Police Department shall receive an increase in base salary and related employee benefits to implement the Capitol Police Pay Plan on November 25, 2004. This increase is sufficient, when combined with actions provided for elsewhere in this Act to bring the starting salary for Capitol Police Officers to a level that is competitive with campus police.”

Central Appropriations			Item 505 #11s
Central Appropriations	FY 04-05	FY 05-06	
	\$0	(\$105,309,298)	GF

Language:

- Page 370, line 50, strike “\$116,397,852” and insert “\$11,088,554”.
- Page 372, strike lines 46 to 56.
- Page 373, strike lines 1 to 44.
- Page 374, strike lines 1 to 55.
- Page 375, strike lines 1 to 49.
- Page 376, strike lines 1 to 12.

Central Appropriations			Item 505 #12s
Central Appropriations	FY 04-05	FY 05-06	
	(\$3,593,030)	(\$2,254,819)	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$8,465,663".  
Page 370, line 50, strike "\$116,397,852" and insert "\$114,143,033".  
Page 376, strike lines 13 to 39.

Central Appropriations			Item 505 #13s
Central Appropriations	FY 04-05	FY 05-06	
	\$4,538,250	\$4,538,250	GF

Language:

Page 370, line 50, strike "\$12,058,693" and insert "\$16,596,943".  
Page 370, line 50, strike "\$116,397,852" and insert "\$120,936,102".  
Page 372, following line 45, insert:  
"F. Included in the amounts for Compensation Supplements is \$4,538,250 the first year and \$4,538,250 the second year to address salary compression issues for sworn officers of the Virginia Department of State Police."

Central Appropriations			Item 506 #1s
Central Appropriations	FY 04-05	FY 05-06	
	\$238,500	\$281,200	GF

Language:

Page 376, line 40, strike "\$28,999,720" and insert "\$29,238,220".  
Page 376, line 40, strike "\$25,784,869" and insert "\$26,066,069".  
Page 379, after line 39, insert:  
"L. Out of this appropriation, \$238,500 the first year and \$281,200 the second year from the general fund is provided for the Department of General Services rent plan for unanticipated utility cost increases at the seat of government."

Central Appropriations			Item 506 #5s
Central Appropriations			Language

Language:

Page 378, line 40, insert:  
"4. Out of these funds, the Center for Innovative Technology shall provide a three-year grant totaling \$500,000 each year to the Southeastern Universities Research Association, Inc. for the development of the Hampton Roads Research Institute."

Central Appropriations			Item 506 #7s
Central Appropriations			Language

Language:

Page 378, line 9, after "law.", insert:  
"In accordance with Chapters 1019 and 1044, Acts of Assembly of 2000, the project list is amended to include state road improvements for the APM terminal to address costs beyond the funding capability of existing programs."

Central Appropriations			Item 507 #1s
Central Appropriations			Language

Language:

Page 379, strike lines 43-52.

Page 380, strike lines 1-5 and insert:

“A. This appropriation includes \$2,510,000 in each year from the general fund for implementing the Statewide Agencies Radio System (STARS) project.

B. This appropriation includes \$123,599 the first year and \$244,359 the second year from the general fund for the replacement of the existing two-way radio system at the Department of Forestry.”

Central Appropriations

Item 507 #2s

Central Appropriations

Language

Language:

Page 380, line 2, strike “is contingent upon the passage into law of the”.

Page 380, strike lines 3 through 5 and insert “.”.

Independent Agencies

Item 522 #1s

Virginia Retirement System

FY 04-05

FY 05-06

\$350,000

\$50,000

NGF

1.00

1.00

FTE

Language:

Page 386, line 2, strike “\$22,651,837” and insert “\$23,001,837”.

Page 386, line 2, strike “\$23,943,701” and insert “\$23,993,701”.

Page 386, following line 34, insert:

“Upon final approval of Senate Bill 284, introduced during the 2004 General Assembly Session, the Virginia Retirement System shall reimburse the Department of Human Resource Management for reasonable costs incurred in the administration of health insurance benefits related to the Line of Duty Act as mutually agreed upon by the Director of the Virginia Retirement System and the Director of the Department of Human Resource Management.”

Independent Agencies

Item 527 #1s

Virginia Office For Protection And

FY 04-05

FY 05-06

Advocacy

(\$55,000)

(\$55,000)

GF

Language:

Page 387, line 38, strike “\$1,226,106” and insert “\$1,171,106”.

Page 387, line 38, strike “\$1,226,106” and insert “\$1,171,106”.

General Conditions

Item C-0 #1s

General Conditions

Language

Language:

Page 392, following line 25, insert:

“9. A deposit equal to two percent of the annual value of any tax-supported debt issued by the Treasury Board, Virginia Public Building Authority or Virginia College Building Authority on or after July 1, 2004 shall be paid into the Capital Repairs and Improvements Revolving Fund up to the limits specified in Item C-194.1 of this act. The Treasurer of Virginia shall require these deposits as part of the bond covenants; however, the covenants shall clearly state that any deposits required to

the Capital Repair and Improvement Fund shall not come either directly or indirectly from debt proceeds.”

General Conditions

Item C-0 #2s

General Conditions

Language

Language:

Page 393, following line 14, insert:

“L. Conditions Applicable to Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no less than thirty days prior to entering into such alternative financing agreement. This report shall provide:

- a.) a description of the purpose to be achieved by the proposal,
- b.) a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing,
- c.) an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth,
- d.) an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution, and
- e.) a recommendation and planned course of action based on this analysis.”

General Conditions

Item C-0 #3s

General Conditions

Language

Language:

Page 393, following line 14, insert:

“L. Conditions Applicable to Alternative Financing

1. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest or the perception of a conflict of interest:

- a) A member of the agency or institution's governing body;
- b) Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or
- c) Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.”

Administration

Item C-3.1 #1s

Department Of General Services

FY 04-05

FY 05-06

\$0

\$2,497,000

NGF

Language:

Page 393, following line 25, insert:

“C-3.1. Improvements: Demolition of the 8th Street Office Building

\$2,497,000

Fund Sources: Bond Proceeds \$2,497,000”.

Commerce And Trade			Item C-6.10 #1s
Department Of Forestry	FY 04-05	FY 05-06	
	\$546,000	\$0	NGF

Language:

Page 394, following line 12, insert:

“C-6.10. New Construction: Abingdon Shop and Cold Storage \$546,000  
 Fund Sources: Bond Proceeds \$546,000”.

Commerce And Trade			Item C-6.10 #2s
Department Of Forestry	FY 04-05	FY 05-06	
	\$1,076,000	\$0	NGF

Language:

Page 394, following line 12, insert:

“C-6.10. New Construction: Abingdon Shop and Cold Storage \$1,076,000  
 Fund Sources: Bond Proceeds \$1,076,000”.

Education: Higher Education			Item C-15.1 #3s
The College Of William And Mary In Virginia	FY 04-05	FY 05-06	
	\$40,000,000	\$0	NGF

Language:

Page 395, line 13, insert:

“C-15.1. New Construction: School of Business Building (16648)\$40,000,000 \$40,000,000  
 Fund Sources: Bond Proceeds \$40,000,000 \$40,000,000”.

“1. Subject to Section 4-4.01x of this act and approval of a Final Project Proposal by the Commonwealth of Virginia, the General Assembly authorizes the College of William and Mary with the approval of the Governor, to explore and evaluate an alternative financing scenario to support construction of a new school of business facility or facilities on the main campus of the College.

2. The General Assembly authorizes the College of William and Mary to enter into a written agreement with the School of Business Foundation or other private entity to design, construct and finance a facility or facilities to provide classroom, faculty office, and other operational related academic and support space for the College's School of Business. The facility, or facilities, may be located on property owned by the Commonwealth of Virginia. The College of William and Mary is also authorized to enter into a written agreement with the School of Business Foundation or other private entity to lease a suitable site to the Foundation or private entity and to lease the facility or facilities from the Foundation or private entity once constructed.

3. The General Assembly further authorizes the College of William and Mary to enter into a written agreement with the School of Business Foundation or other private entity for the support of the facility or facilities by including the facility or facilities in the College's facility inventory and managing its operation and maintenance, and by otherwise supporting the facility or facilities consistent with law, provided that the College shall not be required to take any action that would constitute a breach of the College's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the College or the Commonwealth of Virginia.

4. The General Assembly further states its intent to permit construction of this project in accordance with state law, the College's nongeneral fund decentralization Memorandum of Understanding with the Secretaries of Administration and Finance, and with agreement by the School of Business

Foundation or other private entity to provide from private funds a substantial majority of the cost of the project and the funds necessary to retire any related debt service.

5. The College shall be responsible for ensuring all debt service payments on this project from private funds and student fees.”

Education: Higher Education			Item C-15.10 #1s
The College Of William And Mary In Virginia	FY 04-05 \$2,821,000	FY 05-06 \$0	NGF

Language:

Page 395, line 14, insert:

“C-15.10. New Construction: Parking Deck Supplement \$2,821,000  
Fund Sources: Bond Proceeds \$2,821,000”.

Education: Higher Education			Item C-15.10 #2s
The College Of William And Mary In Virginia	FY 04-05 \$1,600,000	FY 05-06 \$0	NGF

Language:

Page 395, line 14, insert:

“C-15.10. Acquisition: Emergency Generators \$1,600,000  
Fund Sources: Bond Proceeds \$1,600,000”.

Education: Higher Education			Item C-17.1 #1s
Virginia Institute Of Marine Science	FY 04-05 \$2,000,000	FY 05-06 \$0	NGF

Language:

Page 395, following line 27, insert:

“C-17.1. New Construction: Field Support Center \$2,000,000  
Fund Sources: Bond Proceeds \$2,000,000”.

Education: Higher Education			Item C-17.1 #5s
Virginia Institute Of Marine Science	FY 04-05 \$2,000,000	FY 05-06 \$0	NGF

Language:

Page 395, following line 27, insert:

“C-17.1. Improvements: Maury Hall Renovation \$2,000,000  
Fund Sources: Higher Education Operating \$2,000,000”.

Education: Higher Education			Item C-18 #1s
George Mason University			

Language

Language:

Page 395, line 34, insert:

“A. The General Assembly authorizes George Mason University, with approval of the Governor, to explore and evaluate an alternative financing scenario to provide an addition to the existing Krasnow Institute. This project must be consistent with the Virginia Uniform Statewide Building Code 7 of October 1, 2003, and comply with the Treasury Board Guidelines issued pursuant to 23-19(d)(4), Code of Virginia, and subsequent amendments thereto.

B. The General Assembly authorizes George Mason University to enter into a written agreement with a public or private entity to design, construct and finance an addition to the Krasnow Institute. The addition may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph A of this item.

C. In the event that the Krasnow Institute project is financed through alternative financing and constructed on land owned by or leased to a private University-related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinances; however, such project must still comply with state building permit requirements, environmental reviews and permits, and the provisions of the Virginia Uniform Building Code.”

Education: Higher Education  
George Mason University

Item C-21 #1s

Language

Language:

Page 396, line 10, insert:

“A. The General Assembly authorizes George Mason University, with approval of the Governor, to explore and evaluate an alternative financing scenario to provide a Conference Center for the Institute for Conflict Analysis and Resolution. This project must be consistent with the Virginia Uniform Statewide Building Code 7 of October 1, 2003, and comply with the Treasury Board Guidelines issued pursuant to 23-19(d)(4), Code of Virginia, and subsequent amendments thereto.

B. The General Assembly authorizes George Mason University to enter into a written agreement with a public or private entity to design, construct and finance a Conference Center for the Institute for Conflict Analysis and Resolution. The Conference Center may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph A of this item.

C. In the event that the Conference Center for the Institute for Conflict Analysis and Resolution project is financed through alternative financing and constructed on land owned by or leased to a private University-related foundation, or owned by or leased to a private entity, such project must still comply with state building permit requirements, environmental reviews and permits, and the provisions of the Virginia Uniform Building Code.”

Education: Higher Education  
George Mason University

Item C-28 #1s

	FY 04-05	FY 05-06	
	(\$1,942,000)	\$0	NGF

Language:

Page 396, line 28, strike “\$1,942,000” and insert “\$0”.

Education: Higher Education  
George Mason University

Item C-29.10 #1s

	FY 04-05	FY 05-06	
	\$3,325,000	\$0	NGF

Language:

Page 397, line 4, insert:

“C-29.10. Improvements: North Loop Utility Infrastructure Supplement \$3,325,000  
Fund Sources: Bond Proceeds \$3,325,000”.

Education: Higher Education  
George Mason University

Item C-29.20 #1s

	FY 04-05	FY 05-06	
	\$1,750,000	\$0	NGF

Language:

Page 397, line 4, insert:  
 "C-29.20. New Construction: Prince William IIIA Supplement \$1,750,000  
 Fund Sources: Bond Proceeds \$1,750,000".

Education: Higher Education			Item C-29.20 #2s
George Mason University	FY 04-05	FY 05-06	
	\$1,500,000	\$0	NGF

Language:

Page 397, line 4, insert:  
 "C-29.20. New Construction: Prince William IIIA Supplement \$1,500,000  
 Fund Sources: Higher Education Operating \$1,500,000".

Education: Higher Education			Item C-29.20 #3s
George Mason University	FY 04-05	FY 05-06	
	\$1,500,000	\$0	NGF

Language:

Page 397, line 4, insert:  
 "C-29.20. New Construction: Center for the Arts \$1,500,000  
 Fund Sources: Higher Education Operating \$1,500,000".

Education: Higher Education			Item C-34.1 #1s
James Madison University	FY 04-05	FY 05-06	
	\$13,600,000	\$0	NGF

Language:

Page 397, following line 26, insert:  
 "C-34.1. New Construction: Parking Deck \$13,600,000  
 Fund Sources: Bond Proceeds \$13,600,000".

Education: Higher Education			Item C-34.1 #2s
James Madison University	FY 04-05	FY 05-06	
	\$8,000,000	\$0	NGF

Language:

Page 397, following line 26, insert:  
 "C-34.1. New Construction: Planning and Construction of New Student  
 Recreation Fields \$8,000,000  
 Fund Sources: Higher Education Operating \$8,000,000".

Education: Higher Education			Item C-39 #2s
Mary Washington College	FY 04-05	FY 05-06	
	\$5,000,000	\$0	NGF

Language:

Page 398, line 9, strike "\$20,000,000" and insert "\$25,000,000".

Education: Higher Education			Item C-40 #3s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,000,000	\$0	NGF

Language:

Page 398, line 11, strike "\$5,000,000" and insert "\$6,000,000".

Education: Higher Education			Item C-41.1 #1s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,500,000	\$0	NGF

Language:

Page 398, following line 15, insert:

"C-41.1. Improvements: Dodd Hall Auditorium Renovation \$1,500,000  
Fund Sources: Bond Proceeds \$1,500,000".

Education: Higher Education			Item C-41.1 #3s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,100,000	\$0	NGF

Language:

Page 398, following line 15, insert:

"C-41.1. Acquisition: Property Acquisition \$1,100,000  
Fund Sources: Higher Education Operating \$1,100,000".

Education: Higher Education			Item C-41.1 #4s
Mary Washington College	FY 04-05	FY 05-06	
	\$1,500,000	\$1,500,000	NGF

Language:

Page 398, following line 15, insert:

"C-41.1. New Construction: Bell Tower \$1,500,000 \$1,500,000  
Fund Sources: Higher Education Operating \$1,500,000 \$1,500,000".

Education: Higher Education			Item C-42 #1s
Norfolk State University	FY 04-05	FY 05-06	
	(\$1,469,000)	(\$1,469,000)	GF

Language:

Page 398, line 19, strike "\$1,469,000" and insert "\$0".

Page 398, line 19, strike "\$1,469,000" and insert "\$0".

Education: Higher Education			Item C-43 #1s
Norfolk State University			
			Language

Language:

Page 398, following line 22, insert:

"This project shall be funded from \$1,416,000 in 9(d) bonds and \$1,584,000 in Virginia College Building Authority bonds."

Education: Higher Education			Item C-43.1 #11s
Norfolk State University	FY 04-05	FY 05-06	
	\$0	\$3,850,000	NGF

Language:

Page 398, following line 25, insert:

“C-43.1. New Construction: Police and Public Safety Building	\$3,850,000
Fund Sources: Bond Proceeds	\$3,850,000”.

Education: Higher Education			Item C-46 #1s
Old Dominion University	FY 04-05	FY 05-06	
	(\$2,287,000)	\$0	NGF

Language:  
Page 399, line 2, strike “\$6,860,000” and insert “\$4,573,000”.

Education: Higher Education			Item C-52.1 #1s
Old Dominion University	FY 04-05	FY 05-06	
	\$0	\$16,500,000	NGF

Language:  
Page 399, following line 26, insert:  
“C-52.1. Improvements: Health and Physical Education Building \$16,500,000  
Fund Sources: Bond Proceeds \$16,500,000”.  
Page 398, following line 22, insert:  
“This project shall be funded from \$12,982,000 in 9(d) bonds and \$3,518,000 in Virginia College Building Authority bonds.”

Education: Higher Education			Item C-52.1 #3s
Old Dominion University	FY 04-05	FY 05-06	
	\$1,020,869	\$0	NGF

Language:  
Page 399, following line 26, insert:  
“C-52.1. Improvements: 43rd Street \$1,020,869  
Fund Sources: Higher Education Operating \$1,020,869”.

Education: Higher Education			Item C-52.1 #4s
Old Dominion University			
			Language

Language:  
Page 399, following line 26, insert:  
“C-52.1. New Construction: Recreational Facilities and Infrastructure  
The General Assembly authorizes Old Dominion University to enter into a written agreement with the City of Norfolk for the development of recreational facilities, off-street parking, and associated infrastructure adjacent to the University where the City plans to develop a public golf course and a stadium for the joint usage for several public high schools as well as the University. The University is authorized to convey parcels of land to the City of Norfolk and/or the Norfolk Redevelopment & Housing Authority for the purpose of constructing these recreational facilities, including necessary off-street parking, street improvements, and associated infrastructure consistent with the City's and University's master plans. In addition, the University is further authorized to convey to the City and/or Norfolk Redevelopment & Housing Authority residual parcels of land south of 43rd Street for the purpose of constructing market rate housing. Any and all such conveyances shall be upon terms satisfactory to the University.”

Education: Higher Education			Item C-55.1 #1s
Radford University	FY 04-05	FY 05-06	
	\$670,000	\$0	NGF

Language:

Page 398, following line 25, insert:

"C-55.1. Planning: Heth Hall Renovation	\$670,000
Fund Sources: Higher Education Operating	\$670,000".

Education: Higher Education	Item C-58 #1s
University Of Virginia	

Language

Language:

Page 400, after line 12, insert:

"Notwithstanding any other provision of law, the University is hereby authorized to enter into a contract to upgrade the main heating plant for environmental compliance. It is anticipated that sufficient appropriation will be provided in future fiscal years to cover all phases of the project as specified in the final contract."

Education: Higher Education	Item C-67 #1s
University Of Virginia	

Language

Language:

Page 400, strike lines 37 to 39.

Page 401, strike lines 1 to 6.

Education: Higher Education			Item C-67.1 #1s
University Of Virginia	FY 04-05	FY 05-06	
	\$3,500,000	\$0	NGF

Language:

Page 399, following line 26, insert:

"C-67.1. New Construction: Campbell Hall Addition	\$3,500,000
Fund Sources: Higher Education Operating	\$3,500,000".

Education: Higher Education			Item C-82 #2s
Virginia Commonwealth University	FY 04-05	FY 05-06	
	\$3,000,000	\$0	NGF

Language:

Education: Higher Education			Item C-67.1 #3s
University Of Virginia	FY 04-05	FY 05-06	
	\$2,200,000	\$0	NGF

Language:

Page 401, following line 6, insert:

"C-67.1. Improvements: Varsity Hall Renovation	\$2,200,000
Fund Sources: Higher Education Operating	\$2,200,000".

Education: Higher Education			Item C-67.1 #4s
University Of Virginia	FY 04-05	FY 05-06	
	\$15,000,000	\$0	NGF

Language:

Page 401, following line 6, insert:

“C-67.1. Acquisition: Advanced Research Technology Facility \$15,000,000  
Fund Sources: Bond Proceeds \$15,000,000”.

Education: Higher Education

Item C-67.1 #5s

University Of Virginia FY 04-05 FY 05-06  
\$24,000,000 \$0 NGF

Language:

Page 399, following line 26, insert:

“C-67.1. New Construction: Expand University Hospital \$24,000,000  
Fund Sources: Bond Proceeds \$24,000,000”.

Education: Higher Education

Item C-74 #1s

University Of Virginia's College At Wise  
Language

Language:

Page 401, following line 36, insert:

“This project shall be funded from \$799,000 in 9(d) bonds.”

Education: Higher Education

Item C-80.1 #1s

Virginia Commonwealth University FY 04-05 FY 05-06  
\$5,000,000 \$0 NGF

Language:

Page 401, following line 6, insert:

“C-80.1. Improvements: Hunton Hall Renovation \$5,000,000  
Fund Sources: Bond Proceeds \$5,000,000”.

Education: Higher Education

Item C-80.1 #3s

Virginia Commonwealth University FY 04-05 FY 05-06  
\$2,000,000 \$0 NGF

Language:

Page 402, following line 23, insert:

“C-80.1. Planning: New School of Business \$2,000,000  
Fund Sources: Higher Education Operating \$1,000,000  
\$1,000,000”.

Education: Higher Education

Item C-80.1 #4s

Virginia Commonwealth University FY 04-05 FY 05-06  
\$0 \$14,000,000 NGF

Language:

Page 401, following line 6, insert:

“C-80.1. New Construction: Monroe Campus Parking Deck \$14,000,000  
Fund Sources: Bond Proceeds \$14,000,000”.

Education: Higher Education

Item C-84 #1s

Virginia Commonwealth University  
Language

Language:

Page 402, following line 33, insert:  
 "This project shall be funded from \$2,500,000 in 9(d) bonds."

Education: Higher Education			Item C-98 #1s
Virginia Community College System	FY 04-05	FY 05-06	
	(\$683,000)	\$0	NGF

Language:

Page 404, line 25, strike "\$725,000" and insert "\$42,000".

Education: Higher Education			Item C-108.10 #1s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,834,000	\$0	NGF

Language:

Page 405, following line 33, insert:  
 "C-108.10. New Construction: Construct Science Building Addition,  
 Blue Ridge Community College \$1,834,000  
 Fund Sources: Bond Proceeds \$1,834,000".

Education: Higher Education			Item C-108.10 #2s
Virginia Community College System	FY 04-05	FY 05-06	
	\$0	\$4,160,000	NGF

Language:

Page 405, following line 33, insert:  
 "C-108.10. New Construction: Blackwater Building, Tidewater Community College \$4,160,000  
 Fund Sources: Bond Proceeds \$4,160,000".

Education: Higher Education			Item C-108.1 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$0	\$9,149,475	NGF

Language:

Page 405, following line 33, insert:  
 "C-108.1. Improvements: Major Building Systems Repair and Replacement \$9,149,475  
 Fund Sources: Bond Proceeds \$9,149,475".

Education: Higher Education			Item C-108.10 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$1,465,290	\$0	NGF

Language:

Page 405, following line 33, insert:  
 "C-108.10. Improvements: Renovate the Top Floor of Galax Hall, Wytheville  
 Community College \$1,465,290  
 Fund Sources: Bond Proceeds \$1,465,290".

Education: Higher Education			Item C-108.1 #3s
Virginia Community College System	FY 04-05	FY 05-06	
	\$400,000	\$0	NGF

Language:

Page 405, line 34, insert:

“C-108.1. Improvements: Bookstore, Blue Ridge Community College \$400,000  
Fund Sources: Higher Education Operating \$400,000”.

Education: Higher Education			Item C-119.10 #1s
Virginia Military Institute	FY 04-05	FY 05-06	
	\$1,590,000	\$0	GF

Language:

Page 408, following line 30, insert:

“C-119.10. Planning: Renovation of Kilborne Hall \$1,590,000  
Fund Sources: General \$1,590,000”.

Education: Higher Education			Item C-122.10 #1s
Virginia Polytechnic Institute And State University	FY 04-05	FY 05-06	
	\$2,750,000	\$0	GF

Language:

Page 408, following line 30, insert:

“C-122.10. Planning: Renovation of Campus Heating Plant \$2,750,000  
Fund Sources: General \$2,750,000”.

Education: Higher Education			Item C-124 #1s
Virginia State University	FY 04-05	FY 05-06	
	(\$1,202,000)	(\$1,202,000)	GF

Language:

Page 409, line 14, strike “\$1,202,000” and insert “\$0”.

Page 409, line 14, strike “\$1,202,000” and insert “\$0”.

Education: Higher Education			Item C-125 #1s
Virginia State University			
			Language

Language:

Page 409, following line 21, insert:

“This project shall be funded from \$429,000 of non-general funds.”

Education: Other			Item C-125.1 #1s
Frontier Culture Museum Of Virginia	FY 04-05	FY 05-06	
	\$0	\$375,000	NGF

Language:

Page 409, following line 24, insert:

“C-125.1. New Construction: Site Improvements Wetlands Mill and Bowman House Sites \$375,000  
Fund Sources: Bond Proceeds \$375,000”.

Education: Other			Item C-126 #1s
Jamestown-Yorktown Foundation			
			Language

Language:

Page 409, following line 18, insert:

“This project shall be funded from \$265,000 in nongeneral fund cash.”

Education: Other

Item C-133.10 #1s

The Science Museum Of Virginia	FY 04-05	FY 05-06	
	\$0	\$500,000	NGF

Language:

Page 410, following line 22, insert:

“C-133.10. Improvements: Replace Exhibits \$500,000

Fund Sources: Bond Proceeds \$500,000”.

Education: Other

Item C-135.10 #1s

Virginia Museum Of Fine Arts	FY 04-05	FY 05-06	
	\$1,792,000	\$0	NGF

Language:

Page 410, following line 22, insert:

“C-135.10. Improvements: Upgrade Security System \$1,792,000

Fund Sources: Bond Proceeds \$1,792,000”.

Health And Human Resources

Item C-137 #1s

Department Of Mental Health, Mental Retardation And Substance Abuse Services	FY 04-05	FY 05-06	
	\$3,000,000	\$0	GF
	(\$9,500,000)	(\$22,300,000)	NGF

Language:

Page 411, line 11, strike “\$9,500,000” and insert “\$3,000,000”.

Page 411, line 11, strike “\$22,300,000” and insert “\$0”.

Natural Resources

Item C-154.10 #1s

Virginia Museum Of Natural History	FY 04-05	FY 05-06	
	\$0	\$2,000,000	NGF

Language:

Page 410, following line 22, insert:

“C-154.10. Acquisition: Exhibits for the New Museum Building \$2,000,000

Fund Sources: Bond Proceeds \$2,000,000”.

The funds appropriated in this item shall be matched by an equal amount of non-general funds raised locally.”

Public Safety

Item C-161 #1s

Department Of Corrections, Central Activities	FY 04-05	FY 05-06	
	\$6,261,000	\$0	NGF

Language:

Page 415, line 2, strike “\$62,384,000” and insert “\$68,645,000”.

Page 415, line 1, strike “prison” and insert “Correctional Facility in Tazewell County”.

Public Safety

Item C-161.1 #1s

Department Of Corrections, Central Activities	FY 04-05	FY 05-06	
	\$73,553,000	\$0	NGF

Language:

Page 415, following line 3, insert:

“C-161.1. New Construction: Construct Medium Security Correctional Facility  
in Pittsylvania County

Fund Sources: Bond Proceeds

\$73,553,000  
\$73,553,000”.

Transportation

Department Of Transportation

Item C-184 #1s

Language

Language:

Page 418, line 42, after “30”, delete the rest of the line.

Page 418, strike lines 43 through 45 and insert “site.”.

Central Appropriations

Central Capital Outlay

FY 04-05  
(\$20,000,000)

FY 05-06  
(\$20,000,000)

Item C-194 #1s

GF

Language:

Page 420, line 6, strike “\$25,000,000” and insert “\$5,000,000”.

Page 420, line 6, strike “\$25,000,000” and insert “\$5,000,000”.

2004-2006 Appropriations

Agency Code	Agency Name	Project Code	FY 2005	FY 2006
123	Department of Military Affairs	10893	\$36,634	\$36,634
127	Department of Emergency Management	15989	\$4,517	\$4,517
140	Department of Criminal Justice Services	16320	\$4,517	\$4,517
146	The Science Museum of Virginia	13634	\$58,269	\$58,269
156	Department of State Police	10886	\$13,414	\$13,414
161	Department of Taxation	15994	\$11,919	\$11,919
194	Department of General Services	14260	\$177,325	\$177,325
199	Department of Conservation And Recreation	16646	\$42,844	\$42,844
203	Woodrow Wilson Rehabilitation Center	10885	\$75,493	\$75,493
204	The College of William And Mary In Virginia	12713	\$178,553	\$178,553
207	University of Virginia	12704	\$565,994	\$565,994
208	Virginia Polytechnic Institute and State University	12707	\$584,393	\$584,393
211	Virginia Military Institute	12732	\$97,114	\$97,114
212	Virginia State University	12733	\$217,195	\$217,195
213	Norfolk State University	12724	\$265,440	\$265,440
214	Longwood University	12722	\$105,587	\$105,587

215	Mary Washington College	12723	\$43,727	\$43,727
216	James Madison University	12718	\$168,091	\$168,091
217	Radford University	12731	\$71,450	\$71,450
221	Old Dominion University	12710	\$115,379	\$115,379
236	Virginia Commonwealth University	12708	\$366,949	\$366,949
238	Virginia Museum of Fine Arts	13633	\$55,304	\$55,304
239	Frontier Culture Museum of Virginia	15045	\$7,003	\$7,003
241	Richard Bland College	12716	\$4,517	\$4,517
242	Christopher Newport University	12719	\$32,066	\$32,066
246	University of Virginia's College at Wise	12706	\$22,841	\$22,841
247	George Mason University	12712	\$203,653	\$203,653
260	Virginia Community College System	12611	\$423,256	\$423,256
268	Virginia Institute of Marine Science	12331	\$29,545	\$29,545
301	Department of Agriculture and Consumer Services	12253	\$12,221	\$12,221
402	Marine Resources Commission	16498	\$4,517	\$4,517
409	Department of Mines, Minerals and Energy	13096	\$4,517	\$4,517
411	Department of Forestry	13986	\$10,950	\$10,950
417	Gunston Hall	12382	\$4,977	\$4,977
425	Jamestown-Yorktown Foundation	13605	\$46,053	\$46,053
702	Department for the Blind and Vision Impaired	13942	\$16,959	\$16,959
720	Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	\$466,390	\$466,390
777	Department of Juvenile Justice	15081	\$137,206	\$137,206
799	Department of Corrections	10887	\$304,187	\$304,187
942	Virginia Museum of Natural History	14439	\$4,517	\$4,517
948	Southwest Virginia Higher Education Center	16499	\$4,517	\$4,517
		Total	\$5,000,000	\$5,000,000

Central Appropriations

Central Capital Outlay

FY 04-05

\$30,171,000

\$19,829,000

FY 05-06

\$22,671,000

\$52,329,000

Item C-194.20 #1s

GF

NGF

Language:

Page 421, following line 36, insert

“C-194.20. Improvements: Capital Repairs and Improvements	\$50,000,000	\$75,000,000
Fund Sources: General	\$30,171,000	\$22,671,000
Bond Proceeds	\$19,829,000	\$52,329,000”.

A.1. A total of \$50,000,000 for FY 2005 and \$75,000,000 for FY 2006 from a combination of general funds and Virginia Public Building Authority bonds is provided to state agencies and institutions for Capital Repairs and Improvements subprojects.

The Director of the Department of Planning and Budget is hereby directed to transfer to agencies and institutions the following sums:

2004-2006 Appropriations

Agency Code	Agency Name	Project Code	FY 2005
123	Department of Military Affairs	10893	\$366,340
127	Department of Emergency Management	15989	\$45,174
140	Department of Criminal Justice Services	16320	\$45,174
146	The Science Museum of Virginia	13634	\$582,689
156	Department of State Police	10886	\$134,140
161	Department of Taxation	15994	\$119,190
194	Department of General Services	14260	\$1,773,254
199	Department of Conservation And Recreation	16646	\$428,436
203	Woodrow Wilson Rehabilitation Center	10885	\$754,933
204	The College of William And Mary In Virginia	12713	\$1,785,534
207	University of Virginia	12704	\$5,659,936
208	Virginia Polytechnic Institute and State University	12707	\$5,843,930
211	Virginia Military Institute	12732	\$971,143
212	Virginia State University	12733	\$2,171,949
213	Norfolk State University	12724	\$2,654,404
214	Longwood University	12722	\$1,055,871
215	Mary Washington College	12723	\$437,268
216	James Madison University	12718	\$1,680,906
217	Radford University	12731	\$714,495
221	Old Dominion University	12710	\$1,153,786
236	Virginia Commonwealth University	12708	\$3,669,490
238	Virginia Museum of Fine Arts	13633	\$553,036
239	Frontier Culture Museum of Virginia	15045	\$70,030
241	Richard Bland College	12716	\$45,174
242	Christopher Newport University	12719	\$320,662
246	University of Virginia's College at Wise	12706	\$228,409
247	George Mason University	12712	\$2,036,533
260	Virginia Community College System	12611	\$4,232,561
268	Virginia Institute of Marine Science	12331	\$295,446
301	Department of Agriculture and Consumer Services	12253	\$122,206

402	Marine Resources Commission	16498	\$45,174
409	Department of Mines, Minerals and Energy	13096	\$45,174
411	Department of Forestry	13986	\$109,499
417	Gunston Hall	12382	\$49,765
425	Jamestown-Yorktown Foundation	13605	\$460,525
702	Department for the Blind and Vision Impaired	13942	\$169,591
720	Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	\$4,663,899
777	Department of Juvenile Justice	15081	\$1,372,057
799	Department of Corrections	10887	\$3,041,871
942	Virginia Museum of Natural History	14439	\$45,174
948	Southwest Virginia Higher Education Center	16499	\$45,174
		Total	\$50,000,000

2. The distribution of funds for the purposes of this item for FY 2006 shall be based on the findings and recommendations of the audit of deferred maintenance required by Item 2 of this act.

B. Agencies and institutions of higher education may use capital repair and improvement funds in the first year to plan subprojects to be funded from allocations in the second year. Any agency or institution of higher education which has not expended or contractually obligated itself in a legally binding manner to expend its biennial appropriation for capital repair and improvement funds by June 30, 2006, shall revert the unobligated balance to the fund. Such balances shall be reallocated for the next fiscal year. For good cause, the Director of the Department of Planning and Budget may grant exceptions to this requirement.

C. Agencies and institutions of higher education may use capital repair and improvement funds to address major physical plant deficiencies such as: 1) roof repair and replacement, 2) heating and cooling system repair and replacement, 3) major electrical system repair and replacement, or 4) such other deficiencies as the Director, Department of Planning and Budget may approve, provided however that all projects undertaken shall have an estimated useful life of not less than fifteen years.”

Central Appropriations			Item C-194.20 #2s
Central Capital Outlay	FY 04-05	FY 05-06	
	\$300,000	\$0	GF

Language:

Page 421, following line 36, insert:

“C-194.20. Improvements: Capital Repairs and Improvements \$300,000

Fund Sources: General \$300,000”.

“Out of the amounts for Maintenance Reserve shall be paid \$300,000 the first year for the costs of an audit of the Commonwealth's deferred maintenance needs.

The Auditor of Public Accounts shall perform an audit to determine the amount of deferred maintenance costs in the Commonwealth. The Auditor shall conduct the audit in phases with a preliminary report of the audit scope to be presented to the Chairmen of the Senate Finance and House Appropriation Committees in May of 2004, an interim progress report to the General Assembly by December of 2004, and the final report by December 2005. The first phase of the audit shall give consideration to including not only large agencies and institutions with facilities, but agencies and institutions that have public safety and health facilities.

To assist the Auditor of Public Accounts, the following agencies and institutions shall designate and assign at least one individual from each entity to assist in the audit: Department of General Services, the Department of Corrections, the Virginia Community College System, George Mason University, Department of Transportation and the State Council of Higher Education for Virginia.

These individuals should have sufficient experience and knowledge to assist the Auditor of Public Accounts in developing procedures for collecting information and assisting agency and institutional personnel with advice and guidance in implementing, collecting and summarizing information for this audit. These individuals will work with agencies and institutions to ensure that they are properly accumulating information.

The Auditor of Public Accounts will oversee the collection, analysis, and prioritization of the data needed to audit deferred maintenance costs. All state agencies and institutions will work with and assist the Auditor of Public Accounts to collect this data in relation to their agency.

As part of this audit, the Auditor of Public Accounts shall establish procedures and acquire software to develop and implement a Capital Outlay Deferred Maintenance System throughout all state agencies and institutions to gather information on the maintenance needs of all Commonwealth owned buildings. In addition to acquiring the software, the Auditor of Public Accounts will acquire the necessary training for the state agencies and institutions.”

Central Appropriations  
Central Capital Outlay

Item C-194.1 #2s

Language

Language:

Page 421, following line 36, insert

“C-194.1. Improvements: Capital Repairs and Improvements

Fund Sources:

“A. All tax-supported debt issued by the Treasury Board, the Virginia Public Building Board and the Virginia College Building Board under the provisions of Virginia's Constitution, Article 10 Sections 9(b) and 9(d) after July, 2004 shall require the creation of a Capital Repairs and Improvements Revolving Fund, and require payment into the Fund in accordance with the following provisions.

B.1. Except as provided in subparagraph B.3. of this item, the Commonwealth shall annually pay into the Capital Repairs and Improvements Revolving Fund an amount equal to two percent of the accumulated balance of all new outstanding debt issued after July 1, 2004. This deposit shall not exceed \$30 million annually. For purposes of this computation, the Commonwealth shall include all tax-supported debt issued by the Treasury Board, the Virginia Public Building Board and the Virginia College Building Board under the provisions of Virginia's Constitution, Article 10 Sections 9(b), and 9(d).

2. Funds for this deposit shall not be derived either directly or indirectly from debt, but shall be made from revenues available for appropriation.

3. No deposits to the Capital Repairs and Improvements Revolving Fund shall be required in any fiscal year in which the General Assembly of Virginia appropriates funds from the Revenue Stabilization Fund authorized by Article 10 Sections 8 of the Constitution of Virginia.

C. By November 1 each year, the Auditor of Public Accounts shall compute the maximum balance of the fund, and the Governor shall adjust the payment into the fund in the budget prepared in accordance with Section 2.2-1508 of the *Code of Virginia*. The maximum balance of the fund shall not exceed 2.25 percent of value of the Commonwealth's capital assets excluding land and infrastructure before accumulated depreciation and the total capital assets of state supported institutions of higher education excluding land and assets not funded by the debt described above before accumulated depreciation as reported by the State Comptroller in his annual Comprehensive Financial Report. The maximum balance of the fund shall include both the cash and investment balances in the fund and the net realizable value of any other assets.

D. The Auditor of Public Accounts shall, as part of his computation in C. above, certify that:

1. None of the projects financed by the Capital Repairs and Improvements Revolving Fund represented new construction or expansion of any existing capital asset, and

2. All complied with the Authority's policies and regulations for such projects.

E. The Authority shall maintain the Capital Repairs and Improvements Revolving Fund and receive payments into the Fund as previously described. The Authority shall adopt policies and regulations for the Capital Repairs and Improvements Revolving Fund for purposes of setting the following:

1. Definition and criteria for projects qualifying for loans and

2. Procedures for making and repaying fund loans.

These policies and regulations shall be based on recommendations from a committee comprised of the Secretary of Finance, State Treasurer, Director of the Department of General Services, the Auditor of Public Accounts, a staff representative of the State Council of Higher Education, a representative of the State Council of Higher Education's Finance Advisory Committee and staff representatives of the Senate Finance and House Appropriation Committees as designated by their respective Chairmen. The Capital Repairs and Improvements Revolving Fund may receive other appropriations made directly to it by the General Assembly."

Central Appropriations			Item C-195 #1s
Central Capital Outlay	FY 04-05	FY 05-06	
	(\$7,500,000)	\$0	GF

Language:

Page 421, line 38, strike "\$7,500,000" and insert "\$0".

Transfers		Item 3-1.01 #1s
Interfund Transfers		Language

Language:

Page 437, strike lines 23 through 26.

Transfers		Item 3-1.01 #1s
Interfund Transfers		Language

Language:

Page 438, after line 28, insert:

"FF. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional Office is currently located. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to be \$3,000,000, shall be deposited into the general fund."

Transfers		Item 3-1.01 #3s
Interfund Transfers		Language

Language:

Page 432, line 20, strike "Winegrowers Advisory" and insert "Wine".

Transfers		Item 3-1.01 #4s
Interfund Transfers		Language

Language:

Page 438, after line 28, insert:

“FF. On or before June 30, the State Comptroller shall transfer from the State Racing Operations Fund \$90,000 the first year and \$240,000 the second year to the general fund.”

Transfers

Item 3-1.01 #5s

Interfund Transfers

Language

Language:

Page 434, line 3, strike “0477” and insert “0410”.

Transfers

Item 3-1.01 #6s

Interfund Transfers

Language

Language:

Page 438, after line 28, insert:

“FF. Pursuant to the “Virginia Investment Act” (SB 635, 2004 Session), the Comptroller shall transfer \$30,000,000 annually from the general fund to the Virginia Natural and Historic Resources Fund. For fiscal year 2005 only, notwithstanding the transfer schedule in §58.1-638.F., the Comptroller shall transfer from the general fund to the Virginia Natural and Historic Resources Fund, \$10,000,000 on or before July 31, 2004, and an additional \$5,000,000 on or before December 31, 2004, and an additional \$15,000,000 on or before June 30, 2005. For fiscal year 2006, the Comptroller shall transfer from the general fund to the Virginia Natural and Historic Resources Fund, \$15,000,000 on or before December 31, 2005 and an additional \$15,000,000 on or before June 30, 2006.”

Transfers

Item 3-1.01 #7s

Interfund Transfers

Language

Language:

Page 435, line 28, after “indicated.”, strike the remainder of the line.

Page 435, strike lines 29 through 31.

Page 436, strike lines 21 through 61.

Page 437, strike lines 1 through 6.

Adjustments and Modifications to Fees

Item 3-6.01 #3s

Recordation Tax Fee

Language

Language:

Page 440, line 43, after “Virginia.” strike the rest of the line.

Page 440, strike lines 44-45.

Page 441, line 1, after “shall consist of”, insert:

“funds pursuant to Senate Bill 635 (2004 Session), other”

Adjustments and Modifications to Fees

Item 3-6.02 #1s

Motor Vehicle Fees

Language

Language:

Page 441, strike lines 11 through 13.

Withholding General Fund Revenues for Revenue Stabilization

Item 3-7.01 #1s

Language

Language:

Page 441, after line 13, insert:

“After satisfying all other claims against the certified general fund revenue surplus required by law, the State Comptroller shall reserve 25 percent of the remaining portion of the general fund revenue surplus. This reserve shall be held available for appropriation by the General Assembly for deposit into the Revenue Stabilization Fund or for other uses.”

General Provisions

Item 4-0.00 #1s

Language

Language:

Page 442, after line 1 insert:

“§ 4-0.01 OPERATING POLICIES

a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.

b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.

c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.”

Page 442, strike lines 3 through 51.

Page 443, strike lines 1 through 49.

Page 444, strike lines 1 through 50.

Page 445, strike lines 1 through 53.

Page 446, strike lines 1 through 43.

Page 447, strike lines 1 through 52.

Page 448, strike lines 1 through 49.

Page 449, strike lines 1 through 51.

Page 450, strike lines 1 through 43.

Page 451, strike lines 1 through 48.

Page 452, strike lines 1 through 50.

Page 453, strike lines 1 through 50.

Page 454, strike lines 1 through 6, and insert:

“§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Monies shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that monies are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending monies in accordance with provisions of the act appropriating them, he shall so

advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and House Appropriations Committees.

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action that impedes or limits the ability to spend the appropriated monies, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon which the appropriation was based. Monies generated from the withholding action shall not be reallocated for any other purpose. Provided, however, the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold monies to the Chairmen of the House Appropriations and Senate Finance Committees.

2. Monies shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

c. Increased Nongeneral Fund Revenue:

1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to: (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or mentally retarded payable from the Mental Health and Mental Retardation Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Monies unallotted under this provision shall not be reallocated for any other purpose.

2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Monies unallotted under this provision shall not be reallocated for any other purpose.

d. Reduced General Fund Resources

1. The term "general fund resources" as applied in this subsection, includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.

2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues

shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the Senate Finance, House Appropriations, and House Finance Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes for the just completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

5. The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations. This reduction plan, with modifications thereto, shall be the sole basis for withholding spending authority due to reduced revenues.

6. In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet Secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be forwarded within five calendar days of submission to the Chairmen of the Senate Finance and House Appropriations Committees.

7. In effecting the reduction of expenditures for the above-stated purpose, the Governor shall not withhold allotments of appropriations for:

a) More than 10 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House Appropriations Committees. State agencies providing funds directly to grantees named in this Act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.07 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate dead.

d) The employer contributions, and employer paid member contributions to the: Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, and the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees,

state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for payment of salaries and wages). Provided, however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

8. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of two percent, as prescribed in subdivision 7a of this subsection.

9. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations. Provided, however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

10. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium or within twenty days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

11. The Director, Department of Planning and Budget shall report spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

12. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the

House of Delegates and the President Pro Tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the legislature.

§ 4-1.03 APPROPRIATION TRANSFERS

a. GENERAL:

1.a) During any fiscal year, the Director, Department of Planning and Budget, may transfer operating appropriation authority from one state or other agency to another, to effect the following:

- 1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies in accordance with specific language in the central appropriation establishing reversion clearing accounts;
- 2) distribution of pass-through grants or other funds held by an agency as fiscal agent;
- 3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the Senate Finance and House Appropriations Committees;
- 4) proper accounting between fund sources 0100 and 0300 in higher education institutions; or
- 5) transfers specifically authorized elsewhere in this act.

b. During any fiscal year, the Director, Department of Planning and Budget, may transfer operating appropriation authority from one program to another within an agency to effect program purposes approved by the General Assembly, unless specifically provided otherwise in this act. However, appropriation authority for local aid programs and aid to individuals shall not be transferred elsewhere without the express consent of the General Assembly.

c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer operating appropriations authority among sub-agencies within the Judicial System and the Department of Mental Health, Mental Retardation and Substance Abuse Services to effect changes in operating expense requirements which may occur during the biennium.

2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Mental Health, Mental Retardation and Substance Abuse Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided to eligible children.

4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by the General Assembly to be effective during the current biennium.

5. The Director, Department of Planning and Budget, may transfer general fund appropriations from the second year to the first year, with said transfer to be reported in writing to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the transfer, when the expenditure of such funds is required to:

- a) address a threat to life, safety, health or property, or
- b) provide for unbudgeted cost increases for statutory required services or federally mandated services, in order to continue those services at the present level, or
- c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or
- d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia.
- e) An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

6. The Director, Department of Planning and Budget, may transfer from any other agency appropriations, to supplement any project of the Virginia Public Building Authority authorized by

the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

7. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

#### § 4-1.04 APPROPRIATION INCREASES

a. If the Governor vetoes an item, neither he nor the Director, Department of Planning and Budget, shall administratively establish the vetoed program within the agency. In addition, neither the Governor nor the Director, Department of Planning and Budget, shall administratively increase the appropriations of, nor transfer appropriations to, the agency affected by the veto in order to carry out the purposes of the vetoed item.

#### b. UNAPPROPRIATED NONGENERAL FUNDS:

##### 1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

##### 2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriations authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

##### 3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of monies is authorized elsewhere in this act or is required to:

- 1) address a threat to life or safety, health or property or
- 2) provide for unbudgeted increases in costs for statutory required services or federally mandated services, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or
- 3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or
- 4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will benefit the state's economy, or
- 5) participate in a federal or sponsored program, or
- 6) realize cost savings in excess of the additional funds provided, or
- 7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or
- 8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 m of this act, or
- 9) provide additional funding resulting from caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of

Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General and 4-5.05 b Services and Clients-New Services of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

f) If the Governor vetoes an item, neither he nor the Director, Department of Planning and Budget, shall administratively establish the vetoed program within the agency. In addition, neither the Governor nor the Director, Department of Planning and Budget, shall administratively increase the appropriations of, nor transfer appropriations to, the agency affected by the veto to carry out the purposes of the vetoed item.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise.

#### 5. Reporting:

The Director, Department of Planning and Budget, shall report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

#### § 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

##### a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium, ending on June 30, 2004, and (ii) the last day of the first year of the current biennium, ending on June 30, 2005, shall be reappropriated and allotted for expenditure in the respective succeeding year for the following agencies and programs, provided however, that the reappropriations shall not be used to create ongoing obligations or expand or create new programs, but shall be applied to nonrecurring costs:

1) Agencies in the Legislative Department, the Judicial Department, and the Independent Agencies, except as may be specifically provided otherwise by the General Assembly;

2) Agencies in the Executive Department, subject to the prior written approval of the Governor, except as may be specifically provided otherwise by the General Assembly;

3) Specific program balances in Executive Department agencies identified by the General Assembly through language in this act;

4) Educational and General programs in those institutions of higher education which meet management standards prescribed by the Governor;

5) Unexpended revenues from community education and public service programs in the institutions of higher education; and

6) Appropriations to the institutions of higher education for student financial assistance.

2. The Governor shall complete his review and reappropriation of unexpended general fund appropriations, authorized under this section, no later than September 1 of the respective succeeding fiscal year. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and House Appropriations Committees on the reappropriated amounts for each state agency.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

b. NONGENERAL FUND OPERATING EXPENSE:

1. Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a period of twenty-four months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly.

2. Nongeneral fund appropriations which remain unexpended on (i) the last day of the previous biennium and (ii) the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure no later than September 1 of the respective succeeding fiscal year, provided however, that the reappropriations shall not be used to create ongoing obligations or expand or create new programs, but shall be applied to nonrecurring costs. The reappropriations process for nongeneral fund appropriations shall be consistent with the policies, guidelines and schedule used to reappropriated unexpended general fund appropriations.

c. CAPITAL PROJECTS:

1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not needed to complete the project. The Director may direct the restoration of any portion of the returned and reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation balance was reverted in the prior biennium, he may likewise restore any portion of such reverted amount under the same conditions.

2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise restore any portion of such amount under the same conditions.

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of the previous biennium shall be continued in force for such period, not exceeding ten (10) days from such date, as may be necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the previous biennium, against such unexpended balances.

b. LIMITATIONS ON CASH DISBURSEMENTS.

Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth for each subsequent fiscal year on or about ten (10) days before the start of such fiscal year. The books will be open only to enter budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an emergency

arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30, the State Comptroller may, with the written concurrence of the Auditor of Public Accounts, authorize the disbursement of funds drawn against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars (\$3,000,000) from the general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in accordance with bond documents, trust indentures, and/or escrow agreements.

#### § 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

#### § 4-2.00 REVENUES

##### § 4-2.01 NONGENERAL FUND REVENUES

##### a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

1. No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds.

2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a separately incorporated foundation or corporation.

3.a) The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution through a lease purchase agreement and subsequently donated to the agency or institution during or at the expiration of the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

b) The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects-General and 4-5.05 Services and Clients of this act.

##### b. HIGHER EDUCATION TUITION AND FEES:

1. All nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2. Appropriations in this act for Educational and General Programs are provided to meet the Commonwealth's interest in maintaining quality, access, and affordability at its institutions of higher education. General fund appropriations recognize the Commonwealth's share of the cost of education for Virginia students and allow institutions to minimize tuition increases to in-state students. To further ensure that tuition and fees be kept as low as possible, governing boards shall continue to eliminate factors that increase the cost of higher education without increasing its quality or effectiveness.

3.a) The State Council of Higher Education shall develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The determination of proper tuition, fees and charges shall be made by the Board of Visitors or other governing bodies of institutions of higher education, subject to the provisions of this act. However, that the tuition and fee charges to nonresident students shall be not less than 100 percent of the average cost of education as calculated by the State Council of Higher Education. The State Council of Higher Education may authorize a phased approach to meeting this requirement when, in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

4. The fund source "Higher Education Operating" within Educational and General Programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002. Tuition policy for Virginia resident undergraduates at the public colleges and universities shall be established in the Appropriation Act.

5. Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

6. The governing boards of the institutions of higher education shall seek cost-savings in areas supported by non-Educational and General fees such that the total cost of higher education be kept as low as possible.

7.a) The Director, Department of Planning and Budget, shall appropriate and allot tuition and educational and general fee revenues in addition to those appropriated to the Educational and General programs of this act, provided that the additional revenue is applied solely to the operating programs of the Educational and General programs to expand student access, improve instructional quality, operate and maintain classrooms and laboratories, and meet other high-priority, mission-specific purposes and that the request for additional nongeneral fund budget authority is consistent with budget items adopted in this act.

b) The Director, Department of Planning and Budget shall report all increases of appropriation authority on a quarterly basis to the House Appropriations and Senate Finance Committees.

8. It is the intent of the General Assembly that any institution of higher education granting new tuition waivers to in-state or out-of-state students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

9. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

10. Unless otherwise provided, additional general fund and nongeneral fund appropriations in the Educational and General Program appropriations in Part I of this act are based on in-state students paying 30 percent of the cost of their education at Virginia's community colleges and 40 percent of the cost of their education at the other public institutions of higher education.

11. The State Council of Higher Education shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than June 30 of each year on the tuition and fee charges at each public institution of higher education.

**c. HIGHER EDUCATION PLANNED EXCESS REVENUES:**

An institution of higher education may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

1. Such revenues are identified by language in the appropriations in this act to any such institution.
2. The use of such monies is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.
3. The monies are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.

4. The receipt and expenditure of these monies shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.

5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 b3 Gifts, Grants, and Other Nongeneral Funds of this act.

§ 4-2.02 GENERAL FUND REVENUE

a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in § 4-2.02 a.2., all monies, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

a) Marine Resources Commission, from all sources, except:

1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.

2) Revenue payable to the Virginia Marine Products Fund established by § 3.1-684.63, Code of Virginia.

3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.

4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.

5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.

b) 1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws under Title 40.1, Code of Virginia.

2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.

c) All state institutions for the mentally ill or mentally retarded, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.

d) Department of Medical Assistance Services, from funds received from health care providers as a result of overpayments made in previous fiscal years and recoveries from third parties, after a determination is made of the Commonwealth's share of such recoveries.

e) Board of Bar Examiners, from all sources.

f) Secretary of the Commonwealth, from all sources.

g) The Departments of Corrections, Juvenile Justice, and Correctional Education, as required by law, including revenues from sales of dairy and other farm products, and payments from the U.S. Immigration and Naturalization Service for the housing of illegal aliens and other inmates.

h) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the county, city, town, regional government or political subdivision of such governments audited or examined.

i) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

j) Department of the Treasury, from the following sources:

1) Fees collected from insurance companies for the safekeeping and handling of securities or surety bonds deposited with the State Treasurer pursuant to § 38.2-1057, Code of Virginia.

2) Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

k) Attorney General, from recoveries of attorneys' fees and costs of litigation.

l) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.

m) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.

n) Without regard to paragraph g above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections, Juvenile Justice and Correctional Education for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Department of Correctional Education for work performed shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.05 b 1 Unappropriated Nongeneral Funds - Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

**b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT**

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia, (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from use of money and property required and/or authorized to be paid into the general fund of the state treasury, and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-353, Code of Virginia.

**c. DATE OF RECEIPT OF REVENUES:**

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

**§ 4-2.03 INDIRECT COSTS**

**a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:**

Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

**b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:**

The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher education:

1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall reflect the indirect costs in the program incurring the costs.

2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director, Department of Planning and Budget, is authorized to increase the nongeneral fund

appropriation to the agency by the amount of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess of the exempted sum shall be deposited to the general fund of the state treasury.

c. INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

1. Seventy percent shall be retained by the institution as an appropriation of monies for the conduct and enhancement of research and research-related requirements. Such monies may be used for payment of principal of and interest on bonds issued by or for the institution pursuant to § 23-19, Code of Virginia, for any appropriate purpose of the institution, including, but not limited to, the conduct and enhancement of research and research-related requirements.

2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of Chapter 1042, 2003 Acts of Assembly, shall be included in the educational and general revenues of the institution to meet administrative costs.

3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract levels in excess of the levels authorized in Chapter 1042, 2003 Acts of Assembly. This provision is included as an additional incentive for increasing externally funded research activities.

d. The Director, Department of Planning and Budget, shall report to the Chairmen of the Senate Finance and House Appropriations Committees no later than September 1 of each year on the indirect cost recovery monies administratively appropriated.

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS

§ 4-3.01 DEFICITS

a. GENERAL:

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend monies in excess of its general fund appropriations, nor shall it obligate or expend monies in excess of nongeneral fund revenues that are collected and appropriated.

2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

a) an unanticipated federal or judicial mandate has been imposed,

b) insufficient monies are available in the first year of the biennium for start-up of General Assembly-approved action, or

c) delay pending action by the General Assembly at its next legislative Session will result in the curtailment of statutory required services or those required by federal mandate or will produce a threat to life, safety, health or property.

d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval.

3. Deficits shall not be authorized for capital projects.

4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects are: 1) delineated in the Virginia Transportation Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and 2) have sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that

3) sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

b. **UNAUTHORIZED DEFICITS:** If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefore, or its head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject to removal therefore. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed to set out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective.

c. **TOTAL AUTHORIZED DEFICITS:** The amount which the Governor may authorize, under the provisions of this section during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined under § 4-2.02 b of this act during the last year of the previous biennium and the first year of the current biennium.

d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees detailing all such deficits.

#### § 4-3.02 TREASURY LOANS

a. **AUTHORIZED DEFICIT LOANS:** A state agency requesting authorization for deficit spending shall prepare a plan for the Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of the House Appropriations and the Senate Finance Committees within five calendar days of approval.

b. **ANTICIPATION LOANS:** Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the

anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

#### § 4-3.03 CAPITAL LEASES

##### a. GENERAL:

1. Not later than September 1 of each year, all agencies and institutions of the Commonwealth proposing building projects that may qualify as capital lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer. The Secretary of Finance may promulgate guidelines for the review and approval of such requests.

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director, Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as capital lease agreements. The State Treasurer shall be responsible for incorporating existing and proposed capital lease agreements in the annual Debt Capacity Advisory Committee reports.

##### b. APPROVAL OF FINANCINGS:

1. For any project which qualifies as a capital lease, as defined in the preceding subdivisions a 1 and 2, and which is financed through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416, Code of Virginia.

2. For any project for which costs will exceed \$5,000,000 and which is financed through a capital lease transaction, the Treasury Board shall approve the terms and structure of such capital lease in addition to such other reviews and approvals as may be required by law. The Departments of Accounts, General Services, and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a capital lease under the terms of this section. The State Treasurer shall notify the Chairmen of the House Appropriations and Senate Finance Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its action.

c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be responsible for providing the Chairmen of the House

Appropriations and Senate Finance Committees with recommendations involving proposed capital lease agreements.”

Page 460, strike lines 25 through 40.

Page 460, line 41, strike “§ 4-5.04” and insert “§ 4-5.02”.

Page 461, line 11, strike “§ 4-5.05” and insert “§ 4-5.03”.

Page 461, strike lines 12 through 15 and insert:

“a. CHANGED COST FACTORS: No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the cost of such change.”

Page 461, strike lines 17 through 25 and insert:

“1. No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.”

Page 461, line 26, after “EDUCATION:”, insert “No monies appropriated by this act shall be used for off-campus sites unless as provided for in this section.”

Page 461, strike lines 48 through 50.

Page 462, strike lines 1 through 3.

Page 462, line 4, strike “3.” and insert “1.”.

Page 462, line 19, strike “§ 4-5.06” and insert “§ 4-5.04”.

Page 463, strike lines 34 through 38.

Page 463, line 43, strike “No state agency shall expend any public”.

Page 463, strike lines 44 through 50 and insert:

“No state Executive Department agency or the Virginia State Lottery shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia State Lottery, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-1301, Code of Virginia.”

Page 464, line 23, strike “§ 4-5.07” and insert “§ 4-5.05”.

Page 465, line 1, strike “§ 4-5.08” and insert “§ 4-5.06”.

Page 465, strike lines 4 through 44 and insert:

“b.1.a) The provisions of § 4-5.08 b of Chapter 912 of the 1996 Acts of Assembly, pertaining to pilot programs for capital outlay projects in selected institutions of higher education, including Old Dominion University, are hereby continued.

b) Pursuant to those provisions, Christopher Newport University, the College of William and Mary, Old Dominion University, Radford University, the University of Virginia, and Virginia Polytechnic

Institute and State University are authorized to oversee the capital process for nongeneral fund capital outlay projects included in the pilot program.

c) The above-referenced institutions of higher education participating in the nongeneral fund capital outlay pilot program are hereby delegated the authority of the Department of General Services to approve the use and administration of design-build or construction management as appropriate contract methods for nongeneral fund capital outlay projects.

d) The above-referenced institutions are hereby delegated the authority of the Department of General Services to approve the use of design-build or construction management as appropriate contract methods for general fund capital outlay projects.

c.1.a) The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042, 2003 Acts of Assembly, pertaining to pilot programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

b) Based on the memoranda of understanding developed pursuant to § 4-5.08 h of Chapter 1042, 2003 Acts of Assembly, as periodically amended, or memoranda of understanding in effect prior to the October 1, 2003, as periodically amended, the responsible Cabinet Secretary, or his designee, shall conduct an evaluation of each institution participating in a pilot program at least once every two years.

c) The Secretary shall report all evaluation findings and recommendations to the Governor and Chairmen of the Senate Finance and House Appropriations Committees within 15 business days of the completion of the evaluation.

d) To the extent an institution participating in a pilot program is not performing to the satisfaction of the responsible Cabinet Secretary, the institution shall have 90 calendar days from receipt of the Secretary's written evaluation in which to develop a remediation plan. The institution shall submit the plan to the appropriate Cabinet Secretary and the Auditor of Public Accounts.

e) The Auditor of Public Accounts shall conduct a functional audit of the delegated program authority within 180 calendar days of receiving the institution's plan. Based on his findings, the Auditor of Public Accounts shall recommend to the Chairmen of the Senate Finance and House Appropriations Committees whether the institution should continue in the pilot program.

2. To the extent and institution is performing satisfactorily under the pilot programs, it is the intent of the General Assembly that they be removed from the pilot program and be delegated authority in the Code of Virginia to administer the specified duty or function on an on-going basis.

3. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations Committees. The responsible Cabinet Secretary shall consider this an evaluation in accordance with subparagraph c.1. b).

d. Institutions wishing to participate in a pilot program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a pilot program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a pilot program and whether institution has been granted authority to participate in the pilot program.

e. Notwithstanding the provisions of § 2.2-4309, Code of Virginia, no approval of the Governor shall be required for contract modifications as specified therein for the pilot programs of the selected institutions of higher education referenced in paragraph 1, provided that contract modifications of such projects, including construction and architectural and engineering change orders, shall be approved by the Boards of Visitors, which may further delegate this authority to the President, a

Vice President, or the individual responsible for facilities design and construction matters at the selected institution of higher education to act on its behalf.

f. The selected institutions are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of \$100,000 for a single project, the not to exceed sum of \$500,000 for all projects performed, and the option to renew for two additional one-year terms.

c.1. The provisions of § 4-5.08 c of Chapter 912 of the 1996 Acts of Assembly pertaining to pilot programs for real property leases in selected institutions of higher education, including Old Dominion University, are hereby continued and expanded to include approval of income leases.

g. The University of Virginia and Virginia Polytechnic Institute and State University shall be delegated administrative authority to enter into capital leases on a pilot basis, provided that such capital leases have been specifically authorized by the Governor or the General Assembly pursuant to the Appropriation Act and have been reviewed and approved by the Treasury Board.

h. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

i. Virginia Commonwealth University is hereby delegated the authority of the Department of General Services and the Governor provided in §§ 2.2-1149 and 23-4.1, Code of Virginia, to enter into leases with the Virginia Commonwealth University Health System Authority for space within the facilities which are the subject of the Master Lease between the University and the Authority dated June 10, 1997. This delegation of authority is limited to operating leases and excludes capital leases as defined by Generally Accepted Accounting Principles (GAAP).

j. The University of Virginia, with approval of its Board of Visitors, is hereby delegated authority on a pilot basis to acquire easements on property not owned by the university without prior approval by the Department of General Services.”

Page 465, line 45, strike “§ 4-5.09” and insert “§ 4-5.07”.

Page 465, strike lines 46 through 51.

Page 466, strike line 1 and insert:

“a. Agencies shall not acquire real property by lease until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency’s appropriations made by this act for the cost of the lease and (ii) the volume of leased space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall report to the Chairmen of the Senate Finance Committee and House Appropriations Committee by September 1 of each year on real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, and the cost of the annual lease.”

Page 466, strike lines 4 through 6.

Page 466, line 7, strike “§ 4-5.11” and insert “§ 4-5.8”.

Page 466, line 23, strike “§ 4-5.12” and insert “§ 4-5.9”.

Page 466, line 33, strike “§ 4-5.13” and insert “§ 4-5.10”.

Strike pages 467 through 475.

Page 476, strike lines 1 through 22.

#### “§ 4-6.00 POSITIONS AND EMPLOYMENT

##### § 4-6.01 EMPLOYEE SALARIES AND WAGES

a. Executive Branch Employees:

1. Classified Compensation Plan:

a. The compensation of classified employees in the Executive Branch shall be governed by the Classified Compensation Plan authorized by §4-7.02 of Chapter 1073, 2000 Acts of Assembly, including applicable geographic and shift differentials. This plan shall be administered by the Department of Human Resource Management.

1. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the Classified Compensation Plan shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if:

- a) The agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the subsequent biennial costs, and the Secretary concurs, or
- b) Such funds are appropriated by the General Assembly.

2. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with §4-8.00, Reporting Requirements.

b. Salary adjustments for any employee through a promotion, role change exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if:

- 1. The agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium, or
- 2. Such funds are appropriated by the General Assembly.

c. No changes to the salary band assignment of individual career group roles administered under the new pay plan that is authorized by the 2000 session of the General Assembly, or similar actions, shall be implemented at the option of affected agencies. Further, no changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

2. The compensation of Executive Branch Employees (other than faculty at institutions of higher education) not covered by the provisions of the Classified Compensation plan shall be administered in a manner consistent with that plan.

3. Faculty: Reserved for future use.

4. Cabinet Officers: Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Chief of Staff	\$131,391	\$131,391	\$135,333
Secretary of Administration	\$131,370	\$131,370	\$135,311
Secretary of Commerce and Trade	\$131,370	\$131,370	\$135,311
Secretary of the Commonwealth	\$131,370	\$131,370	\$135,311
Secretary of Education	\$131,370	\$131,370	\$135,311
Secretary of Finance	\$131,370	\$131,370	\$135,311
Secretary of Health and Human Resources	\$131,370	\$131,370	\$135,311
Secretary of Natural Resources	\$131,370	\$131,370	\$135,311
Secretary of Public Safety	\$131,370	\$131,370	\$135,311
Secretary of Technology	\$131,370	\$131,370	\$135,311
Secretary of Transportation	\$131,370	\$131,370	\$135,311

5. Executive Branch Agency Heads:

a. Incumbents: The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level I Range	\$95,572 -\$151,103	\$95,572 -\$151,103	\$98,439 -\$155,636
Commissioner, Department of Motor Vehicles	\$124,256	\$124,256	\$127,984
Commissioner, Department of Social Services	\$134,970	\$134,970	\$139,019
Commissioner of Mental Health, Mental Retardation and Substance Abuse Services	\$151,103	\$151,103	\$155,636
Commonwealth Transportation Commissioner	\$132,925	\$132,925	\$136,913
Director, Department of Corrections	\$126,666	\$126,666	\$130,466
Director, Department of Environmental Quality	\$130,369	\$130,369	\$134,280
Director, Department of Medical Assistance Services	\$127,463	\$127,463	\$131,287
Director, Department of Planning and Budget	\$119,609	\$119,609	\$123,197
State Health Commissioner	\$151,103	\$151,103	\$155,636
State Tax Commissioner	\$121,389	\$121,389	\$125,031
Superintendent of Public Instruction	\$146,535	\$146,535	\$150,931
Superintendent of State Police	\$125,347	\$125,347	\$129,107

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level II Range	\$83,107 -\$131,394	\$83,107 -\$131,394	\$85,600 -\$135,336
Alcoholic Beverage Control Commissioners (two)	\$107,251	\$107,251	\$110,469
Chairman, Alcoholic Beverage Control Board	\$107,251	\$107,251	\$110,469
Commissioner, Department of Agriculture and Consumer Services	\$92,359	\$92,359	\$95,130
Commissioner, Virginia Employment Commission	\$107,251	\$107,251	\$110,469
Director, Department of Business Assistance	\$108,830	\$108,830	\$112,095
Director, Department of Charitable Gaming	\$95,016	\$95,016	\$97,866
Director, Department of General Services	\$119,224	\$119,224	\$122,801

Director, Department of Mines, Minerals and Energy	\$119,936	\$119,936	\$123,534
Director, Department of Human Resource Management	\$118,613	\$118,613	\$122,171
Director, Department of Juvenile Justice	\$131,394	\$131,394	\$135,336
Director, Department of Rail and Public Transportation	\$116,544	\$116,544	\$120,040
Executive Director, Motor Vehicle Dealer Board	\$94,533	\$94,533	\$97,369
Executive Director, Virginia Port Authority	\$117,952	\$117,952	\$121,491
State Comptroller	\$107,251	\$107,251	\$110,469
State Treasurer	\$115,188	\$115,188	\$118,644

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level III Range	\$72,268	\$72,268	\$74,436
	-\$114,258	-\$114,258	-\$117,686
Adjutant General	\$100,277	\$100,277	\$103,285
Chairman, Virginia Parole Board	\$107,566	\$107,566	\$110,793
Members, Virginia Parole Board	\$90,440	\$90,440	\$93,153
Member, Virginia Parole Board	\$93,262	\$93,262	\$96,060
Commissioner, Department of Labor and Industry	\$108,127	\$108,127	\$111,371
Commissioner, Department of Rehabilitative Services	\$112,475	\$112,475	\$115,849
Commissioner, Marine Resources Commission	\$99,635	\$99,635	\$102,624
Coordinator, Department of Emergency Management	\$89,582	\$89,582	\$92,269
Director, Department of Aviation	\$97,138	\$97,138	\$100,052
Director, Department of Conservation and Recreation	\$110,057	\$110,057	\$113,359
Director, Department of Criminal Justice Services	\$106,851	\$106,851	\$110,057
Director, Department of Employment Dispute Resolution	\$91,514	\$91,514	\$94,259
Director, Department of Health Professions	\$104,602	\$104,602	\$107,740
Director, Department of Historic Resources	\$90,441	\$90,441	\$93,154
Director, Department of Housing and Community Development	\$101,813	\$101,813	\$104,867

Director, Department of Minority Business Enterprise	\$100,000	\$100,000	\$103,000
Director, The Science Museum of Virginia	\$105,441	\$105,441	\$108,604
Director, Virginia Liaison Office	\$99,694	\$99,694	\$102,685
Director, Virginia Museum of Fine Arts	\$109,499	\$109,499	\$112,784
Director, Virginia Museum of Natural History	\$90,441	\$90,441	\$93,154
Executive Director, Chesapeake Bay Local Assistance Department	\$93,262	\$93,262	\$96,060
Executive Director, Department of Game and Inland Fisheries	\$108,607	\$108,607	\$111,865
Executive Director, Jamestown-Yorktown Foundation	\$104,765	\$104,765	\$107,908
Executive Secretary, Virginia Racing Commission	\$88,132	\$88,132	\$90,776
Librarian of Virginia	\$114,258	\$114,258	\$117,686
State Forester, Department of Forestry	\$96,320	\$96,320	\$99,210
Superintendent, Department of Correctional Education	\$110,804	\$110,804	\$114,128

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level IV Range	\$62,843 -\$99,365	\$62,843 -\$99,365	\$64,728 -\$102,346
Administrator, Commonwealth's Attorneys' Services Council	\$80,422	\$80,422	\$82,835
Commissioner, Department for the Aging	\$81,105	\$81,105	\$83,538
Commissioner, Virginia Department for the Blind and Vision Impaired	\$76,596	\$76,596	\$78,894
Director, Office of Substance Abuse Prevention	\$86,913	\$86,913	\$89,520
Director, Department of Professional and Occupational Regulation	\$91,423	\$91,423	\$94,166
Director, Virginia-Israel Advisory Board	\$66,463	\$66,463	\$68,457
Executive Director, Board of Accountancy	\$76,688	\$76,688	\$78,989
Executive Director, Commonwealth Competition Council	\$93,688	\$93,688	\$96,499
Executive Director, Frontier Culture Museum of Virginia	\$86,913	\$86,913	\$89,520
Human Rights Director, Human Rights Council	\$80,982	\$80,982	\$83,411
Secretary, State Board of Elections	\$74,131	\$74,131	\$76,355

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Level V Range	\$54,645- \$86,483	\$54,645- \$86,483	\$56,284 -\$89,077
Commissioner, Department of Veterans Services	\$73,889	\$73,889	\$76,106
Director, Gunston Hall	\$70,565	\$70,565	\$72,682
Director, Virginia Department for the Deaf and Hard-of-Hearing	\$68,431	\$68,431	\$70,484
Executive Director, Department of Fire Programs	\$83,869	\$83,869	\$86,385
Executive Director, Virginia Commission for the Arts	\$70,652	\$70,652	\$72,772
Chairman, Compensation Board	\$18,867	\$18,867	\$19,433

b. New Appointees: The annual salaries of persons appointed to positions listed in this subsection shall be established at:

- 1) No more than 15 percent above the appointee’s pre-appointment salary, not to exceed the maximum for the salary range, or
- 2) The minimum for the salary range.
- 3) The basis for calculation of a new appointee’s salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.
- 4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent’s potential contribution to the Commonwealth, and such other criteria as he may find useful.

c. Annual Salary Increases: In his budget proposals to the General Assembly, the Governor shall propose increases or decreases, if any, to the salaries of incumbents in the positions listed in this subsection.

- 1) Such proposals shall be:
  - a) Based on his evaluation of their individual performance,
  - b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,
  - c) No more than the maximum for the salary range, and
  - d) Shall be effective on the first day of the pay period next following the Governor’s signature of the budget bill.
- 2) In making his proposals in the budget, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.
- 3) Incumbents with less than six months tenure in the position listed in this subsection shall not be eligible for the salary increase authorized by this subsection.

4) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

d. Competitive Salary Increases: At any time, the Governor may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the salary range,

c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and

d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the Governor should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time, the Governor may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

1) Based on his evaluation of their individual performance,

2) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and

2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the Governor shall provide;

a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records.

f. Special Provisions for Executive Branch Agency Heads:

1) Except as may be otherwise provided in this Act, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

2) If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act.

a) Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

b) If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

6. Presidents of Institutions of Higher Education:

a. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the Southwest Virginia Higher

Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
<b>STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA</b>			
Director, State Council of Higher Education for Virginia	\$148,062	\$148,062	\$152,504
<b>SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER</b>			
Director, Southwest Virginia Higher Education Center	\$84,128	\$84,128	\$86,652
<b>VIRGINIA COMMUNITY COLLEGE SYSTEM</b>			
Chancellor of Community Colleges	\$143,795	\$143,795	\$148,109
<b>SENIOR COLLEGE PRESIDENTS' SALARIES</b>			
Chancellor, University of Virginia's College at Wise	\$112,271	\$112,271	\$115,639
President, Christopher Newport University	\$112,466	\$112,466	\$115,840
President, The College of William and Mary in Virginia	\$135,203	\$135,203	\$139,259
President, George Mason University	\$127,514	\$127,514	\$131,339
President, James Madison University	\$125,435	\$125,435	\$129,198
President, Longwood University	\$120,476	\$120,476	\$124,090
President, Mary Washington College	\$119,462	\$119,462	\$123,046
President, Norfolk State University	\$123,489	\$123,489	\$127,194
President, Old Dominion University	\$135,748	\$135,748	\$139,820
President, Radford University	\$123,487	\$123,487	\$127,192
President, Richard Bland College	\$105,795	\$105,795	\$108,969
President, University of Virginia	\$150,069	\$150,069	\$154,571
President, Virginia Commonwealth University	\$151,421	\$151,421	\$155,964
President, Virginia Polytechnic Institute and State University	\$151,421	\$151,421	\$155,964
President, Virginia State University	\$123,487	\$123,487	\$127,192
Superintendent, Virginia Military Institute	\$122,347	\$122,347	\$126,017

b. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

7. Salary Supplements:

a. No supplement to the salary of a state agency head, however titled, shall be paid except as specifically authorized in this subsection.

b. The appointing authority shall report approved supplements to the Department of Human Resource Management for retention in its records.

c. Higher Education:

1) The board of visitors shall report approved supplements to the Department of Human Resource Management for retention in its records.

2) The board of visitors of each institution of higher education may supplement the salary of its president from private gifts, endowment funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors shall be guided by criteria which provide a reasonable limit on the total additional income of a president. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services.

3) The State Board for Community Colleges may supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges shall be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services.

c. Other Education Institutions: With the prior annual written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, The Science Museum of Virginia, the Jamestown-Yorktown Foundation, and The Library Board may supplement the salary of the Director of each museum and the Librarian of Virginia from non-state funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income of the Director or Librarian of Virginia. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states.

d. Virginia Port Authority: With the prior annual written approval of the Governor, the Board of Commissioners of the Virginia Port Authority may supplement the salaries of its Executive Director, its Senior Managing Director of Marketing Services and its marketing staff from non-state funds provided by any nonstock, nonprofit corporation which is authorized by the Virginia Port Authority to operate port facilities of the Commonwealth under its jurisdiction. In approving such supplements, the Governor should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director, the Senior Managing Director of Marketing Services and the marketing staff. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states.

b. Legislative, Judicial and Independent Agency Employees:

1. The compensation of employees of Legislative, Judicial and Independent Agencies shall be administered in accordance with such pay plans as may be adopted by their respective appointing authorities.

a) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of the judicial or independent agencies that has not been reviewed and approved by the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

b) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of Legislative agencies that are under the jurisdiction of the Joint Rules Committee until such plan has been reviewed and approved by the Committee. Such plan shall be provided to the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

2. Judges and Elected Agency Heads:

a) Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Supreme Court			
Chief Justice	\$144,465	\$144,465	\$148,799
Associate Justice (six)	\$135,505	\$135,505	\$139,507
Court of Appeals			
Chief Judge, Court of Appeals	\$129,730	\$129,730	\$133,592
Judge, Court of Appeals (ten)	\$128,730	\$128,730	\$132,592
Circuit Courts			
Judges	\$125,795	\$125,792	\$129,569
General District Courts			
Judges	\$113,214	\$113,214	\$116,610
Juvenile and Domestic Relations District Courts			
Judges	\$113,214	\$113,214	\$116,610
Combined District Courts			
Judges	\$113,214	\$113,214	\$116,610
Corporation Commission			
Chairman, State Corporation Commission	\$130,158	\$130,158	\$134,063
Members, State Corporation Commission (4)	\$128,730	\$128,730	\$132,594
Workers' Compensation Commission			
Chairman, Virginia Workers' Compensation Commission	\$128,436	\$128,436	\$132,289
Members, Virginia Workers' Compensation Commission (2)	\$125,796	\$125,796	\$129,570
General Assembly			
Clerk of the House	\$123,953	\$123,953	\$129,570
Clerk of the Senate	\$121,342	\$121,342	\$124,982

b) Salaries of the judges in the Court of Appeals are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional \$1,000 annually.

3. Agency Heads:

a) Incumbents. The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	July 1, 2004 to April 24, 2005	April 25, 2005 to April 24, 2006	April 25, 2006 to June 30, 2006
Legislative and Judicial Level I	\$93,469	\$93,469	\$93,469
	-\$147,778	-\$147,778	-\$147,778

Auditor of Public Accounts	\$137,487	\$137,487	\$141,612
Director, Division of Legislative Automated Systems	\$121,901	\$121,901	\$125,558
Director, Division of Legislative Services	\$121,458	\$121,458	\$125,102
Director, Joint Legislative Audit and Review Commission	\$138,358	\$138,358	\$142,509
Executive Secretary, Supreme Court of Virginia	\$128,099	\$128,099	\$131,942
Director, Judicial Inquiry and Review Commission	\$125,795	\$125,795	\$129,569
Director, Virginia State Bar	\$144,422	\$144,422	\$148,755
Director, Public Defender Commission	\$118,000	\$118,000	\$121,540
Legislative and Judicial Level II	\$70,678	\$70,678	\$70,678
	-\$128,503	-\$128,503	-\$128,503
Chief, Division of Capitol Police	\$79,588	\$79,588	\$81,976
Executive Director, Virginia Alcohol Safety Action Program	\$90,298	\$90,298	\$93,007
Director, Virginia Criminal Sentencing Commission	\$97,651	\$97,651	\$100,581
Director, Board of Bar Examiners	\$125,000	\$125,000	\$128,750
Independent Range	\$81,278	\$81,278	\$81,278
	-\$128,503	-\$128,503	-\$128,503
Director, State Lottery Department	\$124,919	\$124,919	\$128,667
Executive Director, Virginia College Savings Plan	\$127,729	\$127,729	\$131,561
Director, Virginia Retirement System	\$127,729	\$127,729	\$131,561
Executive Director, Virginia Office for Protection and Advocacy	\$97,138	\$97,138	\$100,052

b. New Appointees: The annual salaries of persons appointed to positions listed in this subsection of this Act shall be established at:

- 1) No more than 15 percent above the appointee's pre-appointment salary, not to exceed the maximum for the salary range, or
- 2) The minimum for the salary range.
- 3) The basis for calculation of a new appointee's salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.
- 4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The appointing authority shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's potential contribution to the Commonwealth, and such other criteria as he may find useful.

c. Annual Salary Increases: The appointing authority shall annually provide to the Department of Planning and Budget proposals for such increases or decreases as are deemed appropriate for the

annual salaries of incumbents appointed to positions listed in this subsection. The Governor shall include such increases or decreases in his budget proposals to the General Assembly.

1) Such proposals shall be:

- a) Based on his evaluation of their individual performance,
- b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,
- c) No more than the maximum for the salary range and
- d) Shall be effective on the first day of the pay period next following the Governor's signature of the budget bill.

2) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.b.3.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

3) In making his proposals to the Department of Planning and Budget the appointing authority in the Judicial and Independent Agencies shall provide written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Copies of these justifications shall be provided by the appointing authority to the Chairmen of the House Appropriations Committee and the Senate Finance Committee. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act in the budget, with.

4) Incumbents with less than six months tenure in the position listed in this subsection and in §1-1 through §1-15 of this Act shall not be eligible for the salary increase authorized by this subsection.

d. Competitive Salary Increases: At any time the appointing authority may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

- a) Based on his evaluation of their individual performance,
- b) No more than the maximum of the salary range,
- c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and
- d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the appointing authority in the Judicial Branch and Independent Agencies shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time the appointing authority may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

- a) Based on his evaluation of their individual performance,
- b) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and
- 2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the appointing authority shall provide;

- a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records.

c. Provisions Applicable to All Employees:

1. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

2. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body set forth in §§ 2.1-20.4 and 15.2-1636.5, Code of Virginia, shall not receive any compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses.

#### § 4-6.02 EMPLOYEE BENEFITS

a. General Application

Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

b. Employee Training

1. Subject to uniform rules and regulations established by the appointing authority, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service.

2. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

c. Health Benefits

1. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in §2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

3. Any hospital with fewer than 105 beds and which has a minority patient population in excess of 75 percent shall be allowed to participate in the Employee Health Insurance Program pursuant to §2.2-2818, Code of Virginia, provided that such hospital enters into a written agreement to accept the same level of reimbursement as the participating hospitals in the same geographic region.

4. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to §2.2-2818, Code of Virginia, provided that:

a) Such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees, and

b) Such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement.

c) The Department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to:

1) Its largest purchaser of care,

2) Any state or federal public program, or

3) Any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above.

d) If the Department and the hospital cannot come to an agreement, the Department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved.

e) Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

d. Retirement Benefits:

1. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

2. Any classified employee of the Commonwealth who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

3. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23-9.2:3.1 B and the cash payment offered under such compensation plans pursuant to § 23-9.2:3.1 D, Code of Virginia. The total cost in any fiscal year for any compensation plan established under § 23-9.2:3.1 D, Code of Virginia, shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

4. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

e. Severance Benefits

1. Severance benefits as provided for under the provisions of the Workforce Transition Act of 1995, §2.2-3200 to §2.2-3206 of the Code of Virginia, shall be provided to all employees granted benefits under that Act.

2. Notwithstanding the provisions of §2.2-3202 of the Code of Virginia, full-time employees appointed by the Governor, whether or not confirmed by the General Assembly, shall be entitled to severance benefits equal to one month salary, provided that they meet the standard of a terminated employee set out in §2.2-3200 of the Code of Virginia.

§ 4-6.03 CHARGES

a. FOOD SERVICES:

1. Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.1-558 A, Code of Virginia, state employees shall be charged for meals served in state facilities.

a) Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service.

b) Each agency shall maintain records as to the calculation of meal charges and revenues collected.

c) Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund.

2. The provisions of this subsection shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections, Juvenile Justice, and Correctional Education.

b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned housing and for documenting in writing why the

rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

c. VEHICLE PARKING SPACES:

1. Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. In the case of any agency with central administrative offices occupying leased or rental space in the metropolitan Richmond area, not including institutions of higher education, the Director shall require that a fee be charged employees for vehicle parking spaces which are assigned to them or which are otherwise available incidental to the lease or rental agreement. In such cases the individual employee fee scale shall not be less than that provided for employees at the Seat of Government, provided that if, in the opinion of the Director good cause is shown, this portion of the requirement may be amended or waived. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains.

2. Agencies assigned to a Governor's Secretary, excluding institutions of higher education, which are located in the metropolitan Richmond area shall not use public funds to lease private parking spaces for employees. Payments for such leases shall be derived from charges to employees for parking space or from other nonpublic funds, or both. Any lease for private parking space must be approved by the Director, Department of General Services.

Page 476, strike lines 25 through 32 and insert:

"a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or on compliance with judicial orders."

Page 477, strike lines 46 through 51.

Page 478, strike lines 4 through 7 and insert:

"1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget."

Page 478, line 15, before “.” insert “, unless otherwise specified in § 4-1.03”.

Page 478, line 22, delete “A report”.

Page 478, strike lines 23 through 25.

Page 478, line 26, strike “(see § 4-1.04 a.4)”.

Page 478, line 26, strike “The”.

Page 478, strike lines 27 through 29.

Page 478, line 30, strike “(see §§ 4-3.01 and 4-3.02)”.

Page 478, line 30, strike “The information must include the approved amounts and the”.

Page 478, strike lines 31 and 32.

Page 479, strike line 1.

Page 479, line 2, strike “2.”.

Page 479, strike lines 16 through 18 and insert:

“b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, requests for amendments, or budget reduction proposals to the Governor, the Governor’s Cabinet Secretaries, Chief-of-Staff, or the Department of Planning and Budget, the Director, Department of Planning and Budget or the affected state agencies shall submit, electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees.”

#### Revenues

Item 4-2.01 #2s

#### Nongeneral Fund Revenues

Language

#### Language:

Page 448, strike lines 38 through 49.

Page 449, strike lines 1 through 42.

Page 449, line 42, insert:

“1. All nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2.a) Financial support provided to the Commonwealth's institutions of higher education is predicated primarily upon the fulfillment by such institutions of their mission to provide educational opportunities to the citizens of the Commonwealth. The presence of students from outside the Commonwealth contributes materially to that mission and the appropriate proportion of such nonresident students will vary among the institutions according to their respective missions. Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served. The State Council of Higher Education shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 1 of each year on the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors in support of the institutions' educational and general programs. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth. Further, in coordination with the institutions, the State Council of Higher Education for Virginia shall report no later than August 1 of each year on the estimated amount of revenue each institution expects to collect from tuition and mandatory educational and general fees during the fiscal year.

b) The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

3. The Board of Visitors or other governing body of each public institution of higher education shall set tuition, fees, and other student charges within the limits of the nongeneral fund appropriation provided for each institution's educational and general programs within this act.
- 4.a) In setting the general and nongeneral fund appropriations for educational and general programs at each institution, it is the intent of the General Assembly, over a period of up to six years, to provide full funding of the base adequacy guidelines adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies; to begin raising average salaries for teaching and research faculty to the 60th percentile of peer institutions nationally; and to recognize the student share of cost for other priorities set forth in this act.
- b) Further, it is the intent of the General Assembly that the Commonwealth support at least 67 percent of the cost of education for all resident students attending a public college or university in the Commonwealth and that tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate students shall be at least 100 percent of the average cost of their education, as calculated by the Joint Subcommittee's funding guidelines.
- c) For institutions charging nonresident students less than 100 percent of the cost of education as identified by the funding guidelines referenced in subparagraph a), the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.
- d) Nonresident graduate students employed by an institution as graduate teaching or research assistants and paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition and fees.
- e) By October 1, 2005, the State Council of Higher Education shall prepare a report on nonresident tuition waivers, including how waivers contribute to institutions' ability to attract and retain research funding and the extent to which nonresident students receiving waivers stay and work in Virginia upon graduation. The Department of Taxation and the Virginia Employment Commission shall work with the State Council of Higher Education for Virginia to provide appropriate unit record data to support these analyses.
5. In setting undergraduate tuition and fee increases, the Boards of Visitors or other governing bodies shall consider the feasibility of setting aside a portion of the tuition increase to provide additional financial aid resources, in combination with state, federal and private resources to students who demonstrate financial need.
6. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.
7. Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.
- 8.a) The governing boards of the institutions of higher education shall seek cost savings in areas supported by non-educational and general fees such that the total cost of higher education be kept as low as possible. Mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond five percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.
- b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9.a) At the request of an institution of higher education, the Director, Department of Planning and Budget, shall administratively appropriate and allot increases in nongeneral fund revenues appropriated in this act from all sources except tuition and fees used in support of Educational and General program.

b) To the extent an institution seeks to increase tuition and fee revenue for use within the educational and general programs above the levels specified in this act, the Department of Planning and Budget may administratively appropriate and allot increases up to one percent of the appropriated amounts without review and certification by the State Council of Higher Education for Virginia.

c) For requested increases above one percent of the appropriated levels identified in this act, institutions shall seek certification from the State Council of Higher Education for Virginia prior to approval by the Director, Department of Planning and Budget.

d) The State Council of Higher Education for Virginia shall review and certify that the request for additional revenue is needed as the result of higher than anticipated enrollments, a change in the mix of student enrollments, an increase in revenue from self-supporting non-credit or for-credit education or training programs, legislatively approved programmatic funding requirements identified in this act, or appropriate technical adjustments.

e) The Director, Department of Planning and Budget, shall administratively appropriate and allot the increases certified by the State Council of Higher Education for Virginia, provided that the additional revenue is applied solely to the operating needs of the educational and general programs and that the request for additional nongeneral fund budget authority is consistent with budget items adopted in this act.

10. It is the intent of the General Assembly that any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

11. The entitlement to resident tuition charges referenced in § 23-7.4:2 A (iii), Code of Virginia, shall be suspended through June 30, 2006.

12. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

13. The entitlement to resident charges, at four-year institutions, shall not extend beyond 125 percent of the credit hours needed to satisfy the degree requirements for a particular undergraduate program excluding transfer or advanced placement credits. Resident students taking in excess of 125 percent of the credit hours needed to satisfy the degree requirements for a particular program shall not be eligible to receive awards through state-sponsored financial aid programs. The State Council of Higher Education for Virginia shall establish procedures through which institutions shall implement this provision.”

Capital Projects  
 General

Item 4-4.01 #1s

Language

Language:

Page 458, line 23, before “Any alternative...”, insert “Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the

Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.”

Capital Projects Item 4-4.01 #2s  
General Language

Language:

Page 458, after line 24, insert:

“y. It is the intent of the General Assembly that the Department of Conservation and Recreation may be authorized to accept by gift or purchase any lands for State Park or Natural Area purposes which may become available, and that are not specifically appropriated by the General Assembly, when such acquisitions are made in accordance with the provisions of this section and other applicable provisions of state law.”

Capital Projects Item 4-4.01 #4s  
General Language

Language:

Page 455, following line 53, insert:

“4. The Governor shall include funding of the Virginia Public Building Authority's Capital Repairs and Improvements Revolving Fund for all projects financed with the debt as set forth in this section and including debt incurred and such debt instruments shall provide for the restriction of the Fund's resources.”

Special Conditions and Restrictions on Expenditures Item 4-5.06 #1s  
Goods and Services Language

Language:

Page 462, line 45, after “request from” insert “the Virginia Community College System or from”

Special Conditions and Restrictions on Expenditures Item 4-5.06 #2s  
Goods and Services Language

Language:

Page 463, line 10, insert:

“g. To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the NetworkVirginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.”

Positions and Employment Item 4-6.01 #1s  
Employee Compensation Language

Language:

Page 472, line 45, strike “\$84,128 \$84,128 \$86,652”.  
Page 472, line 45, insert “\$95,000 \$95,000 \$97,850”.

Positions and Employment		Item 4-6.01 #1s
Employee Compensation		
		Language

Language:

Page 469, after line 15, insert:  
 “Commissioner, Department of Veterans Services \$104,891      \$104,891      \$108,038”.  
 Page 471, line 8, strike:  
 “\$81,105      \$81,105      \$83,538” and insert “\$96,360      \$96,360      99,251”.  
 Page 471, strike lines 43 and 44.

Positions and Employment		Item 4-6.01 #2s
Employee Compensation		
		Language

Language:

Page 468, line 16, after “Science Museum of Virginia,” insert “The Virginia Museum of Natural History,”.

Positions and Employment		Item 4-6.01 #3s
Employee Compensation		
		Language

Language:

Page 470, strike lines 31 and 32.

Positions and Employment		Item 4-6.01 #4s
Employee Compensation		
		Language

Language:

Page 470, strike lines 45 and 46.

Positions and Employment		Item 4-6.01 #5s
Employee Compensation		
		Language

Language:

Page 468, after line 15, insert:  
 “Chief Information Officer, Virginia  
 Information Technologies Agency \$151,103      \$151,103      \$155,636”.

Positions and Employment		Item 4-6.01 #6s
Employee Compensation		
		Language

Language:

Page 468, line 42, strike “\$132,925 \$132,925 \$136,913”.  
 Page 468, line 42, insert “\$151,103 \$151,103 \$156,603”.

Part 5

Item 5-0 #1s

Language

Language:

Page 480, strike lines 1 through

Page 501 line 23 and insert:

## PART 5: ENACTMENT NUMBERS 2 THROUGH 6

2. That §§ 58.1-1001, 58.1-1009, and 58.1-1018 of the Code of Virginia are amended and reenacted, that the Code of Virginia is amended by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 and 32.1-367, and that the Code of Virginia is amended by adding in Chapter 10 of Title 58.1 an article numbered 2.1, consisting of sections numbered 58.1-1021.01 through 58.1-1021.05, as follows:

## CHAPTER 15.

## VIRGINIA HEALTH CARE FUND.

§ 32.1-366. *Virginia Health Care Fund Established.*

A. *There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Health Care Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller and any moneys remaining in the Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. For purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.*

B. *All revenue received by the Commonwealth pursuant to the provisions of §§ 58.1-1001 and 58.1-1018 and Article 2.1 (§ 58.1-1021.01 et seq.) of Chapter 10 of Title 58.1 shall be paid into the state treasury and deposited to the Fund. The Comptroller shall also deposit 40 percent of the Commonwealth's allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers, as defined in § 3.1-1106, to the Fund. The Fund shall also consist of all recoveries received during a fiscal year resulting from expenditures incurred in the Medicaid program during a prior fiscal year or years to the extent that such amounts represent recoveries of state funds that would otherwise be deposited to the general fund of the state treasury.*

§ 32.1-367. *Uses of Virginia Health Care Fund.*

*Moneys deposited to the Fund shall be used solely for the provision of health care services. Health care services include, but are not limited to, Medicaid payments, disease diagnosis, prevention and control, and community health services. Disbursements from the Fund shall be made in accordance with appropriations made by law.*

§ 58.1-1001. Tax levied; rate.

*In addition to all other taxes now imposed by law, every person within this Commonwealth who sells, stores or receives cigarettes made of tobacco or any substitute thereof, for the purpose of distribution to any person within this Commonwealth, shall pay to this Commonwealth an excise tax of one and one-quarter mills on each such cigarette sold, stored or received before July 1, 2004; an excise tax of one cent on each such cigarette sold, stored or received on or after July 1, 2004, through midnight on June 30, 2005; and an excise tax of 1.75 cents on each such cigarette sold, stored or received on or after July 1, 2005.*

*The revenues generated by the tax imposed under this section on and after July 1, 2004, shall be collected by the Department and deposited into the Virginia Health Care Fund established under § 32.1-366.*

§ 58.1-1009. Preparation, design and sale of stamps; unlawful sale or purchase of stamps a felony; penalty.

A. *The Department is hereby authorized and directed to have prepared and to sell stamps suitable for denoting the tax on all cigarettes. The Department shall design, adopt and promulgate the form and kind of stamps to be used. Stamps so adopted and promulgated shall be known as and termed "Virginia*

revenue stamps,” and in any information or indictment, it shall be sufficient to describe the stamps as “Virginia revenue stamps.”

Any person other than the Department who sells such revenue stamps, not affixed to cigarettes sold and delivered by them, whether the said stamps be genuine or counterfeit, shall be guilty of a Class 6 felony. Any person who purchases revenue stamps from anyone other than the Department, unless such stamps are already affixed to cigarettes being purchased by and delivered to him, or who uses or affixes, or causes to be used or affixed, any revenue stamps not purchased from the Department by the owner of the cigarettes being handled or stamped, whether such stamps are genuine or counterfeit, shall be guilty of a Class 6 felony. When wholesalers have qualified as such with the Department, as provided in § 58.1-1011, and purchase stamps as prescribed herein for use on taxable cigarettes sold and delivered by them, the Department shall allow on such sales of revenue stamps a discount of two and one-half cents per carton. ~~In addition to any other penalties provided by law, the Department may revoke the permit issued, in accordance with § 58.1-1011, to any person who violates this section.~~

As used herein “carton” shall mean ten packs of cigarettes, each containing twenty cigarettes. All stamps prescribed by the Department shall be designed and furnished in such a fashion as to permit identification of the wholesale dealer or retail dealer that affixed the stamp to the particular package of cigarettes, by means of a serial number or other mark on the stamp. The Department shall maintain for not less than three years information identifying which wholesale dealer or retail dealer affixed the revenue stamp to each package of cigarettes.

*B. 1. The Department shall provide Virginia revenue stamps to certain wholesale dealers holding a current permit issued pursuant to § 58.1-1011 prior to collecting the tax imposed under this chapter from such wholesale dealer. Such wholesale dealers shall be allowed to obtain the stamps from the Department without concurrent payment of the tax only if the conditions of this subsection are satisfied.*

*In order to obtain Virginia revenue stamps without concurrent payment of the tax imposed under this chapter, a wholesale dealer shall (i) file a bond with a corporate surety licensed to do business in Virginia, or (ii) file an irrevocable letter of credit satisfactory to the Tax Commissioner as to the bank or savings institution, the form and substance, and payable to the Commonwealth in the face amount of approximately two times the anticipated average monthly amount in purchases of Virginia revenue stamps by the wholesale dealer as determined by the Commissioner. The letter of credit shall be from a bank incorporated or authorized to conduct banking business under the laws of the Commonwealth or authorized to do business in the Commonwealth under the banking laws of the United States, or a federally insured savings institution located in the Commonwealth. Such bond or irrevocable letter of credit shall be conditioned upon payment of the tax imposed by this chapter relating to Virginia revenue stamps obtained by the wholesale dealer from the Department (without concurrent payment of the tax) for which such tax, net of any applicable discount described in subsection A, shall be paid within the 30 days immediately following the date that the related revenue stamp or stamps were provided by the Department to such wholesale dealer. Any such bond shall be so written that, on timely payment of the premium thereon, it shall continue in force from year to year unless sooner terminated.*

*2. Any surety on a bond filed by any wholesale dealer shall be released and discharged from any and all liability to the Commonwealth accruing on such bond after the expiration of 60 days from the date upon which such surety shall have lodged with the Commissioner written request to be released and discharged. But such request shall not operate to relieve, release or discharge such surety from any liability already accrued or which shall accrue before the expiration of such 60-day period. The Commissioner shall, promptly on receipt of such notice, notify the wholesale dealer who furnished such bond. Unless such dealer on or before the expiration of such 60 days’ notice files with the Commissioner a new bond or letter of credit that meets all the conditions described in subdivision 1, the Commissioner shall forthwith require the wholesale dealer to pay the tax imposed under this chapter concurrent with obtaining revenue stamps from the Department.*

*In the event that liability upon the bond or letter of credit filed by the wholesale dealer with the Commissioner shall be discharged or reduced, whether by judgment rendered, payment made or otherwise, or if in the opinion of the Commissioner any surety on the bond becomes unsatisfactory or unacceptable, then the Commissioner may require the filing of a new bond or letter of credit. Unless such*

*new bond or letter of credit meets all the conditions described in subdivision 1, the Commissioner shall forthwith require the wholesale dealer to pay the tax imposed under this chapter concurrent with obtaining revenue stamps from the Department.*

*3. Notwithstanding any other provision in this subsection, the Tax Commissioner, for good cause, shall require a wholesale dealer to pay the tax imposed under this chapter concurrent with obtaining revenue stamps from the Department, regardless of whether or not such dealer has filed or agreed to file the bond or letter of credit described in this subsection.*

*C. In addition to any other penalties provided by law, the Department may revoke the permit issued, in accordance with § 58.1-1011, to any person who violates any provision of this section.*

§ 58.1-1018. Tax imposed on storage, use or consumption of cigarettes; exemption of products on which sales tax has been paid.

An excise tax is hereby imposed on the storage, use or other consumption in this Commonwealth of cigarettes purchased at retail in an amount equal to that set out in § 58.1-1001. Every person storing, using or otherwise consuming in this Commonwealth cigarettes purchased at retail shall be liable for the tax imposed by this article, and the liability shall not be extinguished until the tax has been paid to this Commonwealth; however, if such cigarettes have attached thereto the requisite stamps or if the excise tax imposed by Article 1 (§ 58.1-1000 et seq.) has been paid by the seller of such cigarettes, then the tax imposed by this article shall not be due.

*The revenues generated by the tax imposed under this section on and after July 1, 2004, shall be collected by the Department and deposited into the Virginia Health Care Fund established under § 32.1-366.*

#### *Article 2.1.*

##### *Tobacco Products Tax.*

###### *§ 58.1-1021.01. Definitions.*

*As used in this article, unless the context clearly shows otherwise, the term or phrase:*

*“Package” means any package, bag, box, can, or other container in which tobacco products are packaged and sold.*

*“Purchase price” means the same as sales price but applies to the total price paid for tobacco products.*

*“Retail dealer” means every person other than a wholesale dealer, as defined in this section, who sells or offers for sale any tobacco product.*

*“Sales price” means the total amount for which tobacco products are sold, valued in money, whether paid in money or otherwise, and includes any amount for which credit is given to the purchaser by the dealer, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor or service costs, losses or any other expenses whatsoever. “Sales price” shall not include any cash discount allowed and taken or finance charges, carrying charges, service charges or interest from credit extended on sales of tobacco products.*

*“Tobacco product” or “tobacco products” means (i) “cigar” as defined in § 5702 (a) of the Internal Revenue Code, and as such section may be amended; (ii) “smokeless tobacco” as defined in § 5702 (m) of the Internal Revenue Code, and as such section may be amended; (iii) “pipe tobacco” as defined in § 5702 (n) of the Internal Revenue Code, and as such section may be amended; or (iv) “roll-your-own tobacco” as defined in § 5702 (o) of the Internal Revenue Code, and as such section may be amended.*

*“Wholesale dealer” means persons who sell any tobacco product at wholesale to retail dealers, or who sell any tobacco product at wholesale to institutional, commercial or industrial users.*

###### *§ 58.1-1021.02. Tax on tobacco products.*

*A. In addition to all other taxes now imposed by law, there is hereby imposed a tax on every wholesale dealer within the Commonwealth selling any tobacco product to a retail dealer located in the Commonwealth or selling any tobacco product to institutional, commercial or industrial users located in the Commonwealth. For purposes of such tax, chain store distribution centers or houses that distribute any tobacco product to their stores for sale at retail shall be deemed to be a wholesale dealer selling to a retail dealer.*

*The tax shall be imposed at a rate of 10 percent of the sales price charged by the wholesale dealer for each such package of tobacco product sold to a retail dealer or institutional, commercial or industrial*

user. In any case where a chain store distribution center or house distributes any tobacco product to its stores, the tax shall be imposed on the purchase price paid by the chain store distribution center or house for each such package of tobacco product so distributed.

B. In addition to all other taxes now imposed by law, there is hereby imposed a tax on every retail dealer within the Commonwealth purchasing any tobacco product from a wholesale dealer located outside the Commonwealth.

The tax shall be imposed at a rate of 10 percent of the purchase price paid by the retail dealer for each such package of tobacco product purchased from a wholesale dealer located outside the Commonwealth.

§ 58.1-1021.03. Monthly return and payments of tax.

A. Every wholesale dealer subject to the tax imposed under this article shall, beginning with the month of October 2004, file a monthly return no later than the tenth of each month on a form prescribed by the Department, covering the sale of tobacco products by such dealer, for which a tax is imposed pursuant to subsection A of § 58.1-1021.02, during the preceding month. The return shall contain or be accompanied by such further information as the Department shall require. The wholesale dealer, at the time of filing the return, shall pay to the Department the tax imposed under subsection A of § 58.1-1021.02 on the sales price for each such package of tobacco product sold in the preceding month.

B. Every retail dealer subject to the tax imposed under this article shall, beginning with the month of October 2004, file a monthly return no later than the tenth of each month on a form prescribed by the Department, covering the purchase of tobacco products by such dealer, for which a tax is imposed pursuant to subsection B of § 58.1-1021.02, during the preceding month. The return shall contain or be accompanied by such further information as the Department shall require. The retail dealer, at the time of filing the return, shall pay to the Department the tax imposed under subsection B of § 58.1-1021.02 on the purchase price for each such package of tobacco product purchased in the preceding month.

§ 58.1-1021.04. Failure to file return; fraudulent return; penalties; interest; overpayment of tax.

A. When any wholesale dealer or retail dealer fails to make any return or pay the full amount of the tax required by this article, there shall be imposed a specific penalty to be added to the tax in the amount of five percent if the failure is for not more than one month, with an additional two percent for each additional month, or fraction thereof, during which the failure continues, not to exceed 20 percent in the aggregate. In no case, however, shall the penalty be less than \$10 and such minimum penalty shall apply whether or not any tax is due for the period for which such return was required. If such failure is due to providential or other good cause shown to the satisfaction of the Tax Commissioner, such return with or without remittance may be accepted exclusive of penalties. In the case of a false or fraudulent return where willful intent exists to defraud the Commonwealth of any tax due under this article, or in the case of a willful failure to file a return with the intent to defraud the Commonwealth of any such tax, a specific penalty of 50 percent of the amount of the proper tax shall be assessed. All penalties and interest imposed by this article shall be payable by the wholesale dealer or retail dealer and collectible by the Department in the same manner as if they were a part of the tax imposed.

B. It shall be prima facie evidence of intent to defraud the Commonwealth of any tax due under this article when any wholesale dealer or retail dealer reports his sales or purchases, as the case may be, at 50 percent or less of the actual amount.

C. Interest at a rate determined in accordance with § 58.1-15 shall accrue on the tax until the same is paid.

No deficiency, interest or penalty shall be assessed for any month after the expiration of three years from the date set for the filing of the return for such month, except in cases of fraud, or where no return has been filed for such month.

D. If the Tax Commissioner determines that the amount paid the Commonwealth under this article in regard to any monthly return was greater than the amount of tax due the Commonwealth, the excess may be taken as a credit by the wholesale dealer or retail dealer against a subsequent month's tax imposed under this article. However, if such wholesale dealer or retail dealer requests a refund, such excess shall be refunded to the dealer within 45 days of the request. The refund shall include interest at the rate provided in § 58.1-15. Interest on such refunds shall accrue from the due date of the return to which such

excess is attributable to or the date such excess was paid to the Department, whichever is later, and shall end on a date determined by the Department preceding the date of the refund check by not more than seven days.

§ 58.1-1021.05. Use of revenues.

The revenues generated by the taxes imposed under this article shall be collected by the Department and deposited into the Virginia Health Care Fund established under § 32.1-366.

3. That the taxes set forth under Article 2.1 (§ 58.1-1021.01 et seq.) of Chapter 10 of Title 58.1 pursuant to the second enactment of this act shall be imposed beginning September 1, 2004, for taxable sales or purchases under such article occurring on or after such date.

4. That the Tax Commissioner shall establish guidelines and rules for (i) transitional procedures in regard to the increase in the state cigarette tax and (ii) implementation of the tax on tobacco products under Article 2.1 (§ 58.1-1021.01 et seq.) of Chapter 10 of Title 58.1 pursuant to the second enactment of this act. Such guidelines and rules issued by the Tax Commissioner shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

5. That the provisions of the first enactment of this act shall expire midnight on June 30, 2006. The provisions of all other enactments shall have no expiration date.

6. That this act is effective on July 1, 2004.

Part 5

Item 5-0 #2s

Language

Language:

Page 480, strike lines 1 through

Page 501 line 23 and insert:

PART 5: ENACTMENT NUMBERS 2 THROUGH 7

2. That §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706, and 58.1-3833 of the Code of Virginia are amended and reenacted, that the Code of Virginia is amended by adding in Title 10.1 a chapter numbered 21.2 consisting of a section numbered 10.1-2135, by adding sections numbered 46.2-702.1, 58.1-390.1, 58.1-390.2, and 58.1-393.1, by adding in Article 9 of Chapter 3 of Title 58.1 sections numbered 58.1-394.1, 58.1-394.2, and 58.1-395, and by adding in Chapter 22 of Title 58.1 an article numbered 8.1 consisting of a section numbered 58.1-2288.1, as follows:

§ 10.1-1020. Virginia Land Conservation Fund; purposes of Foundation.

A. The Foundation shall establish, administer, manage, including the creation of reserves, and make expenditures and allocations from a special, nonreverting fund in the state treasury to be known as the Virginia Land Conservation Fund, hereinafter referred to as the Fund. The Foundation shall establish and administer the Fund solely for the purposes of:

1. Acquiring fee simple title to or other rights, interests or privileges in property for the protection or preservation of ecological, cultural or historical resources, lands for recreational purposes, state forest lands, and lands for threatened or endangered species, fish and wildlife habitat, natural areas, agricultural and forestal lands and open space; and

2. Providing grants to state agencies, including the Virginia Outdoors Foundation, and matching grants to other public bodies and holders for acquiring fee simple title to or other rights, interests or privileges in real property for the protection or preservation of ecological, cultural or historical resources, lands for recreational purposes, and lands for threatened or endangered species, fish and wildlife habitat, natural areas, agricultural and forestal lands and open space. The Board shall establish criteria for making grants from the Fund, including procedures for determining the amount of each grant and the required

match. The criteria shall include provisions for grants to localities for purchase of development rights programs.

Interests in land acquired as provided in subdivision 1 of this subsection may be held by the Foundation or transferred to state agencies or other appropriate holders. Whenever a holder acquires any interest in land other than a fee simple interest as a result of a grant or transfer from the Foundation, such interest shall be held jointly by the holder and a public body. Whenever a holder acquires a fee simple interest in land as a result of a grant or transfer from the Foundation, a public body shall hold an open space easement in such land.

B. The Fund shall consist of ~~general fund moneys~~ *the transfers in each fiscal year pursuant to § 10.1-2135* and gifts, endowments or grants from the United States government, its agencies and instrumentalities, and funds from any other available sources, public or private. Such moneys, gifts, endowments, grants or funds from other sources may be either restricted or unrestricted. For the purposes of this chapter, "restricted funds" shall mean those funds received by the Board to which specific conditions apply; "restricted funds" shall include, but not be limited to, general obligation bond moneys and conditional gifts. "Unrestricted funds" shall mean those received by the Foundation to which no specific conditions apply; "unrestricted funds" shall include, but not be limited to, moneys appropriated to the Fund by the General Assembly to which no specific conditions are attached and unconditional gifts.

C. After an allocation for administrative expenses has been made as provided in subsection F, the remaining unrestricted funds in the Fund shall be allocated as follows:

1. Twenty-five percent shall be transferred to the Open-Space Lands Preservation Trust Fund to be used as provided in § 10.1-1801.1; and

2. Seventy-five percent shall be divided equally among the following four uses: (i) natural area protection; (ii) open spaces and parks; (iii) farmlands and forest preservation; and (iv) historic area preservation. Of the amount allocated as provided in this subdivision, at least one third shall be used to secure easements to be held or co-held by a public body.

D. Any moneys remaining in the Fund at the end of a biennium shall remain in the Fund, and shall not revert to the general fund. Interest earned on moneys received by the Fund other than bond proceeds shall remain in the Fund and be credited to it.

E. A portion of the Fund, not to exceed ~~twenty~~20 percent of the annual balance of unrestricted funds, may be used to develop properties purchased in fee simple with the assets of the Fund for public use including, but not limited to, development of trails, parking areas, infrastructure, and interpretive projects or to conduct environmental assessments or other preliminary evaluations of properties prior to the acquisition of any property interest.

F. Up to \$250,000 per year of the interest generated by the Fund may be used for the Foundation's administrative expenses, including, but not limited to, the expenses of the Board and its members, development of the Foundation's strategic plan, development and maintenance of an inventory of properties as provided in subdivision 1 b of § 10.1-1021, development of a needs assessment for future expenditures as provided in subdivision 1 c of § 10.1-1021, and fulfillment of reporting requirements. All such expenditures shall be subject to approval by the Board of Trustees.

G. The Comptroller shall maintain the restricted funds and the unrestricted funds in separate accounts.

H. For the purposes of this section, "public body" shall have the meaning ascribed to it in § 10.1-1700, and "holder" shall have the meaning ascribed to it in § 10.1-1009.

§ 10.1-2128. Virginia Water Quality Improvement Fund established; purposes.

A. There is hereby established in the state treasury a special permanent, nonreverting fund, to be known as the "Virginia Water Quality Improvement Fund." The Fund shall be established on the books of the Comptroller. The Fund shall consist of sums appropriated to it by the General Assembly which shall include, unless otherwise provided in the general appropriation act, ~~ten~~ 10 percent of the annual general fund revenue collections that are in excess of the official estimates in the general appropriation act ~~and ten percent of any unreserved general fund balance at the close of each fiscal year whose reappropriation is not required in the general appropriation act~~ *for the relevant fiscal year up to a total of \$20 million in*

any fiscal year. Pursuant to § 2.2-1514, at the end of each fiscal year the Comptroller shall set aside such amount for deposit into the Fund from such excess general fund revenue collections. The Fund shall also consist of the transfers in each fiscal year pursuant to § 10.1-2135 and such other sums as may be made available to it from any other source, public or private, and shall include any penalties or damages collected under this article, federal grants solicited and received for the specific purposes of the Fund, and all interest and income from investment of the Fund. Any sums remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All moneys designated for the Fund shall be paid into the state treasury and credited to the Fund. Moneys in the Fund shall be used solely for Water Quality Improvement Grants. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon the written request of the Director of the Department of Environmental Quality or the Director of the Department of Conservation and Recreation as provided in this chapter.

B. The purpose of the Fund is to provide Water Quality Improvement Grants to local governments, soil and water conservation districts, institutions of higher education and individuals for point and nonpoint source pollution prevention, reduction and control programs and efforts undertaken in accordance with the provisions of this chapter. The Fund shall not be used for agency operating expenses or for purposes of replacing or otherwise reducing any general, nongeneral, or special funds allocated or appropriated to any state agency; however, nothing in this section shall be construed to prevent the award of a Water Quality Improvement Grant to a local government in connection with point or nonpoint pollution prevention, reduction and control programs or efforts undertaken on land owned by the Commonwealth and leased to the local government.

§ 10.1-2133. Annual report by State Comptroller.

The State Comptroller shall, by January 1 of each year, certify to the chairmen of the House Committee on Appropriations and the Senate Committee on Finance, the total amount of annual general fund revenue collections in excess of the official estimate in the general appropriation act, ~~the total amount of the unreserved general fund balance whose reappropriation is not required in the general appropriation act~~ at the close of the previous fiscal year and the total amount of funds that are to be directed to the credit of the Virginia Water Quality Improvement Fund under this article and pursuant to § 10.1-2135 unless otherwise provided in the general appropriation act.

#### CHAPTER 21.2.

##### VIRGINIA NATURAL AND HISTORIC RESOURCES FUND.

§ 10.1-2135. Virginia Natural and Historic Resources Fund; established.

A. There is hereby created in the state treasury a special permanent, nonreverting, interest-bearing fund to be known as the Virginia Natural and Historic Resources Fund, hereinafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. The Fund shall consist of (i) any sales and use tax revenues transferred pursuant to subsection F of § 58.1-638; (ii) any other moneys appropriated to it by the General Assembly; and (iii) such other sums as may be made available to it from any other source, public or private, all of which shall be credited to the Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall remain in the Fund and shall not revert to the general fund.

B. On a quarterly basis, all moneys deposited in the Fund including interest, with the exception of any sales and use tax revenues transferred pursuant to subsection F of § 58.1-638, shall be allocated by the Secretary of Natural Resources in the following manner:

1. No less than 40 percent and no more than 60 percent of the moneys in the Fund shall be deposited into the Virginia Land Conservation Fund to be expended as provided in Chapter 10.2 (§ 10.1-1017 et seq.) of this title; and

2. The remainder of the moneys in the Fund shall be deposited into the Virginia Water Quality Improvement Fund to be expended as provided in Chapter 21.1 (§ 10.1-2117 et seq.) of this title.

C. The \$30 million of sales and use tax revenues transferred in each fiscal year to the Fund pursuant to subsection F of § 58.1-638 shall be transferred out of the Fund in each fiscal year by the Comptroller as follows:

1. \$14,812,500 shall be transferred to the Virginia Land Conservation Fund to be expended as provided in Chapter 10.2 (§ 10.1-1017 et seq.) of this title;

2. \$14,812,500 shall be transferred to the Virginia Water Quality Improvement Fund to be expended as provided in Chapter 21.1 (§ 10.1-2117 et seq.) of this title; and

3. A total of \$375,000 shall be transferred among the Department of Environmental Quality and the Department of Conservation and Recreation for operations as provided in the general appropriation act.

*The Comptroller shall make the transfers required by this subsection as soon as practicable. The Comptroller shall make such transfers to the Virginia Land Conservation Fund and to the Virginia Water Quality Improvement Fund on the same calendar day or days and in the same amount to each Fund.*

§ 33.1-12. General powers and duties of Board, etc.; definitions.

The Commonwealth Transportation Board shall be vested with the following powers and shall have the following duties:

(1) Location of routes. - To locate and establish the routes to be followed by the roads comprising systems of state highways between the points designated in the establishment of such systems.

(2) Construction and maintenance contracts and activities related to passenger and freight rail and public transportation.

(a) To let all contracts for the construction, maintenance, and improvement of the roads comprising systems of state highways and for all activities related to passenger and freight rail and public transportation in excess of \$2 million. The Commonwealth Transportation Commissioner shall have authority to let all contracts for highway construction, maintenance, and improvements up to \$2 million in value. The Director of the Department of Rail and Public Transportation shall have the authority to let contracts for passenger and freight rail and public transportation improvements up to \$2 million in value. The Commonwealth Transportation Commissioner is authorized to enter into agreements with localities, authorities, and transportation districts to administer projects and to allow those localities, authorities, and transportation districts to let contracts up to \$2 million in value for highway construction, maintenance, and improvements within their jurisdictions. The Director of the Department of Rail and Public Transportation is authorized to enter into agreements with localities, authorities, and transportation districts to administer projects and to allow those localities, authorities, and transportation districts to let contracts up to \$2 million in value for passenger and freight rail and public transportation activities within their jurisdictions. The Commonwealth Transportation Commissioner and the Director of the Department of Rail and Public Transportation shall report on their respective transportation contracting activities at least quarterly to the Board.

(b) The Commonwealth Transportation Board may award contracts for the construction of transportation projects on a design-build basis. The Board may annually award five design-build contracts valued no more than \$20 million. The Board may also award design-build contracts valued more than \$20 million, provided that no more than five of these latter contracts are in force at the same time. These contracts may be awarded after a written determination is made by the Commonwealth Transportation Commissioner, pursuant to objective criteria previously adopted by the Board regarding the use of design-build, that delivery of the projects must be expedited and that it is not in the public interest to comply with the design and construction contracting procedures normally followed. Such objective criteria will include requirements for prequalification of contractors and competitive bidding processes. These contracts shall be of such size and scope to encourage maximum competition and participation by agency prequalified and otherwise qualified contractors. Such determination shall be retained for public inspection in the official records of the Department of Transportation and shall include a description of the nature and scope of the project and the reasons for the Commissioner's determination that awarding a design-build contract will best serve the public interest. The provisions of this section shall supersede contrary provisions of subdivision 2 of subsection C of § 11-41 and § 11-41.2.

(c) For transportation construction projects valued in excess of \$100 million, the Commonwealth Transportation Board shall require that a financial plan be prepared. This plan shall include, but not be limited to, the following: (i) a complete cost estimate for all major project elements; (ii) an implementation plan with the project schedule and cost-to-complete information presented for each year;

(iii) identified revenues by funding source available each year to meet project costs; and (iv) a detailed cash-flow analysis for each year of the proposed project.

(3) Traffic regulations. - To make rules and regulations, from time to time, not in conflict with the laws of this Commonwealth, for the protection of and covering traffic on and the use of systems of state highways and to add to, amend or repeal the same.

(4) Naming highways. - To give suitable names to state highways and change the names of any highways forming a part of the systems of state highways, except such roads as have been or may hereafter be named by the General Assembly.

(5) Compliance with federal acts. - To comply fully with the provisions of the present or future federal aid acts. The Board may enter into all contracts or agreements with the United States government and may do all other things necessary to carry out fully the cooperation contemplated and provided for by present or future acts of Congress in the area of transportation.

(6) Information and statistics. - To gather and tabulate information and statistics relating to transportation and disseminate the same throughout the Commonwealth. In addition, the Commissioner shall provide a report to the Governor, the General Assembly, the Commonwealth Transportation Board, and the public concerning the current status of all highway construction projects in the Commonwealth. This report shall be posted at least four times each fiscal year, but may be updated more often as circumstances allow. The report shall contain, at a minimum, the following information for every project in the Six-Year Improvement Program: (i) project description; (ii) total cost estimate; (iii) funds expended to date; (iv) project timeline and completion date; (v) statement of whether project is ahead of, on, or behind schedule; and (vi) the name of the prime contractor. Use of one or more Internet websites may be used to satisfy this requirement. Project specific information posted on the Internet shall be updated daily as information is available.

(7) Policies and operation of Departments. - To review and approve policies and transportation objectives of the Department of Transportation and the Department of Rail and Public Transportation, to assist in establishing such policies and objectives, to oversee the execution thereof, and to report thereon to the Commonwealth Transportation Commissioner and the Director of the Department of Rail and Public Transportation, respectively.

(8) Cooperation with other agencies and local governments. - (a) To cooperate with the federal government, the American Association of State Highway and Transportation Officials and any other organization in the numbering, signing and marking of highways, in the taking of measures for the promotion of highway safety, in research activities, in the preparation of standard specifications, in the testing of highway materials and otherwise with respect to transportation projects.

(b) To offer technical assistance and coordinate state resources to work with local governments, upon their request, in developing sound transportation components for their local comprehensive plans.

(9) Transportation. - (a) To monitor and, where necessary, approve actions taken by the Department of Rail and Public Transportation pursuant to Chapter 10.1 (§ 33.1-391.1 et seq.) of this title in order to ensure the efficient and economical development of public transportation, the enhancement of rail transportation, and the coordination of such rail and public transportation plans with highway programs.

(b) To coordinate the planning for financing of transportation needs, including needs for highways, railways, seaports, airports, and public transportation and to set aside funds as provided in § 33.1-23.03:1. To allocate funds for these needs pursuant to §§ 33.1-23.1 and 46.2-702.1, and 58.1-638, subsection F of § 58.1-2289, and subsection B of § 58.1-2425, the Board shall adopt a Six-Year Improvement Program of anticipated projects and programs by July 1 of each year. This program shall be based on the most recent official Transportation Trust Fund revenue forecast and shall be consistent with a debt management policy adopted by the Board in consultation with the Debt Capacity Advisory Committee and the Department of the Treasury.

(c) To recommend to the General Assembly for their consideration at the next session of the General Assembly, objective criteria to be used by the Board in selecting those transportation projects to be advanced from the feasibility to the construction stage. If such criteria are enacted into law, such objectives shall apply to the interstate, primary, and urban systems of highways.

(d) To enter into contracts with local districts, commissions, agencies, or other entities created for transportation purposes.

(10) Contracts with other states. - To enter into all contracts with other states necessary for the proper coordination of the location, construction, maintenance, improvement and operation of transportation systems, including the systems of state highways with the highways of such other states and, where necessary, to seek the approval of such contracts by the Congress of the United States.

(11) Use of funds. - To administer, distribute, and allocate funds in the Transportation Trust Fund as provided by law.

(12) Financial and investment advisors. - With the advice of the Secretary of Finance and the State Treasurer, to engage a financial advisor and investment advisor who may be anyone within or without the government of the Commonwealth, to assist in planning and making decisions concerning the investment of funds and the use of bonds for transportation purposes. The work of these advisors shall be coordinated with the Secretary of Finance and the State Treasurer.

(13) The powers of the Virginia Aviation Board set out in Chapter 1 (§ 5.1-1 et seq.) of Title 5.1 and the Virginia Port Authority set out in Chapter 10 (§ 62.1-128 et seq.) of Title 62.1 are in no way diminished by the provisions of this title.

(14) To enter into payment agreements with the Treasury Board related to payments on bonds issued by the Commonwealth Transportation Board.

(15) Outdoor theaters. - By regulation:

(a) To prevent the erection of moving picture screens of outdoor theaters in such a manner as to be ordinarily visible from any highway;

(b) To require that a sufficient space is left between any highway and the entrance to any outdoor theater to prevent congestion on the highway; and

(c) To require that outdoor theater entrances and exits are adequately lighted and marked.

Throughout this title the term "systems of state highways" shall have the meaning ascribed thereto by § 1-13.40.

The term "public transportation" or "mass transit" as used in this title means passenger transportation by rubber-tired, rail, or other surface conveyance which provides shared ride services open to the general public on a regular and continuing basis. The term does not include school buses; charter or sight-seeing service; vehicular ferry service which serves as a link in the highway network; or human service agency or other client-restricted transportation.

§ 33.1-23.03:1. Transportation Trust Fund.

There is hereby created in the Department of the Treasury a special nonreverting fund to be known as the Transportation Trust Fund, consisting of:

1. Funds remaining for highway construction purposes, among the several highway systems pursuant to § 33.1-23.1.

2. [Repealed.]

3. The additional revenues generated by enactments of Chapters 11, 12 and 15 of the Acts of Assembly, 1986 Special Session, *and designated for this fund; and the additional revenues described in § 46.2-702.1, subsection F of § 58.1-2289, and clause (iv) of subsection A of § 58.1-2425 generated by enactments of the 2004 Session of the General Assembly*, and designated for this fund.

4. Tolls and other revenues derived from the projects financed or refinanced pursuant to this title which are payable into the state treasury and tolls and other revenues derived from other transportation projects, which may include upon the request of the applicable appointed governing body, as soon as their obligations have been satisfied, such tolls and revenue derived for transportation projects pursuant to § 33.1-253 (Chesapeake Bay Bridge and Tunnel District) and § 33.1-320 (Richmond Metropolitan Authority) or if the appointed governing body requests refunding or advanced refunding by the Board and such refunding or advanced refunding is approved by the General Assembly. Such funds shall be held in separate subaccounts of the Transportation Trust Fund to the extent required by law or the Board.

5. Tolls and other revenues derived from the Richmond-Petersburg Turnpike, provided that such funds shall be held in a separate subaccount of the Transportation Trust Fund and allocated as set forth in Chapter 574 of the Acts of Assembly of 1983 until expiration of that Act.

6. Such other funds as may be appropriated by the General Assembly from time to time, and designated for this fund.

7. All interest, dividends and appreciation which may accrue to the Transportation Trust Fund and the Highway Maintenance and Construction Fund, except that interest on funds becoming part of the Transportation Trust Fund under subdivision 1 and the Highway Maintenance and Construction Fund shall not become part of the Transportation Trust Fund until July 1, 1988.

8. All amounts required by contract to be paid over to the Transportation Trust Fund.

§ 33.1-23.03:8. Priority Transportation Fund established.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Priority Transportation Fund, hereafter referred to as "the Fund." The Fund shall be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. All funds as may be designated in the appropriation act for deposit to the Fund shall be paid into the state treasury and credited to the Fund. Such funds shall include:

1. A portion of the moneys actually collected, including penalty and interest, attributable to any increase in revenues from the taxes imposed under Chapter 22 (§ 58.1-2200 et seq.) of Title 58.1, with such increase being calculated as the difference between such tax revenues collected in the manner prescribed under Chapter 22 less such tax revenues that would have been collected using the prescribed manner in effect before the effective date of Chapter 22. The portion to be deposited to the Fund shall be the moneys actually collected from such increase in revenues, *net of the additional revenues described in subsection F of § 58.1-2289 designated for deposit into the Transportation Trust Fund established under § 33.1-23.03:1* and allocated for highway and mass transit improvement projects as set forth in § 33.1-23.03:2, but not including any amounts that are allocated to the Commonwealth Port Fund and the Commonwealth Airport Fund under such section. There shall also be deposited into the Fund all additional federal revenues attributable to Chapter 22 (§ 58.1-2200 et seq.) of Title 58.1; and

2. Beginning with the fiscal year ending June 30, 2000, and for fiscal years thereafter, all revenues that exceed the official forecast, pursuant to § 2.2-1503, for (i) the Highway Maintenance and Operating Fund and (ii) the allocation to highway and mass transit improvement projects as set forth in § 33.1-23.03:2, but not including any amounts that are allocated to the Commonwealth Port Fund and the Commonwealth Airport Fund under such section; and

3. Any other such funds as may be transferred, allocated, or appropriated.

The Fund shall be considered a part of the Transportation Trust Fund. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes enumerated in subsection B of this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller.

B. The Commonwealth Transportation Board shall use the Fund to facilitate the financing of priority transportation projects throughout the Commonwealth. The Board may use the Fund either (i) by expending amounts therein on such projects directly, (ii) by payment to any authority, locality, commission or other entity for the purpose of paying the costs thereof, or (iii) by using such amounts to support, secure, or leverage financing for such projects. No expenditures from or other use of amounts in the Fund shall be considered in allocating highway maintenance and construction funds under § 33.1-23.1 or apportioning Transportation Trust Fund funds under § 58.1-638, but shall be in addition thereto. The Board shall use the Fund to facilitate the financing of priority transportation projects as designated by the General Assembly; provided, however, that, at the discretion of the Commonwealth Transportation Board, funds allocated to projects within a transportation district may be allocated among projects within the same transportation district as needed to meet construction cash-flow needs.

§ 33.1-418. Allocation of funds to districts.

The local governing body of any locality in which a district has been created pursuant to this chapter may advance funds or provide matching funds from money not otherwise specifically allocated or obligated. Such funds may be received or generated from whatever source, including, without limitation, general revenues, special fees and assessments, state allocations, and contributions from private sources to a local district to assist the local district to undertake the transportation improvements for which it was

created. To assist the district with an approved transportation improvement, the Commonwealth Transportation Board may allocate to a district created pursuant to this chapter only funds allocated, pursuant to Article 1.1 (§ 33.1-23.01 et seq.) of Chapter 1 of Title 33.1, ~~and § 46.2-702.1~~, subsection A of § 58.1-638, *subsection F of § 58.1-2289*, and *subsection B of § 58.1-2425*, to the construction districts and localities in which such transportation district is located.

§ 33.1-439. Allocation of funds to districts.

The governing body of any county or town council of any participating town in which a district has been created pursuant to this chapter may advance funds or provide matching funds from money not otherwise specifically allocated or obligated. Such funds may be received or generated from whatever source, including, without limitation, general revenues, special fees and assessments, state allocations, and contributions from private sources to a local district to assist the local district to undertake the transportation improvements for which it was created. To assist the district with an approved transportation improvement, the Commonwealth Transportation Board may allocate to a district created pursuant to this chapter only funds allocated, pursuant to Article 1.1 (§ 33.1-23.01 et seq.) of Chapter 1 of Title 33.1, ~~and § 46.2-702.1~~, subsection A of § 58.1-638, *subsection F of § 58.1-2289*, and *subsection B of § 58.1-2425*, to the construction districts and localities in which such transportation district is located.

§ 46.2-694. Fees for vehicles designed and used for transportation of passengers; weights used for computing fees; burden of proof.

A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used for the transportation of passengers on the highways in the Commonwealth are:

1. ~~Twenty-three~~ *Thirty-three* dollars for each private passenger car or motor home if the passenger car or motor home weighs 4,000 pounds or less, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

2. ~~Twenty-eight~~ *Thirty-eight* dollars for each passenger car or motor home which weighs more than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a motorcycle with a normal seating capacity of more than ~~ten~~ 10 adults including the driver if the private motor vehicle is not used for the transportation of passengers for compensation and is not kept or used for rent or for hire or is not operated under a lease without a chauffeur. In no case shall the fee be less than ~~twenty-three dollars~~ \$33 if the vehicle weighs 4,000 pounds or less or ~~twenty-eight dollars~~ \$38 if the vehicle weighs more than 4,000 pounds.

4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee be less than ~~twenty-three dollars~~ \$33 if the vehicle weighs 4,000 pounds or less or ~~twenty-eight dollars~~ \$38 if the vehicle weighs more than 4,000 pounds.

5. ~~Twenty-three~~ *Thirty-three* dollars for each trailer or semitrailer designed for use as living quarters for human beings.

6. ~~Thirteen~~ *Twenty-three* dollars plus ~~thirty~~ 30 cents per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of passengers, operating either intrastate or interstate. Interstate common carriers of interstate passengers may elect to be licensed and pay the fees prescribed in subdivision 7 of this subsection on submission to the Commissioner of a declaration of operations and equipment as he may prescribe. An additional ~~five dollars~~ \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds.

7. ~~Thirteen~~ *Twenty-three* dollars plus ~~seventy~~ 70 cents per 100 pounds or major fraction thereof for each motor vehicle, trailer, or semitrailer used as a common carrier of interstate passengers if election is made to be licensed under this subsection. An additional ~~five dollars~~ \$5 shall be charged if the motor vehicle weighs more than 4,000 pounds. In lieu of the foregoing fee of ~~seventy~~ 70 cents per 100 pounds, a motor carrier of passengers, operating two or more vehicles both within and outside the Commonwealth and registered for insurance purposes with the Surface Transportation Board of the United States Department of Transportation, Federal Highway Administration, may apply to the Commissioner for prorated registration. Upon the filing of such application, in such form as the Commissioner may

prescribe, the Commissioner shall apportion the registration fees provided in this subsection so that the total registration fees to be paid for such vehicles of such carrier shall be that proportion of the total fees, if there were no apportionment, that the total number of miles traveled by such vehicles of such carrier within the Commonwealth bears to the total number of miles traveled by such vehicles within and outside the Commonwealth. Such total mileage in each instance is the estimated total mileage to be traveled by such vehicles during the license year for which such fees are paid, subject to the adjustment in accordance with an audit to be made by representatives of the Commissioner at the end of such license year, the expense of such audit to be borne by the carrier being audited. Each vehicle passing into or through Virginia shall be registered and licensed in Virginia and the annual registration fee to be paid for each such vehicle shall not be less than ~~thirty-three dollars~~ \$43. For the purpose of determining such apportioned registration fees, only those motor vehicles, trailers, or semitrailers operated both within and outside the Commonwealth shall be subject to inclusion in determining the apportionment provided for herein.

8. ~~Thirteen~~ *Twenty-three* dollars plus ~~eighty~~ 80 cents per 100 pounds or major fraction thereof for each motor vehicle, trailer or semitrailer kept or used for rent or for hire or operated under a lease without a chauffeur for the transportation of passengers. An additional fee of ~~five dollars~~ \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

9. ~~Twenty-three~~ *Thirty-three* dollars for a taxicab or other vehicle ~~which~~ *that* is kept for rent or hire operated with a chauffeur for the transportation of passengers, and which operates or should operate under permits issued by the Department as required by law. An additional fee of ~~five dollars~~ \$5 shall be charged if the vehicle weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

10. ~~Eighteen~~ *Twenty-eight* dollars for a motorcycle, with or without a sidecar. To this fee shall be added a surcharge of ~~three dollars~~ \$3, which shall be distributed as provided in § 46.2-1191.

11. ~~Twenty-three~~ *Thirty-three* dollars for a bus used exclusively for transportation to and from Sunday school or church, for the purpose of divine worship. If the empty weight of the vehicle exceeds 4,000 pounds, the fee shall be ~~twenty-eight dollars~~ \$38.

12. ~~Thirteen~~ *Twenty-three* dollars plus ~~seventy~~ 70 cents per 100 pounds or major fraction thereof for other passenger-carrying vehicles.

13. An additional fee of ~~four dollars~~ \$4 per year shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle under subdivisions 1 through 12 of this subsection. All funds collected pursuant to this subdivision shall be paid into the state treasury and shall be set aside as a special fund to be used only for emergency medical service purposes. The moneys in the special fund shall be distributed as follows:

a. Two and one-half percent shall be distributed to the Virginia Association of Volunteer Rescue Squads;

b. Thirteen and one-half percent shall be distributed to the State Department of Health to support (i) emergency medical services training programs (excluding advanced life support classes), (ii) advanced life support training, and (iii) recruitment and retention programs (all funds for such support shall be used to recruit and retain volunteer emergency medical services personnel only, including public awareness campaigns, technical assistance programs, and similar activities). Any funds set aside for distribution under this provision and remaining undistributed at the end of any fiscal year shall revert to the Rescue Squad Assistance Fund;

c. Thirty-one and three-quarters percent shall be distributed to the Rescue Squad Assistance Fund;

d. Twenty-seven and one-quarter percent shall be available to the State Department of Health for use in emergency medical services; and

e. Twenty-five percent shall be returned by the Comptroller to the locality wherein such vehicle is registered, to provide funding for training of volunteer or salaried emergency medical service personnel of licensed, nonprofit emergency medical services agencies and for the purchase of necessary equipment and supplies for use in such locality for licensed, nonprofit emergency medical and rescue services.

The Comptroller shall clearly designate on the warrant, check, or other means of transmitting these funds that such moneys are only to be used for purposes set forth in this subdivision. Such funds shall be in addition to any local appropriations and local governing bodies shall not use these funds to supplant local funds. Each local governing body shall report annually to the Board of Health on the use of the ~~twenty five~~ 25 percent of the funds ~~which~~ that were returned to it. In any case in which the local governing body grants the funds to a regional emergency medical services council to be distributed to the licensed, nonprofit emergency medical and rescue services, the local governing body shall remain responsible for the proper use of the funds. If, at the end of any fiscal year, a report on the use of the ~~twenty five~~ 25 percent of the funds for that year has not been received from a local governing body, any funds due to that local governing body for the next fiscal year shall be retained until such time as the report has been submitted to the Board.

B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-646 shall pay a registration fee equal to one-twelfth of all fees required by subsection A of this section or § 46.2-697 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by the number of months in the registration period for such motor vehicles, trailers, and semitrailers.

C. The manufacturer’s shipping weight or scale weight shall be used for computing all fees required by this section to be based upon the weight of the vehicle.

D. The applicant for registration bears the burden of proof that the vehicle for which registration is sought is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the Commissioner or to his authorized agent.

§ 46.2-697. Fees for vehicles not designed or used for transportation of passengers.

A. Except as otherwise provided in this section, the fee for registration of all motor vehicles not designed and used for the transportation of passengers shall be ~~thirteen dollars~~ \$23 plus an amount determined by the gross weight of the vehicle or combination of vehicles of which it is a part, when loaded to the maximum capacity for which it is registered and licensed, according to the schedule of fees set forth in this section. For each 1,000 pounds of gross weight, or major fraction thereof, for which any such vehicle is registered, there shall be paid to the Commissioner the fee indicated in the following schedule immediately opposite the weight group and under the classification established by the provisions of subsection B of § 46.2-711 into which such vehicle, or any combination of vehicles of which it is a part, falls when loaded to the maximum capacity for which it is registered and licensed. The fee for a pickup or panel truck shall be ~~twenty three dollars~~ \$33 if its gross weight is 4,000 pounds or less, and ~~twenty eight dollars~~ \$38 if its gross weight is 4,001 pounds through 6,500 pounds. The fee shall be ~~twenty nine~~ \$39 dollars for any motor vehicle with a gross weight of 6,501 pounds through 10,000 pounds.

Fee Per Thousand Pounds of Gross Weight

Gross Weight Groups (pounds)	Private Carriers	For Rent or For Hire Carriers
10,001 - 11,000	\$2.60	\$4.75
11,001 - 12,000	2.80	4.90
12,001 - 13,000	3.00	5.15
13,001 - 14,000	3.20	5.40
14,001 - 15,000	3.40	5.65
15,001 - 16,000	3.60	5.90
16,001 - 17,000	4.00	6.15
17,001 - 18,000	4.40	6.40
18,001 - 19,000	4.80	7.50

19,001 - 20,000	5.20	7.70
20,001 - 21,000	5.60	7.90
21,001 - 22,000	6.00	8.10
22,001 - 23,000	6.40	8.30
23,001 - 24,000	6.80	8.50
24,001 - 25,000	6.90	8.70
25,001 - 26,000	6.95	8.90
26,001 - 27,000	8.25	10.35
27,001 - 28,000	8.30	10.55
28,001 - 29,000	8.35	10.75
29,001 - 40,000	8.45	10.95
40,001 - 45,000	8.55	11.15
45,001 - 50,000	8.75	11.25
50,001 - 55,000	9.25	13.25
55,001 - 76,000	11.25	15.25
76,001 - 80,000	13.25	16.25

For all such motor vehicles exceeding a gross weight of 6,500 pounds, an additional fee of ~~five dollars~~ \$5 shall be imposed.

B. In lieu of registering any motor vehicle referred to in this section for an entire licensing year, the owner may elect to register the vehicle only for one or more quarters of a licensing year, and in such case, the fee shall be ~~twenty-five~~ 25 percent of the annual fee plus ~~five dollars~~ \$5 for each quarter that the vehicle is registered.

C. When an owner elects to register and license a motor vehicle under subsection B of this section, the provisions of §§ 46.2-646 and 46.2-688 shall not apply.

D. Notwithstanding any other provision of law, no vehicle designed, equipped, and used to tow disabled or inoperable motor vehicles shall be required to register in accordance with any gross weight other than the gross weight of the towing vehicle itself, exclusive of any vehicle being towed.

E. All registrations and licenses issued for less than a full year shall expire on the date shown on the license and registration.

§ 46.2-698. Fees for farm vehicles.

A. The fees for registration of farm motor vehicles having gross weights of 7,500 pounds or more, when such vehicles are used exclusively for farm use as defined in this section, shall be one-half of the fee per 1,000 pounds of gross weight for private carriers as calculated under the provisions of § 46.2-697 and one-half of the fee for overload permits under § 46.2-1128, but the annual registration fee to be paid for each farm vehicle shall not be less than ~~fifteen dollars~~ \$25.

B. A farm motor vehicle is used exclusively for farm use:

1. When owned by a person who is engaged either as an owner, renter, or operator of a farm of a size reasonably requiring the use of such vehicle or vehicles and when such vehicle is:

a. Used in the transportation of agricultural commodities, poultry, dairy products, or livestock of the farm he is working to market, or to other points for sale or processing, or when used to transport materials, tools, equipment, or supplies which are to be used or consumed on the farm he is working, or when used for any other transportation incidental to the regular operation of such farm;

b. Used in transporting forest products, including forest materials originating on a farm or incident to the regular operation of a farm, to the farm he is working or transporting for any purpose forest products which originate on the farm he is working; or

c. Used in the transportation of farm produce, supplies, equipment, or materials to a farm not worked by him, pursuant to a mutual cooperative agreement.

2. When the nonfarm use of such motor vehicle is limited to the personal use of the owner and his immediate family in attending church or school, securing medical treatment or supplies, or securing other household or family necessities.

C. As used in this section, the term "farm" shall include one or more farms, orchards, or ranches, but does not include a tree farm unless it is part of what otherwise is a farm.

D. The first application for registration of a vehicle under this section shall be made on forms provided by the Department and shall include:

1. The location and acreage of each farm on which the vehicle to be registered is to be used;
2. The type of agricultural commodities, poultry, dairy products or livestock produced on such farms and the approximate amounts produced annually;
3. A statement, signed by the vehicle's owner, that the vehicle to be registered will only be used for one or more of the purposes specified in subsection B of this section; and
4. Other information required by the Department;

The above information is not required for the renewal of a vehicle's registration under this section.

E. The Department shall issue appropriately designated license plates for those motor vehicles registered under this section. The manner in which such license plates are designated shall be at the discretion of the Commissioner.

F. The owner of a farm vehicle shall inform the Commissioner within ~~thirty~~ 30 days or at the time of his next registration renewal, whichever comes first, when such vehicle is no longer used exclusively for farm use as defined in this section, and shall pay the appropriate registration fee for the vehicle based on its type of operation. It shall constitute a Class 2 misdemeanor to: (i) operate or to permit the operation of any farm motor vehicle for which the fee for registration and license plates is herein prescribed on any highway in the Commonwealth without first having paid the prescribed registration fee; or (ii) operate or permit the operation of any motor vehicle, registered under this section, for purposes other than as provided under subsection B of this section; or (iii) operate as a for-hire vehicle.

G. Nothing in this section shall affect the exemptions of agricultural and horticultural vehicles under §§ 46.2-664 through 46.2-670.

H. Notwithstanding other provisions of this section, vehicles licensed under this section may be used by volunteer rescue squad members and volunteer firefighters in responding to emergency calls, in reporting for regular duty, and in attending squad meetings and drills.

§ 46.2-700. Fees for vehicles for transporting well-drilling machinery and specialized mobile equipment.

A. The fee for registration of any motor vehicle, trailer, or semitrailer on which well-drilling machinery is attached and which is permanently used solely for transporting the machinery shall be ~~fifteen dollars~~-\$25.

B. The fee for the registration of specialized mobile equipment shall be ~~fifteen dollars~~-\$25. "Specialized mobile equipment" shall mean any self-propelled motor vehicle manufactured for a specific purpose, other than for the transportation of passengers or property, which is used on a job site and whose movement on any highway is incidental to the purpose for which it was designed and manufactured. The vehicle must be constructed to fall within all size and weight requirements as contained in §§ 46.2-1105, 46.2-1110, 46.2-1113 and Article 17 (§ 46.2-1122 et seq.) of Chapter 10 of this title and must be capable of maintaining sustained highway speeds of ~~forty~~ 40 miles per hour or more. Vehicles registered under this section shall be exempt from the requirements of § 46.2-1157.

C. Specialized mobile equipment which cannot maintain a sustained highway speed in excess of ~~forty~~ 40 miles per hour, and trailers or semitrailers which are designed and manufactured for a specific purpose and whose movement on the highway is incidental to the purpose for which it was manufactured and which are not designed or used to transport persons or property, shall not be required to be registered under this chapter.

§ 46.2-702.1. *Distribution of certain revenue.*

A. An amount equivalent to the net additional revenues generated from the increases in the registration fees under §§ 46.2-694, 46.2-697, 46.2-698, and 46.2-700 effective July 1, 2004, pursuant to enactments of the 2004 Session of the General Assembly, shall be deposited by the Comptroller into the Transportation Trust Fund established under § 33.1-23.03:1. As provided in subsection A of § 58.1-638, of such amount deposited to the Transportation Trust Fund pursuant to this section, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund, and an aggregate of 14.7 percent shall be set aside as the Commonwealth Mass Transit Fund.

§ 58.1-302. Definitions.

For the purpose of this chapter and unless otherwise required by the context:

“Affiliated” means two or more corporations subject to Virginia income taxes whose relationship to each other is such that (i) one corporation owns at least ~~eighty~~ 80 percent of the voting stock of the other or others or (ii) at least ~~eighty~~ 80 percent of the voting stock of two or more corporations is owned by the same interests.

“Compensation” means wages, salaries, commissions and any other form of remuneration paid or accrued to employees for personal services.

“Corporation” includes associations, joint stock companies and insurance companies.

“Domicile” means the permanent place of residence of a taxpayer and the place to which he intends to return even though he may actually reside elsewhere. In determining domicile, consideration may be given to the applicant’s expressed intent, conduct, and all attendant circumstances including, but not limited to, financial independence, business pursuits, employment, income sources, residence for federal income tax purposes, marital status, residence of parents, spouse and children, if any, leasehold, sites of personal and real property owned by the applicant, motor vehicle and other personal property registration, residence for purposes of voting as proven by registration to vote, if any, and such other factors as may reasonably be deemed necessary to determine the person’s domicile.

“Earned income” means wages, salaries, professional fees, or amounts received as compensation for professional services actually rendered, but does not include that part of the compensation derived by the taxpayer for personal services rendered by him to a business that represents a distribution of earnings or profits rather than a reasonable allowance as compensation for the personal services actually rendered. Earned income does not include interest or dividend income, capital gains, income from investments, or similar types of passive income.

“Foreign source income” means:

1. Interest, other than interest derived from sources within the United States;
2. Dividends, other than dividends derived from sources within the United States;
3. Rents, royalties, license, and technical fees from property located or services performed without the United States or from any interest in such property, including rents, royalties, or fees for the use of or the privilege of using without the United States any patents, copyrights, secret processes and formulas, good will, trademarks, trade brands, franchises, and other like properties;
4. Gains, profits, or other income from the sale of intangible or real property located without the United States; and
5. The amount of an individual’s share of net income attributable to a foreign source qualified business unit of an electing small business corporation (S corporation). For purposes of this subsection, qualified business unit shall be defined by § 989 of the Internal Revenue Code, and the source of such income shall be determined in accordance with §§ 861, 862 and 987 of the Internal Revenue Code.

In determining the source of “foreign source income,” the provisions of §§ 861, 862, and 863 of the Internal Revenue Code shall be applied except as specifically provided in subsection 5 above.

“Income and deductions from Virginia sources” includes:

1. Items of income, gain, loss and deduction attributable to:
  - a. The ownership of any interest in real or tangible personal property in Virginia;
  - b. A business, trade, profession or occupation carried on in Virginia; or

c. Prizes paid by the Virginia Lottery Department, and gambling winnings from wagers placed or paid at a location in Virginia.

2. Income from intangible personal property, including annuities, dividends, interest, royalties and gains from the disposition of intangible personal property to the extent that such income is from property employed by the taxpayer in a business, trade, profession, or occupation carried on in Virginia.

“Individual” means all natural persons whether married or unmarried and fiduciaries acting for natural persons, but not fiduciaries acting for trusts or estates.

“Intangible expenses and costs” means:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange, lease, transfer, or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income;

2. Losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

“Intangible property” means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

“Interest expenses and costs” means amounts directly or indirectly allowed as deductions under Section 163 of the Internal Revenue Code for purposes of determining taxable income under the Internal Revenue Code to the extent such expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, use, maintenance, management, ownership, sale, exchange, lease, transfer, or disposition of intangible property.

“Nonresident estate or trust” means an estate or trust which is not a resident estate or trust.

“Related entity” means:

1. A stockholder who is an individual, or a member of the stockholder’s family enumerated in Section 318 of the Internal Revenue Code, if the stockholder and the members of the stockholder’s family own, directly, indirectly, beneficially or constructively, in the aggregate, at least 50 percent of the value of the taxpayer’s outstanding stock;

2. A stockholder, or a stockholder’s partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder’s partnerships, limited liability companies, estates, trusts and corporations own directly, indirectly, beneficially or constructively, in the aggregate, at least 50 percent of the value of the taxpayer’s outstanding stock; or

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least 50 percent of the value of the corporation’s outstanding stock. The attribution rules of Section 318 of the Internal Revenue Code shall apply for purposes of determining whether the ownership requirements of this subdivision have been met.

“Related member” means a person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in Section 1563(b) of the Internal Revenue Code, or is a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

“Resident” applies only to natural persons and includes, for the purpose of determining liability for the taxes imposed by this chapter upon the income of any taxable year every person domiciled in Virginia at any time during the taxable year and every other person who, for an aggregate of more than 183 days of the taxable year, maintained his place of abode within Virginia, whether domiciled in Virginia or not. The word “resident” shall not include any member of the United States Congress who is domiciled in another state.

“Resident estate or trust” means:

1. The estate of a decedent who at his death was domiciled in the Commonwealth;

2. A trust created by will of a decedent who at his death was domiciled in the Commonwealth;
3. A trust created by or consisting of property of a person domiciled in the Commonwealth; or
4. A trust or estate which is being administered in the Commonwealth.

“Sales” means all gross receipts of the corporation not allocated under § 58.1-407, except the sale or other disposition of intangible property shall include only the net gain realized from the transaction.

“State” means for purposes of Article 10 of this chapter any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, and any foreign country.

“Trust” or “estate” means a trust or estate, or a fiduciary thereof, which is required to file a fiduciary income tax return under the laws of the United States.

“Virginia fiduciary adjustment” means the net amount of the applicable modifications described in § 58.1-322 (including subsection E thereof if the estate or trust is a beneficiary of another estate or trust) which relate to items of income, gain, loss or deduction of an estate or trust. The fiduciary adjustment shall not include the modification in subsection D of § 58.1-322, except that the amount of state income taxes excluded from federal taxable income shall be included. The fiduciary adjustment shall also include the modification in subsection D of § 58.1-322, regarding the deduction for the purchase of a prepaid tuition contract or contribution to a savings trust account.

§ 58.1-320. Imposition of tax.

A tax is hereby annually imposed on the Virginia taxable income for each taxable year of every individual as follows:

Two percent on income not exceeding \$3,000;

Three percent on income in excess of \$3,000, but not in excess of \$5,000;

Five percent on income in excess of \$5,000, but not in excess of \$12,000 for taxable years beginning before January 1, 1987;

Five percent on income in excess of \$5,000 but not in excess of \$14,000 for taxable years beginning January 1, 1987, through December 31, 1987;

Five percent on income in excess of \$5,000 but not in excess of \$15,000 for taxable years beginning January 1, 1988, through December 31, 1988;

Five percent on income in excess of \$5,000 but not in excess of \$16,000 for taxable years beginning January 1, 1989, through December 31, 1989;

Five percent on income in excess of \$5,000 but not in excess of \$17,000 for taxable years beginning January 1, 1990;

Five and three-quarters percent on income in excess of \$12,000 for taxable years beginning before January 1, 1987;

Five and three-quarters percent on income in excess of \$14,000 for taxable years beginning January 1, 1987, through December 31, 1987;

Five and three-quarters percent on income in excess of \$15,000 for taxable years beginning January 1, 1988, through December 31, 1988;

Five and three-quarters percent on income in excess of \$16,000 for taxable years beginning January 1, 1989, through December 31, 1989; ~~and~~

Five and three-quarters percent on income in excess of \$17,000 for taxable years beginning on ~~and~~ or after January 1, 1990, but before January 1, 2004;

*Five and three-quarters percent on income in excess of \$17,000 but not in excess of \$100,000 for taxable years beginning on or after January 1, 2004;*

*Six and one-quarter percent on income in excess of \$100,000 but not in excess of \$150,000 for taxable years beginning on or after January 1, 2004; and*

*Six and one-half percent on income in excess of \$150,000 for taxable years beginning on or after January 1, 2004.*

§ 58.1-321. Exemptions and exclusions.

A. No tax levied pursuant to § 58.1-320 is imposed, nor any return required to be filed by:

1. A single individual where the Virginia adjusted gross income for such taxable year is less than \$3,000 for taxable years beginning before January 1, 1987; and less than \$5,000 for taxable years beginning on ~~and~~ or after January 1, 1987; *but before January 1, 2004.*

*A single individual where the Virginia adjusted gross income plus the modification specified in subdivision D 5 of § 58.1-322 for such taxable year is less than \$5,000 for taxable years beginning on or after January 1, 2004.*

2. An individual and spouse if their combined Virginia adjusted gross income for such taxable year is less than ~~\$3,000 for taxable years beginning before January 1, 1987; and less than~~ \$8,000 for taxable years beginning on ~~and~~ or after January 1, 1987 (or one-half of such amount in the case of a married individual filing a separate return) *but before January 1, 2004.*

*An individual and spouse if their combined Virginia adjusted gross income plus the modification specified in subdivision D 5 of § 58.1-322 is less than \$8,000 for taxable years beginning on or after January 1, 2004 (or one-half of such amount in the case of a married individual filing a separate return) but before January 1, 2005; and less than \$9,000 for taxable years beginning on or after January 1, 2005 (or one-half of such amount in the case of a married individual filing a separate return).*

For the purposes of this section "Virginia adjusted gross income" means federal adjusted gross income for the taxable years with the modifications specified in § 58.1-322 B, § 58.1-322 C and the additional deductions allowed under § 58.1-322 D 2 b and D 5 *for taxable years beginning before January 1, 2004. For taxable years beginning on or after January 1, 2004, Virginia adjusted gross income means federal adjusted gross income with the modifications specified in subsections B and C of § 58.1-322.*

B. Persons in the armed forces of the United States stationed on military or naval reservations within Virginia who are not domiciled in Virginia shall not be held liable to income taxation for compensation received from military or naval service.

§ 58.1-322. Virginia taxable income of residents.

A. The Virginia taxable income of a resident individual means his federal adjusted gross income for the taxable year, which excludes combat pay for certain members of the Armed Forces of the United States as provided in § 112 of the Internal Revenue Code, as amended, and with the modifications specified in this section.

B. To the extent excluded from federal adjusted gross income, there shall be added:

1. Interest, less related expenses to the extent not deducted in determining federal income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which Virginia is a party;

2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;

3. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;

4. The amount of a lump sum distribution from a qualified retirement plan, less the minimum distribution allowance and any amount excludable for federal income tax purposes that is excluded from federal adjusted gross income solely by virtue of an individual's election to use the averaging provisions under § 402 of the Internal Revenue Code; and

5. through 8. [Repealed.]

9. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code.

C. To the extent included in federal adjusted gross income, there shall be subtracted:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. [Repealed.]

4. Benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code.

4a. Through December 31, 2000, the same amount used in computing the federal credit allowed under § 22 of the Internal Revenue Code by a retiree under age 65 who qualified for such retirement on the basis of permanent and total disability and who is a qualified individual as defined in § 22 (b) (2) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of subsection D of this section may not also claim a subtraction under this subdivision.

4b. For taxable years beginning on or after January 1, 2001, up to \$20,000 of disability income, as defined in § 22 (c) (2) (B) (iii) of the Internal Revenue Code; however, any person who claims a deduction under subdivision 5 of subsection D of this section may not also claim a subtraction under this subdivision.

5. The amount of any refund or credit for overpayment of income taxes imposed by the Commonwealth or any other taxing jurisdiction.

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C (a) of the Internal Revenue Code.

7, 8. [Repealed.]

9. [Expired.]

10. Any amount included therein less than \$600 from a prize awarded by the State Lottery Department.

11. The wages or salaries received by any person for active and inactive service in the National Guard of the Commonwealth of Virginia, not to exceed the amount of income derived from 39 calendar days of such service or \$3,000, whichever amount is less; however, only those persons in the ranks of O3 and below shall be entitled to the deductions specified herein.

12. Amounts received by an individual, not to exceed \$1,000 in any taxable year, as a reward for information provided to a law-enforcement official or agency, or to a nonprofit corporation created exclusively to assist such law-enforcement official or agency, in the apprehension and conviction of perpetrators of crimes. This provision shall not apply to the following: an individual who is an employee of, or under contract with, a law-enforcement agency, a victim or the perpetrator of the crime for which the reward was paid, or any person who is compensated for the investigation of crimes or accidents.

13. [Repealed.]

14. (Expires for taxable years beginning on and after January 1, 2004) The amount of any qualified agricultural contribution as determined in § 58.1-322.2.

15, 16. [Repealed.]

17. For taxable years beginning on and after January 1, 1995, the amount of “qualified research expenses” or “basic research expenses” eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C (c) of the Internal Revenue Code and which shall be available to partners, shareholders of S corporations, and members of limited liability companies to the extent and in the same manner as other deductions may pass through to such partners, shareholders, and members.

18. For taxable years beginning on or after January 1, 1995, all military pay and allowances, not otherwise subtracted under this subsection, earned for any month during any part of which such member performed military service in any part of the former Yugoslavia, including the air space above such location or any waters subject to related naval operations, in support of Operation JOINT ENDEAVOR as part of the NATO Peace Keeping Force. Such subtraction shall be available until the taxpayer completes such service.

19. For taxable years beginning on and after January 1, 1996, any income received during the taxable year derived from a qualified pension, profit-sharing, or stock bonus plan as described by § 401 of the Internal Revenue Code, an individual retirement account or annuity established under § 408 of the Internal Revenue Code, a deferred compensation plan as defined by § 457 of the Internal Revenue Code,

or any federal government retirement program, the contributions to which were deductible from the taxpayer's federal adjusted gross income, but only to the extent the contributions to such plan or program were subject to taxation under the income tax in another state.

20. For taxable years beginning on and after January 1, 1997, any income attributable to a distribution of benefits or a refund from a prepaid tuition contract or savings trust account with the Virginia College Savings Plan, created pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23. The subtraction for any income attributable to a refund shall be limited to income attributable to a refund in the event of a beneficiary's death, disability, or receipt of a scholarship.

21. For taxable years beginning on or after January 1, 1998, all military pay and allowances, to the extent included in federal adjusted gross income and not otherwise subtracted, deducted or exempted under this section, earned by military personnel while serving by order of the President of the United States with the consent of Congress in a combat zone or qualified hazardous duty area which is treated as a combat zone for federal tax purposes pursuant to § 112 of the Internal Revenue Code.

22. For taxable years beginning on or after January 1, 2000, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

23. Effective for all taxable years beginning on or after January 1, 2000, \$15,000 of military basic pay for military service personnel on extended active duty for periods in excess of 90 days; however, the subtraction amount shall be reduced dollar-for-dollar by the amount which the taxpayer's military basic pay exceeds \$15,000 and shall be reduced to zero if such military basic pay amount is equal to or exceeds \$30,000.

24. Effective for all taxable years beginning on and after January 1, 2000, the first \$15,000 of salary for each federal and state employee whose annual salary is \$15,000 or less.

25. Unemployment benefits taxable pursuant to § 85 of the Internal Revenue Code.

26. For taxable years beginning on and after January 1, 2001, any amount received as military retirement income by an individual awarded the Congressional Medal of Honor.

27. Effective for all taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.1-1106; (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999; and (iii) the Tobacco Loss Assistance Program, pursuant to 7 C.F.R. Part 1464 (Subpart C, §§ 1464.201 through 1464.205), by (a) tobacco farmers; (b) any person holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any person having the right to grow tobacco pursuant to such a quota or allotment, but only to the extent that such income has not been subtracted pursuant to subdivision C 18 of § 58.1-402.

28. For taxable years beginning on and after January 1, 2000, items of income attributable to, derived from or in any way related to (i) assets stolen from, hidden from or otherwise lost by an individual who was a victim or target of Nazi persecution or (ii) damages, reparations, or other consideration received by a victim or target of Nazi persecution to compensate such individual for performing labor against his will under the threat of death, during World War II and its prelude and direct aftermath. This subtraction shall not apply to assets acquired with such items of income or with the proceeds from the sale of assets stolen from, hidden from or otherwise lost to, during World War II and its prelude and direct aftermath, a victim or target of Nazi persecution. The provisions of this subdivision shall only apply to an individual who was the first recipient of such items of income and who was a victim or target of Nazi persecution, or a spouse, widow, widower, or child or stepchild of such victim.

"Victim or target of Nazi persecution" means any individual persecuted or targeted for persecution by the Nazi regime who had assets stolen from, hidden from or otherwise lost as a result of any act or omission in any way relating to (i) the Holocaust; (ii) World War II and its prelude and direct aftermath; (iii) transactions with or actions of the Nazi regime; (iv) treatment of refugees fleeing Nazi persecution; or (v) the holding of such assets by entities or persons in the Swiss Confederation during World War II and its prelude and aftermath. A victim or target of Nazi persecution shall also include any individual

forced into labor against his will, under the threat of death, during World War II and its prelude and direct aftermath. As used in this subdivision, "Nazi regime" means the country of Nazi Germany, areas occupied by Nazi Germany, those European countries allied with Nazi Germany, or any other neutral European country or area in Europe under the influence or threat of Nazi invasion.

29. For taxable years beginning on and after January 1, 2002, any gain recognized as a result of the Peanut Quota Buyout Program of the Farm Security and Rural Investment Act of 2002 pursuant to 7 C.F.R. Part 1412 (Subpart H, §§ 1412.801 through 1412.811) as follows:

a. If the payment is received in installment payments pursuant to 7 C.F.R. § 1412.807(a)(2), then the entire gain recognized may be subtracted.

b. If the payment is received in a single payment pursuant to 7 C.F.R. § 1412.807(a)(3), then 20 percent of the recognized gain may be subtracted. The taxpayer may then deduct an equal amount in each of the four succeeding taxable years.

30. Effective for all taxable years beginning on and after January 1, 2002, but before January 1, 2005, the indemnification payments received by contract poultry growers and table egg producers from the U.S. Department of Agriculture as a result of the depopulation of poultry flocks because of low pathogenic avian influenza in 2002. In no event shall indemnification payments made to owners of poultry who contract with poultry growers qualify for this subtraction.

31. Effective for all taxable years beginning on or after January 1, 2001, the military death gratuity payment made after September 11, 2001, to the survivor of deceased military personnel killed in the line of duty, pursuant to Chapter 75 of Title 10 of the United States Code; however, the subtraction amount shall be reduced dollar-for-dollar by the amount that the survivor may exclude from his federal gross income in accordance with § 134 of the Internal Revenue Code.

D. In computing Virginia taxable income there shall be deducted from ~~federal adjusted gross income~~ *Virginia adjusted gross income as defined in § 58.1-321*:

1. a. The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by the Commonwealth or any other taxing jurisdiction and deducted on such federal return and increased by an amount which, when added to the amount deducted under § 170 of the Internal Revenue Code for mileage, results in a mileage deduction at the state level for such purposes at a rate of 18 cents per mile; or

b. Two thousand dollars for taxable years beginning January 1, 1987, through December 31, 1987; \$2,700 for taxable years beginning January 1, 1988, through December 31, 1988; ~~and~~ \$5,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return); and \$3,000 for single individuals for taxable years beginning on ~~and~~ or after January 1, 1989, *but before January 1, 2005; and \$7,000 for married persons (one-half of such amounts in the case of a married individual filing a separate return) and \$3,500 for single individuals for taxable years beginning on or after January 1, 2005*; provided that the taxpayer has not itemized deductions for the taxable year on his federal income tax return. For purposes of this section, any person who may be claimed as a dependent on another taxpayer's return for the taxable year may compute the deduction only with respect to earned income.

2. a. A deduction in the amount of \$700 for taxable years beginning January 1, 1987, through December 31, 1987, ~~and~~; \$800 for taxable years beginning on ~~and~~ or after January 1, 1988, *but before January 1, 2005; and \$1,000 for taxable years beginning on or after January 1, 2005*, for each personal exemption allowable to the taxpayer for federal income tax purposes.

b. For taxable years beginning on ~~and~~ or after January 1, 1987, each blind or aged taxpayer as defined under § 63 (f) of the Internal Revenue Code shall be entitled to an additional personal exemption *in the amount of \$800 for the taxable year*.

~~b. An additional deduction of \$200 for taxable years beginning January 1, 1987, through December 31, 1987, for each blind or aged taxpayer as defined under § 63 (f) of the Internal Revenue Code. The additional deduction for blind or aged taxpayers allowed under this subdivision and the additional personal exemption allowed to blind or aged taxpayers under subdivision 2 a of this subsection shall be allowable regardless of whether the taxpayer itemizes deductions for the taxable year for federal income tax purposes.~~

3. A deduction equal to the amount of employment-related expenses upon which the federal credit is based under § 21 of the Internal Revenue Code for expenses for household and dependent care services necessary for gainful employment.

4. An additional \$1,000 deduction for each child residing for the entire taxable year in a home under permanent foster care placement as defined in § 63.2-908, provided the taxpayer can also claim the child as a personal exemption under § 151 of the Internal Revenue Code.

5. Effective for all taxable years beginning on or after January 1, 1996, *but before January 1, 2004*, a deduction in the amount of \$12,000 for taxpayers age 65 or older, or \$6,000 for taxpayers age 62 through 64.

*a. The age deduction for all taxable years beginning on or after January 1, 2004, shall be determined in accordance with the following table and as adjusted herein:*

<i>Taxable Years</i>	<i>Applicable Deduction</i>
<i>1. Beginning on or after January 1, 2004, but before January 1, 2011</i>	<i>\$12,000 for individuals who are 65 or older in the taxable year</i>
<i>2. Beginning on or after January 1, 2011</i>	<i>\$12,000 for individuals who are at their retirement age or older in the taxable year</i>
<i>3. Beginning on or after January 1, 2004,</i>	<i>\$6,000 for individuals born on or before December 31, 1941, who did not reach the age of 65 in the taxable year</i>

*Except as provided in subdivision b, the deductions provided in this table shall be reduced by \$1 for each \$1 by which the taxpayer's modified federal adjusted gross income exceeds \$40,000 for single taxpayers and \$64,000 for married taxpayers.*

*For married taxpayers filing separately, whether or not on a combined return, with combined modified federal adjusted gross income of both spouses in excess of \$64,000 for the taxable year, the age deduction allowed for each individual spouse shall be reduced by \$1 for each \$2 by which combined modified federal adjusted gross income exceeds \$64,000 pursuant to subdivision 5 b under the following circumstances.*

*b. 1. There shall be no reduction to the amount of the age deduction for any taxpayer who was at least 65 years old as of December 31, 2003, provided that the taxpayer's modified federal adjusted gross income for the taxable year is not in excess of \$200,000.*

*There shall be no reduction to the amount of the \$6,000 age deduction available to any taxpayer who was at least 62 but less than 65 years old as of December 31, 2003, provided that the taxpayer's modified federal adjusted gross income for the taxable year is not in excess of \$200,000.*

*2. If the taxpayer is married, such \$200,000 limitation shall apply to the combined modified federal adjusted gross income of both spouses for the taxable year regardless of whether or not such married taxpayers file separate individual income tax returns or a joint individual income tax return.*

*c. For the purposes of subdivisions D 5 a and b, "modified federal adjusted gross income" means federal adjusted gross income minus any benefits received under Title II of the Social Security Act and other benefits subject to federal income taxation solely pursuant to § 86 of the Internal Revenue Code, as amended.*

*For purposes of subdivision D 5 a, "retirement age" means the same as such term is defined under 42 U.S.C. § 416, as may be amended from time to time.*

6. For taxable years beginning on and after January 1, 1997, the amount an individual pays as a fee for an initial screening to become a possible bone marrow donor, if (i) the individual is not reimbursed for such fee or (ii) the individual has not claimed a deduction for the payment of such fee on his federal income tax return.

7. a. A deduction shall be allowed to the purchaser or contributor for the amount paid or contributed during the taxable year for a prepaid tuition contract or savings trust account entered into with the Virginia College Savings Plan, pursuant to Chapter 4.9 (§ 23-38.75 et seq.) of Title 23. Except as provided in subdivision 7 c, the amount deducted on any individual income tax return in any taxable year

shall be limited to \$2,000 per prepaid tuition contract or savings trust account. No deduction shall be allowed pursuant to this section if such payments or contributions are deducted on the purchaser's or contributor's federal income tax return. If the purchase price or annual contribution to a savings trust account exceeds \$2,000, the remainder may be carried forward and subtracted in future taxable years until the purchase price or savings trust contribution has been fully deducted; however, except as provided in subdivision 7 c, in no event shall the amount deducted in any taxable year exceed \$2,000 per contract or savings trust account. Notwithstanding the statute of limitations on assessments contained in § 58.1-312, any deduction taken hereunder shall be subject to recapture in the taxable year or years in which distributions or refunds are made for any reason other than (i) to pay qualified higher education expenses, as defined in § 529 of the Internal Revenue Code or (ii) the beneficiary's death, disability, or receipt of a scholarship. For the purposes of this subdivision, the term "purchaser" or "contributor" means the person shown as such on the records of the Virginia College Savings Plan as of December 31 of the taxable year. In the case of a transfer of ownership of a prepaid tuition contract or savings trust account, the transferee shall succeed to the transferor's tax attributes associated with a prepaid tuition contract or savings trust account, including, but not limited to, carryover and recapture of deductions.

b. The amount paid for a prepaid tuition contract during taxable years beginning on or after January 1, 1996, but before January 1, 1998, shall be deducted in taxable years beginning on or after January 1, 1998, and shall be subject to the limitations set out in subdivision 7 a.

c. A purchaser of a prepaid tuition contract or contributor to a savings trust account who has attained age 70 shall not be subject to the limitation that the amount of the deduction not exceed \$2,000 per prepaid tuition contract or savings trust account in any taxable year. Such taxpayer shall be allowed a deduction for the full amount paid for the contract or contributed to a savings trust account, less any amounts previously deducted. If a prepaid tuition contract was purchased by such taxpayer during taxable years beginning on or after January 1, 1996, but before January 1, 1998, such taxpayer may take the deduction for the full amount paid during such years, less any amounts previously deducted with respect to such payments, in taxable year 1999 or by filing an amended return for taxable year 1998.

8. For taxable years beginning on and after January 1, 2000, the total amount an individual actually contributed in funds to the Virginia Public School Construction Grants Program and Fund, established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1, provided the individual has not claimed a deduction for such amount on his federal income tax return.

9. For taxable years beginning on and after January 1, 1999, an amount equal to 20 percent of the tuition costs incurred by an individual employed as a primary or secondary school teacher licensed pursuant to Chapter 15 (§ 22.1-289.1 et seq.) of Title 22.1 to attend continuing teacher education courses that are required as a condition of employment; however, the deduction provided by this subsection shall be available only if (i) the individual is not reimbursed for such tuition costs and (ii) the individual has not claimed a deduction for the payment of such tuition costs on his federal income tax return.

10. For taxable years beginning on and after January 1, 2000, the amount an individual pays annually in premiums for long-term health care insurance, provided the individual has not claimed a deduction for federal income tax purposes.

E. There shall be added to or subtracted from federal adjusted gross income, as the case may be, the individual's share, as beneficiary of an estate or trust, of the Virginia fiduciary adjustment determined under § 58.1-361.

F. There shall be added or subtracted, as the case may be, the amounts provided in § 58.1-315 as transitional modifications.

§ 58.1-324. Husband and wife.

*For purposes of this section:*

*"Family Virginia taxable income" means, for the relevant taxable year, the combined Virginia taxable income of a husband and wife who are not legally separated.*

A. If the federal taxable income of husband or wife is determined on a separate federal return, their Virginia taxable incomes shall be separately determined, *if family Virginia taxable income is less than or equal to \$100,000.*

*B. If family Virginia taxable income exceeds \$100,000 for the taxable year, the individual income tax shall be calculated on the family Virginia taxable income, and each spouse shall be jointly and severally liable for such tax except as provided in subdivision B 2.*

*1. In cases where both spouses have earned income as such term is defined in § 58.1-302, a two-earner adjustment shall be applied to reduce the calculated tax liability on the following basis:*

<i>If taxable income is:</i>	<i>The deduction shall equal:</i>
<i>In excess of \$100,000 but not in excess of \$125,000</i>	<i>4.5 percent two-earner credit</i>
<i>In excess of \$125,000 but not in excess of \$150,000</i>	<i>4 percent two-earner credit</i>
<i>In excess of \$150,000 but not in excess of \$200,000</i>	<i>3 percent two-earner credit</i>
<i>In excess of \$200,000 but not in excess of \$300,000</i>	<i>2 percent two-earner credit</i>
<i>In excess of \$300,000</i>	<i>1 percent two-earner credit, not to exceed a maximum credit of \$1,132</i>

*2. In cases where family Virginia taxable income exceeds \$100,000 for the taxable year and separate income tax returns are filed, each spouse shall be severally liable for the tax calculated on family Virginia taxable income on a pro rata basis. Each spouse's individual income tax liability shall be that portion of the income tax on family Virginia taxable income as the spouse's Virginia taxable income for the taxable year bears to the combined Virginia taxable income of both spouses for the taxable year.*

**BC.** If the federal taxable income of husband and wife is determined on a joint federal return, or if neither files a federal return:

1. Their tax shall be determined on their joint Virginia taxable income; or

2. Separate taxes may be determined on their separate Virginia taxable incomes if they so elect, *and the family Virginia taxable income is less than or equal to \$100,000.*

**CD.** Where husband and wife have not separately reported and claimed items of income, exemptions and deductions for federal income tax purposes, and have not elected to file a joint Virginia income tax return, such items allowable for Virginia income tax purposes shall be allocated and adjusted as follows:

1. Income shall be allocated to the spouse who earned the income or with respect to whose property the income is attributable.

2. Allowable deductions with respect to trade, business, production of income, or employment shall be allocated to the spouse to whom attributable.

3. Nonbusiness deductions, where properly taken for federal income tax purposes, shall be allowable for Virginia income tax purposes, but shall be allocable between husband and wife as they may mutually agree. For this purpose, "nonbusiness deductions" consist of allowable deductions not described in subdivision 2 of this subsection.

4. Where the standard deduction or low income allowance is properly taken pursuant to subdivision D 1 a of § 58.1-322 such deduction or allowance shall be allocable between husband and wife as they may mutually agree.

5. Personal exemptions properly allowable for federal income tax purposes shall be allocated for Virginia income tax purposes as husband and wife may mutually agree; however, exemptions for taxpayer and spouse together with exemptions for old age and blindness must be allocated respectively to the spouse to whom they relate.

**DE.** Where allocations are permitted to be made under subsection **CD** pursuant to agreement between husband and wife, and husband and wife have failed to agree as to those allocations, such allocations shall be made between husband and wife in a manner corresponding to the treatment for federal income tax purposes of the items involved, under regulations prescribed by the Department of Taxation.

§ 58.1-339.8. Income tax credit for low-income taxpayers.

A. As used in this section, unless the context requires otherwise:

"Family Virginia adjusted gross income" means the combined Virginia adjusted gross income of an individual, the individual's spouse, and any person claimed as a dependent on the individual's or his spouse's income tax return for the taxable year.

"Poverty guidelines" means the poverty guidelines for the ~~forty-eight~~ 48 contiguous states and the District of Columbia updated annually in the Federal Register by the U.S. Department of Health and Human Services under the authority of § 673 (2) of the Omnibus Budget Reconciliation Act of 1981.

"Virginia adjusted gross income" has the same meaning as the term is defined in § 58.1-321.

B. 1. For taxable years beginning on and after January 1, 2000, any individual or persons filing a joint return whose family Virginia adjusted gross income does not exceed ~~one hundred~~ 100 percent of the poverty guideline amount corresponding to a household of an equal number of persons as listed in the poverty guidelines published during such taxable year, shall be allowed a credit against the tax levied pursuant to § 58.1-320 in an amount equal to \$300 each for the individual, the individual's spouse, and any person claimed as a dependent on the individual's or married persons' income tax return for the taxable year. For any taxable year in which a husband and wife file separate Virginia income tax returns, the credit provided under this section shall be allowed against the tax for only one of such two tax returns. Additionally, the credit provided under this section shall not be allowed against such tax of a dependent of the individual or of married persons.

2. For taxable years beginning on or after January 1, 2005, any individual or married persons, eligible for a tax credit pursuant to § 32 of the Internal Revenue Code, may for the taxable year, in lieu of the credit authorized under subdivision B 1, claim a credit against the tax imposed pursuant to § 58.1-320 in an amount equal to 20 percent of the credit claimed by the individual or married persons for federal individual income taxes pursuant to § 32 of the Internal Revenue Code for the taxable year. In no case shall a household be allowed a credit pursuant to this subdivision and subdivision B 1 for the same taxable year.

For purpose of this subdivision, "household" means an individual and in the case of married persons, the individual and his spouse regardless of whether or not the individual and his spouse file combined or separate Virginia individual income tax returns.

C. The amount of the credit provided pursuant to ~~this section~~ subsection B for any taxable year shall not exceed the individual's or married persons' Virginia income tax liability.

D. Notwithstanding any other provision of this section, ~~such~~ no credit shall ~~not~~ be allowed pursuant to subsection B in any taxable year in which the individual, the individual's spouse, or both, or any person claimed as a dependent on such individual's or married persons' income tax return, claims one or any combination of the following on his or their income tax return for such taxable year:

1. The subtraction under subdivision C 11 of § 58.1-322;
  2. The subtraction under subdivision C 23 of § 58.1-322;
  3. The subtraction under subdivision C 24 of § 58.1-322;
  4. The deduction for the additional personal exemption for blind or aged taxpayers under subdivision D 2 ~~a-b~~ of § 58.1-322; or
  5. The deduction under subdivision D 5 of § 58.1-322.
- § 58.1-341. Returns of individuals.

A. On or before May 1 of each year if an individual's taxable year is the calendar year, or on or before the fifteenth day of the fourth month following the close of a taxable year other than the calendar year, an income tax return under this chapter shall be made and filed by or for:

1. Every resident individual, except as provided in § 58.1-321, required to file a federal income tax return for the taxable year, or having Virginia taxable income for the taxable year;
2. Every nonresident individual having Virginia taxable income for the taxable year, except as provided in § 58.1-321.

B. If the federal income tax liability of husband or wife is determined on a separate federal return, their Virginia income tax liabilities and returns shall be separate *except as provided under § 58.1-324*. If the federal income tax liabilities of husband and wife (other than a husband and wife described in subdivision 2 of subsection A) are determined on a joint federal return, or if neither files a federal return:

1. They shall file a joint Virginia income tax return, and their tax liabilities shall be joint and several; or
2. They may elect to file separate Virginia income tax returns if they comply with the requirements of the Department in setting forth information (whether or not on a single form), in which event their tax

liabilities shall be separate, *except as provided under § 58.1-324* or unless such husband and wife file separately on a combined return. The election permitted under this subsection may be made or changed at any time within three years from the last day prescribed by law for the timely filing of the return.

C. If either husband or wife is a resident and the other is a nonresident, they shall file separate Virginia income tax returns on such single or separate forms as may be required by the Department, in which event their tax liabilities shall be separate except as provided in subsection D, unless both elect to determine their joint Virginia taxable income as if both were residents, in which event their tax liabilities shall be joint and several.

D. If husband and wife file separate Virginia income tax returns on a single form pursuant to subsection B or C, and:

1. If the sum of the payments by either spouse, including withheld and estimated taxes, exceeds the amount of the tax for which such spouse is separately liable, the excess may be applied by the Department to the credit of the other spouse if the sum of the payments by such other spouse, including withheld and estimated taxes, is less than the amount of the tax for which such other spouse is separately liable;

2. If the sum of the payments made by both spouses with respect to the taxes for which they are separately liable, including withheld and estimated taxes, exceeds the total of the taxes due, refund of the excess may be made payable to both spouses.

The provisions of this subsection shall not apply if the return of either spouse includes a demand that any overpayment made by him or her shall be applied only on account of his or her separate liability.

E. The return for any deceased individual shall be made and filed by his executor, administrator, or other person charged with his property.

F. The return for an individual who is unable to make a return by reason of minority or other disability shall be made and filed by his guardian, committee, fiduciary or other person charged with the care of his person or property (other than a receiver in possession of only a part of his property), or by his duly authorized agent.

*§ 58.1-390.1. Definitions.*

*The following words and terms, when used in this article, shall have the following meanings unless the context clearly indicates otherwise:*

*“Pass-through entity” means any entity, including a limited partnership, a limited liability partnership, a general partnership, a limited liability company, a professional limited liability company, a business trust or a Subchapter S corporation, that is recognized as a separate entity for federal income tax purposes, in which the partners, members or shareholders report their share of the income, gains, losses, deductions and credits from the entity on their federal income tax returns.*

*“Owner” means any individual or entity who is treated as a partner, member, or shareholder of a pass-through entity for federal income tax purposes.*

*§ 58.1-390.2. Taxation of pass-through entities.*

*Except as provided for in this article, owners of pass-through entities shall be liable for tax under this chapter only in their separate or individual capacities.*

*§ 58.1-391. Virginia taxable income of owners of a pass-through entity.*

A. In determining Virginia taxable income of ~~a partner~~ *an owner of a pass-through entity*, any modification described in § 58.1-322 ~~which~~ *that* relates to an item of ~~partnership~~ *pass-through entity* income, gain, loss or deduction shall be made in accordance with the ~~partner's~~ *owner's* distributive share, for federal income tax purposes, of the item to which the modification relates. Where ~~a partner's~~ *an owner's* distributive share of any such item is not included in any category of income, gain, loss or deduction required to be taken into account separately for federal income tax purposes, the ~~partner's~~ *owner's* distributive share of such item shall be determined in accordance with his distributive share, for federal income tax purposes, of ~~partnership~~ *pass-through entity* taxable income or loss.

B. Each item of ~~partnership~~ *pass-through entity* income, gain, loss or deduction shall have the same character for ~~a partner~~ *an owner* under this chapter as for federal income tax purposes. Where an item is not characterized for federal income tax purposes, it shall have the same character for ~~a partner~~ *an owner*

as if realized directly from the source from which realized by the ~~partnership~~ *pass-through entity* or incurred in the same manner by the ~~partnership~~ *pass-through entity*.

C. Where a ~~partner's~~ *an owner's* distributive shares of an item of ~~partnership~~ *pass-through entity* income, gain, loss or deduction is determined for federal income tax purposes by special provision in the ~~partnership~~ *pass-through entity* agreement with respect to such item, and where the principal purpose of such provision is the avoidance or evasion of tax under this chapter, the ~~partner's~~ *owner's* distributive share of such item, and any modification required with respect thereto, shall be determined as if the ~~partnership~~ *pass-through entity* agreement made no special provision with respect to such item.

§ 58.1-392. Reports by pass-through entities.

~~No report shall be required to be filed with the Department of Taxation by any partnership organized under the laws of the Commonwealth or having income from Virginia sources. However, the Tax Commissioner shall have the authority to promulgate regulations requiring that partnerships furnish copies of federal partnership returns and attached schedules or any other information which he deems necessary. In promulgating such regulations, the Tax Commissioner may prescribe the imposition of a penalty in the amount of \$100 for failure to comply, within a reasonable time, to the request for information as set forth therein.~~

A. *Every pass-through entity doing business in Virginia, or having income from Virginia sources, shall make a return to the Department of Taxation on or before the fifteenth day of the fourth month following the close of its taxable year. Such returns shall be made and filed in the manner prescribed by the Department.*

B. *The return of a pass-through entity shall be signed by any one of the owners. An owner's name signed on the return shall be prima facie evidence that such owner is authorized to sign the return on behalf of the pass-through entity.*

C. *The Tax Commissioner may establish an income threshold for the filing of returns by pass-through entities and their owners. Pass-through entities and owners with income below this threshold shall not be required to file a return.*

D. *Receivers, trustees in dissolution, trustees in bankruptcy, and assignees operating the property or business of pass-through entities must make and file returns of income for such pass-through entities. If a receiver has full custody of and control over the business or property of a pass-through entity, he shall be deemed to be operating such business or property, whether he is engaged in carrying on the business for which the pass-through entity was organized or only in marshaling, selling, or disposing of its assets for purposes of liquidation.*

E. *Pass-through entities may be required to file the return using an electronic medium prescribed by the Tax Commissioner. The Tax Commissioner shall establish a minimum number of owners for the electronic filing requirement. Waivers shall be granted only if the Tax Commissioner finds that the requirement creates an unreasonable burden on the pass-through entity. All requests for waivers must be submitted to the Tax Commissioner in writing. Pass-through entities that have fewer than the established minimum number of owners may, at such pass-through entity's option, file such annual return on such prescribed electronic medium in lieu of filing the annual return on paper.*

§ 58.1-393.1. Extension of time for filing return by pass-through entity.

A. *Whenever any pass-through entity has been allowed or granted an extension of time within which to file any federal report of its income for any taxable year, the due date for the filing of the report or return required by this article shall be extended to the date six months after such due date, or 30 days after the extended date for filing the federal report, whichever is later.*

B. *In addition, the Department may grant an extension or extensions of time not to exceed a maximum of six months beyond the due date required by this article for filing such pass-through entity return.*

§ 58.1-394.1. Failure of pass-through entity to make a return.

A. *Any pass-through entity that fails to file a return required by this article within the time required shall be liable for a penalty of \$200 if the failure is for not more than one month, with an additional \$200 for each additional month or fraction thereof during which such failure to file continues, not exceeding six months in the aggregate. In no case, however, shall the penalty be less than \$200.*

*B. If any pass-through entity's failure to file a return required by this article exceeds six months, the Department shall assess a penalty of six percent of the total amount of Virginia taxable income derived by its owners from the pass-through entity for the taxable year. The Department may determine such penalty from any information in its possession. The penalty assessed pursuant to this subsection shall be reduced by the penalty assessed pursuant to subsection A and any tax paid by the owners on their share of income from the pass-through entity for the taxable year.*

*C. The penalties set forth in this subsection shall be assessed and collected by the Department in the manner provided for the assessment and collection of taxes under this chapter or in a civil action, at the instance of the Department. In addition, such pass-through entity shall be compellable by mandamus to file such return.*

*§ 58.1-394.2. Fraudulent returns, etc., of pass-through entities; penalty.*

*A. Any officer or owner of any pass-through entity who makes a fraudulent return or statement with the intent of assisting or facilitating the evasion of the payment of the taxes prescribed by this chapter by the pass-through entity or an owner shall be liable for a penalty of not more than \$1,000, to be assessed and collected in the manner provided for the assessment and collection of taxes under this chapter or in a civil action, at the instance of the Department.*

*B. In addition to other penalties provided by law, any officer or owner of a pass-through entity who makes a fraudulent return or statement with the intent of assisting or facilitating the evasion of the payment of the taxes prescribed by this chapter by the pass-through entity or an owner, or who willfully fails or refuses to make a return required by this chapter at the time or times required by law shall be guilty of a Class 1 misdemeanor. A prosecution under this section shall be commenced within five years next after the commission of the offense.*

*§ 58.1-395. Nonresident owners.*

*Pass-through entities may make written application to the Tax Commissioner for permission to file a statement of combined pass-through entity income attributable to nonresident owners and thereby relieve nonresident owners from filing individual nonresident returns. The application must state the reasons for seeking such permission. The Tax Commissioner, in his sole discretion, may, for good cause, grant permission to file a combined nonresident return upon such terms as he may determine.*

*§ 58.1-402. Virginia taxable income.*

*A. For purposes of this article, Virginia taxable income for a taxable year means the federal taxable income and any other income taxable to the corporation under federal law for such year of a corporation adjusted as provided in subsections B, C and D.*

*For a regulated investment company and a real estate investment trust, such term means the "investment company taxable income" and "real estate investment trust taxable income," respectively, to which shall be added in each case any amount of capital gains and any other income taxable to the corporation under federal law which shall be further adjusted as provided in subsections B, C and D.*

*B. There shall be added to the extent excluded from federal taxable income:*

*1. Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than Virginia, or of a political subdivision of any such other state unless created by compact or agreement to which the Commonwealth is a party;*

*2. Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes;*

*3. [Repealed.]*

*4. The amount of any net income taxes and other taxes, including franchise and excise taxes, which are based on, measured by, or computed with reference to net income, imposed by the Commonwealth or any other taxing jurisdiction, to the extent deducted in determining federal taxable income;*

*5. Unrelated business taxable income as defined by § 512 of the Internal Revenue Code;*

*6. The amount of employee stock ownership credit carry-over deducted by the corporation in computing federal taxable income under § 404 (i) of the Internal Revenue Code;*

7. The amount required to be included in income for the purpose of computing the partial tax on an accumulation distribution pursuant to § 667 of the Internal Revenue Code.

8. *a. For taxable years beginning on or after January 1, 2004, the amount of any intangible expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the intangible expenses and costs if one of the following applies:*

1. *The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;*

2. *The related member derives at least one-third of its gross revenues from the licensing of intangible property to parties who are not related members, and the transaction giving rise to the expenses and costs between the corporation and the related member was made at rates and terms comparable to the rates and terms of agreements that the related member has entered into with parties who are not related members for the licensing of intangible property; or*

3. *The corporation can establish to the satisfaction of the Tax Commissioner that the intangible expenses and costs meet both of the following: (i) the related member during the same taxable year directly or indirectly paid, accrued or incurred such portion to a person who is not a related member, and (ii) the transaction giving rise to the intangible expenses and costs between the corporation and the related member did not have as a principal purpose the avoidance of any portion of the tax due under this chapter.*

*b. Nothing in this subdivision shall be construed to limit or negate the Department's authority under § 58.1-446.*

9. *a. For taxable years beginning on or after January 1, 2004, the amount of any interest expenses and costs directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirect transactions with one or more related members to the extent such expenses and costs were deductible or deducted in computing federal taxable income for Virginia purposes. This addition shall not be required for any portion of the interest expenses and costs, if:*

1. *The related member has substantial business operations relating to interest-generating activities, in which the related member pays expenses for at least five full-time employees who maintain, manage, defend or are otherwise responsible for operations or administration relating to the interest-generating activities; and*

2. *The interest expenses and costs are not directly or indirectly for, related to or in connection with the direct or indirect acquisition, maintenance, management, sale, exchange, or disposition of intangible property; and*

3. *The transaction giving rise to the expenses and costs between the corporation and the related member has a valid business purpose other than the avoidance or reduction of taxation and payments between the parties are made at arm's length rates and terms; and*

4. *One of the following applies:*

(i). *The corresponding item of income received by the related member is subject to a tax based on or measured by net income or capital imposed by Virginia, another state, or a foreign government that has entered into a comprehensive tax treaty with the United States government;*

(ii). *Payments arise pursuant to a pre-existing contract entered into when the parties were not related members provided the payments continue to be made at arm's length rates and terms;*

(iii). *The related member engages in transactions with parties other than related members which generate revenue in excess of two million dollars annually; or*

(iv). *The transaction giving rise to the interest payments between the corporation and a related member was done at arm's length rates and terms and meets any of the following: (a) the related member uses funds which are borrowed from a party other than a related member or which are paid, incurred or passed-through to a person who is not a related member; (b) the debt is part of a regular and systematic funds management or portfolio investment activity conducted by the related member, whereby the funds of*

two or more related members are aggregated for the purpose of achieving economies of scale, the internal financing of the active business operations of members, or the benefit of centralized management of funds; (c) financing the expansion of the business operations; or (d) restructuring the debt of related members, or the pass-through of acquisition-related indebtedness to related members.

b. Nothing in this subdivision shall be construed to limit or negate the Department's authority under § 58.1-446.

c. For purposes of this subdivision:

"Arm's length rates and terms" means that (i) two or more related members enter into a written agreement for the transaction, (ii) such agreement is of a duration and contains payment terms substantially similar to those which the related member would be able to obtain from an unrelated entity, (iii) the interest is at or below the applicable federal rate compounded annually for debt instruments under § 1274(d) of the Internal Revenue Code that was in effect at the time of the agreement, and (iv) the borrower or payor adheres to the payment terms of the agreement governing the transaction or any amendments thereto.

"Valid business purpose" means one or more business purposes which, alone or in combination, constitute the motivation for some business activity or transaction, which activity or transaction improves, apart from tax effects, the economic position of the taxpayer, as further defined by regulation.

C. There shall be subtracted to the extent included in and not otherwise subtracted from federal taxable income:

1. Income derived from obligations, or on the sale or exchange of obligations, of the United States and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States including, but not limited to, stocks, bonds, treasury bills, and treasury notes, but not including interest on refunds of federal taxes, interest on equipment purchase contracts, or interest on other normal business transactions.

2. Income derived from obligations, or on the sale or exchange of obligations of this Commonwealth or of any political subdivision or instrumentality of this Commonwealth.

3. Dividends upon stock in any domestic international sales corporation, as defined by § 992 of the Internal Revenue Code, 50 percent or more of the income of which was assessable for the preceding year, or the last year in which such corporation has income, under the provisions of the income tax laws of the Commonwealth.

4. The amount of any refund or credit for overpayment of income taxes imposed by this Commonwealth or any other taxing jurisdiction.

5. Any amount included therein by the operation of the provisions of § 78 of the Internal Revenue Code (foreign dividend gross-up).

6. The amount of wages or salaries eligible for the federal Targeted Jobs Credit which was not deducted for federal purposes on account of the provisions of § 280C (a) of the Internal Revenue Code.

7. Any amount included therein by the operation of § 951 of the Internal Revenue Code (subpart F income).

8. Any amount included therein which is foreign source income as defined in § 58.1-302.

9. [Repealed.]

10. The amount of any dividends received from corporations in which the taxpaying corporation owns 50 percent or more of the voting stock.

11. [Repealed.]

12. [Expired.]

13. (Expires for taxable years beginning on and after January 1, 2004) The amount of any qualified agricultural contribution as determined in § 58.1-322.2.

14. For taxable years beginning on or after January 1, 1995, the amount for "qualified research expenses" or "basic research expenses" eligible for deduction for federal purposes, but which were not deducted, on account of the provisions of § 280C (c) of the Internal Revenue Code.

15. For taxable years beginning on or after January 1, 2000, the total amount actually contributed in funds to the Virginia Public School Construction Grants Program and Fund established in Chapter 11.1 (§ 22.1-175.1 et seq.) of Title 22.1.

16. For taxable years beginning on or after January 1, 2000, the gain derived from the sale or exchange of real property or the sale or exchange of an easement to real property which results in the real property or the easement thereto being devoted to open-space use, as that term is defined in § 58.1-3230, for a period of time not less than 30 years. To the extent a subtraction is taken in accordance with this subdivision, no tax credit under this chapter for donating land for its preservation shall be allowed for three years following the year in which the subtraction is taken.

17. For taxable years beginning on and after January 1, 2001, any amount included therein with respect to § 58.1-440.1.

18. For taxable years beginning on and after January 1, 1999, income received as a result of (i) the "Master Settlement Agreement," as defined in § 3.1-1106; (ii) the National Tobacco Grower Settlement Trust dated July 19, 1999; and (iii) the Tobacco Loss Assistance Program, pursuant to 7 C.F.R. Part 1464 (Subpart C, §§ 1464.201 through 1464.205), by (a) tobacco farming businesses; (b) any business holding a tobacco marketing quota, or tobacco farm acreage allotment, under the Agricultural Adjustment Act of 1938; or (c) any business having the right to grow tobacco pursuant to such a quota allotment.

19. Effective for all taxable years beginning on and after January 1, 2002, but before January 1, 2005, the indemnification payments received by contract poultry growers and table egg producers from the U.S. Department of Agriculture as a result of the depopulation of poultry flocks because of low pathogenic avian influenza in 2002. In no event shall indemnification payments made to owners of poultry who contract with poultry growers qualify for this subtraction.

20. For taxable years beginning on and after January 1, 2002, any gain recognized as a result of the Peanut Quota Buyout Program of the Farm Security and Rural Investment Act of 2002 pursuant to 7 C.F.R. Part 1412 (Subpart H, §§ 1412.801 through 1412.811) as follows:

a. If the payment is received in installment payments pursuant to 7 C.F.R. § 1412.807(a)(2), then the entire gain recognized may be subtracted.

b. If the payment is received in a single payment pursuant to 7 C.F.R. § 1412.807(a)(3), then 20 percent of the recognized gain may be subtracted. The taxpayer may then deduct an equal amount in each of the four succeeding taxable years.

D. Adjustments to federal taxable income shall be made to reflect the transitional modifications provided in § 58.1-315.

§ 58.1-415. When sales of tangible personal property deemed in the Commonwealth.

Sales of tangible personal property are in the Commonwealth if (i) such property is received in the Commonwealth by the purchaser, or (ii) *the property is shipped from an office, store, warehouse, factory, or place of storage in the Commonwealth; and the taxpayer is not taxable in the state of the purchaser.* In the case of delivery by common carrier or other means of transportation, the place at which such property is ultimately received after all transportation has been completed shall be considered as the place at which such property is received by the purchaser. Direct delivery in the Commonwealth, other than for purposes of transportation, to a person or firm designated by a purchaser, constitutes delivery to the purchaser in the Commonwealth, and direct delivery outside the Commonwealth to a person or firm designated by the purchaser does not constitute delivery to the purchaser in the Commonwealth, regardless of where title passes, or other conditions of sale.

§ 58.1-441. Reports by corporations.

A. Every corporation organized under the laws of the Commonwealth, or having income from Virginia sources, *other than a Subchapter S corporation subject to the return filing requirements of § 58.1-392,* shall make a report to the Department on or before the fifteenth day of the fourth month following the close of its taxable year. Such reports shall be made on forms prescribed by the Department and shall contain such information, including the gross receipts from any business carried on in the Commonwealth and a depreciation schedule of property used in such trade or business, as may be necessary for the proper enforcement of this chapter and be accompanied by a copy of any federal tax return or report filed for such taxable year. The Department shall not require any nonprofit organization created exclusively to assist a law-enforcement official or agency in apprehending and convicting perpetrators of crimes, to report on such returns, or otherwise, the names of individuals or amounts paid to such individuals by the organization for providing information about certain crimes.

Receivers, trustees in dissolution, trustees in bankruptcy, and assignees, operating the property or business of corporations must make returns of income for such corporations. If a receiver has full custody of and control over the business or property of a corporation, he shall be deemed to be operating such business or property, whether he is engaged in carrying on the business for which the corporation was organized or only in marshaling, selling, or disposing of its assets for purposes of liquidation.

B. Notwithstanding the provisions of subsection A, every organization to whom subdivision 5 of § 58.1-401 applies, and having unrelated business taxable income or other taxable income, shall make a report to the Department on or before the fifteenth day of the sixth month following the close of the organization's taxable year.

§ 58.1-520. Definitions.

As used in this article:

"Claimant agency" means any administrative unit of state, county, city or town government, including department, institution, commission, authority, or the office of Executive Secretary of the Supreme Court, any circuit or district court and the Internal Revenue Service. All state agencies and institutions shall participate in the setoff program.

"Debtor" means any individual having a delinquent debt or account with any claimant agency which obligation has not been satisfied by court order, set aside by court order, or discharged in bankruptcy.

"Delinquent debt" means any liquidated sum due and owing any claimant agency, or any restitution ordered paid to a clerk of the court pursuant to Title 19.2, including any amount of court costs or fines which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made.

"Mailing date of notice" means the date of notice appearing thereon.

"Refund" means any individual's Virginia state or local income tax refund payable pursuant to §§ 58.1-309 and 58.1-546. This term also includes any refund belonging to a debtor resulting from the filing of a joint income tax return or a refund belonging to a debtor resulting from the filing of a return where husband and wife have elected to file a combined return and separately state their Virginia taxable incomes under the provisions of ~~§ 58.1-324 B 2~~ subdivision C 2 of § 58.1-324.

§ 58.1-603. Imposition of sales tax.

There is hereby levied and imposed, in addition to all other taxes and fees of every kind now imposed by law, a license or privilege tax upon every person who engages in the business of selling at retail or distributing tangible personal property in this Commonwealth, or who rents or furnishes any of the things or services taxable under this chapter, or who stores for use or consumption in this Commonwealth any item or article of tangible personal property as defined in this chapter, or who leases or rents such property within this Commonwealth, in the amount of ~~three~~four and one-half percent:

1. Of the gross sales price of each item or article of tangible personal property when sold at retail or distributed in this Commonwealth.

2. Of the gross proceeds derived from the lease or rental of tangible personal property, where the lease or rental of such property is an established business, or part of an established business, or the same is incidental or germane to such business.

3. Of the cost price of each item or article of tangible personal property stored in this Commonwealth for use or consumption in this Commonwealth.

4. Of the gross proceeds derived from the sale or charges for rooms, lodgings or accommodations furnished to transients as set out in the definition of "retail sale" in § 58.1-602.

5. Of the gross sales of any services which are expressly stated as taxable within this chapter.

§ 58.1-604. Imposition of use tax.

There is hereby levied and imposed, in addition to all other taxes and fees now imposed by law, a tax upon the use or consumption of tangible personal property in this Commonwealth, or the storage of such property outside the Commonwealth for use or consumption in this Commonwealth, in the amount of ~~three~~four and one-half percent:

1. Of the cost price of each item or article of tangible personal property used or consumed in this Commonwealth. Tangible personal property which has been acquired for use outside this Commonwealth

and subsequently becomes subject to the tax imposed hereunder shall be taxed on the basis of its cost price if such property is brought within this Commonwealth for use within six months of its acquisition; but if so brought within this Commonwealth six months or more after its acquisition, such property shall be taxed on the basis of the current market value (but not in excess of its cost price) of such property at the time of its first use within this Commonwealth. Such tax shall be based on such proportion of the cost price or current market value as the duration of time of use within this Commonwealth bears to the total useful life of such property (but it shall be presumed in all cases that such property will remain within this Commonwealth for the remainder of its useful life unless convincing evidence is provided to the contrary).

2. Of the cost price of each item or article of tangible personal property stored outside this Commonwealth for use or consumption in this Commonwealth.

3. A transaction taxed under § 58.1-603 shall not also be taxed under this section, nor shall the same transaction be taxed more than once under either section.

4. The use tax shall not apply with respect to the use of any article of tangible personal property brought into this Commonwealth by a nonresident individual, visiting in Virginia, for his personal use, while within this Commonwealth.

5. The use tax shall not apply to out-of-state mail order catalog purchases totaling \$100 or less during any calendar year.

§ 58.1-604.1. Use tax on motor vehicles, machinery, tools and equipment brought into Virginia for use in performing contracts.

In addition to the use tax levied pursuant to § 58.1-604 and notwithstanding the provisions of § 58.1-611, a use tax is levied upon the storage or use of all motor vehicles, machines, machinery, tools or other equipment brought, imported or caused to be brought into this Commonwealth for use in constructing, building or repairing any building, highway, street, sidewalk, bridge, culvert, sewer or water system, drainage or dredging system, railway system, reservoir or dam, hydraulic or power plant, transmission line, tower, dock, wharf, excavation, grading, or other improvement or structure, or any part thereof. The rate of tax is ~~three-four~~ and one-half percent on all tangible personal property except motor vehicles, which shall be taxed at the rate of ~~three-four and one-half~~ percent; aircraft, which shall be taxed at the rate of two percent; and watercraft, which shall be taxed at the rate of two percent with a maximum tax of \$1,000.

For purposes of this section the words "motor vehicle" means any vehicle which is self-propelled and designed primarily for use upon the highways, any vehicle which is propelled by electric power obtained from trolley wires but not operated upon rails, and any vehicle designed to run upon the highways which is pulled by a self-propelled vehicle, but shall not include any implement of husbandry, farm tractor, road construction or maintenance machinery or equipment, special mobile equipment or any vehicle designed primarily for use in work off the highway.

The tax shall be computed on the basis of such proportion of the original purchase price of such property as the duration of time of use in this Commonwealth bears to the total useful life thereof. For purposes of this section, the word "use" means use, storage, consumption and "stand-by" time occasioned by weather conditions, controversies or other causes. The tax shall be computed upon the basis of the relative time each item of equipment is in this Commonwealth rather than upon the basis of actual use. In the absence of satisfactory evidence as to the period of use intended in this Commonwealth, it will be presumed that such property will remain in this Commonwealth for the remainder of its useful life, which shall be determined in accordance with the experiences and practices of the building and construction trades.

A transaction taxed under §§ 58.1-604, 58.1-605, 58.1-1402, 58.1-1502, or § 58.1-2402 shall not also be taxed under this section, nor shall the same transaction be taxed more than once under any section.

§ 58.1-608.3. Entitlement to certain sales tax revenues.

A. As used in this section, the following words and terms have the following meanings, unless some other meaning is plainly intended:

"Bonds" means any obligations of a municipality for the payment of money.

“Cost,” as applied to any public facility or to extensions or additions to any public facility, includes: (i) the purchase price of any public facility acquired by the municipality or the cost of acquiring all of the capital stock of the corporation owning the public facility and the amount to be paid to discharge any obligations in order to vest title to the public facility or any part of it in the municipality; (ii) expenses incident to determining the feasibility or practicability of the public facility; (iii) the cost of plans and specifications, surveys and estimates of costs and of revenues; (iv) the cost of all land, property, rights, easements and franchises acquired; (v) the cost of improvements, property or equipment; (vi) the cost of engineering, legal and other professional services; (vii) the cost of construction or reconstruction; (viii) the cost of all labor, materials, machinery and equipment; (ix) financing charges; (x) interest before and during construction and for up to one year after completion of construction; (xi) start-up costs and operating capital; (xii) payments by a municipality of its share of the cost of any multi-jurisdictional public facility; (xiii) administrative expense; (xiv) any amounts to be deposited to reserve or replacement funds; and (xv) other expenses as may be necessary or incident to the financing of the public facility. Any obligation or expense incurred by the public facility in connection with any of the foregoing items of cost may be regarded as a part of the cost.

“Municipality” means any county, city, town, authority, commission, or other public entity.

“Public facility” means (i) any auditorium, coliseum, convention center, or conference center, which is owned by a Virginia county, city, town, authority, or other public entity and where exhibits, meetings, conferences, conventions, seminars, or similar public events may be conducted; (ii) any hotel which is owned by a foundation whose sole purpose is to benefit a state-supported university and which is attached to and is an integral part of such facility, together with any lands reasonably necessary for the conduct of the operation of such events; or (iii) any hotel which is attached to and is an integral part of such facility. However, such public facility must be located in a city with a population of at least 24,200 but no more than 24,500 as determined by the 1990 United States Census, at least 50,000 but no more than 52,500, at least 95,000 but no more than 105,000, or at least 130,000 but no more than 135,000. Any property, real, personal, or mixed, which is necessary or desirable in connection with any such auditorium, coliseum, convention center, or conference center, including, without limitation, facilities for food preparation and serving, parking facilities, and administration offices, is encompassed within this definition. However, structures commonly referred to as “shopping centers” or “malls” shall not constitute a public facility hereunder. In addition, only a new public facility, or a public facility which will undergo a substantial and significant renovation or expansion, shall be eligible under subsection B of this section. A new public facility is one whose construction began after December 31, 1991. A substantial and significant renovation entails a project whose cost is at least fifty percent of the original cost of the facility being renovated and shall have begun after December 31, 1991. A substantial and significant expansion entails an increase in floor space of at least fifty percent over that existing in the preexisting facility and shall have begun after December 31, 1991.

“Sales tax revenues” means such tax collections realized under the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.) of Title 58.1, as limited herein. “Sales tax revenues” does not include the revenue generated by the one-half percent sales and use tax increase enacted by the 1986 Special Session of the General Assembly which shall be paid to the Transportation Trust Fund as defined in § 33.1-23.03:1 as *computed pursuant to subsection A of § 58.1-638*, nor shall it include the one percent of the state sales and use tax revenue distributed among the counties and cities of the Commonwealth pursuant to § 58.1-638 D on the basis of school age population. *Sales tax revenues shall also not include the revenue generated by the one percent sales and use tax increase enacted by the 2004 Session of the General Assembly.*

B. Any municipality which has issued bonds (i) after December 31, 1991, but before January 1, 1996, (ii) on or after January 1, 1998, but before July 1, 1999, (iii) on or after January 1, 1999, but before July 1, 2001, (iv) on or after July 1, 2000, but before July 1, 2003, or (v) on or after July 1, 2001, but before July 1, 2004, to pay the cost, or portion thereof, of any public facility shall be entitled to all sales tax revenues generated by transactions taking place in such public facility. Such entitlement shall continue for the lifetime of such bonds, which entitlement shall not exceed ~~thirty~~ 30 years, and all such sales tax revenues shall be applied to repayment of the bonds. The State Comptroller shall remit such

sales tax revenues to the municipality on a quarterly basis, subject to such reasonable processing delays as may be required by the Department of Taxation to calculate the actual net sales tax revenues derived from the public facility. The State Comptroller shall make such remittances to eligible municipalities, as provided herein, notwithstanding any provisions to the contrary in the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.). No such remittances shall be made until construction is completed and, in the case of a renovation or expansion, until the governing body of the municipality has certified that the renovation or expansion is completed.

C. Nothing in this section shall be construed as authorizing the pledging of the faith and credit of the Commonwealth of Virginia, or any of its revenues, for the payment of any bonds. Any appropriation made pursuant to this section shall be made only from sales tax revenues derived from the public facility for which bonds may have been issued to pay the cost, in whole or in part, of such public facility.

§ 58.1-609.3. Commercial and industrial exemptions.

The tax imposed by this chapter or pursuant to the authority granted in §§ 58.1-605 and 58.1-606 shall not apply to the following:

1. Personal property purchased by a contractor which is used solely in another state or in a foreign country, which could be purchased by such contractor for such use free from sales tax in such other state or foreign country, and which is stored temporarily in Virginia pending shipment to such state or country.

2. (i) Industrial materials for future processing, manufacturing, refining, or conversion into articles of tangible personal property for resale where such industrial materials either enter into the production of or become a component part of the finished product; (ii) industrial materials that are coated upon or impregnated into the product at any stage of its being processed, manufactured, refined, or converted for resale; (iii) machinery or tools or repair parts therefor or replacements thereof, fuel, power, energy, or supplies, used directly in processing, manufacturing, refining, mining or converting products for sale or resale; (iv) materials, containers, labels, sacks, cans, boxes, drums or bags for future use for packaging tangible personal property for shipment or sale; or (v) equipment, printing or supplies used directly to produce a publication described in subdivision 3 of § 58.1-609.6 whether it is ultimately sold at retail or for resale or distribution at no cost. Machinery, tools and equipment, or repair parts therefor or replacements thereof, shall be exempt if the preponderance of their use is directly in processing, manufacturing, refining, mining or converting products for sale or resale. The provisions of this subsection do not apply to the drilling, extraction, refining, or processing of oil, gas, natural gas and coalbed methane gas.

3. Tangible personal property sold or leased to (i) a public service corporation subject to a state franchise or license tax upon gross receipts, (ii) a telecommunications company as defined in § 58.1-400.1 or (iii) a telephone company chartered in the Commonwealth which is exclusively a local mutual association and is not designated to accumulate profits for the benefit of, or to pay dividends to, the stockholders or members thereof, for use or consumption by such corporation, company, person or mutual association directly in the rendition of its public service; and tangible personal property sold or leased to a public service corporation engaged in business as a common carrier of property or passengers by ~~motor vehicle or~~ railway, for use or consumption by such common carrier directly in the rendition of its public service.

4. Ships or vessels, or repairs and alterations thereof, used or to be used exclusively or principally in interstate or foreign commerce; fuel and supplies for use or consumption aboard ships or vessels plying the high seas, either in intercoastal trade between ports in the Commonwealth and ports in other states of the United States or its territories or possessions, or in foreign commerce between ports in the Commonwealth and ports in foreign countries, when delivered directly to such ships or vessels; or tangible personal property used directly in the building, conversion or repair of the ships or vessels covered by this subdivision. This exemption shall include dredges, their supporting equipment, attendant vessels, and fuel and supplies for use or consumption aboard such vessels, provided the dredges are used exclusively or principally in interstate or foreign commerce.

5. Tangible personal property purchased for use or consumption directly and exclusively in basic research or research and development in the experimental or laboratory sense.

6. Tangible personal property sold or leased to an airline operating in intrastate, interstate or foreign commerce as a common carrier providing scheduled air service on a continuing basis to one or more Virginia airports at least one day per week, for use or consumption by such airline directly in the rendition of its common carrier service.

7. Meals furnished by restaurants or food service operators to employees as a part of wages.

8. Tangible personal property including machinery and tools, repair parts or replacements thereof, and supplies and materials used directly in maintaining and preparing textile products for rental or leasing by an industrial processor engaged in the commercial leasing or renting of laundered textile products.

9. (i) Certified pollution control equipment and facilities as defined in § 58.1-3660, except for any equipment that has not been certified to the Department of Taxation by a state certifying authority pursuant to such section and (ii) effective retroactive to July 1, 1994, and ending July 1, 2006, certified pollution control equipment and facilities as defined in § 58.1-3660 and which, in accordance with such section, have been certified by the Department of Mines, Minerals and Energy for coal, oil and gas production, including gas, natural gas, and coalbed methane gas.

10. Parts, tires, meters and dispatch radios sold or leased to taxicab operators for use or consumption directly in the rendition of their services.

11. High speed electrostatic duplicators or any other duplicators which have a printing capacity of 4,000 impressions or more per hour purchased or leased by persons engaged primarily in the printing or photocopying of products for sale or resale.

12. From July 1, 1994, and ending July 1, 2006, raw materials, fuel, power, energy, supplies, machinery or tools or repair parts therefor or replacements thereof, used directly in the drilling, extraction, refining, or processing of natural gas or oil and the reclamation of the well area. For the purposes of this section, the term "natural gas" shall mean "gas," "natural gas," and "coalbed methane gas" as defined in § 45.1-361.1. For the purposes of this section, "drilling," "extraction," "refining," and "processing" shall include production, inspection, testing, dewatering, dehydration, or distillation of raw natural gas into a usable condition consistent with commercial practices, and the gathering and transportation of raw natural gas to a facility wherein the gas is converted into such a usable condition. Machinery, tools and equipment, or repair parts therefor or replacements thereof, shall be exempt if the preponderance of their use is directly in the drilling, extraction, refining, or processing of natural gas or oil for sale or resale, or in well area reclamation activities required by state or federal law.

13. Beginning July 1, 1997, and ending July 1, 2011, (i) the sale, lease, use, storage, consumption, or distribution of an orbital or suborbital space facility, space propulsion system, space vehicle, satellite, or space station of any kind possessing space flight capability, including the components thereof, irrespective of whether such facility, system, vehicle, satellite, or station is returned to this Commonwealth for subsequent use, storage or consumption in any manner when used to conduct spaceport activities; (ii) the sale, lease, use, storage, consumption or distribution of tangible personal property placed on or used aboard any orbital or suborbital space facility, space propulsion system, space vehicle, satellite or space station of any kind, irrespective of whether such tangible personal property is returned to this Commonwealth for subsequent use, storage or consumption in any manner when used to conduct spaceport activities; (iii) fuels of such quality not adapted for use in ordinary vehicles, being produced for, sold and exclusively used for space flight when used to conduct spaceport activities; (iv) the sale, lease, use, storage, consumption or distribution of machinery and equipment purchased, sold, leased, rented or used exclusively for spaceport activities and the sale of goods and services provided to operate and maintain launch facilities, launch equipment, payload processing facilities and payload processing equipment used to conduct spaceport activities.

For purposes of this subdivision, "spaceport activities" means activities directed or sponsored at a facility owned, leased, or operated by or on behalf of the Virginia Commercial Space Flight Authority.

The exemptions provided by this subdivision shall not be denied by reason of a failure, postponement or cancellation of a launch of any orbital or suborbital space facility, space propulsion system, space vehicle, satellite or space station of any kind or the destruction of any launch vehicle or any components thereof.

§ 58.1-611.1. Rate of tax on sales of food purchased for human consumption.

A. ~~Subject to the conditions of subsections D and E, the~~ *The* tax imposed by §§ 58.1-603 and 58.1-604 on food purchased for human consumption shall be levied and distributed as follows:

1. From January 1, 2000, through ~~March 31, 2004~~ *midnight on June 30, 2004*, the tax rate on such food shall be three percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638 *as such subsection existed prior to July 1, 2004, in accordance with the law in effect at the relevant time*, (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638, and (iii) the revenue from the tax at the rate of one and one-half percent shall be used for general fund purposes.

2. ~~From April 1, 2001, through March 31, 2002, the tax rate on such food shall be two and one-half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638, (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638, and (iii) the revenue from the tax at the rate of one percent shall be used for general fund purposes.~~

3. ~~From April 1, 2002, through March 31, 2003, the tax rate on such food shall be two percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638, (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638, and (iii) the revenue from the tax at the rate of one-half percent shall be used for general fund purposes.~~

4. ~~On and after April 1, 2003,~~ *On and after July 1, 2004*, the tax rate on such food shall be one and one-half percent of the gross sales price. The revenue from the tax shall be distributed as follows: (i) the revenue from the tax at the rate of one-half percent shall be distributed as provided in subsection A of § 58.1-638 and (ii) the revenue from the tax at the rate of one percent shall be distributed as provided in subsections B, C and D of § 58.1-638.

B. The provisions of this section shall not affect the imposition of tax on food purchased for human consumption pursuant to §§ 58.1-605 and 58.1-606.

C. As used in this section, "food purchased for human consumption" has the same meaning as "food" defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that Act, except it shall not include seeds and plants which produce food for human consumption. For the purpose of this section, "food purchased for human consumption" shall not include food sold by any retail establishment where the gross receipts derived from the sale of food prepared by such retail establishment for immediate consumption on or off the premises of the retail establishment constitutes more than 80 percent of the total gross receipts of that retail establishment, including but not limited to motor fuel purchases, regardless of whether such prepared food is consumed on the premises of that retail establishment. For purposes of this section, "retail establishment" means each place of business for which any "dealer," as defined in § 58.1-612, is required to apply for and receive a certificate of registration pursuant to § 58.1-613.

D. ~~Notwithstanding the tax rates set forth in subsection A, the rate of tax on sales of food purchased for human consumption for any 12-month period beginning on or after April 1, 2001, shall not be reduced below the rate then in effect for the Commonwealth's current fiscal year if:~~

1. ~~Actual general fund revenues for the fiscal year preceding a fiscal year in which a rate reduction is contemplated in subsection A do not exceed the official general fund revenue estimates for such preceding fiscal year, as estimated in the most recently enacted and approved general appropriation act, by at least one percent; or~~

2. ~~Any of the events listed in subsection C of § 58.1-3524 or subsection B of § 58.1-3536 have occurred during the then current fiscal year.~~

E. ~~If the tax rate on food purchased for human consumption remains the same for the period January 1, 2000, through March 31, 2001, and the subsequent 12-month period beginning on April 1, 2001, or with respect to any consecutive 12-month periods beginning on and after April 1, 2001, the tax rate on~~

~~such food shall remain the same unless none of the conditions described in subsection D have occurred, in which event the tax rate on food purchased for human consumption for the immediately following 12-month period shall be equal to the next lowest tax rate listed in subsection A.~~

§ 58.1-614. Vending machine sales.

A. Notwithstanding the provisions of §§ 58.1-603 and 58.1-604, whenever a dealer makes sales of tangible personal property through vending machines, or in any other manner making collection of the tax impractical, as determined by the Tax Commissioner, such dealer shall be required to report his wholesale purchases for sale at retail from vending machines and shall be required to remit an amount based on ~~four~~ five and one-half percent of such wholesale purchases.

B. Notwithstanding the provisions of §§ 58.1-605 and 58.1-606, dealers making sales of tangible personal property through vending machines shall report and remit the one percent local sales and use tax computed as provided in subsection A of this section.

C. The provisions of subsections A and B of this section shall not be applicable to vending machine operators all of whose machines are under contract to nonprofit organizations. Such operators shall report only the gross receipts from machines selling items for more than ~~ten~~ 10 cents and shall be required to remit an amount based on a percentage of their remaining gross sales established by the Tax Commissioner to take into account the inclusion of sales tax.

D. Notwithstanding any other provisions in this section or § 58.1-628, when the Tax Commissioner determines that it is impractical to collect the tax in the manner provided by those sections, such dealer shall be required to remit an amount based on a percentage of gross receipts which takes into account the inclusion of the sales tax.

E. The provisions of this section shall not be applicable to any dealer who fails to maintain records satisfactory to the Tax Commissioner. A dealer making sales of tangible personal property through vending machines shall obtain a certificate of registration under § 58.1-613 in relevant form for each county or city in which he has machines.

§ 58.1-615. Returns by dealers.

A. Every dealer required to collect or pay the sales or use tax shall, on or before the twentieth day of the month following the month in which the tax shall become effective, transmit to the Tax Commissioner a return showing the gross sales, gross proceeds, or cost price, as the case may be, arising from all transactions taxable under this chapter during the preceding calendar month, and thereafter a like return shall be prepared and transmitted to the Tax Commissioner by every dealer on or before the twentieth day of each month, for the preceding calendar month. In the case of dealers regularly keeping books and accounts on the basis of an annual period ~~which that varies fifty-two~~ 52 to ~~fifty-three~~ 53 weeks, the Tax Commissioner may make rules and regulations for reporting consistent with such accounting period.

Notwithstanding any other provision of this chapter, a dealer may be required by the Tax Commissioner to file sales or use tax returns on an accounting period less frequent than monthly when, in the opinion of the Tax Commissioner, the administration of the taxes imposed by this chapter would be enhanced. If a dealer is required to file other than monthly, each such return shall be due on or before the twentieth day of the month following the close of the period. Each such return shall contain all information required for monthly returns.

A sales or use tax return shall be filed by each registered dealer even though the dealer is not liable to remit to the Tax Commissioner any tax for the period covered by the return.

B. 1. In addition to the amounts required under the provisions of this section and § 58.1-616, any dealer as defined by § 58.1-612 or direct payment permit holder pursuant to § 58.1-624, with taxable sales and purchases of \$1,300,000 or greater for the ~~twelve~~ 12-month period beginning July 1, and ending June 30 of the immediately preceding calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June. Such tax payments shall be made on or before the 30th day of June, if payment is made by electronic funds transfer, as defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before the ~~25th~~ twenty-fifth day of June. For purposes of this provision, taxable sales or purchases shall be computed without regard to the number of certificates of registration held by the dealer. Every dealer or direct payment permit holder shall be entitled to a credit for the payment under this subsection on the return for

June of the current year due July 20. The provisions of this subsection shall not apply to persons who are required to file only a Form ST-7, Consumer User Tax Return.

2. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment or full payment of the sales and use tax liability as provided in this subsection shall subject the dealer or direct payment permit holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax Commissioner. Interest will accrue as provided in § 58.1-15. The payment required by this subsection shall become delinquent on the first day following the due date set forth in this subsection if not paid.

3. *This subsection shall be effective until June 1, 2005.*

§ 58.1-627. Bracket system for tax at rate of four and one-half percent.

The following brackets of prices shall be used for the collection of the tax imposed by this chapter:

- \$0.00 to ~~\$0.14~~ \$0.11 no tax
- ~~.15~~ .12 to ~~.42~~ .33 1¢ tax
- ~~.43~~ .34 to ~~.74~~ .55 2¢ tax
- ~~.72~~ .56 to ~~.99~~ .77 3¢ tax
- ~~1.00~~ .78 to ~~1.28~~ .99 4¢ tax
- ~~1.29~~ 1.00 to ~~1.57~~ 1.22 5¢ tax
- ~~1.58~~ 1.23 to ~~1.85~~ 1.44 6¢ tax
- ~~1.86~~ 1.45 to ~~2.14~~ 1.66 7¢ tax
- ~~2.15~~ 1.67 to ~~2.42~~ 1.88 8¢ tax
- ~~2.43~~ 1.89 to ~~2.71~~ 2.11 9¢ tax
- ~~2.72~~ 2.12 to ~~2.99~~ 2.33 10¢ tax
- ~~3.00~~ 2.34 to ~~3.28~~ 2.55 11¢ tax
- ~~3.29~~ 2.56 to ~~3.57~~ 2.77 12¢ tax
- ~~3.58~~ 2.78 to ~~3.85~~ 2.99 13¢ tax
- ~~3.86~~ 3.00 to ~~4.14~~ 3.22 14¢ tax
- ~~4.15~~ 3.23 to ~~4.42~~ 3.44 15¢ tax
- ~~4.43~~ 3.45 to ~~4.71~~ 3.66 16¢ tax
- ~~4.72~~ 3.67 to ~~5.00~~ 3.88 17¢ tax
- 3.89 to 4.11 18¢ tax
- 4.12 to 4.33 19¢ tax
- 4.34 to 4.55 20¢ tax
- 4.56 to 4.77 21¢ tax
- 4.78 to 5.00 22¢ tax

On transactions ~~over five dollars~~ greater than \$5, the tax shall be computed at ~~three~~ four and one-half percent, one-half cent or more being treated as one cent. If a dealer can show to the satisfaction of the Tax Commissioner that more than ~~eighty-five~~ 85 percent of the total dollar volume of his gross taxable sales during the taxable month was from individual sales at prices of ~~ten~~ 10 cents or less each, and that he was unable to adjust his prices in such manner as to prevent the economic incidence of the sales tax from falling on him, the Tax Commissioner shall determine the proper tax liability of the dealer based on that portion of the dealer's gross taxable sales which was from sales at prices of eleven cents or more.

§ 58.1-628. Bracket system for combined state and local tax.

The following brackets of prices shall be used for the collection of the combined state and local tax:

- \$0.00 to ~~\$0.11~~ .09 no tax
- ~~.12~~ .10 to ~~.33~~ .27 1¢ tax
- ~~.34~~ .28 to ~~.55~~ .45 2¢ tax
- ~~.56~~ .46 to ~~.77~~ .63 3¢ tax
- ~~.78~~ .64 to ~~.99~~ .81 4¢ tax
- ~~1.00~~ .82 to ~~1.22~~ .99 5¢ tax
- ~~1.23~~ 1.00 to ~~1.44~~ 1.18 6¢ tax
- ~~1.45~~ 1.19 to ~~1.66~~ 1.36 7¢ tax
- ~~1.67~~ 1.37 to ~~1.88~~ 1.54 8¢ tax

~~1.89~~ 1.55 to ~~2.11~~ 1.72 9¢ tax  
~~2.12~~ 1.73 to ~~2.33~~ 1.90 10¢ tax  
~~2.34~~ 1.91 to ~~2.55~~ 2.09 11¢ tax  
~~2.56~~ 2.10 to ~~2.77~~ 2.27 12¢ tax  
~~2.78~~ 2.28 to ~~2.99~~ 2.45 13¢ tax  
~~3.00~~ 2.46 to ~~3.22~~ 2.63 14¢ tax  
~~3.23~~ 2.64 to ~~3.44~~ 2.81 15¢ tax  
~~3.45~~ 2.82 to ~~3.66~~ 2.99 16¢ tax  
~~3.67~~ 3.00 to ~~3.88~~ 3.18 17¢ tax  
~~3.89~~ 3.19 to ~~4.11~~ 3.36 18¢ tax  
~~4.12~~ 3.37 to ~~4.33~~ 3.54 19¢ tax  
~~4.34~~ 3.55 to ~~4.55~~ 3.72 20¢ tax  
~~4.56~~ 3.73 to ~~4.77~~ 3.90 21¢ tax  
~~4.78~~ 3.91 to ~~5.00~~ 4.09 22¢ tax  
4.10 to 4.27 23¢ tax  
4.28 to 4.45 24¢ tax  
4.46 to 4.63 25¢ tax  
4.64 to 4.81 26¢ tax  
4.82 to 5.00 27¢ tax

On transactions ~~over five dollars~~ greater than \$5, the tax shall be computed at ~~four~~ five and one-half percent, one half cent or more being treated as one cent. The foregoing bracket system shall not relieve the dealer from the duty and liability to remit an amount equal to ~~four~~ five and one-half percent of his gross taxable sales as provided in this chapter. If the dealer, however, can show to the satisfaction of the Tax Commissioner that more than ~~eighty five~~ 85 percent of the total dollar volume of his gross taxable sales during the taxable month was from individual sales at prices of ~~ten~~ 10 cents or less each and that he was unable to adjust his prices in such manner as to prevent the economic incidence of the sales tax from falling on him, the Tax Commissioner shall determine the proper tax liability of the dealer based on that portion of the dealer's gross taxable sales which was from sales at prices of ~~eleven~~ 11 cents or more.

§ 58.1-638. Disposition of state sales and use tax revenue; localities' share; Game Protection Fund.

A. The Comptroller shall designate a specific revenue code number for all the state sales and use tax revenue collected under the preceding sections of this chapter.

1. The sales and use tax revenue generated by the one-half percent sales and use tax increase enacted by the 1986 Special Session of the General Assembly, *computed without regard to revenues generated from sales and use taxes on food purchased for human consumption as defined in § 58.1-611.1*, shall be paid, in the manner hereinafter provided in this section, to the Transportation Trust Fund as defined in § 33.1-23.03:1. Of the funds paid to the Transportation Trust Fund, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund as provided in this section; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund as provided in this section; and an aggregate of 14.5 percent in fiscal year 1998-1999 and 14.7 percent in fiscal year 1999-2000 and thereafter shall be set aside as the Commonwealth Mass Transit Fund as provided in this section. The Fund's share of such net revenue shall be computed as an estimate of the net revenue to be received into the state treasury each month, and such estimated payment shall be adjusted for the actual net revenue received in the preceding month. All payments shall be made to the Fund on the last day of each month.

2. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Port Fund.

a. The Commonwealth Port Fund shall be established on the books of the Comptroller and the funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it. Funds may be paid to any authority, locality or commission for the purposes hereinafter specified.

b. The amounts allocated pursuant to this section shall be allocated by the Commonwealth Transportation Board to the Board of Commissioners of the Virginia Port Authority to be used to support

port capital needs and the preservation of existing capital needs of all ocean, river, or tributary ports within the Commonwealth.

c. Commonwealth Port Fund revenue shall be allocated by the Board of Commissioners to the Virginia Port Authority in order to foster and stimulate the flow of maritime commerce through the ports of Virginia, including but not limited to the ports of Richmond, Hopewell and Alexandria.

3. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be part of the Transportation Trust Fund and which shall be known as the Commonwealth Airport Fund. The Commonwealth Airport Fund shall be established on the books of the Comptroller and any funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on the funds shall be credited to the Fund. The funds so allocated shall be allocated by the Commonwealth Transportation Board to the Virginia Aviation Board. The funds shall be allocated by the Virginia Aviation Board to any Virginia airport which is owned by the Commonwealth, a governmental subdivision thereof, or a private entity to which the public has access for the purposes enumerated in § 5.1-2.16, or is owned or leased by the Metropolitan Washington Airports Authority (MWAA), as follows:

Any new funds in excess of \$12.1 million which are available for allocation by the Virginia Aviation Board from the Commonwealth Transportation Fund, shall be allocated as follows: sixty percent to MWAA, up to a maximum annual amount of two million dollars, and forty percent to air carrier airports as provided in subdivision A 3 a. Except for adjustments due to changes in enplaned passengers, no air carrier airport sponsor, excluding MWAA, shall receive less funds identified under subdivision A 3 a than it received in fiscal year 1994-1995.

Of the remaining amount:

a. Forty percent of the funds shall be allocated to air carrier airports, except airports owned or leased by MWAA, based upon the percentage of enplanements for each airport to total enplanements at all air carrier airports, except airports owned or leased by MWAA. No air carrier airport sponsor, however, shall receive less than \$50,000 nor more than \$2 million per year from this provision.

b. Forty percent of the funds shall be allocated by the Aviation Board for air carrier and reliever airports on a discretionary basis, except airports owned or leased by MWAA.

c. Twenty percent of the funds shall be allocated by the Aviation Board for general aviation airports on a discretionary basis.

4. There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Mass Transit Fund.

a. The Commonwealth Mass Transit Fund shall be established on the books of the Comptroller and any funds remaining in such Fund at the end of the biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on such funds shall be credited to the Fund. Funds may be paid to any local governing body, transportation district commission, or public service corporation for the purposes hereinafter specified.

b. The amounts allocated pursuant to this section shall be used to support the public transportation administrative costs and the costs borne by the locality for the purchase of fuels, lubricants, tires and maintenance parts and supplies for public transportation at a state share of ~~eighty~~ 80 percent in 2002 and ~~ninety five~~ 95 percent in 2003 and succeeding years. These amounts may be used to support up to ~~ninety five~~ 95 percent of the local or nonfederal share of capital project costs for public transportation and ridesharing equipment, facilities, and associated costs. Capital costs may include debt service payments on local or agency transit bonds. The term "borne by the locality" means the local share eligible for state assistance consisting of costs in excess of the sum of fares and other operating revenues plus federal assistance received by the locality.

c. Commonwealth Mass Transit Fund revenue shall be allocated by the Commonwealth Transportation Board as follows:

(1) Funds for special programs, which shall include ridesharing, experimental transit, and technical assistance, shall not exceed 1.5 percent of the Fund.

(2) The Board may allocate these funds to any locality or planning district commission to finance up to eighty percent of the local share of all costs associated with the development, implementation, and continuation of ridesharing programs.

(3) Funds allocated for experimental transit projects may be paid to any local governing body, transportation district commission, or public corporation or may be used directly by the Department of Rail and Public Transportation for the following purposes:

(a) To finance up to ~~ninety-five~~95 percent of the capital costs related to the development, implementation and promotion of experimental public transportation and ridesharing projects approved by the Board.

(b) To finance up to ~~ninety-five~~95 percent of the operating costs of experimental mass transportation and ridesharing projects approved by the Board for a period of time not to exceed twelve months.

(c) To finance up to ~~ninety-five~~95 percent of the cost of the development and implementation of any other project designated by the Board where the purpose of such project is to enhance the provision and use of public transportation services.

d. Funds allocated for public transportation promotion and operation studies may be paid to any local governing body, planning district commission, transportation district commission, or public transit corporation, or may be used directly by the Department of Rail and Public Transportation for the following purposes and aid of public transportation services:

(1) At the approval of the Board to finance a program administered by the Department of Rail and Public Transportation designed to promote the use of public transportation and ridesharing throughout Virginia.

(2) To finance up to ~~fifty~~50 percent of the local share of public transportation operations planning and technical study projects approved by the Board.

e. At least 73.5 percent of the Fund shall be distributed to each transit property in the same proportion as its operating expenses bear to the total statewide operating expenses and shall be spent for the purposes specified in subdivision 4 b.

f. The remaining ~~twenty-five~~25 percent shall be distributed for capital purposes on the basis of ~~ninety-five~~95 percent of the nonfederal share for federal projects and ~~ninety-five~~95 percent of the total costs for nonfederal projects. In the event that total capital funds available under this subdivision are insufficient to fund the complete list of eligible projects, the funds shall be distributed to each transit property in the same proportion that such capital expenditure bears to the statewide total of capital projects.

g. There is hereby created in the Department of the Treasury a special nonreverting fund known as the Commonwealth Transit Capital Fund. The Commonwealth Transit Capital Fund shall be part of the Commonwealth Mass Transit Fund. The Commonwealth Transit Capital Fund subaccount shall be established on the books of the Comptroller and consist of such moneys as are appropriated to it by the General Assembly and of all donations, gifts, bequests, grants, endowments, and other moneys given, bequeathed, granted, or otherwise made available to the Commonwealth Transit Capital Fund. Any funds remaining in the Commonwealth Transit Capital Fund at the end of the biennium shall not revert to the general fund, but shall remain in the Commonwealth Transit Capital Fund. Interest earned on funds within the Commonwealth Transit Capital Fund shall remain in and be credited to the Commonwealth Transit Capital Fund. Proceeds of the Commonwealth Transit Capital Fund may be paid to any political subdivision, another public entity created by an act of the General Assembly, or a private entity as defined in § 56-557 and for purposes as enumerated in subdivision 4c of § 33.1-269 or expended by the Department of Rail and Public Transportation for the purposes specified in this subdivision. Revenues of the Commonwealth Transit Capital Fund shall be used to support capital expenditures involving the establishment, improvement, or expansion of public transportation services through specific projects approved by the Commonwealth Transportation Board. Projects financed by the Commonwealth Transit Capital Fund shall receive local, regional or private funding for at least ~~twenty~~20 percent of the nonfederal share of the total project cost.

5. Funds for Metro shall be paid by the Northern Virginia Transportation Commission (NVTC) to the Washington Metropolitan Area Transit Authority (WMATA) and be a credit to the Counties of Arlington and Fairfax and the Cities of Alexandria, Falls Church and Fairfax in the following manner:

a. Local obligations for debt service for WMATA rail transit bonds apportioned to each locality using WMATA's capital formula shall be paid first by NVTC. NVTC shall use ~~ninety-five~~95 percent state aid for these payments.

b. The remaining funds shall be apportioned to reflect WMATA's allocation formulas by using the related WMATA-allocated subsidies and relative shares of local transit subsidies. Capital costs shall include twenty percent of annual local bus capital expenses. Hold harmless protections and obligations for NVTC's jurisdictions agreed to by NVTC on November 5, 1998, shall remain in effect.

Appropriations from the Commonwealth Mass Transit Fund are intended to provide a stable and reliable source of revenue as defined by Public Law 96-184.

B. The sales and use tax revenue generated by a one percent sales and use tax shall be distributed among the counties and cities of this Commonwealth in the manner provided in subsections C and D.

C. The localities' share of the net revenue distributable under this section among the counties and cities shall be apportioned by the Comptroller and distributed among them by warrants of the Comptroller drawn on the Treasurer of Virginia as soon as practicable after the close of each month during which the net revenue was received into the state treasury. The distribution of the localities' share of such net revenue shall be computed with respect to the net revenue received into the state treasury during each month, and such distribution shall be made as soon as practicable after the close of each such month.

D. The net revenue so distributable among the counties and cities shall be apportioned and distributed upon the basis as certified to the Comptroller by the Department of Education, of the number of children in each county and city according to the most recent statewide census of school population taken by the Department of Education pursuant to § 22.1-284, as adjusted in the manner hereinafter provided. No special school population census, other than a statewide census, shall be used as the basis of apportionment and distribution except that in any calendar year in which a statewide census is not reported, the Department of Education shall adjust such school population figures by the same percent of annual change in total population estimated for each locality by The Center for Public Service. The revenue so apportionable and distributable is hereby appropriated to the several counties and cities for maintenance, operation, capital outlays, debt and interest payments, or other expenses incurred in the operation of the public schools, which shall be considered as funds raised from local resources. In any county, however, wherein is situated any incorporated town constituting a school division, the county treasurer shall pay into the town treasury for maintenance, operation, capital outlays, debt and interest payments, or other expenses incurred in the operation of the public schools, the proper proportionate amount received by him in the ratio that the school population of such town bears to the school population of the entire county. If the school population of any city or of any town constituting a school division is increased by the annexation of territory since the last preceding school population census, such increase shall, for the purposes of this section, be added to the school population of such city or town as shown by the last such census and a proper reduction made in the school population of the county or counties from which the annexed territory was acquired.

E. Beginning July 1, 2000, of the remaining sales and use tax revenue, the revenue generated by a two percent sales and use tax, up to an annual amount of \$13 million, collected from the sales of hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment, wildlife-watching equipment, and auxiliary wildlife-watching equipment in Virginia, as estimated by the most recent U.S. Department of the Interior, Fish and Wildlife Service and U.S. Department of Commerce, Bureau of the Census National Survey of Fishing, Hunting, and Wildlife-Associated Recreation, shall be paid into the Game Protection Fund established under § 29.1-101 and shall be used, in part, to defray the cost of law enforcement. Not later than ~~thirty~~30 days after the close of each quarter, the Comptroller shall transfer to the Game Protection Fund the appropriate amount of collections to be dedicated to such Fund. At any time that the balance in the Capital Improvement Fund, established under § 29.1-101.1, is equal to or in excess of \$35 million, any portion of sales and use tax revenues that would have been transferred to the Game Protection Fund, established under § 29.1-101, in excess of the net

operating expenses of the Board, after deduction of other amounts which accrue to the Board and are set aside for the Game Protection Fund, shall remain in the general fund until such time as the balance in the Capital Improvement Fund is less than \$35 million.

*F. Beginning July 1, 2004, of the revenue generated by a one percent sales and use tax, pursuant to enactments of the 2004 Session of the General Assembly increasing the state sales and use tax to four and one-half percent, in each fiscal year, unless otherwise provided in the general appropriation act, the Comptroller shall transfer \$30 million to the Virginia Natural and Historic Resources Fund established under § 10.1-2135. To accomplish such transfer, beginning with the Commonwealth's fiscal year starting on July 1, 2004, the Comptroller shall transfer \$15 million in December and \$15 million in June of each fiscal year to the Virginia Natural and Historic Resources Fund.*

**FG.** If errors are made in any distribution, or adjustments are otherwise necessary, the errors shall be corrected and adjustments made in the distribution for the next quarter or for subsequent quarters.

**GH.** The term "net revenue," as used in this section, means the gross revenue received into the general fund or the Transportation Trust Fund of the state treasury under the preceding sections of this chapter, less refunds to taxpayers.

§ 58.1-639. Transitional provisions.

A. To the extent of any increase in the state sales and use tax rate enacted by the ~~1986 Special~~ 2004 Session of the Virginia General Assembly, the Tax Commissioner, upon application of the purchaser in accordance with regulations promulgated by the Commissioner, shall have the authority to refund state sales or use taxes paid on purchases of tangible personal property made pursuant to bona fide real estate construction contracts, contracts for the sale of tangible personal property, and leases, provided that the real estate construction contract, contract for the sale of tangible personal property or lease is entered into prior to the date of enactment of the increase of the state sales and use tax rate; and further provided that the date of delivery of the tangible personal property is on or before ~~March 30, 1987~~ September 30, 2004. The term "bona fide contract," when used in this section in relation to real estate construction contracts, shall include but not be limited to those contracts which are entered into prior to the enactment of the increase in the state sales and use tax rate, provided that such contracts include plans and specifications.

B. Notwithstanding the foregoing ~~March 30, 1987~~ September 30, 2004, delivery date requirement, with respect to bona fide real estate construction contracts which contain a specific and stated date of completion, the date of delivery of such tangible personal property shall be on or before the completion date of the applicable project.

C. Applications for refunds pursuant to this section shall be made in accordance with the provisions of § 58.1-1823. Interest computed in accordance with § 58.1-1833 shall be added to the tax refunded pursuant to this section.

§ 58.1-801. Deeds generally; charter amendments.

A. On every deed admitted to record, except a deed exempt from taxation by law, there is hereby levied a state recordation tax. The rate of the tax shall be ~~fifteen~~ 30 cents on every \$100 or fraction thereof of the consideration of the deed or the actual value of the property conveyed, whichever is greater.

Upon deeds conveying property lying partly within the Commonwealth and partly without the Commonwealth, the tax herein imposed shall apply only to the value of so much of the property conveyed as is situated within the Commonwealth.

B. When the charter of a corporation is amended, and the only effect of such amendment is to change the corporate name of such corporation, the tax upon the recordation of a deed conveying to, or vesting in, such corporation under its changed name, the title to any or all of the real or personal property of such corporation held in its name as it existed immediately prior to such amendment, shall be fifty cents.

§ 58.1-803. Deeds of trust or mortgages; maximum tax.

A. A recordation tax on deeds of trust or mortgages is hereby imposed at a rate of ~~15¢~~ 30 cents on every \$100 or portion thereof of the amount of bonds or other obligations secured thereby. In the event of an open or revolving deed of trust, the amount of the obligation for purposes of this section shall be the maximum amount which may be outstanding at any one time. In any case in which the amount which may be secured under a deed of trust or mortgage is not ascertainable, the tax shall be based upon the fair

market value of the property conveyed, determined as of the date of the deed of trust or mortgage. The fair market value of the property shall include the value of any realty required by the terms of the deed of trust or mortgage to be constructed thereon.

B. On deeds of trust or mortgages upon the works and property of a railroad lying partly within the Commonwealth and partly without the Commonwealth, the tax shall be only upon such proportion of the amount of bonds, or other obligations secured thereby, as the number of miles of the line of such company in the Commonwealth bears to the whole number of miles of the line of such company conveyed by such deed of trust or mortgage.

Upon deeds of trust or mortgages conveying other property lying partly within the Commonwealth and partly without the Commonwealth the tax herein imposed shall be only upon such proportion of the debt secured as the value of the property located within the Commonwealth, or which may be brought into the Commonwealth, bears to the entire amount of property conveyed by such deed of trust or mortgage.

C. On deeds of trust or mortgages, which provide for an initial issue of bonds, to be followed thereafter by additional bonds, unlimited in amount, if such deed of trust or mortgage provides that as and when such additional bonds are issued a supplemental indenture shall be recorded in the office in which the original deed of trust or mortgage is first recorded, which supplement shall contain a statement as to the amount of the additional bonds to be issued, then the tax shall be paid upon the initial amount of bonds when the original deed of trust is recorded and thereafter on each additional amount of bonds when the supplemental indenture relating to such additional bonds is recorded.

On deeds of trust or mortgages which are supplemental to or wrap around existing deeds of trust on which the tax imposed hereunder has already been paid, the tax shall be paid only on that portion of the face amount of the bond or obligation secured thereby which is in addition to the amount of the existing debt secured by a deed of trust or mortgage on which tax has been paid. The instrument shall certify the amount of the existing debt.

D. On deeds of trust or mortgages, the purpose of which is to refinance or modify the terms of an existing debt with the same lender, which debt is secured by a deed of trust or mortgage on which the tax imposed hereunder has been paid, the tax shall be paid only on that portion of the amount of the bond or other obligation secured thereby which is in addition to the amount of the original debt secured by a deed of trust or mortgage on which the tax has been paid. The instrument shall certify the amount of original debt.

E. The maximum tax on the recordation of any deed of trust or mortgage or on any indenture supplemental thereto shall be determined in accordance with the following schedule:

On the first 10 million dollars of value as determined pursuant to this section, ~~15¢~~ 30 cents upon every \$100 or portion thereof;

On the next 10 million dollars of value as determined pursuant to this section, ~~12¢~~ 27 cents upon every \$100 or portion thereof;

On the next 10 million dollars of value as determined pursuant to this section, ~~9¢~~ 24 cents upon every \$100 or portion thereof;

On the next 10 million dollars of value as determined pursuant to this section, ~~6¢~~ 21 cents upon every \$100 or portion thereof; and

On all over 40 million dollars of value as determined pursuant to this section, ~~3¢~~ 18 cents upon every \$100 or portion thereof, incorporated into this section.

§ 58.1-807. Contracts generally; leases.

A. Except as hereinafter provided, on every contract or memorandum thereof relating to real or personal property admitted to record, a recordation tax is hereby levied at the rate of ~~fifteen~~ 30 cents on every \$100 or fraction thereof of the consideration or value contracted for.

B. The recordation of a deed of lease for a term of years, or assignment of the lessee's interest therein, or memorandum thereof, shall be taxed according to the provisions of this section, unless provided otherwise in § 58.1-809 or unless the annual rental, multiplied by the term for which the lease runs, or remainder thereof, equals or exceeds the actual value of the property leased. In such cases the tax

for recording the deed of lease shall be based upon the actual value of the property at the date of lease, including the value of any realty required by the terms of the lease to be constructed thereon by the lessor.

C. The recordation of an assignment of the lessor's interest in a lease, or memorandum thereof, shall be taxed according to the provisions of this section, unless the assignment of the lessor's interest in the lease is to provide additional security for an obligation of the lessor on which the tax has been previously paid, or the assignment of the lessor's interest is made to the person who owns the property which is subject to the lease. In such cases there shall be no tax for recording the lessor's assignment of the lease.

D. Notwithstanding the other provisions of this section, the tax on the recordation of leases of oil and gas rights shall not exceed ~~twenty-five dollars~~\$25. The tax on the recordation of leases of coal and other mineral rights shall not exceed ~~fifty dollars~~\$50.

E. Notwithstanding the other provisions of this section, the tax on the recordation of leases of outdoor advertising signs owned by a person engaged in the business of outdoor advertising licensed by the Virginia Department of Transportation pursuant to § 33.1-361 shall not exceed ~~twenty-five dollars~~\$25.

§ 58.1-808. Sales contracts for the sale of rolling stock or equipment.

On every contract or agreement admitted to record relating to the sale of rolling stock or equipment, whether the title is reserved in the vendor or not, with a railroad corporation or other corporation or with a person, firm or company, the tax shall be ~~15¢~~ 30 cents on every \$100 or fraction thereof of the amount contracted for in such contract or agreement. When such contract or agreement is with a railroad corporation lying partly within the Commonwealth and partly without the Commonwealth, the tax shall be upon such proportion of the amount contracted for as the number of miles of the line of such railroad corporation in the Commonwealth bears to the whole number of miles of line of such railroad corporation.

§ 58.1-815. U.S. Route 58 Corridor Development Fund.

There is hereby created in the Department of the Treasury a special nonreverting fund which shall be a part of the Transportation Trust Fund and which shall be known as the U.S. Route 58 Corridor Development Fund, consisting of the first \$40 million of annual collections of the state recordation taxes imposed ~~by this chapter~~ *at the tax rates in effect on January 1, 2004, pursuant to this chapter*; provided, however, this dedication shall not affect the local recordation taxes under §§ 58.1-802 B and 58.1-814. The Fund shall also include such other funds as may be appropriated by the General Assembly from time to time, and designated for this Fund and all interest, dividends and appreciation which may accrue thereto. Any moneys remaining in the Fund at the end of a biennium shall not revert to the General Fund, but shall remain in the Fund. Allocations from this Fund may be paid to any authority, locality or commission for the purposes specified in § 33.1-221.1:2.

§ 58.1-816. Distribution of recordation tax to cities and counties.

A. Effective October 1, 1993, twenty million dollars of the taxes imposed under §§ 58.1-801 through 58.1-809 *at the tax rates in effect on January 1, 2004*, which are actually paid into the state treasury, shall be distributed among the counties and cities of this Commonwealth in the manner provided in subsection B of this section. Effective July 1, 1994, such annual distribution shall increase to forty million dollars.

B. Subject to any transfers required under §§ 58.1-815.1 and 58.1-816.1, the share of the state taxes distributable under this section among the counties and cities shall be apportioned and distributed quarterly to each county or city by the Comptroller by multiplying the amount to be distributed by a fraction in which the numerator is the amount of the taxes imposed under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in the county or city and the denominator is the amount of taxes imposed under §§ 58.1-801 through 58.1-809 actually paid into the state treasury. All distributions pursuant to this section shall be made on a quarterly basis within thirty days of the end of the quarter. Such quarterly distribution shall equal ten million dollars. Each clerk of the court shall certify to the Comptroller, within fifteen days after the end of the quarter, all amounts collected under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in such county or city.

C. All moneys distributed to counties and cities pursuant to this section shall be used for (i) transportation purposes, including, without limitation, construction, administration, operation, improvement, maintenance and financing of transportation facilities, or (ii) public education.

As used in this section, the term "transportation facilities" shall include all transportation-related facilities including, but not limited to, all highway systems, public transportation or mass transit systems as defined in § 33.1-12, airports as defined in § 5.1-1, and port facilities as defined in § 62.1-140. Such term shall be liberally construed for purposes of this section.

D. If any revenues distributed to a county or city under subsection C of this section are applied or expended for any transportation facilities under the control and jurisdiction of any state agency, board, commission or authority, such transportation facilities shall be constructed, operated, administered, improved and maintained in accordance with laws, rules, regulations, policies and procedures governing such state agency, board, commission or authority; however, in the event these revenues, or a portion thereof, are expended for improving or constructing highways in a county which is subject to the provisions of § 33.1-75.3, such expenditures shall be undertaken in the manner prescribed in that statute.

E. In the case of any distribution to a county or city in which an office sharing agreement pursuant to §§ 15.2-1637 and 15.2-3822 is in effect, the Comptroller shall divide the distribution among the office sharing counties and cities. Each clerk of the court acting pursuant to an office sharing agreement shall certify to the Comptroller, within fifteen days after the end of the quarter, all amounts collected under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded on behalf of each county and city.

§ 58.1-901. Definitions.

As used in this chapter, unless the context clearly shows otherwise, the term or phrase:

"Decedent" means a deceased person.

"Federal credit" means the maximum amount of the credit for state death taxes allowable by § 2011 of the United States Internal Revenue Code of 1954, as amended or renumbered, or successor provision, in respect to a decedent's taxable estate. The term "maximum amount" shall be construed as to take full advantage of such credit as the laws of the United States may allow. In no event, however, shall such amount be less than the federal credit allowable by § 2011 of the Internal Revenue Code as it existed on January 1, 1978.

"Gross estate" means "gross estate" as defined in § 2031 of the United States Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

*"Interest in a closely held business" means an "interest in a closely held business" as defined in § 6166 of the United States Internal Revenue Code of 1986, as amended or renumbered, or the successor provision of the laws of the United States.*

"Nonresident" means a decedent who was domiciled outside of the Commonwealth of Virginia at his death.

"Personal representative" means the personal representative of the estate of the decedent, appointed, qualified and acting within the Commonwealth, or, if there is no personal representative appointed, qualified and acting within the Commonwealth, then any person in actual or constructive possession of the Virginia gross estate of the decedent.

"Resident" means a decedent who was domiciled in the Commonwealth of Virginia at his death.

"State" means any state, territory or possession of the United States and the District of Columbia.

"Taxable estate" means "taxable estate" as defined in § 2051 of the United States Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

"Value" means "value" as finally determined for federal estate tax purposes under the laws of the United States relating to federal estate taxes.

*"Working farm" means an interest in a closely held business that operates as an active trade or business for agricultural purposes.*

Any reference in this chapter to the laws of the United States relating to federal estate and gift taxes means the provisions of the Internal Revenue Code of 1954, and amendments thereto, and other provisions of the laws of the United States relating to federal estate and gift taxes, as the same may be or become effective at any time or from time to time.

§ 58.1-902. Tax on transfer of taxable estate of residents; amounts; credit; property of resident defined.

A. 1. ~~A~~ For deaths occurring before January 1, 2004, a tax in the amount of the federal credit is imposed on the transfer of the taxable estate of every resident, subject, where applicable, to the credit provided for in subsection B.

2. For deaths occurring on or after January 1, 2004, a tax in the amount of the federal credit is imposed on the transfer of the taxable estate of every resident whose gross estate exceeds \$10 million, subject, where applicable, to the credit provided for in subsection B. However, no tax shall be imposed on a gross estate if the majority of the assets of the total estate are an interest in a closely held business or a working farm.

B. If the real and tangible personal property of a resident is located outside of the Commonwealth and is subject to a death tax imposed by another state for which a credit is allowed under § 2011 of the Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States relating to federal estate taxes, the amount of tax due under this section shall be credited with the lesser of:

1. The amount of the death tax paid the other state and credited against the federal estate tax; or
2. An amount computed by multiplying the federal credit by a fraction, the numerator of which is the value of that part of the gross estate over which another state or states have jurisdiction to the same extent to which Virginia would exert jurisdiction under this chapter with respect to the residents of such other state or states and the denominator of which is the value of the decedent's gross estate.

C. Property of a resident includes:

1. Real property situated in the Commonwealth of Virginia;
2. Tangible personal property having an actual situs in the Commonwealth of Virginia; and
3. Intangible personal property owned by the resident regardless of where it is located.

§ 58.1-2217. Taxes levied; rate.

A. There is hereby levied a tax at the rate of ~~seventeen and one-half~~ *seventeen and one-half* cents per gallon on gasoline and gasohol.

B. There is hereby levied a tax at the rate of ~~sixteen~~ *sixteen* ~~and one-half~~ *and one-half* cents per gallon on diesel fuel.

C. Blended fuel that contains gasoline shall be taxed at the rate levied on gasoline. Blended fuel that contains diesel fuel shall be taxed at the rate levied on diesel fuel.

D. There is hereby levied a tax at the rate of five cents per gallon on aviation gasoline. Any person, whether or not licensed under this chapter, who uses, acquires for use, sells or delivers for use in highway vehicles any aviation gasoline shall be liable for the tax at the rate of ~~seventeen and one-half~~ *seventeen and one-half* ~~and one-half~~ *and one-half* cents per gallon, along with any penalties and interest that may accrue.

E. There is hereby levied a tax at the rate of five cents per gallon on aviation jet fuel purchased or acquired for use by a user of aviation fuel other than an aviation consumer. There is hereby levied a tax at the rate of five cents per gallon upon the first 100,000 gallons of aviation jet fuel, excluding bonded aviation jet fuel, purchased or acquired for use by any aviation consumer in any fiscal year. There is hereby levied a tax at the rate of one-half cent per gallon on all aviation jet fuel, excluding bonded aviation jet fuel, purchased or acquired for use by an aviation consumer in excess of 100,000 gallons in any fiscal year. Any person, whether or not licensed under this chapter, who uses, acquires for use, sells or delivers for use in highway vehicles any aviation jet fuel taxable under this chapter shall be liable for the tax imposed at the rate of ~~sixteen~~ *sixteen* ~~and one-half~~ *and one-half* cents per gallon, along with any penalties and interest that may accrue.

F. In accordance with § 62.1-44.34:13, a storage tank fee is imposed on each gallon of gasoline, aviation gasoline, diesel fuel (including dyed diesel fuel), blended fuel, and heating oil sold and delivered or used in the Commonwealth.

§ 58.1-2249. Tax on alternative fuel.

A. There is hereby levied a tax at the rate of ~~sixteen~~ *sixteen* ~~and one-half~~ *and one-half* cents per gallon on liquid alternative fuel used to operate a highway vehicle by means of a vehicle supply tank that stores fuel only for the purpose of supplying fuel to operate the vehicle. There is hereby levied a tax at a rate equivalent to

~~sixteen~~ *twenty and one-half* cents per gallon on all other alternative fuel used to operate a highway vehicle. The Commissioner shall determine the equivalent rate applicable to such other alternative fuels.

B. In addition to any tax imposed by this article, there is hereby levied an annual license tax of ~~forty~~ *fifty* dollars \$50 per vehicle on each highway vehicle that is fueled from a private source if the alternative fuels tax levied under this article has not been paid on fuel used in the vehicle. If such a highway vehicle is not in operation by January 1 of any year, the license tax shall be reduced by one-twelfth for each complete month which shall have elapsed since the beginning of such year.

*Article 8.1.*

*Additional Tax.*

*§ 58.1-2288.1. Additional tax on fuels.*

A. 1. Any licensee or person required to precollect the tax imposed on fuels under § 58.1-2217 or § 58.1-2249 shall also be required to precollect an additional tax, which is hereby imposed at the rate established in subsection B, on the number of gallons of gasoline, gasohol, diesel fuel, blended fuel, or alternative fuel for which the licensee or person is precollecting the tax under such section or sections.

2. An additional tax, at the rate established in subsection B, shall be imposed on any licensee or person subject to the tax under § 58.1-2224. Such additional tax shall be imposed on the number of gallons of fuel for which the licensee or person is subject to the tax under such section.

B. The additional taxes imposed under subsection A shall be imposed at a cents per gallon rate determined by the Department. The taxes shall be based upon 5.5 percent of the statewide average retail price of a gallon of self-serve unleaded regular gasoline, excluding federal and state excise taxes, as determined and certified by the Department rounded up to the nearest one-tenth of one cent. Beginning July 1, 2004, such rate shall be determined every six months by the Department unless the Department certifies that the change in the statewide average retail price of a gallon of self-serve unleaded regular gasoline has been less than 10 percent during the six-month period. However, the rate shall be determined not less than annually.

C. The tax imposed under this section on gallons of fuel for which the licensee or person is precollecting the tax under § 58.1-2217 or § 58.1-2249 is imposed on the ultimate consumer but shall be precollected as prescribed herein, and the levies and assessments imposed on the licensee or person for such tax are imposed on them as agents of the Commonwealth for the precollection of the tax.

D. The taxes imposed under subsection A shall be due and paid by such licensee or person at the same time that the tax under §§ 58.1-2217, 58.1-2224, or § 58.1-2249, as applicable, is due. All provisions of this chapter including but not limited to return filing and reporting requirements, payment requirements and due dates for payment of tax, requirements to precollect tax, late payment penalties and interest, jeopardy assessments, civil penalties, discounts, deductions, and exemptions from tax shall apply *mutatis mutandis* to the taxes imposed under this section.

*§ 58.1-2289. Disposition of tax revenue generally.*

A. ~~Unless~~ *Except* as otherwise provided in subsection F and elsewhere in this section, all taxes and fees, including civil penalties, collected by the Commissioner pursuant to this chapter, less a reasonable amount to be allocated for refunds, shall be promptly paid into the state treasury and shall constitute special funds within the Commonwealth Transportation Fund. Any balances remaining in these funds at the end of the year shall be available for use in subsequent years for the purposes set forth in this chapter, and any interest income on such funds shall accrue to these funds. Except as provided in subsection F and § 33.1-23.03:1, no portion of the revenue derived from taxes collected pursuant to §§ 58.1-2217, 58.1-2249 or § 58.1-2701, and remaining after authorized refunds for nonhighway use of fuel, shall be used for any purpose other than the construction, reconstruction or maintenance of the roads and projects comprising the State Highway System, the Interstate System and the secondary system of state highways and expenditures directly and necessarily required for such purposes, including the retirement of revenue bonds.

Revenues collected under this chapter may be also used for (i) contributions toward the construction, reconstruction or maintenance of streets in cities and towns of such sums as may be provided by law and (ii) expenditures for the operation and maintenance of the Department of Transportation, the Department

of Rail and Public Transportation, the Department of Aviation, the Virginia Port Authority, and the Department of Motor Vehicles as may be provided by law.

The Governor is hereby authorized to transfer out of such fund an amount necessary for the inspection of gasoline and motor grease measuring and distributing equipment, and for the inspection and analysis of gasoline for purity.

B. ~~The~~ Except as provided in subsection F, the tax collected on each gallon of aviation fuel sold and delivered or used in this Commonwealth, less refunds, shall be paid into a special fund of the state treasury. Proceeds of this special fund within the Commonwealth Transportation Fund shall be disbursed upon order of the Department of Aviation, on warrants of the Comptroller, to defray the cost of the administration of the laws of this Commonwealth relating to aviation, for the construction, maintenance and improvement of airports and landing fields to which the public now has or which it is proposed shall have access, and for the promotion of aviation in the interest of operators and the public generally.

C. One-half cent of the tax collected on each gallon of fuel on which the refund has been paid ~~at the rate of seventeen cents per gallon, or in the case of diesel fuel, fifteen and one half cents per gallon,~~ for gasoline, gasohol, diesel, blended fuel, and alternative fuel, for fuel consumed in tractors and unlicensed equipment used for agricultural purposes shall be paid into a special fund of the state treasury, known as the Virginia Agricultural Foundation Fund, to be disbursed to make certain refunds and defray the costs of the research and educational phases of the agricultural program, including supplemental salary payments to certain employees at Virginia Polytechnic Institute and State University, the Department of Agriculture and Consumer Services and the Virginia Truck and Ornamentals Research Station, including reasonable expenses of the Virginia Agricultural Council.

D. One and one-half cents of the tax collected on each gallon of fuel used to propel a commercial watercraft upon which a refund has been paid shall be paid to the credit of the Game Protection Fund of the state treasury to be made available to the Board of Game and Inland Fisheries until expended for the purposes provided generally in subsection C of § 29.1-701, including acquisition, construction, improvement and maintenance of public boating access areas on the public waters of this Commonwealth and for other activities and purposes of direct benefit and interest to the boating public and for no other purpose. However, one and one-half cents per gallon on fuel used by commercial fishing, oystering, clamming, and crabbing boats shall be paid to the Department of Transportation to be used for the construction, repair, improvement and maintenance of the public docks of this Commonwealth used by said commercial watercraft. Any expenditures for the acquisition, construction, improvement and maintenance of the public docks shall be made according to a plan developed by the Virginia Marine Resources Commission.

From the tax collected pursuant to the provisions of this chapter from the sales of gasoline used for the propelling of watercraft, *after deduction for the additional revenues generated from the increase in the rate of tax on gasoline and the additional tax on gasoline imposed by this chapter effective July 1, 2004, and after deduction for lawful refunds*, there shall be paid into the state treasury for use by the Marine Resources Commission, the Virginia Soil and Water Conservation Board, the State Water Control Board, and the Commonwealth Transportation Board to (i) improve the public docks as specified in this section, (ii) improve commercial and sports fisheries in Virginia's tidal waters, (iii) make environmental improvements including, without limitation, fisheries management and habitat enhancement in the Chesapeake and its tributaries, and (iv) further the purposes set forth in § 33.1-223, a sum as established by the General Assembly.

E. Notwithstanding other provisions of this section *except subsection F*, there shall be transferred from moneys collected pursuant to this section to a special fund within the Commonwealth Transportation Fund in the state treasury, to be used to meet the necessary expenses of the Department of Motor Vehicles, an amount equal to one percent of a sum to be calculated as follows: the tax revenues collected pursuant to this chapter, at the tax rates in effect on December 31, 1986, less refunds authorized by this chapter and less taxes collected for aviation fuels.

*F. An amount equivalent to the net additional revenues generated by increases in the rate of taxes under this chapter and the additional taxes imposed pursuant to § 58.1-2288.1 effective July 1, 2004, pursuant to enactments of the 2004 Session of the General Assembly, shall be deposited by the*

*Comptroller into the Transportation Trust Fund established under § 33.1-23.03:1. As provided in subsection A of § 58.1-638, of such amount deposited to the Transportation Trust Fund pursuant to this subsection, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund, and an aggregate of 14.7 percent shall be set aside as the Commonwealth Mass Transit Fund.*

§ 58.1-2402. Levy.

A. There is hereby levied, in addition to all other taxes and fees of every kind now imposed by law, a tax upon the sale or use of motor vehicles in Virginia, other than (i) vehicles with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more, or (ii) a sale to or use by a person for rental as an established business or part of an established business or incidental or germane to such business.

There shall also be levied a tax upon the rental of a motor vehicle in Virginia, without regard to whether such vehicle is required to be licensed by the Commonwealth. However, such tax shall not be levied upon a rental to a person for re-rental as an established business or part of an established business, or incidental or germane to such business.

The amount of the tax to be collected shall be determined by the Commissioner by the application of the following rates against the gross sales price or gross proceeds:

1. ~~Three-Four~~ and one-half percent of the sale price of each motor vehicle sold in Virginia. If such motor vehicle is a manufactured home as defined in § 36-85.3, the tax shall be three percent of the sale price of each such manufactured home sold in this Commonwealth; if such vehicle is a mobile office as defined in § 58.1-2401, the tax shall be two percent of the sale price of each mobile office sold in this Commonwealth.

2. ~~Three-Four and one-half~~ percent of the sale price of each motor vehicle, or three percent of the sale price of each manufactured home as defined in § 36-85.3, or two percent of the sale price of each mobile office as defined in § 58.1-2401, not sold in Virginia but used or stored for use in this Commonwealth. When any such motor vehicle or manufactured home is first used or stored for use in Virginia six months or more after its acquisition, the tax shall be based on its current market value.

3. Four percent of the gross proceeds from the rental in Virginia of any motor vehicle, except those with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more.

4. In addition to the tax levied pursuant to subdivision A 3, a tax of ~~four-six~~ percent of the gross proceeds shall be levied on the rental in Virginia of any daily rental vehicle, whether or not such vehicle is required to be licensed in the Commonwealth.

5. The minimum tax levied on the sale of any motor vehicle in the Commonwealth shall be ~~thirty-five dollars~~ \$35, except as provided by those exemptions defined in § 58.1-2403.

B. A transaction taxed under subdivision A 1 shall not also be taxed under subdivision A 2, nor shall the same transaction be taxed more than once under either subdivision. A motor vehicle subject to the tax imposed under subdivision A 3 shall be subject to the tax under either subdivision A 1 or A 2 when it ceases to be used for rental as an established business or part of an established business, or incidental or germane to such business.

C. Any motor vehicle, trailer or semitrailer exempt from this tax under subdivision 1 or 2 of § 58.1-2403 shall be subject to the tax, based on the current market value when such vehicle is no longer owned, rented or used by the United States government or any governmental agency, or the Commonwealth of Virginia or any political subdivision thereof. Further, any motor vehicle, trailer or semitrailer exempt from the tax imposed by this chapter under subdivision 11 of § 58.1-2403 or §§ 46.2-663 through 46.2-674 shall be subject to the tax, based on the current market value, when such vehicle is subsequently licensed to operate on the highways of this Commonwealth.

D. Any person who with intent to evade or to aid another person to evade the tax provided for herein, falsely states the selling price of a vehicle on a bill of sale, assignment of title, application for title, or any other document or paper submitted to the Commissioner pursuant to any provisions of this title or Title 46.2, shall be guilty of a Class 3 misdemeanor.

E. Effective January 1, 1997, any amount designated as a "processing fee" and any amount charged by a dealer for processing a transaction, which is required to be included on a buyer's order pursuant to subdivision 10 of § 46.2-1530, shall be subject to the tax.

§ 58.1-2425. Disposition of revenues.

A. All funds collected hereunder by the Commissioner shall be forthwith paid into the state treasury. Except as otherwise provided in this section, these funds shall constitute special funds within the Commonwealth Transportation Fund. Any balances remaining in these funds at the end of the year shall be available for use in subsequent years for the purposes set forth in this chapter, and any interest income on such funds shall accrue to these funds. The revenue so derived, after refunds have been deducted, is hereby allocated for the construction, reconstruction and maintenance of highways and the regulation of traffic thereon and for no other purpose. However, (i) all funds collected pursuant to the provisions of this chapter from manufactured homes, as defined in § 46.2-100, shall be distributed to the city, town, or county wherein such manufactured home is to be situated as a dwelling; (ii) all funds ~~collected from the additional generated by a four percent tax imposed by subdivision A 4 of § 58.1-2402~~ on the rental of daily rental vehicles pursuant to subdivision A 4 of § 58.1-2402 shall be distributed quarterly to the city, town, or county wherein such vehicle was delivered to the rentee; (iii) effective January 1, 1987, an amount equivalent to the net additional revenues generated by enactments of the 1986 Special Session of the Virginia General Assembly which amended §§ 46.2-694, 46.2-697, 58.1-2401, 58.1-2402 and this section shall be ~~distributed~~ deposited to and paid into the Transportation Trust Fund established under § 33.1-23.03:1, a special fund within the Commonwealth Transportation Fund, and are hereby appropriated to the Commonwealth Transportation Board for transportation needs; (iv) an amount equivalent to the net additional revenues generated by increases in the rate of taxes under subdivisions A 1 and A 2 of § 58.1-2402 effective July 1, 2004, pursuant to enactments of the 2004 Session of the General Assembly, shall be deposited into the Transportation Trust Fund; (v) all funds generated by a two percent tax on the rental of daily rental vehicles pursuant to subdivision A 4 of § 58.1-2402 shall be deposited into the general fund of the state treasury; and (i+vi) except as otherwise provided in clause (iii) of this sentence, all moneys collected from the tax on the gross proceeds from the rental in Virginia of any motor vehicle pursuant to subdivision A 3 of § 58.1-2402 at the tax rate in effect on December 31, 1986, shall be paid by the Commissioner into the state treasury and shall be set aside in a special fund within the Commonwealth Transportation Fund to be used to meet the expenses of the Department of Motor Vehicles.

B. As provided in subsection A of § 58.1-638, of the funds becoming part of the Transportation Trust Fund pursuant to ~~clause~~ clauses (iii) and (iv) of subsection A of this section, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund; and an aggregate of 14.5 percent in fiscal year 1998-1999 and 14.7 percent in fiscal year 1999-2000 and thereafter shall be set aside as the Commonwealth Mass Transit Fund.

§ 58.1-2701. Amount of tax.

A. Except as provided in subsection B, every motor carrier shall pay a road tax equivalent to ~~nineteen~~ three and one-half cents per gallon greater than the sum of the taxes imposed on each gallon of diesel fuel under subsection B of § 58.1-2217 and § 58.1-2288.1 calculated on the amount of motor fuel, diesel fuel or liquefied gases (which would not exist as liquids at a temperature of ~~sixty~~ 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute), used in its operations within the Commonwealth.

The tax imposed by this chapter shall be in addition to all other taxes of whatever character imposed on a motor carrier by any other provision of law.

B. In lieu of the tax imposed in subsection A, motor carriers registering qualified highway vehicles that are not registered under the International Registration Plan shall pay a fee of ~~\$100~~ \$150 per year for each qualified highway vehicle. The fee is due and payable when the vehicle registration fees are paid pursuant to the provisions of Article 7 (§ 46.2-685 et seq.) of Chapter 6 of Title 46.2.

If a vehicle becomes a qualified highway vehicle before the end of its registration period, the fee due at the time the vehicle becomes a qualified highway vehicle shall be prorated monthly to the registration

expiration month. Fees paid under this subsection shall not be refunded unless a full refund of the registration fee paid is authorized by law.

C. All taxes and fees paid under the provisions of this chapter shall be credited to the Highway Maintenance and Operating Fund, a special fund within the Commonwealth Transportation Fund.

§ 58.1-2706. Credit for payment of motor fuel, diesel fuel or liquefied gases tax.

A. Every motor carrier subject to the road tax shall be entitled to a credit on such tax equivalent to ~~sixteen cents per gallon~~ *the sum of the taxes imposed on each gallon of diesel fuel under subsection B of § 58.1-2217 and § 58.1-2288.1* on all motor fuel, diesel fuel and liquefied gases purchased by such carrier within the Commonwealth for use in its operations either within or without the Commonwealth and upon which the motor fuel, diesel fuel or liquefied gases tax imposed by the laws of the Commonwealth has been paid by such carrier. Evidence of the payment of such tax in such form as may be required by, or is satisfactory to, the Department shall be furnished by each carrier claiming the credit herein allowed.

B. When the amount of the credit to which any motor carrier is entitled for any quarter exceeds the amount of the tax for which such carrier is liable for the same quarter, the excess may: (i) be allowed as a credit on the tax for which such carrier would be otherwise liable for any of the eight succeeding quarters or (ii) be refunded, upon application, duly verified and presented and supported by such evidence as may be satisfactory to the Department.

C. The Department may allow a refund upon receipt of proper application and review. It shall be at the discretion of the Department to determine whether an audit is required.

D. The refund may be allowed without a formal hearing if the amount of refund is agreed to by the applicant. Otherwise, a formal hearing on the application shall be held by the Department after notice of not less than ~~ten~~ 10 days to the applicant and the Attorney General.

E. Whenever any refund is ordered it shall be paid out of the Highway Maintenance and Construction Fund.

F. Whenever a person operating under lease to a motor carrier to perform transport services on behalf of the carrier purchases motor fuel, diesel fuel or liquefied gases relating to such services, such payments or purchases may, at the discretion of the Department, be considered payment or purchases by the carrier.

§ 58.1-3833. County food and beverage tax.

A. Any county is hereby authorized to levy a tax on food and beverages sold, for human consumption, by a restaurant, as such term is defined in subdivision 9 of § 35.1-1, not to exceed ~~eight and one-half percent, when added to the state and local general sales and use tax,~~ *four percent* of the amount charged for such food and beverages. Such tax shall not be levied on food and beverages sold through vending machines or by any person described in subdivisions 1, 2, 3, and 5 of § 35.1-25, as well as nonprofit cafeterias in public schools, nursing homes, and hospitals. Grocery stores and convenience stores selling prepared foods ready for human consumption at a delicatessen counter shall be subject to the tax, for that portion of the grocery store or convenience store selling such items.

This tax shall be levied only if the tax is approved in a referendum within the county which shall be held in accordance with § 24.2-684 and initiated either by a resolution of the board of supervisors or on the filing of a petition signed by a number of registered voters of the county equal in number to 10 percent of the number of voters registered in the county, as appropriate on January 1 of the year in which the petition is filed with the court of such county. The clerk of the circuit court shall publish notice of the election in a newspaper of general circulation in the county once a week for three consecutive weeks prior to the election. If the voters affirm the levy of a local meals tax, the tax shall be effective in an amount and on such terms as the governing body may by ordinance prescribe. If such resolution of the board of supervisors or such petition states for what projects and/or purposes the revenues collected from the tax are to be used, then the question on the ballot for the referendum shall include language stating for what projects and/or purposes the revenues collected from the tax are to be used.

The term "beverage" as set forth herein shall mean alcoholic beverages as defined in § 4.1-100 and nonalcoholic beverages served as part of a meal. The tax shall be in addition to the sales tax currently imposed by the county pursuant to the authority of Chapter 6 (§ 58.1-600 et seq.) of this title. Collection of such tax shall be in a manner prescribed by the governing body.

B. Notwithstanding the provisions of subsection A of this section, any county with a population of at least 70,000 but no more than 100,000, any county with a population of at least 17,910 but no more than 18,000, any county with a population of at least 34,000 but no more than 34,400, and any county having a county manager plan of government are hereby authorized to levy a tax on food and beverages sold for human consumption by a restaurant, as such term is defined in § 35.1-1 and as modified in subsection A above and subject to the same exemptions, not to exceed four percent of the amount charged for such food and beverages, provided that the governing body of the respective county holds a public hearing before adopting a local food and beverage tax, and the governing body by unanimous vote adopts such tax by local ordinance. The tax shall be effective in an amount and on such terms as the governing body may by ordinance prescribe.

C. Nothing herein contained shall affect any authority heretofore granted to any county, city or town to levy a meals tax. The county tax limitations imposed pursuant to § 58.1-3711 shall apply to any tax levied under this section, mutatis mutandis. All food and beverage tax collections and all meals tax collections shall be deemed to be held in trust for the county, city or town imposing the applicable tax. The wrongful and fraudulent use of such collections other than remittance of the same as provided by law shall constitute embezzlement pursuant to § 18.2-111.

D. No county which has heretofore adopted an ordinance pursuant to subsection A of this section shall be required to submit an amendment to its meals tax ordinance to the voters in a referendum.

E. Notwithstanding any other provision of this section, no locality shall levy any tax under this section upon alcoholic beverages sold in factory sealed containers and purchased for off-premises consumption or food purchased for human consumption as "food" is defined in the Food Stamp Act of 1977, 7 U.S.C. § 2012, as amended, and federal regulations adopted pursuant to that act, except for the following items: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and nonfactory sealed beverages.

3. That of the net additional revenues generated by the increases in the taxes under §§ 58.1-801, 58.1-803, 58.1-807, and 58.1-808 of the Code of Virginia pursuant to the second enactment of this act, supplemental deposits to the Revenue Stabilization Fund under § 2.2-1828 of the Code of Virginia shall be made as specified in the Appropriation Act.

4. That the amendments to § 58.1-2402 of the Code of Virginia pursuant to the second enactment of this act shall be applicable only to sales and rentals of motor vehicles occurring on or after July 1, 2004.

5. That the tenth enactment of Chapters 1019 and 1044 of the Acts of Assembly of the 2000 Session of the General Assembly is repealed.

6. That the provisions of the first enactment of this act shall expire midnight on June 30, 2006. The provisions of all other enactments shall have no expiration date.

7. That this act is effective on July 1, 2004.

The reading of the amendments was waived.

Senator Chichester moved that the amendments be agreed to.

#### RULING OF THE CHAIR

Senator Cuccinelli propounded a parliamentary inquiry as to whether the committee amendments to **H.B. 30** were germane.

Based on his ruling on **S.B. 30** on February 26, 2004, the Chair ruled that the committee amendments to **H.B. 30** were germane.

The question was put on agreeing to the amendments.

The amendments were agreed to.

**H.B. 30**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--8. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple, Williams--31.

NAYS--Bell, Bolling, Cuccinelli, Devolites, Martin, Newman, O'Brien, Wagner--8.  
RULE 36--0.

Senator Chichester was ordered to inform the House of Delegates thereof.

On motion of Senator Norment, the Calendar was resumed in the designated order.

### HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 35** (thirty-five).  
**H.B. 151** (one hundred fifty-one).  
**H.B. 346** (three hundred forty-six).  
**H.B. 485** (four hundred eighty-five).  
**H.B. 502** (five hundred two).  
**H.B. 608** (six hundred eight).  
**H.B. 644** (six hundred forty-four).  
**H.B. 677** (six hundred seventy-seven).  
**H.B. 777** (seven hundred seventy-seven).  
**H.B. 997** (nine hundred ninety-seven).  
**H.B. 998** (nine hundred ninety-eight).  
**H.B. 1194** (one thousand one hundred ninety-four).  
**H.B. 1263** (one thousand two hundred sixty-three).  
**H.B. 1312** (one thousand three hundred twelve).  
**H.B. 1423** (one thousand four hundred twenty-three).  
**H.B. 1444** (one thousand four hundred forty-four).  
**H.B. 1474** (one thousand four hundred seventy-four).

The motion was agreed to.

**H.B. 35** (thirty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways.

The reading of the substitute was waived.

On motion of Senator Williams, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 346** (three hundred forty-six) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 22, engrossed, after *vehicle*.  
insert

*The owner of record of the manufactured home or mobile home and all persons having a security interest therein shall be jointly and severally liable for payment of unpaid actual rent to the owner or person in control of the private property for no more than 90 days following the end of the 30-day notification period.*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1312** (one thousand three hundred twelve) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 23, engrossed, after *Nothing*  
strike  
*is*  
insert  
*in*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 35** (thirty-five) with substitute.
- H.B. 151** (one hundred fifty-one).
- H.B. 346** (three hundred forty-six) with amendment.
- H.B. 485** (four hundred eighty-five).
- H.B. 502** (five hundred two).
- H.B. 608** (six hundred eight).
- H.B. 644** (six hundred forty-four).
- H.B. 677** (six hundred seventy-seven).
- H.B. 777** (seven hundred seventy-seven).
- H.B. 997** (nine hundred ninety-seven).
- H.B. 998** (nine hundred ninety-eight).
- H.B. 1194** (one thousand one hundred ninety-four).

**H.B. 1263** (one thousand two hundred sixty-three).

**H.B. 1312** (one thousand three hundred twelve) with amendment.

**H.B. 1474** (one thousand four hundred seventy-four).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1423** (one thousand four hundred twenty-three), on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--Norment--1.

**H.B. 1444** (one thousand four hundred forty-four), on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Norment--1.

**H.B. 404** (four hundred four), on motion of Senator Whipple, was passed by for the day.

**H.B. 451** (four hundred fifty-one) was read by title the third time and, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Watkins, Whipple, Williams--32.

NAYS--Bolling, Hawkins, Houck, Martin, Wagner, Wampler--6.

RULE 36--0.

**H.B. 1482** (one thousand four hundred eighty-two) was read by title the third time.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 55, engrossed, after 45.1.

strike

*This*

insert

*With the exception of black powder, this*

2. Line 57, engrossed, after *original packaging*

strike

*, except black powder*

3. Line 98, engrossed, after seq.)

strike

*, but the term "explosives" shall not include permissible fireworks as defined in § 27-95*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

Senator Hanger moved that **H.B. 1482** be passed by for the day.

Senator Mims moved, as a substitute motion, that **H.B. 1482** be rereferred to the Committee for Courts of Justice.

The substitute motion was agreed to.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 47** (forty-seven).

**H.B. 182** (one hundred eighty-two).

**H.B. 215** (two hundred fifteen).

**H.B. 320** (three hundred twenty).

**H.B. 321** (three hundred twenty-one).

**H.B. 332** (three hundred thirty-two).

**H.B. 375** (three hundred seventy-five).

**H.B. 382** (three hundred eighty-two).

**H.B. 466** (four hundred sixty-six).

**H.B. 658** (six hundred fifty-eight).

**H.B. 755** (seven hundred fifty-five).

**H.B. 758** (seven hundred fifty-eight).

**H.B. 766** (seven hundred sixty-six).

**H.B. 771** (seven hundred seventy-one).

**H.B. 787** (seven hundred eighty-seven).

**H.B. 812** (eight hundred twelve).

**H.B. 820** (eight hundred twenty).

- H.B. 918 (nine hundred eighteen).
- H.B. 942 (nine hundred forty-two).
- H.B. 1142 (one thousand one hundred forty-two).
- H.B. 1264 (one thousand two hundred sixty-four).
- H.B. 441 (four hundred forty-one).
- H.B. 447 (four hundred forty-seven).
- H.B. 530 (five hundred thirty).
- H.B. 1063 (one thousand sixty-three).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

- H.B. 47 (forty-seven).
- H.B. 182 (one hundred eighty-two).
- H.B. 215 (two hundred fifteen).
- H.B. 320 (three hundred twenty).
- H.B. 321 (three hundred twenty-one).
- H.B. 332 (three hundred thirty-two).
- H.B. 375 (three hundred seventy-five).
- H.B. 382 (three hundred eighty-two).
- H.B. 466 (four hundred sixty-six).
- H.B. 658 (six hundred fifty-eight).
- H.B. 755 (seven hundred fifty-five).
- H.B. 758 (seven hundred fifty-eight).
- H.B. 766 (seven hundred sixty-six).
- H.B. 771 (seven hundred seventy-one).
- H.B. 787 (seven hundred eighty-seven).
- H.B. 812 (eight hundred twelve).
- H.B. 820 (eight hundred twenty).
- H.B. 918 (nine hundred eighteen).
- H.B. 942 (nine hundred forty-two).
- H.B. 1142 (one thousand one hundred forty-two).
- H.B. 1264 (one thousand two hundred sixty-four).
- H.B. 441 (four hundred forty-one).
- H.B. 447 (four hundred forty-seven).
- H.B. 530 (five hundred thirty).
- H.B. 1063 (one thousand sixty-three).

**UNFINISHED BUSINESS — SENATE  
RECONSIDERATION**

Senator Norment moved to reconsider the vote by which the Senate rejected the substitute proposed by the House of Delegates to **S.B. 548** (five hundred forty-eight).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

Senator Norment moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--39. RULE 36--0.

YEAS--0.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

RULE 36--0.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Quayle introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 225.** Celebrating the life of Gailya Chambers Johnson.

Patrons--Quayle, Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Newman, Norment, O'Brien, Potts, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins and Williams

**HOUSE COMMUNICATION**

The following communication was received and read:

In the House of Delegates  
March 2, 2004

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

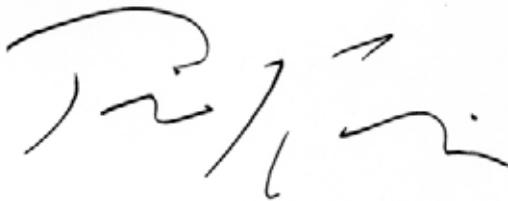
**H.B. 29.** A BILL to amend and reenact Chapter 1042 of the Acts of Assembly of 2003, which appropriated the public revenue and provided a portion of such revenue for the two years ending, respectively, on the thirtieth day of June, 2003, and the thirtieth day of June, 2004.

**H.B. 30.** A BILL for all proposed appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2005, and the thirtieth day of June, 2006, and to amend and reenact §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3840 and 58.1-3912 of the Code of Virginia, to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 through 32.1-367, to amend the Code of Virginia by adding §§ 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.2 and 58.1-395, and repealing §§ 58.1-390, 58.1-394, and 58.1-3831 of the Code of Virginia and repealing Chapter 289 of the 1989 Acts of Assembly.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Devolites, a leave of absence for the day was granted Senator Obenshain on account of pressing personal business.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, MARCH 3, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

Rabbi Michael Panitz, Temple Israel, Norfolk, Virginia, offered the following prayer:

Dear God, by many names do we know You, each of us proceeding from his or her own cultural framework; but beyond all the names, You are One; beyond what human tongue can utter, You are the Creator giving us the ability to call upon You.

We are grateful that You bless us every day. Today, we especially call to mind the blessings of empathy and altruism that You have implanted in our hearts. You have given us the ability to reach out beyond the prison of personal demands, and to connect with our brothers and sisters. We believe that, as Father of us all, You must be pleased when we treat each other as kin.

When we look around the world, we see so many states perilously perched on the brink of anarchy, so many societies struggling to establish the basic guarantees of freedom from violence, fear and want. We are sobered by the realization that civility is so thin a crust over the volcano of human emotions.

Let us always prize our democratic accomplishment in these United States of America, and in this Commonwealth of Virginia. Here, in this very chamber, we can join together and argue strenuously about our common future, all the while, remaining committed to peaceful and constructive action to build our common future. This is a glorious achievement, still a rare jewel in human affairs, and one for which we must always thank You.

Bless us, O Lord, with the ability to forge agreements, and to tolerate disagreements, based on the knowledge that all of us are Your children. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator O'Brien, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
March 2, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

- S.B. 214.** A BILL to amend and reenact § 53.1-120 of the Code of Virginia, relating to assessment for courthouse and courtroom security.
- S.B. 228.** A BILL to amend and reenact § 15.2-852 of the Code of Virginia, relating to disclosures in land use proceedings; penalty.
- S.B. 308.** A BILL to amend and reenact § 9.1-178 of the Code of Virginia, relating to community criminal justice boards.
- S.B. 353.** A BILL to amend and reenact § 15.2-2223 of the Code of Virginia, relating to the comprehensive plan.
- S.B. 389.** A BILL to amend and reenact § 53.1-116 of the Code of Virginia, relating to good conduct credits in jails.
- S.B. 426.** A BILL to amend and reenact § 15.2-2114 of the Code of Virginia, relating to regulation of stormwater.
- S.B. 462.** A BILL to amend and reenact §§ 24.2-405, 24.2-406, 24.2-419, 24.2-441, 24.2-442, 24.2-443.2, 24.2-443.3, 24.2-643, 24.2-653, 24.2-668, 24.2-701, 24.2-703, 24.2-706, and 24.2-802 of the Code of Virginia, relating to changes in election laws and procedures for implementation of the Help America Vote Act; voter registration, identification and provisional voting; absentee voting for military and overseas voters; and recounts.
- S.B. 470.** A BILL to amend the Code of Virginia by adding a section numbered 24.2-919.1, relating to campaign finance disclosure; reports of large contributions received by members of county boards of supervisors and city and town councils.
- S.B. 472.** A BILL to amend and reenact §§ 2.04.2, 9.12, 9.12.1 and 9.23, as amended, of Chapter 536 of the Acts of Assembly of 1950, which provided a charter for the City of Alexandria, relating to employee housing, enforcement of ordinances, compensation of the council, and zoning procedures.
- S.B. 634.** A BILL to amend the Code of Virginia by adding in Chapter 10 of Title 52 a section numbered 52-46, relating to applicant fingerprint database; maintenance; dissemination; penalty.
- S.B. 661.** A BILL to clarify municipal or recreational purpose restrictions on real property acquired by the Commonwealth or any locality.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

- S.B. 115.** A BILL to amend and reenact § 15.2-903 of the Code of Virginia, relating to automobile graveyards and junkyards.
- S.B. 124.** A BILL to amend and reenact §§ 4.03 and 5.01 as amended of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding a section numbered 4.03.1, relating to the election, powers and responsibilities of the mayor, and the appointment and qualifications of the chief administrative officer.

**S.B. 437.** A BILL to amend and reenact § 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE WITH AMENDMENTS THE FOLLOWING SENATE BILL:

**S.B. 100.** A BILL to amend and reenact § 9.1-108 of the Code of Virginia, relating to Criminal Justice Services Board; membership.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 601.** A BILL to amend and reenact § 15.2-2144 of the Code of Virginia, relating to inspection of water supplies.

**H.B. 970.** A BILL to amend and reenact § 15.2-1215 of the Code of Virginia, relating to authority to cut grass.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 105.** A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 4.** A BILL to amend and reenact §§ 15.2-2418, 36-155, 36-156, and 36-169 of the Code of Virginia and to repeal Chapter 24.1 (§§ 15.2-2414 through 15.2-2418) of Title 15.2 of the Code of Virginia and Chapter 10 (§§ 36-152 through 36-156) and Chapter 11 (§§ 36-157 through 36-170) of Title 36 of the Code of Virginia, relating to the Urban Public-Private Partnership Redevelopment Fund, the Virginia Removal or Rehabilitation of Derelict Structures Fund, and the Housing Revitalization Zoning Act.

**S.B. 94.** A BILL to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.

**S.B. 184.** A BILL to amend and reenact § 24.2-303.2 of the Code of Virginia, relating to composition of certain Senatorial districts.

**S.B. 190.** A BILL to amend and reenact § 15.2-2110 of the Code of Virginia, relating to mandatory water and sewage connections.

**S.B. 206.** A BILL to amend and reenact § 15.2-3201 of the Code of Virginia, relating to restrictions on the granting of city charters, the filing of annexation and immunity notices, and the institution of annexation and immunity proceedings.

**S.B. 298.** A BILL to amend and reenact § 19.2-12 of the Code of Virginia, relating to conservators of the peace.

**S.B. 317.** A BILL to amend and reenact §§ 15.2-1718 and 52-32 of the Code of Virginia, relating to missing child reports.

- S.B. 359.** A BILL to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.
- S.B. 369.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-2109.2, relating to utility mutual aid agreements.
- S.B. 400.** A BILL to amend and reenact § 15.2-923 of the Code of Virginia, relating to local water-saving ordinances.
- S.B. 448.** A BILL to amend and reenact §§ 53.1-172 and 53.1-174 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 4 of Title 53.1 an article numbered 6, consisting of sections numbered 53.1-176.1, 53.1-176.2, and 53.1-176.3, relating to the Interstate Compact for the Supervision of Adult Offenders.
- S.B. 457.** A BILL to amend and reenact § 24.2-629 of the Code of Virginia, relating to electronic voting systems.
- S.B. 522.** A BILL to amend and reenact § 7 of Chapter 662 of the Acts of Assembly of 1966, which provided a charter for the City of Lexington, relating to council vacancies.
- S.B. 528.** A BILL to amend and reenact § 24.2-603.1 of the Code of Virginia, relating to postponement of certain elections; emergency situations.
- S.B. 529.** A BILL to amend and reenact § 15.2-904 of the Code of Virginia, relating to inoperable motor vehicles.
- S.B. 574.** A BILL to amend the Code of Virginia by adding a section numbered 15.2-1213.1, relating to election of the county chairman; Page County.
- S.B. 608.** A BILL to grant the Secretary of Public Safety the authority to implement the Statewide Agencies Radio System.
- S.B. 615.** A BILL to amend and reenact § 53.1-27 of the Code of Virginia, relating to establishment of stores in state correctional facilities; use of profits.
- S.B. 623.** A BILL to award a service handgun to the widow of Trooper Anthony Daryl Campbell.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

- H.B. 465.** A BILL to amend and reenact § 58.1-3172.1 of the Code of Virginia, relating to remote access fees; treasurers.
- H.B. 525.** A BILL to amend and reenact § 2.2-2818 of the Code of Virginia, relating to health insurance for part-time state employees.
- H.B. 837.** A BILL to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.

**H.B. 864.** A BILL to amend and reenact §§ 65.2-309 through 65.2-311 of the Code of Virginia, relating to perfection of employer's subrogation rights.

**H.B. 883.** A BILL to amend and reenact § 10.1-1010 of the Code of Virginia, relating to conservation easements.

**H.B. 908.** A BILL to amend and reenact §§ 24.2-303.2 and 24.2-304.02 of the Code of Virginia, relating to certain Senate and House of Delegates districts respectively.

**H.B. 963.** A BILL to allow lighting level regulation in James City County.

**H.B. 1321.** A BILL to amend and reenact §§ 24.2-904, 24.2-928, and 24.2-929 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; required filings and penalties.

**H.B. 1486.** A BILL to amend the Code of Virginia by adding sections numbered 30-19.1:10 and 58.1-344.3, relating to procedures for evaluating and granting voluntary contributions of refunds legislation.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 683.** A BILL to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 275.** Confirming appointments to the Board of the Virginia Office for Protection and Advocacy.

**H.J.R. 276.** Confirming appointments to the Board of Directors of the Virginia Commonwealth University Health System Authority.

THE HOUSE OF DELEGATES HAS DEFEATED THE FOLLOWING SENATE BILLS:

**S.B. 55.** A BILL to amend and reenact § 24.2-604 of the Code of Virginia, relating to elections and activities at polling places.

**S.B. 93.** A BILL to amend and reenact §§ 37.1-183.3 and 37.1-197.2 of the Code of Virginia, relating to employee background checks at adult substance abuse treatment facilities.

**S.B. 395.** A BILL to amend and reenact § 15.2-904 of the Code of Virginia, relating to inoperable motor vehicles.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**H.B. 106** (one hundred six) with substitute.

**H.B. 798** (seven hundred ninety-eight) with amendments.

**H.B. 862** (eight hundred sixty-two) with substitute.

**H.B. 1005** (one thousand five).

**H.B. 1037** (one thousand thirty-seven) with amendment.

**H.B. 1042** (one thousand forty-two) with substitute.

**H.B. 1430** (one thousand four hundred thirty) with substitute.

The following bills, having been considered by the committee in session, were reported by Senator Quayle from the Committee on Local Government:

**H.B. 417** (four hundred seventeen).

**H.B. 988** (nine hundred eighty-eight).

**H.B. 1150** (one thousand one hundred fifty).

**H.B. 1158** (one thousand one hundred fifty-eight).

**H.B. 1190** (one thousand one hundred ninety).

**H.B. 1211** (one thousand two hundred eleven) with amendment.

**H.B. 1255** (one thousand two hundred fifty-five).

**H.B. 1258** (one thousand two hundred fifty-eight).

**H.B. 1299** (one thousand two hundred ninety-nine).

**H.B. 1373** (one thousand three hundred seventy-three).

**H.B. 1392** (one thousand three hundred ninety-two).

**H.B. 1393** (one thousand three hundred ninety-three) with substitute.

**H.B. 1456** (one thousand four hundred fifty-six) with amendments.

**H.B. 1461** (one thousand four hundred sixty-one).

**H.B. 1485** (one thousand four hundred eighty-five) with amendment.

### INTRODUCTION OF LEGISLATION

Senator Martin, by leave, under Senate Rule 11 (b) presented the following resolution which was ordered to be printed and referred:

**S.R. 9.** Confirming nominations to the Senate Ethics Advisory Panel.

Patron--Martin

Referred to Committee on Privileges and Elections

## CALENDAR

## UNFINISHED BUSINESS — HOUSE

**H.B. 29** (twenty-nine) was taken up.

On motion of Senator Chichester, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 30** (thirty) was taken up.

On motion of Senator Chichester, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following business was taken up out of its Calendar order.

## HOUSE BILLS ON SECOND READING

Senator Chichester moved that the Rules be suspended and the second reading of the title of **H.B. 285** (two hundred eighty-five) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 285** was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Chichester moved that the Rules be suspended and the second reading of the title of **H.B. 515** (five hundred fifteen) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 515**, on motion of Senator Chichester, was passed by temporarily.

Senator Chichester moved that the Rules be suspended and the second reading of the title of **H.B. 549** (five hundred forty-nine) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 549** was read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple--32.

NAYS--Bolling, Cuccinelli, Martin, Newman, O'Brien, Ruff, Watkins, Williams--8.

RULE 36--0.

Senator Chichester moved that the Rules be suspended and the second reading of the title of **H.B. 615** (six hundred fifteen) as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 615** was read by title the third time.

The following amendments proposed by the Committee on Finance were offered:

1. Line 109, engrossed, after 2004,

insert

*but before January 1, 2006,*

2. Line 112, engrossed, after subsection J.

insert

*However, the total amount of credit allowable under this subsection shall not exceed \$100,000 in aggregate.*

The reading of the amendments was waived.

On motion of Senator Chichester, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 615**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Stosch--1.

RULE 36--0.

**H.B. 515** (five hundred fifteen) was taken up, read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the Calendar was resumed in the designated order.

#### UNFINISHED BUSINESS — HOUSE

**H.B. 995** (nine hundred ninety-five) was taken up.

#### RULING OF THE CHAIR

In response to the parliamentary inquiry by Senator Stolle on March 2, 2004, the Chair ruled that **H.B. 995** was not properly before the Senate.

The Chair directed the Clerk to return **H.B. 995** to the House of Delegates.

#### PARLIAMENTARY INQUIRY

Senator Hanger propounded a parliamentary inquiry as to whether it would be in order to suspend the Senate Rules to take up **H.B. 995**.

The Chair stated that a motion to suspend the Senate Rules to take up **H.B. 995** would not be in order.

**H.B. 848** (eight hundred forty-eight) was taken up.

On motion of Senator Chichester, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 928** (nine hundred twenty-eight) was taken up.

On motion of Senator Chichester, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### UNFINISHED BUSINESS — SENATE

**S.B. 318** (three hundred eighteen) was taken up.

On motion of Senator Howell, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 546** (five hundred forty-six) was taken up.

On motion of Senator Puckett, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 120** (one hundred twenty) was taken up.

On motion of Senator Houck, the amendments were agreed to.

**S.B. 35** (thirty-five) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A **BILL** to amend and reenact § 63.2-100 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9 of Title 63.2 a section numbered 63.2-913, relating to subsidized custody for children.

On motion of Senator Miller, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 130** (one hundred thirty) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 24, engrossed, after fails

insert

*, without good cause shown,*

2. Line 26, engrossed, after ~~dollars~~

strike

*\$100*

insert

*\$75*

3. Line 29, engrossed, after date,

insert

*and in the absence of good cause shown for the failure to so file,*

4. Line 29, engrossed, after ~~dollar~~

strike

*\$100*

insert

*\$75*

On motion of Senator Watkins, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 189** (one hundred eighty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

Senator Reynolds moved that the substitute be agreed to.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--8. NAYS--32. RULE 36--0.

YEAS--Deeds, Locke, Lucas, Marsh, Miller, Puller, Quayle, Reynolds--8.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--32.

RULE 36--0.

**S.B. 252** (two hundred fifty-two) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015, and 46.2-1051 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.

On motion of Senator Deeds, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 257** (two hundred fifty-seven) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 48, engrossed, after *standards*  
insert  
. (period)

On motion of Senator Hawkins, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 266** (two hundred sixty-six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 139, engrossed, after *provision*,  
strike  
*when authorized by*  
insert  
*consistent with*
2. Line 140, engrossed, after *encourage the*  
strike  
*purchase of private*  
insert  
*private purchase of*
3. Line 141, engrossed, after *estate recovery*  
strike  
the remainder of line 141 and all of lines 142 and 143  
insert  
*as authorized by federal law.*

On motion of Senator Edwards, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 421** (four hundred twenty-one) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 34, engrossed  
insert  
*no more than*

On motion of Senator Wagner, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 479** (four hundred seventy-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6, and 22.1-292.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-200.01 and 22.1-202.1, relating to the Standards of Quality.

On motion of Senator Potts, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 77** (seventy-seven) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 60, engrossed  
strike  
all of lines 60 and 61

Senator Hanger moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

**S.J.R. 79** (seventy-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

Memorializing Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003.

Senator Norment moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

### HOUSE BILLS ON THIRD READING

**H.B. 771** (seven hundred seventy-one), on motion of Senator Reynolds, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 47** (forty-seven).

**H.B. 182** (one hundred eighty-two).

**H.B. 215** (two hundred fifteen).

**H.B. 320** (three hundred twenty).

**H.B. 321** (three hundred twenty-one).

**H.B. 332** (three hundred thirty-two).

**H.B. 375** (three hundred seventy-five).

**H.B. 382** (three hundred eighty-two).

**H.B. 466** (four hundred sixty-six).

**H.B. 658** (six hundred fifty-eight).

**H.B. 755** (seven hundred fifty-five).

**H.B. 758** (seven hundred fifty-eight).

**H.B. 766** (seven hundred sixty-six).

**H.B. 787** (seven hundred eighty-seven).

**H.B. 812** (eight hundred twelve).

**H.B. 820** (eight hundred twenty).

**H.B. 918** (nine hundred eighteen).

**H.B. 942** (nine hundred forty-two).

**H.B. 1142** (one thousand one hundred forty-two).

**H.B. 1264** (one thousand two hundred sixty-four).

The motion was agreed to.

**H.B. 47** (forty-seven) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 30, engrossed, after purposes.  
insert

*Any counter-claim or cross-claim shall arise out of the same use of the property for business, commercial or agricultural purposes.*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 182** (one hundred eighty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 215** (two hundred fifteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying a concealed weapon; reciprocity.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 321** (three hundred twenty-one) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 14, engrossed, after *from, any*  
strike

[ *official* ]

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 332** (three hundred thirty-two) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 24, engrossed, after *social security number,*

strike

remainder of line 24, all of lines 25 and 26, and through *recording* on line 27

insert

*however, the attorney or party who prepares or submits the instrument has responsibility for ensuring that the social security number is removed from the instrument prior to the instrument being submitted for recording*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 758** (seven hundred fifty-eight) was taken up.

The following amendment proposed by the Committee on Agriculture, Conservation and Natural Resources was offered:

1. Line 13, engrossed, after or

strike

their

insert

*the landowner's*

The reading of the amendment was waived.

On motion of Senator Hawkins, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 766** (seven hundred sixty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 787** (seven hundred eighty-seven) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 56, engrossed, after *However*;

strike

*a bail bondsman, licensed pursuant to § 38.2-1865.6,*

insert

*a licensed bail bondsman*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 812** (eight hundred twelve) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511, relating to sale of military grave markers.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 918** (nine hundred eighteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 35.1-25 of the Code of Virginia, relating to regulation of restaurants; exemption.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1142** (one thousand one hundred forty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Agriculture, Conservation and Natural Resources was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 29.1-573 of the Code of Virginia, relating to nonindigenous aquatic nuisance species.

The reading of the substitute was waived.

On motion of Senator Hawkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 47** (forty-seven) with amendment.
- H.B. 182** (one hundred eighty-two) with substitute.
- H.B. 215** (two hundred fifteen) with substitute.
- H.B. 320** (three hundred twenty).
- H.B. 321** (three hundred twenty-one) with amendment.
- H.B. 332** (three hundred thirty-two) with amendment.
- H.B. 375** (three hundred seventy-five).
- H.B. 382** (three hundred eighty-two).
- H.B. 466** (four hundred sixty-six).
- H.B. 658** (six hundred fifty-eight).
- H.B. 755** (seven hundred fifty-five).
- H.B. 758** (seven hundred fifty-eight) with amendment.
- H.B. 766** (seven hundred sixty-six) with substitute.
- H.B. 787** (seven hundred eighty-seven) with amendment.
- H.B. 812** (eight hundred twelve) with substitute.
- H.B. 820** (eight hundred twenty).
- H.B. 918** (nine hundred eighteen) with substitute.
- H.B. 942** (nine hundred forty-two).
- H.B. 1142** (one thousand one hundred forty-two) with substitute.
- H.B. 1264** (one thousand two hundred sixty-four).

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

#### UNFINISHED BUSINESS — SENATE RECONSIDERATION

Senator Saslaw moved to reconsider the vote by which the Senate rejected the substitute proposed by the House of Delegates to **S.B. 189** (one hundred eighty-nine).

The motion was agreed to.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

Senator Williams moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--18. NAYS--22. RULE 36--0.

YEAS--Colgan, Deeds, Edwards, Hanger, Howell, Lambert, Locke, Lucas, Marsh, Miller, Obenshain, Puckett, Puller, Reynolds, Saslaw, Ticer, Wampler, Whipple--18.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hawkins, Houck, Martin, Mims, Newman, Norment, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Watkins, Williams--22.  
RULE 36--0.

### HOUSE BILLS ON THIRD READING

**H.B. 404** (four hundred four) was read by title the third time.

Senator Stolle moved that **H.B. 404** be passed with its title.

**H.B. 404**, on motion of Senator Mims, was passed by temporarily.

**H.B. 441** (four hundred forty-one) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 447** (four hundred forty-seven) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 18, engrossed, after court.

insert

*The court may require the parties to attend such seminar or program in uncontested cases only if the court finds good cause.*

2. Line 85, engrossed, after the court

insert

*except that the court may require the parties to attend such seminar or program in uncontested cases only if the court finds good cause*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

**H.B. 447**, on motion of Senator Edwards, was passed by for the day.

**H.B. 530** (five hundred thirty) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--31. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Lambert, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--31.

NAYS--Howell, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--9.

RULE 36--0.

**H.B. 1063** (one thousand sixty-three) was read by title the third time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 27, engrossed  
strike  
all of line 27

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1063**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Quayle, Stolle, Stosch--3.

RULE 36--0.

## HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates  
March 3, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

**S.B. 620.** A BILL to amend and reenact §§ 8.01-499 and 17.1-272 of the Code of Virginia, relating to sheriff's fees.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 103.** A BILL to amend and reenact §§ 16.1-69.48:5 and 16.1-296 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-296.2, relating to fees for custody and visitation proceedings.

**S.B. 526.** A BILL to amend and reenact § 58.1-301 of the Code of Virginia, relating to Commonwealth's system of taxation.

**S.B. 681.** A BILL to amend and reenact §§ 58.1-2628 and 58.1-2674.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 58.1-400.3, relating to a minimum tax on certain electric suppliers.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

In the House of Delegates  
March 3, 2004

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 29.** A BILL to amend and reenact Chapter 1042 of the Acts of Assembly of 2003, which appropriated the public revenue and provided a portion of such revenue for the two years ending, respectively, on the thirtieth day of June, 2003, and the thirtieth day of June, 2004.

**H.B. 30.** A BILL for all proposed appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2005, and the thirtieth day of June, 2006, and to amend and reenact §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3840 and 58.1-3912 of the Code of Virginia, to amend the Code of Virginia by adding in Title 32.1 a chapter numbered 15, consisting of sections numbered 32.1-366 through 32.1-367, to amend the Code of Virginia by adding §§ 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.2 and 58.1-395, and repealing §§ 58.1-390, 58.1-394, and 58.1-3831 of the Code of Virginia and repealing Chapter 289 of the 1989 Acts of Assembly.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment,

Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### **SUPPLEMENTAL CALENDAR NO. 1**

#### **UNFINISHED BUSINESS — SENATE**

**S.B. 620** (six hundred twenty) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 8.01-499 and 17.1-272 of the Code of Virginia, relating to sheriff's fees.

On motion of Senator Blevins, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### **PRINTED CALENDAR RESUMED**

#### **HOUSE BILLS ON SECOND READING**

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 17** (seventeen).

**H.B. 79** (seventy-nine).

**H.B. 104** (one hundred four).

**H.B. 184** (one hundred eighty-four).

**H.B. 282** (two hundred eighty-two).

**H.B. 414** (four hundred fourteen).

**H.B. 464** (four hundred sixty-four).

**H.B. 472** (four hundred seventy-two).

**H.B. 600** (six hundred).

**H.B. 609** (six hundred nine).

**H.B. 632** (six hundred thirty-two).

**H.B. 640** (six hundred forty).

**H.B. 645** (six hundred forty-five).

**H.B. 656** (six hundred fifty-six).

**H.B. 660** (six hundred sixty).

**H.B. 663** (six hundred sixty-three).

**H.B. 718** (seven hundred eighteen).

**H.B. 801** (eight hundred one).

**H.B. 818** (eight hundred eighteen).

**H.B. 863** (eight hundred sixty-three).

**H.B. 872** (eight hundred seventy-two).

**H.B. 898** (eight hundred ninety-eight).  
**H.B. 902** (nine hundred two).  
**H.B. 920** (nine hundred twenty).  
**H.B. 1007** (one thousand seven).  
**H.B. 1057** (one thousand fifty-seven).  
**H.B. 1076** (one thousand seventy-six).  
**H.B. 1093** (one thousand ninety-three).  
**H.B. 1143** (one thousand one hundred forty-three).  
**H.B. 1148** (one thousand one hundred forty-eight).  
**H.B. 1149** (one thousand one hundred forty-nine).  
**H.B. 1159** (one thousand one hundred fifty-nine).  
**H.B. 1233** (one thousand two hundred thirty-three).  
**H.B. 1342** (one thousand three hundred forty-two).  
**H.B. 1404** (one thousand four hundred four).  
**H.B. 1407** (one thousand four hundred seven).  
**H.B. 1408** (one thousand four hundred eight).  
**H.B. 390** (three hundred ninety).  
**H.B. 871** (eight hundred seventy-one).  
**H.B. 938** (nine hundred thirty-eight).  
**H.B. 1172** (one thousand one hundred seventy-two).  
**H.B. 1174** (one thousand one hundred seventy-four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 17** (seventeen).  
**H.B. 79** (seventy-nine).  
**H.B. 104** (one hundred four).  
**H.B. 184** (one hundred eighty-four).  
**H.B. 282** (two hundred eighty-two).  
**H.B. 414** (four hundred fourteen).  
**H.B. 464** (four hundred sixty-four).  
**H.B. 472** (four hundred seventy-two).  
**H.B. 600** (six hundred).  
**H.B. 609** (six hundred nine).  
**H.B. 632** (six hundred thirty-two).  
**H.B. 640** (six hundred forty).  
**H.B. 645** (six hundred forty-five).  
**H.B. 656** (six hundred fifty-six).  
**H.B. 660** (six hundred sixty).  
**H.B. 663** (six hundred sixty-three).

**H.B. 718** (seven hundred eighteen).  
**H.B. 801** (eight hundred one).  
**H.B. 818** (eight hundred eighteen).  
**H.B. 863** (eight hundred sixty-three).  
**H.B. 872** (eight hundred seventy-two).  
**H.B. 898** (eight hundred ninety-eight).  
**H.B. 902** (nine hundred two).  
**H.B. 920** (nine hundred twenty).  
**H.B. 1007** (one thousand seven).  
**H.B. 1057** (one thousand fifty-seven).  
**H.B. 1076** (one thousand seventy-six).  
**H.B. 1093** (one thousand ninety-three).  
**H.B. 1143** (one thousand one hundred forty-three).  
**H.B. 1148** (one thousand one hundred forty-eight).  
**H.B. 1149** (one thousand one hundred forty-nine).  
**H.B. 1159** (one thousand one hundred fifty-nine).  
**H.B. 1233** (one thousand two hundred thirty-three).  
**H.B. 1342** (one thousand three hundred forty-two).  
**H.B. 1404** (one thousand four hundred four).  
**H.B. 1407** (one thousand four hundred seven).  
**H.B. 1408** (one thousand four hundred eight).  
**H.B. 390** (three hundred ninety).  
**H.B. 871** (eight hundred seventy-one).  
**H.B. 938** (nine hundred thirty-eight).  
**H.B. 1172** (one thousand one hundred seventy-two).  
**H.B. 1174** (one thousand one hundred seventy-four).

#### HOUSE BILLS ON THIRD READING RECONSIDERATION

Senator Reynolds moved to reconsider the vote by which **H.B. 771** (seven hundred seventy-one) was passed by for the day.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 771** was read by title the third time and, on motion of Senator Reynolds, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 404** (four hundred four) was taken up and, on motion of Senator Norment, was passed by for the day.

**COMMENDING RESOLUTION  
IMMEDIATE CONSIDERATION**

On motion of Senator Puller, the Rules were suspended and **S.J.R. 223** (two hundred twenty-three), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 223**, on motion of Senator Puller, was ordered to be engrossed and was agreed to.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates

March 3, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 615.** A BILL to amend and reenact § 58.1-439 of the Code of Virginia, relating to the major business facility job tax credit.

/s/ Bruce F. Jamerson

Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Houck introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 227.** Celebrating the life of Willis Fleming Davis, Jr.

Patrons--Houck, Deeds, Edwards, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Ticer and Whipple

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Ruff introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 228.** Commending the Hampden-Sydney College basketball team.

Patron--Ruff

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Potts introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 229.** Commending Robert M. Sager, Margaret B. Douglas, and Sidney A. Reyes.

Patrons--Potts, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Mims introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 230.** Commending Wayne Griffith.

Patrons--Mims and Potts; Delegates: Black, Marshall, R.G., May, Reese and Rust

**S.J.R. 231.** Commending Frederick F. Flemming.

Patrons--Mims and Potts; Delegates: Black, Marshall, R.G., May, Reese and Rust

**S.J.R. 232.** Commending the Potomac Falls High School and Broad Run High School debate teams.

Patrons--Mims and Potts; Delegates: Black, Marshall, R.G., May, Reese and Rust

**S.J.R. 233.** Celebrating the life of Kenneth W. Culbert.

Patrons--Mims and Potts; Delegates: Black, Marshall, R.G., May, Reese and Rust

**S.J.R. 234.** Celebrating the life of William F. Webb, Jr.

Patrons--Mims and Potts; Delegates: Black, Marshall, R.G., May, Reese and Rust

**CONFERENCE PROCEDURES**

Senator Chichester, Chair of the Committee on Finance, appointed Senators Chichester, Wampler, Stosch, and Colgan, the conferees on the part of the Senate for **H.B. 29** (twenty-nine).

Senator Chichester, Chair of the Committee on Finance, appointed Senators Chichester, Wampler, Stosch, and Colgan, the conferees on the part of the Senate for **H.B. 30** (thirty).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Puckett, Obenshain, and Reynolds, the conferees on the part of the Senate for **S.B. 546** (five hundred forty-six).

**LEGISLATION SIGNED BY PRESIDING OFFICER**

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 3, 2004

**H.B. 16.** An Act to repeal § 51.1-1404 of the Code of Virginia and the second enactment of Chapter 385 of the Acts of Assembly of 1999, relating to the optional supplemental health insurance credit for retired state employees.

**H.B. 94.** An Act to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real estate tax exemptions for the elderly or disabled.

**H.B. 97.** An Act to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real estate tax exemptions for the elderly or disabled.

**H.B. 163.** An Act to amend and reenact § 51.1-1400 of the Code of Virginia, relating to retirement health insurance credits.

**H.B. 199.** An Act to amend and reenact § 51.1-505 of the Code of Virginia, relating to group life and accident insurance for state and local employees.

**H.B. 200.** An Act to amend and reenact § 51.1-124.22 of the Code of Virginia, relating to the Virginia Retirement System; deduction of benefit overpayments from life insurance proceeds.

**H.B. 201.** An Act to amend and reenact § 51.1-164 of the Code of Virginia, relating to Virginia Retirement System benefits; payment to successor of decedent by affidavit.

**H.B. 235.** An Act to require the State Compensation Board to perform certain duties relating to the Local Inmate Data System.

**H.B. 334.** An Act to amend and reenact §§ 51.1-138 and 51.1-205, as they are currently effective and as they shall become effective, and § 51.1-216 of the Code of Virginia, relating to years of service requirements for retirement.

**H.B. 356.** An Act to amend and reenact § 51.1-1401 of the Code of Virginia, relating to health insurance credits for retired teachers; superintendents.

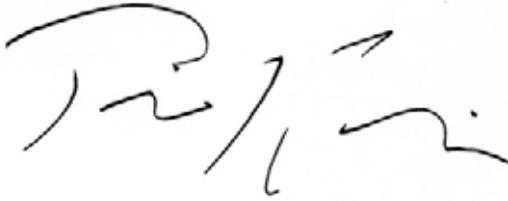
- H.B. 551.** An Act to amend and reenact § 51.1-602 of the Code of Virginia, relating to the Government Employees Deferred Compensation Plan Act; collection of administrative fees by political subdivisions.
- H.B. 699.** An Act to amend and reenact § 51.1-1112 of the Code of Virginia, relating to long-term disability benefits for state employees.
- H.B. 701.** An Act to amend and reenact §§ 51.1-1113 and 51.1-1124 of the Code of Virginia, relating to the Sickness and Disability Program for state employees.
- H.B. 702.** An Act to amend and reenact §§ 51.1-1117, 51.1-1123, and 51.1-1133 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; program actuary.
- H.B. 703.** An Act to amend and reenact § 51.1-1114 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; collection of disability benefit overpayments.
- H.B. 925.** An Act to amend the Code of Virginia by adding in Article 4 of Chapter 39 of Title 58.1 a section numbered 58.1-3975, relating to nonjudicial sales of tax delinquent real property.
- H.B. 1262.** An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for film, video, audio in Virginia.
- S.B. 150.** An Act to amend and reenact § 3.1-1075 of the Code of Virginia, relating to the Sheep Board.
- S.B. 199.** An Act to amend and reenact §§ 29.1-352 and 29.1-355 of the Code of Virginia, relating to coverage for damages under the damage stamp program.
- S.B. 262.** An Act to amend and reenact §§ 2.2-204 and 3.1-426 of the Code of Virginia, relating to the Milk Commission.
- S.B. 310.** An Act to amend and reenact § 3.1-6.1 of the Code of Virginia, to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 42.1, consisting of sections numbered 3.1-1064.1 through 3.1-1064.7, and to repeal Chapter 42 (§§ 3.1-1057 through 3.1-1064) of Title 3.1 of the Code of Virginia, relating to establishment of the Virginia Wine Board and the Virginia Wine Promotion Fund.
- S.B. 629.** An Act to amend and reenact § 62.1-44.15:5 of the Code of Virginia, relating to wetlands mitigation banks.

#### HONORARY ADJOURNMENT

Senator Potts addressed the Senate in honor of the Third Battalion, 116th Infantry, Fighting Twenty-ninth Division.

Senator Potts requested that when the Senate adjourns today, it adjourn in honor of the Third Battalion, 116th Infantry, Fighting Twenty-ninth Division.

On motion of Senator Chichester, the Senate, in honor of the Third Battalion, 116th Infantry, Fighting Twenty-ninth Division, adjourned until tomorrow at 12 m.

A handwritten signature in black ink, appearing to read "Tim Kaine". The signature is fluid and cursive, with a large initial "T" and "K".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with a large initial "S".

Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, MARCH 4, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Edward R. Walker, Westover Hills United Methodist Church, Richmond, Virginia, offered the following prayer:

“God of many names, gathered into One, in Your glory come and meet us, moving, endlessly becoming. God of hovering wings, womb and birth of time, joyfully we sing Your praises, breath of life in every people.” (*God of Many Names*, Brian Wren, 1985)

May we see You in the faces of those whom we are called and elected to serve. May we hear You in the voices of one another and our constituencies. May we taste You in the glory of Your Creation. May we touch You in our humility and receive Your forgiveness. May we feel You in the wisdom, grace and mercy You extend toward us with open arms. And may each of us be Your instruments as we create and lead our Commonwealth. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Wagner, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates

March 3, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 21.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-749.43:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal § 46.2-749.43 of the Code of Virginia, relating to special license plates; the 200th anniversary of the Town of Occoquan; the POW/MIA logo; supporters of Virginia agriculture; the 275th anniversary of the County of Prince William; supporters of the Blue Ridge

Parkway Foundation; organ donor programs; barbershop quartet singing enthusiasts; supporters of the Washington D.C. United soccer team; supporters of the Canine Health Foundation; supporters of children with special needs; fees.

**S.B. 313.** A BILL to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.

**S.B. 508.** A BILL to amend and reenact § 33.1-46.2 of the Code of Virginia, as it is currently effective and as it may become effective, relating to high-occupancy vehicle lanes; penalties.

**S.B. 642.** A BILL to amend and reenact §§ 58.1-3713 and 58.1-3713.01 of the Code of Virginia, relating to distribution of local coal and gas road improvement tax revenues for certain projects.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE THE FOLLOWING SENATE BILL:

**S.B. 181.** A BILL to amend and reenact §§ 32.1-127 and 63.2-1732 of the Code of Virginia, relating to emergency electrical systems.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENTS AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 58.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-370.2, relating to maintenance and repair of nonconforming signs.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTES AND HAS REQUESTED COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 381.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**S.B. 548.** A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 20.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites.

**H.B. 570.** A BILL to amend and reenact §§ 19.2-74, 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of certain illegal aliens and unidentified people.

**H.B. 952.** A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

**H.B. 1212.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 18.** A BILL to provide for the submission to the voters of a proposed amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.

**S.B. 553.** A BILL to amend and reenact § 22.1-26 of the Code of Virginia, relating to joint and regional schools.

**S.B. 653.** A BILL to amend and reenact § 23-4.01 of the Code of Virginia, relating to certain easements by the College of William and Mary.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 207.** Commending Mally Paige Gent.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**H.B. 127** (one hundred twenty-seven) with substitute.

**H.B. 250** (two hundred fifty) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 253** (two hundred fifty-three) with amendment.

**H.B. 360** (three hundred sixty) with amendment.

**H.B. 471** (four hundred seventy-one) with amendments.

**H.B. 557** (five hundred fifty-seven) with substitute.

**H.B. 664** (six hundred sixty-four) with amendments.

**H.B. 667** (six hundred sixty-seven) with amendments.

**H.B. 676** (six hundred seventy-six).

**H.B. 774** (seven hundred seventy-four).

**H.B. 889** (eight hundred eighty-nine) with substitute.

**H.B. 948** (nine hundred forty-eight).

**H.B. 993** (nine hundred ninety-three) with amendments with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1058** (one thousand fifty-eight).

**H.B. 1059** (one thousand fifty-nine).

**H.B. 1060** (one thousand sixty).

**H.B. 1129** (one thousand one hundred twenty-nine) with amendment.

**H.B. 1136** (one thousand one hundred thirty-six) with substitute.

**H.B. 1138** (one thousand one hundred thirty-eight).

**H.B. 1139** (one thousand one hundred thirty-nine).

**H.B. 1141** (one thousand one hundred forty-one).

**H.B. 1146** (one thousand one hundred forty-six) with amendments.

**H.B. 1147** (one thousand one hundred forty-seven) with substitute.

**H.B. 1205** (one thousand two hundred five) with amendments.

**H.B. 1209** (one thousand two hundred nine).

**H.B. 1237** (one thousand two hundred thirty-seven) with amendments.

**H.B. 1293** (one thousand two hundred ninety-three) with amendment.

**H.B. 1303** (one thousand three hundred three) with substitute.

**H.B. 1307** (one thousand three hundred seven).

**H.B. 1308** (one thousand three hundred eight).

**H.B. 1410** (one thousand four hundred ten).

The following bills, having been considered by the committee in session, were reported by Senator Stosch from the Committee on General Laws:

**H.B. 168** (one hundred sixty-eight).

**H.B. 347** (three hundred forty-seven).

**H.B. 358** (three hundred fifty-eight).

**H.B. 538** (five hundred thirty-eight) with amendments.

**H.B. 1043** (one thousand forty-three) with substitute.

**H.B. 1246** (one thousand two hundred forty-six).

**H.B. 1357** (one thousand three hundred fifty-seven) with substitute.

**H.B. 1364** (one thousand three hundred sixty-four).

**H.B. 1396** (one thousand three hundred ninety-six).

**H.B. 1432** (one thousand four hundred thirty-two).

**H.B. 250** and **H.B. 993** were rereferred to the Committee on Finance.

At 12:15 p.m., Senator Stosch moved that the Senate recess until 12:45 p.m.

The motion was agreed to.

The hour of 12:45 p.m. having arrived, the Chair was resumed.

## CALENDAR

## CONFERENCE PROCEDURES

Senator Hanger, Chair of the Committee on Rehabilitation and Social Services, appointed Senators Howell, Hanger, and Williams, the conferees on the part of the Senate for **S.B. 318** (three hundred eighteen).

## UNFINISHED BUSINESS — HOUSE

**H.B. 105** (one hundred five) was taken up.

On motion of Senator Norment, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 601** (six hundred one) was taken up.

On motion of Senator Quayle, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 970** (nine hundred seventy) was taken up.

On motion of Senator Quayle, the Senate insisted on its amendment and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### UNFINISHED BUSINESS — SENATE

**S.B. 100** (one hundred) was taken up with the amendment in the nature of a substitute with amendments proposed by the House of Delegates, the title of the substitute, printed separately, and amendments being as follows:

A BILL to amend and reenact § 9.1-108 of the Code of Virginia, relating to Criminal Justice Services Board; membership.

1. Line 37, substitute, after *duty*  
     strike  
         *police*  
     insert  
         *law-enforcement*

2. Line 37, substitute, after *officer*  
     strike  
         the remainder of line 37 and through *1,000* on line 39

Senator Devolites moved that the substitute with amendments be rejected.

The question was put on agreeing to the substitute with amendments.

The substitute with amendments was rejected.

The recorded vote is as follows:

YEAS--7. NAYS--33. RULE 36--0.

YEAS--Colgan, Hawkins, Houck, Newman, Norment, Whipple, Williams--7.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins--33.

RULE 36--0.

**S.B. 115** (one hundred fifteen) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 15.2-903 of the Code of Virginia, relating to automobile graveyards and junkyards.

On motion of Senator Williams, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 124** (one hundred twenty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

Senator Watkins moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--40. RULE 36--0.

YEAS--0.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

RULE 36--0.

**S.B. 214** (two hundred fourteen) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 33, engrossed, after personnel

strike

*, and equipment if requested by the sheriff*

insert

*and, if requested by the sheriff, equipment and other personal property used in connection with courthouse security*

On motion of Senator Edwards, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 228** (two hundred twenty-eight) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 36, engrossed  
strike

*\$100 or more*

insert

*more than \$100*

2. Line 51, engrossed  
insert

2. That the provisions of this act shall become effective on January 1, 2005.

3. That the provisions of this act shall not apply to applications for a special exception, variance, or amendment of a zoning ordinance filed prior to January 1, 2005.

On motion of Senator Cuccinelli, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 308** (three hundred eight) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 30, engrossed, after *officer*  
insert

*of the court*

2. Line 31, engrossed, after *staff*  
insert

*approved by the governing body*

On motion of Senator Blevins, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 353** (three hundred fifty-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 25, engrossed, after *as appropriate*,  
insert

*but not be limited to,*

2. Line 27, engrossed, after *facilities*.  
insert

*The Virginia Department of Transportation shall, upon request, provide localities with technical assistance in preparing such transportation element.*

On motion of Senator Houck, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 389** (three hundred eighty-nine) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 25, engrossed, after *programs*  
insert

*, if available at the facility,*

On motion of Senator Norment, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 426** (four hundred twenty-six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 58, engrossed, after *charges*  
insert

*, real property tax assessments, or other billings*

2. Line 59, engrossed, after *charges*.  
insert

*No locality shall combine its billings with those of another locality or political subdivision, including an authority operating pursuant to Chapter 51 of Title 15.2, unless such locality or political subdivision has given its consent by duly adopted resolution or ordinance.*

On motion of Senator Wagner, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Mims--1.

RULE 36--0.

**S.B. 437** (four hundred thirty-seven) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

On motion of Senator Locke, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 462** (four hundred sixty-two) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 617, engrossed, after Overseas  
insert

Citizens

On motion of Senator Whipple, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 470** (four hundred seventy) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 15, engrossed  
strike  
    \$1,000 (1st reference)  
insert  
    \$500
2. Line 15, engrossed, after *than*  
strike  
    \$1,000 (2nd reference)  
insert  
    \$500

On motion of Senator Ticer, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 472** (four hundred seventy-two) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 53, engrossed, after *residence*.  
insert  
    *Individual grants shall not exceed \$5,000 per employee, nor shall lifetime cumulative grants exceed \$5,000 per employee.*

On motion of Senator Ticer, the amendment was agreed to.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Ticer, Wampler, Whipple, Williams--30.

NAYS--Cuccinelli, Hanger, Martin, Mims, Newman, O'Brien, Ruff, Stosch, Wagner, Watkins--10.  
RULE 36--0.

**S.B. 634** (six hundred thirty-four) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 53, engrossed  
insert

*I. No entity authorized to submit fingerprints shall be considered negligent per se in a civil action solely because the entity elected not to submit an individual's fingerprints to the database pursuant to this section.*

On motion of Senator Saslaw, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 661** (six hundred sixty-one) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 10, engrossed, after *property*  
insert

*, located wholly or in part in the City of Virginia Beach, and*

2. Line 11, engrossed, after *by*  
strike

*any*

insert

*such*

3. Line 12, engrossed, after *industry*.  
insert

*For purposes of this act, "the property" refers to an approximately 1.068 acre parcel that is a portion of property known as Tract 4 and that the Commonwealth was directed to convey to the City pursuant to Chapter 690 of the Acts of Assembly of 1994.*

On motion of Senator Blevins, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate agreed to the amendment proposed by the House of Delegates to **S.B. 634** (six hundred thirty-four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 17** (seventeen).

**H.B. 79** (seventy-nine).

**H.B. 104** (one hundred four).

**H.B. 184** (one hundred eighty-four).

**H.B. 282** (two hundred eighty-two).

**H.B. 414** (four hundred fourteen).

**H.B. 464** (four hundred sixty-four).

**H.B. 472** (four hundred seventy-two).  
**H.B. 600** (six hundred).  
**H.B. 609** (six hundred nine).  
**H.B. 632** (six hundred thirty-two).  
**H.B. 640** (six hundred forty).  
**H.B. 645** (six hundred forty-five).  
**H.B. 656** (six hundred fifty-six).  
**H.B. 660** (six hundred sixty).  
**H.B. 663** (six hundred sixty-three).  
**H.B. 718** (seven hundred eighteen).  
**H.B. 801** (eight hundred one).  
**H.B. 818** (eight hundred eighteen).  
**H.B. 863** (eight hundred sixty-three).  
**H.B. 872** (eight hundred seventy-two).  
**H.B. 898** (eight hundred ninety-eight).  
**H.B. 902** (nine hundred two).  
**H.B. 920** (nine hundred twenty).  
**H.B. 1007** (one thousand seven).  
**H.B. 1057** (one thousand fifty-seven).  
**H.B. 1076** (one thousand seventy-six).  
**H.B. 1093** (one thousand ninety-three).  
**H.B. 1143** (one thousand one hundred forty-three).  
**H.B. 1148** (one thousand one hundred forty-eight).  
**H.B. 1149** (one thousand one hundred forty-nine).  
**H.B. 1159** (one thousand one hundred fifty-nine).  
**H.B. 1233** (one thousand two hundred thirty-three).  
**H.B. 1342** (one thousand three hundred forty-two).  
**H.B. 1404** (one thousand four hundred four).  
**H.B. 1407** (one thousand four hundred seven).  
**H.B. 1408** (one thousand four hundred eight).

The motion was agreed to.

**H.B. 79** (seventy-nine) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 4, engrossed, Title, after *firearms by*  
strike  
*illegal aliens*  
insert  
*certain noncitizens*
2. Line 11, engrossed, after *firearms by*  
strike  
aliens  
insert  
*certain persons*
3. Line 15, engrossed, after *who is*  
strike  
*an illegal alien*

insert

*not a citizen of the United States and who is not lawfully present in the United States*

4. Line 20, engrossed, after section,  
strike

(i)

5. Line 24, engrossed, after stock  
strike

remainder of line 24 and all of lines 25 through 28

insert

. (period)

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 184** (one hundred eighty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-52.1 of the Code of Virginia, relating to malicious bodily injury; penalty.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The following amendments proposed by the Committee on Finance to the substitute were offered:

1. Line 28, substitute, after appropriation

strike

is

2. Line 29, substitute

strike

\_\_\_\_\_ (underscore)

insert

cannot be determined

3. Line 29, substitute, after and

insert

is \$0

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The substitute with amendments was ordered to be engrossed.

**H.B. 282** (two hundred eighty-two) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 20, engrossed, after *of its equity*  
strike  
*of*  
insert  
*or*

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 414** (four hundred fourteen) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 42, engrossed, after *firearm*,  
insert  
*explosive material*,

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 464** (four hundred sixty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-3103 and 58.1-3983.1 of the Code of Virginia, relating to local taxes; appeals.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 472** (four hundred seventy-two) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 34, engrossed, after *card*

insert

*or card account*

2. Line 35, engrossed, after *funds*  
strike

*electronically*

3. Line 38, engrossed, after *card*  
insert

*or card account*

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 600** (six hundred) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 28, engrossed, after hearing  
insert

*or any rehearing*

2. Line 55, engrossed  
strike

all of lines 55 through 60

insert

H. If the child is not released and a parent, guardian, legal custodian or other person standing in loco parentis is not notified and does not appear or does not waive appearance at the hearing, upon the *written* request of such person *stating that such person is willing and available to supervise the child upon release from detention and to return the child to court for all scheduled proceedings on the pending charges*, the court shall rehear the matter on the next day on which the court sits within the county or city wherein the charge against the child is pending. If the court does not sit within the county or city on the following day, such hearing shall be held before a judge within a reasonable time, not to exceed seventy-two hours, after the request.

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 609** (six hundred nine) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 16, engrossed, after from the

insert

*insurer;*

2. Line 19, engrossed, after line 18

insert

2. That the provisions of this act amending and reenacting § 38.2-2125 of the Code of Virginia shall apply to contracts or policies of fire insurance, and contracts and policies of fire insurance in combination with other insurance coverages, delivered, issued for delivery, reissued, extended or renewed in this Commonwealth on and after October 1, 2004.

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 801** (eight hundred one) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 10, engrossed, after *unlawful*;

strike

*civil and*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 818** (eight hundred eighteen) was taken up.

The following amendment proposed by the Committee on Commerce and Labor was offered:

1. Line 102, engrossed, after *claims*

strike

*covered under the policy*

The reading of the amendment was waived.

On motion of Senator Wampler, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 863** (eight hundred sixty-three) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 17, engrossed, after household member

insert

*in violation of this section*

2. Line 19, engrossed, after offense  
strike

*similar to any of the above* under the law of any other jurisdiction

insert

*under the law of any other jurisdiction which has the same elements of any of the above offenses*

3. Line 28, engrossed, after appropriation  
strike

is \$1,591,303

insert

cannot be determined

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 872** (eight hundred seventy-two) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 34, engrossed, after *concurrence of the*  
insert

*local*

2. Line 35, engrossed, after *Commonwealth*,  
insert

*assist in the prosecution of*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1076** (one thousand seventy-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 58.1-3400 and 58.1-3651 of the Code of Virginia, relating to property tax exemptions.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1143** (one thousand one hundred forty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 18.2-270.01, relating to DUI offenders; payment to Trauma Center Fund.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1149** (one thousand one hundred forty-nine) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 27, engrossed  
insert  
 *§§ 18.2-248.01 or*
2. Line 30, engrossed, after appropriation  
strike  
is \$ \_\_\_\_  
insert  
cannot be determined
3. Line 31, engrossed, after and is \$  
insert  
0

The reading of the amendments was waived.

Senator Stolle moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by criminal street gangs; penalty.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1233** (one thousand two hundred thirty-three) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 328, engrossed  
insert  
\$32,589

2. Line 328, engrossed, after facilities and  
insert  
\$0

3. Line 343, engrossed  
strike  
insert  
all of lines 343 through 347

6. That the Office of the Executive Secretary of the Supreme Court shall determine appropriate standards for the approval of education and treatment programs for persons accused of assault and battery against a family or household member pursuant to § 18.2-57.3 and arrange for such programs to be approved by an appropriate entity.

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1407** (one thousand four hundred seven) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 14, engrossed, after infant  
strike  
*weighing at least 2,000 grams at birth,*

2. Line 23, engrossed, after here  
strike  
[ , *with the exception of the threshold weight requirement of 2,000 grams,*]

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 17** (seventeen).

**H.B. 79** (seventy-nine) with amendments.

**H.B. 104** (one hundred four).  
**H.B. 184** (one hundred eighty-four) with substitute with amendments.  
**H.B. 282** (two hundred eighty-two) with amendment.  
**H.B. 414** (four hundred fourteen) with amendment.  
**H.B. 464** (four hundred sixty-four) with substitute.  
**H.B. 472** (four hundred seventy-two) with amendments.  
**H.B. 600** (six hundred) with amendments.  
**H.B. 609** (six hundred nine) with amendments.  
**H.B. 640** (six hundred forty).  
**H.B. 645** (six hundred forty-five).  
**H.B. 656** (six hundred fifty-six).  
**H.B. 660** (six hundred sixty).  
**H.B. 663** (six hundred sixty-three).  
**H.B. 718** (seven hundred eighteen).  
**H.B. 801** (eight hundred one) with amendment.  
**H.B. 818** (eight hundred eighteen) with amendment.  
**H.B. 863** (eight hundred sixty-three) with amendments.  
**H.B. 872** (eight hundred seventy-two) with amendments.  
**H.B. 898** (eight hundred ninety-eight).  
**H.B. 902** (nine hundred two).  
**H.B. 920** (nine hundred twenty).  
**H.B. 1007** (one thousand seven).  
**H.B. 1057** (one thousand fifty-seven).  
**H.B. 1076** (one thousand seventy-six) with substitute.  
**H.B. 1093** (one thousand ninety-three).  
**H.B. 1143** (one thousand one hundred forty-three) with substitute.  
**H.B. 1148** (one thousand one hundred forty-eight).  
**H.B. 1149** (one thousand one hundred forty-nine) with substitute.  
**H.B. 1159** (one thousand one hundred fifty-nine).  
**H.B. 1233** (one thousand two hundred thirty-three) with amendments.  
**H.B. 1342** (one thousand three hundred forty-two).  
**H.B. 1404** (one thousand four hundred four).  
**H.B. 1407** (one thousand four hundred seven) with amendments.  
**H.B. 1408** (one thousand four hundred eight).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 632** (six hundred thirty-two) was taken up.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 17, engrossed, after *shall be guilty*

insert

*, upon conviction of a first offense, of a Class 1 misdemeanor and, upon conviction of any subsequent offense,*

The reading of the amendment was waived.

Senator Chichester moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 13, engrossed, after *assist another in*

insert

*unlawfully*

2. Line 14, engrossed, after *permitted by*

strike

*the Board*

insert

*the licensing authority of the Commonwealth, any other state, or territory of the United States, or the United States*

3. Line 15, engrossed, after *assists another in*

insert

*unlawfully*

4. Line 17, engrossed, after *permitted by*

strike

*the Board*

insert

*the licensing authority of the Commonwealth, any other state or territory of the United States, or the United States*

The reading of the amendments was waived.

Senator Chichester moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 18.2-258.2, relating to unlawful procurement of prescription drugs for others; penalty.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 632**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 404** (four hundred four) was taken up.

Senator Mims offered the following amendments:

1. Line 252, engrossed, after *collection*  
strike  
*or for a hobby,*  
insert  
*of curios or relics as herein defined,*
2. Line 252, engrossed, after *part of*  
strike  
*his collection of firearms*  
insert  
*such collection of curios and relics*

On motion of Senator Mims, the reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 404**, on motion of Senator Mims, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--29.

NAYS--Devolites, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--11.

RULE 36--0.

**H.B. 447** (four hundred forty-seven) was taken up, the committee amendments having been agreed to on March 3, 2004.

The amendments were ordered to be engrossed.

**H.B. 447**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--29.

NAYS--Bolling, Cuccinelli, Edwards, Hanger, Marsh, Martin, Miller, Mims, O'Brien, Ruff, Ticer--11.

RULE 36--0.

**H.B. 390** (three hundred ninety), on motion of Senator Wagner, was passed by for the day.

**H.B. 871** (eight hundred seventy-one) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-67.4:1 of the Code of Virginia, relating to infected sexual battery; penalty.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

Senator Saslaw offered the following amendment to the substitute:

1. Line 14, substitute, after *HIV*  
insert  
*, syphilis, or hepatitis B,*

On motion of Senator Saslaw, the reading of the amendment was waived.

On motion of Senator Saslaw, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

**H.B. 871**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Marsh--1.

RULE 36--0.

**H.B. 938** (nine hundred thirty-eight) was read by title the third time and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--35. NAYS--4. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--35.

NAYS--Newman, Rerras, Ruff, Wampler--4.

RULE 36--Potts--1.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 938** (nine hundred thirty-eight) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 938**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--5. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Puckett, Puller, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--33.

NAYS--Hawkins, Newman, Rerras, Ruff, Wampler--5.

RULE 36--Potts--1.

### STATEMENT ON VOTE

Senator Quayle stated that he was recorded as not voting on the question of the passage of **H.B. 938**, whereas he intended to vote yea.

**H.B. 1172** (one thousand one hundred seventy-two) was read by title the third time.

The following amendment proposed by the Committee on Finance was offered:

1. Line 29, engrossed, after act

insert

shall only become effective if the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor, includes an appropriation to fully staff the Compensation Board staffing standards, in effect as of January 1, 2004, for Circuit Court Clerks' offices; and if such appropriation is included then the provisions of this act

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1172**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--37.

NAYS--Cuccinelli, Newman, Watkins--3.

RULE 36--0.

**H.B. 1174** (one thousand one hundred seventy-four), on motion of Senator Chichester, was passed by temporarily.

#### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 106** (one hundred six).

**H.B. 417** (four hundred seventeen).

**H.B. 862** (eight hundred sixty-two).

**H.B. 988** (nine hundred eighty-eight).

**H.B. 1005** (one thousand five).

**H.B. 1037** (one thousand thirty-seven).

**H.B. 1042** (one thousand forty-two).

**H.B. 1158** (one thousand one hundred fifty-eight).

**H.B. 1190** (one thousand one hundred ninety).

**H.B. 1211** (one thousand two hundred eleven).

**H.B. 1255** (one thousand two hundred fifty-five).

**H.B. 1258** (one thousand two hundred fifty-eight).

**H.B. 1299** (one thousand two hundred ninety-nine).

**H.B. 1373** (one thousand three hundred seventy-three).

**H.B. 1392** (one thousand three hundred ninety-two).

**H.B. 1393** (one thousand three hundred ninety-three).

**H.B. 1461** (one thousand four hundred sixty-one).

**H.B. 1485** (one thousand four hundred eighty-five).

**H.B. 798** (seven hundred ninety-eight).

**H.B. 1150** (one thousand one hundred fifty).

**H.B. 1430** (one thousand four hundred thirty).

**H.B. 1456** (one thousand four hundred fifty-six).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 106** (one hundred six).

**H.B. 417** (four hundred seventeen).

**H.B. 862** (eight hundred sixty-two).

**H.B. 988** (nine hundred eighty-eight).

**H.B. 1005** (one thousand five).

**H.B. 1037** (one thousand thirty-seven).

**H.B. 1042** (one thousand forty-two).

**H.B. 1158** (one thousand one hundred fifty-eight).

**H.B. 1190** (one thousand one hundred ninety).

**H.B. 1211** (one thousand two hundred eleven).

**H.B. 1255** (one thousand two hundred fifty-five).

**H.B. 1258** (one thousand two hundred fifty-eight).

**H.B. 1299** (one thousand two hundred ninety-nine).

**H.B. 1373** (one thousand three hundred seventy-three).

**H.B. 1392** (one thousand three hundred ninety-two).

**H.B. 1393** (one thousand three hundred ninety-three).

**H.B. 1461** (one thousand four hundred sixty-one).

**H.B. 1485** (one thousand four hundred eighty-five).

**H.B. 798** (seven hundred ninety-eight).

**H.B. 1150** (one thousand one hundred fifty).

**H.B. 1430** (one thousand four hundred thirty).

**H.B. 1456** (one thousand four hundred fifty-six).

#### HOUSE BILLS ON THIRD READING

**H.B. 1174** (one thousand one hundred seventy-four) was taken up, read by title the third time and, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Ruff--1.

RULE 36--Potts--1.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following House bills were passed en bloc with their titles:

**H.B. 17** (seventeen).

**H.B. 79** (seventy-nine) with amendments.

**H.B. 104** (one hundred four).

**H.B. 184** (one hundred eighty-four) with substitute with amendments.

**H.B. 282** (two hundred eighty-two) with amendment.

**H.B. 414** (four hundred fourteen) with amendment.

**H.B. 464** (four hundred sixty-four) with substitute.

**H.B. 472** (four hundred seventy-two) with amendments.

**H.B. 600** (six hundred) with amendments.

**H.B. 609** (six hundred nine) with amendments.

**H.B. 640** (six hundred forty).

**H.B. 645** (six hundred forty-five).

**H.B. 656** (six hundred fifty-six).

**H.B. 660** (six hundred sixty).

**H.B. 663** (six hundred sixty-three).

**H.B. 718** (seven hundred eighteen).

**H.B. 801** (eight hundred one) with amendment.

**H.B. 818** (eight hundred eighteen) with amendment.

**H.B. 863** (eight hundred sixty-three) with amendments.

**H.B. 872** (eight hundred seventy-two) with amendments.

**H.B. 898** (eight hundred ninety-eight).

**H.B. 902** (nine hundred two).

**H.B. 920** (nine hundred twenty).

**H.B. 1007** (one thousand seven).

**H.B. 1057** (one thousand fifty-seven).

**H.B. 1076** (one thousand seventy-six) with substitute.

**H.B. 1093** (one thousand ninety-three).

**H.B. 1143** (one thousand one hundred forty-three) with substitute.

**H.B. 1148** (one thousand one hundred forty-eight).

**H.B. 1149** (one thousand one hundred forty-nine) with substitute.

**H.B. 1159** (one thousand one hundred fifty-nine).

**H.B. 1233** (one thousand two hundred thirty-three) with amendments.

**H.B. 1342** (one thousand three hundred forty-two).

**H.B. 1404** (one thousand four hundred four).

**H.B. 1407** (one thousand four hundred seven) with amendments.

**H.B. 1408** (one thousand four hundred eight).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 600** (six hundred), on motion of Senator Norment, was passed by for the day.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 17** (seventeen).

**H.B. 79** (seventy-nine) with amendments.

**H.B. 104** (one hundred four).

**H.B. 184** (one hundred eighty-four) with substitute with amendments.

**H.B. 282** (two hundred eighty-two) with amendment.

**H.B. 414** (four hundred fourteen) with amendment.

**H.B. 464** (four hundred sixty-four) with substitute.

**H.B. 472** (four hundred seventy-two) with amendments.

**H.B. 609** (six hundred nine) with amendments.

**H.B. 640** (six hundred forty).

**H.B. 645** (six hundred forty-five).

**H.B. 656** (six hundred fifty-six).

**H.B. 660** (six hundred sixty).

**H.B. 663** (six hundred sixty-three).

**H.B. 718** (seven hundred eighteen).

**H.B. 801** (eight hundred one) with amendment.

**H.B. 818** (eight hundred eighteen) with amendment.

**H.B. 863** (eight hundred sixty-three) with amendments.

**H.B. 872** (eight hundred seventy-two) with amendments.

**H.B. 898** (eight hundred ninety-eight).

**H.B. 902** (nine hundred two).

**H.B. 920** (nine hundred twenty).

**H.B. 1007** (one thousand seven).

**H.B. 1057** (one thousand fifty-seven).

**H.B. 1076** (one thousand seventy-six) with substitute.

**H.B. 1093** (one thousand ninety-three).

**H.B. 1143** (one thousand one hundred forty-three) with substitute.

**H.B. 1148** (one thousand one hundred forty-eight).

**H.B. 1149** (one thousand one hundred forty-nine) with substitute.

**H.B. 1159** (one thousand one hundred fifty-nine).

**H.B. 1233** (one thousand two hundred thirty-three) with amendments.

**H.B. 1342** (one thousand three hundred forty-two).

**H.B. 1404** (one thousand four hundred four).

**H.B. 1407** (one thousand four hundred seven) with amendments.

**H.B. 1408** (one thousand four hundred eight).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 401** (four hundred one).

**H.J.R. 402** (four hundred two).

**H.J.R. 406** (four hundred six).

**H.J.R. 407** (four hundred seven).

**H.J.R. 408** (four hundred eight).

**H.J.R. 417** (four hundred seventeen).

**H.J.R. 418** (four hundred eighteen).

**H.J.R. 419** (four hundred nineteen).

**H.J.R. 422** (four hundred twenty-two).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

**S.J.R. 205** (two hundred five).

**S.J.R. 208** (two hundred eight).

**S.J.R. 211** (two hundred eleven).

**S.J.R. 212** (two hundred twelve).

**S.J.R. 213** (two hundred thirteen).

**S.J.R. 220** (two hundred twenty).

**S.J.R. 221** (two hundred twenty-one).

**S.J.R. 222** (two hundred twenty-two).

**S.J.R. 225** (two hundred twenty-five).

**S.J.R. 226** (two hundred twenty-six).

### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

**H.J.R. 403** (four hundred three).  
**H.J.R. 404** (four hundred four).  
**H.J.R. 405** (four hundred five).  
**H.J.R. 409** (four hundred nine).  
**H.J.R. 410** (four hundred ten).  
**H.J.R. 411** (four hundred eleven).  
**H.J.R. 412** (four hundred twelve).  
**H.J.R. 413** (four hundred thirteen).  
**H.J.R. 414** (four hundred fourteen).  
**H.J.R. 415** (four hundred fifteen).  
**H.J.R. 416** (four hundred sixteen).  
**H.J.R. 420** (four hundred twenty).  
**H.J.R. 421** (four hundred twenty-one).  
**H.J.R. 423** (four hundred twenty-three).  
**H.J.R. 425** (four hundred twenty-five).  
**H.J.R. 426** (four hundred twenty-six).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

**S.J.R. 204** (two hundred four).  
**S.J.R. 206** (two hundred six).  
**S.J.R. 210** (two hundred ten).  
**S.J.R. 214** (two hundred fourteen).  
**S.J.R. 215** (two hundred fifteen).  
**S.J.R. 216** (two hundred sixteen).  
**S.J.R. 217** (two hundred seventeen).  
**S.J.R. 219** (two hundred nineteen).  
**S.J.R. 224** (two hundred twenty-four).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Rerras introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 235.** On the death of William Marvin Minter.  
Patrons--Rerras; Delegate: Morgan

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Hanger introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 236.** Commending Leigh B. Middleditch Jr. Esquire.  
Patrons--Hanger, Howell, Mims and Watkins; Delegates: Albo, Alexander, Baskerville, Bryant, Cosgrove, Ebbin, Fralin, Hall, Hurt, Lewis, Marshall, D.W., Nutter, Shannon, Sickles and Van Yahres

### CONFERENCE PROCEDURES

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Devolites, Edwards, and Cuccinelli, the conferees on the part of the Senate for **H.B. 20** (twenty).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Mims, Obenshain, and Puller, the conferees on the part of the Senate for **H.B. 570** (five hundred seventy).

Senator Hanger, Chair of the Committee on Rehabilitation and Social Services, appointed Senators Howell, Hanger, and Williams, the conferees on the part of the Senate for **H.B. 952** (nine hundred fifty-two).

Senator Hawkins, Chair of the Committee on Agriculture, Conservation and Natural Resources appointed Senators Ruff, Reynolds, and Hawkins, the conferees on the part of the Senate for **H.B. 1212** (one thousand two hundred twelve).

On motion of Senator Chichester, the Senate adjourned until tomorrow at 11:00 a.m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee reports.

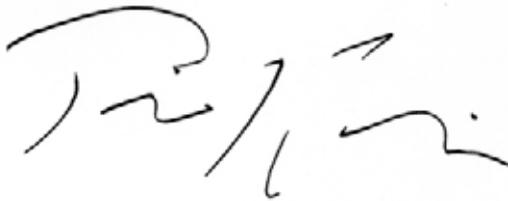
### COMMITTEE REPORT

The following joint resolutions and resolution, having been considered by the committee in session, were reported by Senator Martin from the Committee on Privileges and Elections:

**S.J.R. 209** (two hundred nine).

**S.J.R. 218** (two hundred eighteen) with amendments.

**S.R. 9** (nine).



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, MARCH 5, 2004

The Senate met at 11:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Tom Edwards, Lebanon Baptist Church, Lebanon, Virginia, offered the following prayer:

Sovereign God and gracious Creator, we thank You for the privilege of bowing hearts and heads before You today and we are mindful that not our hearers, but You O God are the audience of our prayer. Thank You for Governor Warner and each legislator. We pray that they may each receive from Your hand blessings of physical health and godly wisdom to fulfill their appointed tasks. Please bless them with a heart to reverence You and to seek Your wisdom as they make decisions which are at times difficult and complicated. And grant them the courage and moral fortitude to choose the right even when it is unpopular.

Lord, thank You for these legislators' families. Their spouses, children, and loved ones sacrifice precious time with them in order that they may carry out the business of our state government. Lord, bless their time together when they are reunited. Make their marriages strong. Bless their children. Encourage them as they live under the relentless and sometimes cruel scrutiny of the public eye.

Lord, guide each person here in the decisions they make and the votes they cast on this and other days. May the decisions that go forth from these halls receive Your approval and blessing today and may those decisions be such that they will never be ashamed when standing to give account before You one day.

In the name of Jesus we pray. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Mims and Quayle notified the Clerk of their presence.

On motion of Senator Watkins, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
March 4, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

- S.B. 7.** A BILL to amend the Code of Virginia by adding a section numbered 1-13.4:1, relating to the definition of a collegial body.
- S.B. 72.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to civil immunity for certain officials.
- S.B. 76.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Subtitle I of Title 15.2 a section numbered 15.2-109, relating to regulations on political campaign signs.
- S.B. 172.** A BILL to amend and reenact § 8.01-676.1 of the Code of Virginia, relating to security for appeals.
- S.B. 201.** A BILL to amend and reenact §§ 2.2-3000, 2.2-3003, and 2.2-3005 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 30 of Title 2.2 a section numbered 2.2-3005.1, relating to the state grievance procedure.
- S.B. 385.** A BILL to amend and reenact § 8.01-581.17 of the Code of Virginia, relating to peer review entities; privileged communications.
- S.B. 397.** A BILL to amend and reenact § 23-41 of the Code of Virginia, relating to the board of visitors of the College of William and Mary.
- S.B. 438.** A BILL to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to notification of parents of certain students.
- S.B. 503.** A BILL to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Virginia Condominium Act and the Virginia Property Owners Association Act; foreclosure on liens.
- S.B. 504.** A BILL to amend and reenact § 55-60 of the Code of Virginia, relating to purchase money trusts.
- S.B. 550.** A BILL to amend and reenact §§ 9.1-102, 19.2-81.3 and 19.2-81.4 of the Code of Virginia, relating to arrest without warrant for family abuse, etc.
- S.B. 561.** A BILL to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.
- S.B. 646.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 22 of Title 2.2 a section numbered 2.2-2233.2, relating to the Biotechnology Commercialization Loan Fund.
- S.B. 669.** A BILL to amend and reenact § 19.2-37 of the Code of Virginia, relating to who may be appointed as a magistrate.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

- S.B. 24.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-67.5:01, relating to interpreters in mental commitment proceedings.

**S.B. 183.** A BILL to amend and reenact § 36-99.5:1 of the Code of Virginia, relating to the Uniform Statewide Building Code; certain housing facilities.

**S.B. 234.** A BILL for the relief of Julius Earl Ruffin.

**S.B. 271.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10 and 8.01-195.11, relating to compensation for wrongful incarceration for a felony conviction.

**S.B. 302.** A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.

**S.B. 304.** A BILL to amend the Code of Virginia by adding sections numbered 2.2-207.1, 2.2-207.2, 37.1-207.1 and 37.1-207.2, regarding the review of job training and drug treatment programs; performance-based budgeting.

**S.B. 320.** A BILL to amend and reenact §§ 2.2-511, 6.1-375, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

**S.B. 321.** A BILL to amend and reenact §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; multijurisdictional grand juries; penalties.

**S.B. 543.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

**S.B. 587.** A BILL to amend and reenact §§ 6.1-2.25 and 17.1-223 of the Code of Virginia, relating to duty of clerk to record writings; title insurance.

**S.B. 633.** A BILL to amend and reenact § 19.2-83.1 of the Code of Virginia, relating to report of arrest of adult school students to school superintendent for certain offenses.

**S.B. 670.** A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to construction of a U.S. Route 29 bypass around cities in certain counties.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 189.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 848.** A BILL for the relief of Julius Earl Ruffin.

**H.B. 928.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-3916.02, relating to real estate taxes; alternative payment schedules.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 77.** Memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states such as Virginia that have successfully increased student achievement through their own standards and accountability reforms.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 79.** Memorializing the Congress of the United States to enact legislation that would allow states to regulate and impose a fee upon municipal solid waste imported from other states.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 3.** A BILL to amend and reenact §§ 2.2-2238, 2.2-2670, 10.1-1413.2, 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-291.2, 22.1-343, 23-38.19:4, 23-38.53:12, 23-38.53:16, 23-38.53:18, 23-38.53:19, 59.1-284.16 59.1-284.17, and 59.1-284.18 of the Code of Virginia and to repeal §§ 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-209.1:9, 22.1-209.1:10, and 22.1-291.2, Article 3 (§§ 23-38.19:3, 23-38.19:4, and 23-38.19:5) of Chapter 4.1 of Title 23, §§ 23-38.53:8, 23-38.53:9, and 23-38.53:10, Chapter 4.4:4 (§§ 23-38.53:12 through 23-38.53:20) of Title 23, § 36-139.8, Chapter 22.2 (§§ 59.1-284.7 through 59.1-284.12), Chapter 22.4 (§§ 59.1-284.16 through 59.1-284.19) of Title 59.1, and Article 4 (§§ 60.2-318 through 60.2-322) of Chapter 3 of Title 60.2 of the Code of Virginia, relating to certain dormant special funds and their associated programs.

**S.B. 6.** A BILL to amend and reenact §§ 2.2-608, 2.2-2213, 2.2-2238, 2.2-2242, 2.2-2263, 2.2-2400, 2.2-2407, 2.2-2432, 2.2-2506, 3.1-22.4, 4.1-115, 10.1-1307, 10.1-1802, 10.1-2012, 22.1-171, 23-1.01, 23-30.36, 23-227, 23-253, 23-253.7, 30-34.4:1, 30-34.15, 32.1-14, 40.1-4.1, 46.2-1503.5, 54.1-114, 54.1-4421, 62.1-44.40, and 62.1-139 of the Code of Virginia and to repeal §§ 2.2-1126 and 2.2-1127 of the Code of Virginia, relating to the distribution of state reports.

**S.B. 12.** A BILL to amend and reenact §§ 2.2-2667 and 2.2-2668 of the Code of Virginia, relating to the Virginia Recycling Markets Development Council.

**S.B. 19.** A BILL to amend and reenact § 37.1-137.4 of the Code of Virginia, relating to powers of a conservator.

**S.B. 51.** A BILL to amend and reenact § 20-107.3 of the Code of Virginia, relating to divorce; property distribution.

**S.B. 159.** A BILL to amend and reenact §§ 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 of the Code of Virginia, relating to regulation of athletic trainers.

**S.B. 297.** A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; cell phone number of law-enforcement personnel.

- S.B. 303.** A BILL to amend and reenact §§ 54.1-2313, 54.1-2324 and 54.1-2333 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 57 a section numbered 57-27.3, relating to the Cemetery Board; reports; authorization for interment.
- S.B. 311.** A BILL to amend and reenact § 51.1-206 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to classifying certain service as service rendered in a hazardous position.
- S.B. 336.** A BILL to amend and reenact § 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; confidentiality.
- S.B. 348.** A BILL to amend and reenact § 55-510.1 of the Code of Virginia, relating to Property Owners Association Act; board of directors; access to committee and subcommittee meetings.
- S.B. 382.** A BILL to amend and reenact §§ 2.2-700 and 2.2-703 of the Code of Virginia, relating to the Department for the Aging; powers and duties of the Commissioner and the Department.
- S.B. 390.** A BILL to amend and reenact § 19.2-13 of the Code of Virginia, relating to special conservators of the peace.
- S.B. 407.** A BILL to amend the Code of Virginia by adding in Chapter 27 of Title 2.2 an article numbered 7, consisting of sections numbered 2.2-2720 through 2.2-2724, relating to the Center for Rural Virginia.
- S.B. 412.** A BILL to amend and reenact §§ 2.2-2000, 2.2-2452, 2.2-2681 and 2.2-2715 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 20 of Title 2.2 a section numbered 2.2-2004.1, relating to veterans services.
- S.B. 497.** A BILL to amend and reenact §§ 16.1-278.18, 20-74, 20-108, 20-108.1, 20-112 and 63.2-1916 of the Code of Virginia, relating to child support petitions.
- S.B. 509.** A BILL to amend and reenact §§ 6.1-2.25 and 6.1-2.27 of the Code of Virginia, relating to summonses and subpoenas; orders have force and effect of circuit court decrees.
- S.B. 516.** A BILL to authorize the Governor to sell and convey former Staunton Correctional Center.
- S.B. 539.** A BILL to amend and reenact §§ 54.1-4400, 54.1-4402, 54.1-4403, 54.1-4407, 54.1-4409, 54.1-4410, 54.1-4412, 54.1-4413, and 54.1-4414 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 54.1-4405.1 and 54.1-4413.1, relating to the Board of Accountancy.
- S.B. 540.** A BILL to amend and reenact § 51.1-126.5 of the Code of Virginia, relating to the Virginia Retirement System; defined contribution plan.
- S.B. 541.** A BILL to amend and reenact § 51.1-139 of the Code of Virginia, relating to the Virginia Retirement System; employer in default.
- S.B. 551.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to duties of intake officer; distribution of information on protective orders.
- S.B. 575.** A BILL to amend and reenact §§ 9.1-902 and 18.2-374.3 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.

**S.B. 583.** A BILL to amend and reenact § 23-30.28 of the Code of Virginia, relating to the Virginia College Building Authority.

**S.B. 591.** A BILL to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership Authority; membership of the board of directors.

**S.B. 599.** A BILL to amend and reenact §§ 51.1-1000 through and 51.1-1003 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 10 of Title 51.1 a section numbered 51.1-1004, relating to the Virginia Retirement System and local retirement systems; communication to members through electronic media.

**S.B. 602.** A BILL to amend and reenact § 1 of Chapter 809 of the Acts of Assembly of 1998, relating to the extension of the lease and use provisions of a facility located at Fort Monroe.

**S.B. 630.** A BILL to amend and reenact §§ 16.1-88.03 and 55-246.1 of the Code of Virginia, relating to pleadings and other papers and recovery of rent or possession by parties not represented by attorneys.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 223.** Commending Linda Laws Corliss.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.  
RULE 36--0.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Potts from the Committee on Education and Health:

- H.B. 158** (one hundred fifty-eight).
- H.B. 380** (three hundred eighty) with amendments.
- H.B. 576** (five hundred seventy-six).
- H.B. 637** (six hundred thirty-seven).
- H.B. 710** (seven hundred ten).
- H.B. 712** (seven hundred twelve).

**H.B. 745** (seven hundred forty-five) with substitute.

**H.B. 846** (eight hundred forty-six) with substitute with the recommendation that it be rereferred to the Committee on Finance.

**H.B. 1013** (one thousand thirteen).

**H.B. 1014** (one thousand fourteen).

**H.B. 1015** (one thousand fifteen) with amendments.

**H.B. 1018** (one thousand eighteen).

**H.B. 1171** (one thousand one hundred seventy-one).

**H.B. 1294** (one thousand two hundred ninety-four).

**H.B. 1443** (one thousand four hundred forty-three) with substitute.

The following bills and joint resolutions, having been considered by the committee in session, were reported by Senator Norment from the Committee on Rules:

**H.B. 3** (three).

**H.B. 545** (five hundred forty-five) with substitute.

**H.B. 547** (five hundred forty-seven).

**H.B. 692** (six hundred ninety-two).

**H.B. 817** (eight hundred seventeen) with substitute.

**H.B. 1213** (one thousand two hundred thirteen).

**H.B. 1227** (one thousand two hundred twenty-seven).

**H.B. 1231** (one thousand two hundred thirty-one) with amendments.

**H.B. 1291** (one thousand two hundred ninety-one).

**H.B. 1475** (one thousand four hundred seventy-five).

**H.J.R. 6** (six).

**H.J.R. 13** (thirteen).

**H.J.R. 34** (thirty-four) with substitute.

**H.J.R. 71** (seventy-one) with substitute.

**H.J.R. 72** (seventy-two).

**H.J.R. 79** (seventy-nine).

**H.J.R. 82** (eighty-two) with amendments.

**H.J.R. 103** (one hundred three) with amendments.

**H.J.R. 105** (one hundred five) with substitute.

**H.J.R. 114** (one hundred fourteen) with substitute.

**H.J.R. 117** (one hundred seventeen).

**H.J.R. 118** (one hundred eighteen).

**H.J.R. 120** (one hundred twenty).

**H.J.R. 122** (one hundred twenty-two) with substitute.

**H.J.R. 123** (one hundred twenty-three).

**H.J.R. 124** (one hundred twenty-four).

**H.J.R. 125** (one hundred twenty-five).

**H.J.R. 126** (one hundred twenty-six).

**H.J.R. 132** (one hundred thirty-two) with substitute.

**H.J.R. 133** (one hundred thirty-three).

**H.J.R. 134** (one hundred thirty-four).

**H.J.R. 152** (one hundred fifty-two).

**H.J.R. 153** (one hundred fifty-three) with amendments.

**H.J.R. 154** (one hundred fifty-four) with amendment.

**H.J.R. 162** (one hundred sixty-two) with substitute.

**H.J.R. 163** (one hundred sixty-three).

**H.J.R. 164** (one hundred sixty-four).

**H.J.R. 168** (one hundred sixty-eight).

**H.J.R. 170** (one hundred seventy) with substitute.  
**H.J.R. 172** (one hundred seventy-two).  
**H.J.R. 174** (one hundred seventy-four).  
**H.J.R. 176** (one hundred seventy-six) with substitute.  
**H.J.R. 180** (one hundred eighty).  
**H.J.R. 183** (one hundred eighty-three).  
**H.J.R. 185** (one hundred eighty-five) with substitute.  
**H.J.R. 186** (one hundred eighty-six).  
**H.J.R. 187** (one hundred eighty-seven) with amendments.  
**H.J.R. 192** (one hundred ninety-two) with amendment.  
**H.J.R. 193** (one hundred ninety-three).  
**H.J.R. 194** (one hundred ninety-four) with amendments.  
**H.J.R. 195** (one hundred ninety-five).  
**H.J.R. 196** (one hundred ninety-six).  
**H.J.R. 197** (one hundred ninety-seven).  
**H.J.R. 205** (two hundred five).  
**H.J.R. 225** (two hundred twenty-five).  
**H.J.R. 228** (two hundred twenty-eight) with amendment.  
**H.J.R. 247** (two hundred forty-seven) with substitute.  
**H.J.R. 259** (two hundred fifty-nine).  
**H.J.R. 260** (two hundred sixty) with amendment.  
**H.J.R. 261** (two hundred sixty-one).  
**H.J.R. 278** (two hundred seventy-eight) with amendment.  
**H.J.R. 287** (two hundred eighty-seven).  
**H.J.R. 288** (two hundred eighty-eight).  
**H.J.R. 291** (two hundred ninety-one) with substitute.  
**H.J.R. 292** (two hundred ninety-two).

The following bills, having been considered by the committee in session, were reported by Senator Williams from the Committee on Transportation:

**H.B. 38** (thirty-eight) with substitute.  
**H.B. 272** (two hundred seventy-two).  
**H.B. 429** (four hundred twenty-nine) with substitute.  
**H.B. 453** (four hundred fifty-three) with amendment.  
**H.B. 909** (nine hundred nine).  
**H.B. 910** (nine hundred ten).  
**H.B. 1154** (one thousand one hundred fifty-four).  
**H.B. 1182** (one thousand one hundred eighty-two) with amendments.  
**H.B. 1346** (one thousand three hundred forty-six) with amendment.  
**H.B. 1376** (one thousand three hundred seventy-six).  
**H.B. 1383** (one thousand three hundred eighty-three).  
**H.B. 1413** (one thousand four hundred thirteen).  
**H.B. 1419** (one thousand four hundred nineteen) with amendment.  
**H.B. 1425** (one thousand four hundred twenty-five) with amendment.

**H.B. 846** was rereferred to the Committee on Finance.

#### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Devolites introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 237.** Commending Albert J. Boudreau.  
Patron--Devolites

**S.J.R. 238.** Commending Alexis Kuiper.  
Patrons--Devolites, Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple and Williams

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Deeds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 239.** On the death of Wilbert Novarro Lee.  
Patrons--Deeds; Delegate: Shuler

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Lucas introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 240.** Celebrating the life of Roosevelt Cunningham.  
Patrons--Lucas, Bolling, Howell, Lambert, Locke, Marsh, Martin, Miller, Puller, Ticer and Watkins

## CALENDAR

### UNFINISHED BUSINESS — SENATE

**S.B. 21** (twenty-one) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 33, engrossed, after *used to*  
insert  
*support*
2. Line 34, engrossed, after *Program*  
strike  
*Fund*

On motion of Senator Puller, the amendments were agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--37.

NAYS--Blevins, Watkins--2.

RULE 36--0.

**S.B. 58** (fifty-eight) was taken up.

On motion of Senator Martin, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 181** (one hundred eighty-one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 63.2-1732 of the Code of Virginia, relating to emergency electrical systems.

On motion of Senator Blevins, the substitute was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**S.B. 313** (three hundred thirteen) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 96, engrossed, after *equipment*.

insert

*The vendor or contractor technicians shall be sworn to perform their duties honestly and faithfully and be informed of and subject to the misdemeanor and felony penalties provided in §§ 24.2-1009 and 24.2-1010.*

On motion of Senator Howell, the amendment was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 381** (three hundred eighty-one) was taken up.

On motion of Senator Puller, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

**S.B. 508** (five hundred eight) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 61, engrossed

strike

all of lines 61 through 64

insert

*For a second offense within a period of five years from a first offense, by a fine of \$200;*

*For a third offense within a period of five years from a first offense, by a fine of \$500; and*

*For a fourth or subsequent offense within a period of five years from a first offense, by a fine of \$1,000.*

2. Line 69, engrossed

strike

*second,*

3. Line 69, engrossed, after *violations*

insert

*within five years of a first offense*

4. Line 158, engrossed

strike

all of lines 158 through 161

insert

*For a second offense within a period of five years from a first offense, by a fine of \$200;*

*For a third offense within a period of five years from a first offense, by a fine of \$500; and*

*For a fourth or subsequent offense within a period of five years from a first offense, by a fine of \$1,000.*

5. Line 166, engrossed

strike

*second,*

6. Line 166, engrossed, after *violations*

insert

*within five years of a first offense*

On motion of Senator Mims, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**S.B. 548** (five hundred forty-eight) was taken up.

On motion of Senator Puckett, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Lucas was not present at the time of the vote on the motion to accede to the request of the House of Delegates for a committee of conference on **S.B. 548**; however, she was inadvertently recorded as voting yea.

**S.B. 642** (six hundred forty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 36, engrossed, after § 58.1-3713.01.

insert

*Notwithstanding the foregoing limitations regarding revenues used for water systems and/or sewer systems, such revenues designated for water and water systems and/or sewer systems shall be distributed directly to the local public service authority for such purposes instead of the local governing body.*

2. Line 71, engrossed, after plan.

strike

the remainder of line 71 and all of line 72

On motion of Senator Puckett, the amendments were agreed to.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Lambert, Locke, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

**H.B. 106** (one hundred six), on motion of Senator Chichester, was passed by for the day.

**H.B. 862** (eight hundred sixty-two), on motion of Senator Hawkins, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 417** (four hundred seventeen).

**H.B. 988** (nine hundred eighty-eight).

**H.B. 1005** (one thousand five).

**H.B. 1037** (one thousand thirty-seven).

**H.B. 1042** (one thousand forty-two).

**H.B. 1158** (one thousand one hundred fifty-eight).

**H.B. 1190** (one thousand one hundred ninety).

**H.B. 1211** (one thousand two hundred eleven).

**H.B. 1255** (one thousand two hundred fifty-five).

**H.B. 1258** (one thousand two hundred fifty-eight).

**H.B. 1299** (one thousand two hundred ninety-nine).

**H.B. 1373** (one thousand three hundred seventy-three).

**H.B. 1392** (one thousand three hundred ninety-two).

**H.B. 1393** (one thousand three hundred ninety-three).

**H.B. 1461** (one thousand four hundred sixty-one).

**H.B. 1485** (one thousand four hundred eighty-five).

The motion was agreed to.

**H.B. 600** (six hundred) was taken up, the committee amendments having been agreed to on March 4, 2004.

Senator Stolle offered the following amendments:

1. Line 99, engrossed, after *be*  
     strike  
         remainder of line 99 and through § 53.1-1 on line 100  
     insert  
         *a felony*
2. Line 99, engrossed, after *offense*

strike

remainder of line 99 and through § 53.1-1, on line 100

insert

*that may result in commitment pursuant to subsection 14 of § 16.1-278.8*

Senator Stolle withdrew amendment No. 1.

On motion of Senator Stolle, the reading of amendment No. 2 was waived.

On motion of Senator Stolle, amendment No. 2 was agreed to.

The amendments were ordered to be engrossed.

**H.B. 1037** (one thousand thirty-seven) was taken up.

The following amendment proposed by the Committee on Finance was offered:

1. Line 27, engrossed, after *B*.

strike

*For*

insert

*Except as provided otherwise herein, for*

The reading of the amendment was waived.

On motion of Senator Chichester, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1042** (one thousand forty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL relating to state correctional facilities; private contracts.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1211** (one thousand two hundred eleven) was taken up.

The following amendment proposed by the Committee on Local Government was offered:

1. Line 43, engrossed, after *of*

strike

*a*

insert

*any other*

The reading of the amendment was waived.

On motion of Senator Quayle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1393** (one thousand three hundred ninety-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Local Government was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-6400 and 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

The reading of the substitute was waived.

On motion of Senator Quayle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1485** (one thousand four hundred eighty-five) was taken up.

The following amendment proposed by the Committee on Local Government was offered:

1. Line 16, engrossed, after 2nd *director*  
insert  
*, operational medical director*

The reading of the amendment was waived.

On motion of Senator Quayle, the amendment was agreed to.

The amendment was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 600** (six hundred) with amendments.

**H.B. 417** (four hundred seventeen).

**H.B. 988** (nine hundred eighty-eight).

**H.B. 1005** (one thousand five).

**H.B. 1037** (one thousand thirty-seven) with amendment.

**H.B. 1042** (one thousand forty-two) with substitute.

**H.B. 1158** (one thousand one hundred fifty-eight).

**H.B. 1190** (one thousand one hundred ninety).

**H.B. 1211** (one thousand two hundred eleven) with amendment.

**H.B. 1255** (one thousand two hundred fifty-five).

**H.B. 1258** (one thousand two hundred fifty-eight).

**H.B. 1299** (one thousand two hundred ninety-nine).

**H.B. 1373** (one thousand three hundred seventy-three).

**H.B. 1392** (one thousand three hundred ninety-two).

**H.B. 1393** (one thousand three hundred ninety-three) with substitute.

**H.B. 1461** (one thousand four hundred sixty-one).

**H.B. 1485** (one thousand four hundred eighty-five) with amendment.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 390** (three hundred ninety), on motion of Senator Wagner, was passed by for the day.

#### UNFINISHED BUSINESS — SENATE RECONSIDERATION

Senator Lambert moved to reconsider the vote by which the Senate agreed to the amendments proposed by the House of Delegates to **S.B. 642** (six hundred forty-two).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Puckett, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

#### HOUSE BILLS ON THIRD READING

**H.B. 798** (seven hundred ninety-eight) was read by title the third time.

The following amendments proposed by the Committee on Finance were offered:

1. Line 5, engrossed, Title, after 56-484.7:5  
strike  
    , 56-484.7:6 and 56-484.7:7  
insert  
    and 56-484.7:6
  
2. Line 13, engrossed, after 56-484.7:5  
strike  
    , 56-484.7:6 and 56-484.7:7  
insert  
    and 56-484.7:6
  
3. Line 33, engrossed  
strike  
    all of lines 33 through 36  
insert  
    2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor.

The reading of the amendments was waived.

On motion of Senator Chichester, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 798**, on motion of Senator Chichester, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--0.

RULE 36--Potts--1.

**H.B. 1150** (one thousand one hundred fifty) was read by title the third time and, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--8. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--29.

NAYS--Howell, Lambert, Locke, Marsh, Miller, Puller, Ticer, Whipple--8.

RULE 36--0.

**H.B. 1430** (one thousand four hundred thirty) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8, and 18.2-251.02 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.

The reading of the substitute was waived.

Senator Stolle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8, and 18.2-251.02 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**H.B. 1430**, on motion of Senator Stolle, was passed by for the day.

**H.B. 1456** (one thousand four hundred fifty-six) was read by title the third time.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 56, engrossed, after \$200 ]  
strike  
*with which*  
insert  
*which has been assessed against*
2. Line 57, engrossed, after *property*  
strike  
*has been assessed*

3. Line 58, engrossed  
strike

*ranking on a parity with liens for unpaid local taxes and*

insert

*. Such liens shall have the same priority as other unpaid local taxes and shall be*

The reading of the amendments was waived.

On motion of Senator Quayle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1456**, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--34. NAYS--4. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--34.

NAYS--Bell, Bolling, Cuccinelli, O'Brien--4.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 127** (one hundred twenty-seven).

**H.B. 168** (one hundred sixty-eight).

**H.B. 253** (two hundred fifty-three).

**H.B. 347** (three hundred forty-seven).

**H.B. 358** (three hundred fifty-eight).

**H.B. 471** (four hundred seventy-one).

**H.B. 538** (five hundred thirty-eight).

**H.B. 557** (five hundred fifty-seven).

**H.B. 664** (six hundred sixty-four).

**H.B. 667** (six hundred sixty-seven).

**H.B. 676** (six hundred seventy-six).

**H.B. 774** (seven hundred seventy-four).

**H.B. 889** (eight hundred eighty-nine).

**H.B. 948** (nine hundred forty-eight).

**H.B. 1043** (one thousand forty-three).

**H.B. 1058** (one thousand fifty-eight).

**H.B. 1059** (one thousand fifty-nine).

**H.B. 1060** (one thousand sixty).

**H.B. 1136** (one thousand one hundred thirty-six).

**H.B. 1138** (one thousand one hundred thirty-eight).

**H.B. 1139** (one thousand one hundred thirty-nine).

**H.B. 1141** (one thousand one hundred forty-one).

**H.B. 1146** (one thousand one hundred forty-six).

**H.B. 1147** (one thousand one hundred forty-seven).  
**H.B. 1205** (one thousand two hundred five).  
**H.B. 1209** (one thousand two hundred nine).  
**H.B. 1237** (one thousand two hundred thirty-seven).  
**H.B. 1246** (one thousand two hundred forty-six).  
**H.B. 1293** (one thousand two hundred ninety-three).  
**H.B. 1303** (one thousand three hundred three).  
**H.B. 1307** (one thousand three hundred seven).  
**H.B. 1308** (one thousand three hundred eight).  
**H.B. 1364** (one thousand three hundred sixty-four).  
**H.B. 1396** (one thousand three hundred ninety-six).  
**H.B. 1410** (one thousand four hundred ten).  
**H.B. 1432** (one thousand four hundred thirty-two).  
**H.B. 360** (three hundred sixty).  
**H.B. 1129** (one thousand one hundred twenty-nine).  
**H.B. 1357** (one thousand three hundred fifty-seven).

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 127** (one hundred twenty-seven).  
**H.B. 168** (one hundred sixty-eight).  
**H.B. 253** (two hundred fifty-three).  
**H.B. 347** (three hundred forty-seven).  
**H.B. 358** (three hundred fifty-eight).  
**H.B. 471** (four hundred seventy-one).  
**H.B. 538** (five hundred thirty-eight).  
**H.B. 557** (five hundred fifty-seven).  
**H.B. 664** (six hundred sixty-four).  
**H.B. 667** (six hundred sixty-seven).  
**H.B. 676** (six hundred seventy-six).  
**H.B. 774** (seven hundred seventy-four).  
**H.B. 889** (eight hundred eighty-nine).  
**H.B. 948** (nine hundred forty-eight).  
**H.B. 1043** (one thousand forty-three).  
**H.B. 1058** (one thousand fifty-eight).  
**H.B. 1059** (one thousand fifty-nine).  
**H.B. 1060** (one thousand sixty).  
**H.B. 1136** (one thousand one hundred thirty-six).  
**H.B. 1138** (one thousand one hundred thirty-eight).  
**H.B. 1139** (one thousand one hundred thirty-nine).

**H.B. 1141** (one thousand one hundred forty-one).  
**H.B. 1146** (one thousand one hundred forty-six).  
**H.B. 1147** (one thousand one hundred forty-seven).  
**H.B. 1205** (one thousand two hundred five).  
**H.B. 1209** (one thousand two hundred nine).  
**H.B. 1237** (one thousand two hundred thirty-seven).  
**H.B. 1246** (one thousand two hundred forty-six).  
**H.B. 1293** (one thousand two hundred ninety-three).  
**H.B. 1303** (one thousand three hundred three).  
**H.B. 1307** (one thousand three hundred seven).  
**H.B. 1308** (one thousand three hundred eight).  
**H.B. 1364** (one thousand three hundred sixty-four).  
**H.B. 1396** (one thousand three hundred ninety-six).  
**H.B. 1410** (one thousand four hundred ten).  
**H.B. 1432** (one thousand four hundred thirty-two).  
**H.B. 360** (three hundred sixty).  
**H.B. 1129** (one thousand one hundred twenty-nine).  
**H.B. 1357** (one thousand three hundred fifty-seven).

#### SENATE JOINT RESOLUTION ON FIRST READING

**S.J.R. 218** (two hundred eighteen) was read by title the first time.

#### SENATE RESOLUTION ON FIRST READING

**S.R. 9** (nine) was read by title the first time.

#### SENATE JOINT RESOLUTION ON FIRST READING

**S.J.R. 209** (two hundred nine) was read by title the first time.

#### HOUSE BILLS ON SECOND READING RECONSIDERATION

Senator Norment moved to reconsider the vote by which the following House bills were passed by for the day:

**H.B. 127** (one hundred twenty-seven).  
**H.B. 168** (one hundred sixty-eight).  
**H.B. 253** (two hundred fifty-three).  
**H.B. 347** (three hundred forty-seven).  
**H.B. 358** (three hundred fifty-eight).  
**H.B. 471** (four hundred seventy-one).  
**H.B. 538** (five hundred thirty-eight).  
**H.B. 557** (five hundred fifty-seven).  
**H.B. 664** (six hundred sixty-four).  
**H.B. 667** (six hundred sixty-seven).  
**H.B. 676** (six hundred seventy-six).  
**H.B. 774** (seven hundred seventy-four).  
**H.B. 889** (eight hundred eighty-nine).  
**H.B. 948** (nine hundred forty-eight).

**H.B. 1043** (one thousand forty-three).  
**H.B. 1058** (one thousand fifty-eight).  
**H.B. 1059** (one thousand fifty-nine).  
**H.B. 1060** (one thousand sixty).  
**H.B. 1136** (one thousand one hundred thirty-six).  
**H.B. 1138** (one thousand one hundred thirty-eight).  
**H.B. 1139** (one thousand one hundred thirty-nine).  
**H.B. 1141** (one thousand one hundred forty-one).  
**H.B. 1146** (one thousand one hundred forty-six).  
**H.B. 1147** (one thousand one hundred forty-seven).  
**H.B. 1205** (one thousand two hundred five).  
**H.B. 1209** (one thousand two hundred nine).  
**H.B. 1237** (one thousand two hundred thirty-seven).  
**H.B. 1246** (one thousand two hundred forty-six).  
**H.B. 1293** (one thousand two hundred ninety-three).  
**H.B. 1303** (one thousand three hundred three).  
**H.B. 1307** (one thousand three hundred seven).  
**H.B. 1308** (one thousand three hundred eight).  
**H.B. 1364** (one thousand three hundred sixty-four).  
**H.B. 1396** (one thousand three hundred ninety-six).  
**H.B. 1410** (one thousand four hundred ten).  
**H.B. 1432** (one thousand four hundred thirty-two).  
**H.B. 360** (three hundred sixty).  
**H.B. 1129** (one thousand one hundred twenty-nine).  
**H.B. 1357** (one thousand three hundred fifty-seven).

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--0.

RULE 36--0.

**H.B. 948** (nine hundred forty-eight), on motion of Senator Stolle, was recommitted to the Committee for Courts of Justice.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 127** (one hundred twenty-seven).  
**H.B. 168** (one hundred sixty-eight).  
**H.B. 253** (two hundred fifty-three).  
**H.B. 347** (three hundred forty-seven).  
**H.B. 358** (three hundred fifty-eight).  
**H.B. 471** (four hundred seventy-one).  
**H.B. 538** (five hundred thirty-eight).  
**H.B. 557** (five hundred fifty-seven).  
**H.B. 664** (six hundred sixty-four).

**H.B. 667** (six hundred sixty-seven).  
**H.B. 676** (six hundred seventy-six).  
**H.B. 774** (seven hundred seventy-four).  
**H.B. 889** (eight hundred eighty-nine).  
**H.B. 1043** (one thousand forty-three).  
**H.B. 1058** (one thousand fifty-eight).  
**H.B. 1059** (one thousand fifty-nine).  
**H.B. 1060** (one thousand sixty).  
**H.B. 1136** (one thousand one hundred thirty-six).  
**H.B. 1138** (one thousand one hundred thirty-eight).  
**H.B. 1139** (one thousand one hundred thirty-nine).  
**H.B. 1141** (one thousand one hundred forty-one).  
**H.B. 1146** (one thousand one hundred forty-six).  
**H.B. 1147** (one thousand one hundred forty-seven).  
**H.B. 1205** (one thousand two hundred five).  
**H.B. 1209** (one thousand two hundred nine).  
**H.B. 1237** (one thousand two hundred thirty-seven).  
**H.B. 1246** (one thousand two hundred forty-six).  
**H.B. 1293** (one thousand two hundred ninety-three).  
**H.B. 1303** (one thousand three hundred three).  
**H.B. 1307** (one thousand three hundred seven).  
**H.B. 1308** (one thousand three hundred eight).  
**H.B. 1364** (one thousand three hundred sixty-four).  
**H.B. 1396** (one thousand three hundred ninety-six).  
**H.B. 1410** (one thousand four hundred ten).  
**H.B. 1432** (one thousand four hundred thirty-two).  
**H.B. 360** (three hundred sixty).  
**H.B. 1129** (one thousand one hundred twenty-nine).  
**H.B. 1357** (one thousand three hundred fifty-seven).

### CONFERENCE PROCEDURES

Senator Chichester, Chair of the Committee on Finance, appointed Senators Quayle, Hanger, and Lambert, the conferees on the part of the Senate for **H.B. 848** (eight hundred forty-eight).

Senator Chichester, Chair of the Committee on Finance, appointed Senators Potts, Houck, and Howell, the conferees on the part of the Senate for **H.B. 928** (nine hundred twenty-eight).

Senator Williams, Chair of the Committee on Transportation, appointed Senators Watkins, Puckett, and O'Brien, the conferees on the part of the Senate for **S.B. 58** (fifty-eight).

Senator Norment, Chair of the Committee on Rules, appointed Senators Puller, Miller, and Potts, the conferees on the part of the Senate for **S.B. 381** (three hundred eighty-one).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Puckett, Blevins, and Rerras, the conferees on the part of the Senate for **S.B. 548** (five hundred forty-eight).

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Wagner introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 241.** Commending James W. Loulies.  
Patrons--Wagner, Blevins, Lucas and Rerras

#### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 5, 2004

- S.B. 1.** An Act to amend and reenact § 63.2-1527 of the Code of Virginia, relating to the Out-of-Family Investigations Advisory Committee.
- S.B. 5.** An Act to repeal §§ 54.1-2922, 54.1-2923, and 54.1-3613 of the Code of Virginia, relating to the abolishment of psychological practices audit committees, medical practices audit committees, and medical complaint investigation committees.
- S.B. 25.** An Act to amend and reenact § 37.1-134.21 of the Code of Virginia, relating to temporary detention orders.
- S.B. 26.** An Act to amend and reenact § 16.1-260 of the Code of Virginia, relating to use of summons in juvenile court; littering.
- S.B. 38.** An Act to amend and reenact § 8.01-341.1 of the Code of Virginia, relating to exemptions from jury service upon request.
- S.B. 50.** An Act to amend and reenact § 63.2-1528 of the Code of Virginia, relating to the duties of the Advisory Board on Child Abuse and Neglect.
- S.B. 78.** An Act to amend and reenact §§ 63.2-100 and 63.2-900 of the Code of Virginia, relating to kinship care.
- S.B. 86.** An Act to amend and reenact §§ 32.1-102.3 and 32.1-102.6 of the Code of Virginia, relating to criteria for determining need; local governing body to join with applicant under certain circumstances; certificate of public need for medical care facilities.
- S.B. 112.** An Act to amend the Code of Virginia by adding a section numbered 46.2-1993.67:2, relating to the repurchase of motorcycles, parts, and equipment to franchised motorcycle dealers by manufacturers.
- S.B. 125.** An Act to amend and reenact § 32.1-176.4 of the Code of Virginia, relating to regulation of private wells.
- S.B. 158.** An Act to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to dissemination of Medicare pharmaceutical benefits information and certain training of senior citizen volunteers.
- S.B. 185.** An Act to amend and reenact § 63.2-1515 of the Code of Virginia, relating to central registry of founded complaints; checks for certain volunteer organizations.
- S.B. 197.** An Act to amend and reenact § 32.1-102.1 of the Code of Virginia, relating to certificate of public need for intermediate care facilities for the mentally retarded.

- S.B. 223.** An Act to amend and reenact §§ 32.1-262, 32.1-267, and 32.1-268 of the Code of Virginia, relating to reports of divorces and annulments, and adoption and marriage records.
- S.B. 273.** An Act to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to regulation or prohibition by certain towns of parking of certain vehicles.
- S.B. 324.** An Act to amend and reenact §§ 59.1-198 and 59.1-204 of the Code of Virginia, relating to cure offers for consumer disputes involving consumer purchases.
- S.B. 345.** An Act to amend and reenact § 46.2-341.16:1 of the Code of Virginia, relating to endorsement authorizing driver to transport hazardous materials; fees; emergency.
- S.B. 364.** An Act to amend and reenact § 33.1-12 of the Code of Virginia, relating to use of design-build contracts by the Director of the Department of Rail and Public Transportation.
- S.B. 387.** An Act to amend and reenact § 46.2-1500 of the Code of Virginia, relating to motor vehicle dealers; certain mobile cranes.
- S.B. 388.** An Act to amend and reenact Chapter 912 of the Acts of the Assembly of 2000, relating to amendment of certain certificate of public need.
- S.B. 402.** An Act to amend and reenact § 46.2-330 of the Code of Virginia, relating to vision examinations for applicants for renewal of driver's licenses and learner's permits.
- S.B. 417.** An Act to amend and reenact § 63.2-1716 of the Code of Virginia, relating to child day centers; religious exemption from licensure.
- S.B. 429.** An Act to amend and reenact §§ 63.2-105 and 63.2-1503 of the Code of Virginia, relating to child abuse and neglect; multidisciplinary investigation teams.
- S.B. 499.** An Act to amend and reenact § 46.2-393 of the Code of Virginia, relating to suspension of license for reckless driving.
- S.B. 513.** An Act to amend and reenact § 8.01-356 of the Code of Virginia, relating to penalty for failure of juror to appear.
- S.B. 555.** An Act to amend and reenact § 54.1-2972 of the Code of Virginia, relating to pronouncements of death under certain circumstances by physician assistants.
- S.B. 560.** An Act to designate the Lynchburg bypass bridge across the James River between Amherst County and the City of Lynchburg the "Monacan Bridge."
- S.B. 563.** An Act to amend and reenact §§ 33.1-23.5:1 and 33.1-41.1 of the Code of Virginia, relating to payments to cities and certain towns for maintenance of certain highways; payments to counties that elect to withdraw from the secondary system of state highways.
- S.B. 584.** An Act to amend and reenact § 63.2-1502 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-1516.01, relating to child protective services; training and investigation procedures.
- S.B. 590.** An Act to require the Virginia Department of Transportation to assert the property rights of the Commonwealth with respect to Woodlawn Road in Fairfax County and Fort Belvoir.

**S.B. 654.** An Act to amend and reenact §§ 1 and 2, as amended, §§ 3 through 6, §§ 10 and 11, as amended, §§ 13, 22 and 32, § 45, as amended, and §§ 48 and 49 of Chapter 66 of the Acts of Assembly of 1960, relating to the Hampton Roads Sanitation District.

On motion of Senator Howell, a leave of absence for the day was granted Senator Saslaw on account of pressing business.

On motion of Senator Chichester, the Senate adjourned until Monday, March 8, 2004, at 12 m.

A handwritten signature in black ink, appearing to read 'Timothy M. Kaine', written in a cursive style.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read 'Susan Clarke Schaar', written in a cursive style.

Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, MARCH 8, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Timothy P. McConnell, United States Army Reserves, Charlottesville, Virginia, offered the following prayer:

Almighty God, Creator of all and our Father in Heaven, as we gather in this house of government we give You praise as Lord of all nations. Your mercy and love are not limited to one people, and Your authority and power are not bound by borders. Lord, we ask for Your blessing on every nation, and particularly we ask You to bless the United States of America, our leaders, and our Commonwealth for which we are so grateful.

We give You thanks, Heavenly Father, for the ways that we see Your grace and mercy breaking through in the darkest corners of our world. Thank You for the successful signing of the interim constitution in Iraq—may freedom thrive there as a gift to every man, woman, and child. We thank You that our freedoms thrive here in Virginia. Help us never to take them for granted.

Lord, we particularly pray this day for the members of our Commonwealth who have left home and family to defend our national interests abroad, and to fight against oppression and tyranny in the world. We pray for the members of our Virginia National Guard, and for all the Active Duty and Reserve servicemen and women under Your care. Bless them with strength and courage, guard their families while they are away, and go before them with Your mighty hand of protection. Lord, in Your might, confound those who do evil and strengthen the hand of the good. May those who plan murder and plot terror be caught up in their own web of deceit, Lord. May the evildoers be tripped up today in their own lies. May they be utterly confounded in their efforts, while the efforts of the good find success. Let death and destruction lose force, let armies of terror lose their footing, let them give way to hope, peace, mercy, love, and the promise of a free voice to worship You in gladness. And bless us, Almighty God, with the discernment to support the good and oppose the evil at every turn.

We pray for Your comfort to those of our Commonwealth who have felt the pain of loss from loved ones who have sacrificed for our country. We also pray for the family who lost loved ones in Baltimore Harbor this weekend. Lord, be a comfort to those who grieve and empower this government to remember and serve our citizens with a caring heart.

Let Your love and mercy find victory in every corner of the world, and may it begin here with us today. Bless these leaders, Lord, for they are appointed to care for Your children and to carefully appoint the resources of the Commonwealth. Give them wisdom. And blessed be Your name in this Commonwealth, in this nation, and in this world now and forever. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple.

A quorum was present.

On motion of Senator Watkins, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### STATEMENT ON VOTE

Senator Williams was granted a leave of absence for the day; however, he was inadvertently recorded as voting yea on the question of waiving the reading of the Journal.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

March 5, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

- S.B. 241.** A BILL to amend and reenact §§ 2.2-3808.2 and 17.1-279 of the Code of Virginia, relating to Technology Trust Fund Fee.
- S.B. 246.** A BILL to amend the Code of Virginia by adding a section numbered 46.2-881.1, relating to placement of certain signs.
- S.B. 337.** A BILL to amend and reenact §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; access to health records; compliance with federal Health Insurance Portability and Accountability Act regulations.
- S.B. 523.** A BILL to amend and reenact § 10.1-2124 of the Code of Virginia, relating to the cooperative nonpoint source pollution program.
- S.B. 547.** A BILL to amend and reenact §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512 of the Code of Virginia, relating to eligibility for workers' compensation.
- S.B. 558.** A BILL to amend and reenact §§ 65.2-309 through 65.2-311 of the Code of Virginia, relating to perfection of employer's subrogation rights.
- S.B. 586.** A BILL to amend and reenact § 29.1-103 of the Code of Virginia, relating to the powers of the Board of Game and Inland Fisheries.
- S.B. 606.** A BILL to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.

**S.B. 607.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the treatment of persons with opiate addiction.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

**S.B. 156.** A BILL to amend and reenact §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800, and 58.1-2501 of the Code of Virginia and to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 through 38.2-6113, relating to dental plan organizations.

**S.B. 204.** A BILL to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

**S.B. 549.** A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

**S.B. 663.** A BILL to amend the Code of Virginia by adding a section numbered 56-49.01, relating to natural gas companies' right of entry upon property.

**S.B. 664.** A BILL to amend the Code of Virginia by adding a section numbered 30-19.03:1.2, relating to unemployment compensation; legislation affecting revenues.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 145.** A BILL to amend and reenact § 22.1-298 of the Code of Virginia, relating to procedure for teacher licensure and suspension and revocation of licenses.

**S.B. 687.** A BILL to amend and reenact §§ 38.2-5009, 38.2-5020, and 38.2-5021 of the Code of Virginia, relating to Virginia Birth-Related Neurological Injury Compensation Act.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 124.** A BILL to amend and reenact §§ 4.03 and 5.01 as amended of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding a section numbered 4.03.1, relating to the election, powers and responsibilities of the mayor, and the appointment and qualifications of the chief administrative officer.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE WITH AMENDMENTS AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 100.** A BILL to amend and reenact § 9.1-108 of the Code of Virginia, relating to Criminal Justice Services Board; membership.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 105.** A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

**H.B. 601.** A BILL to amend and reenact § 15.2-2144 of the Code of Virginia, relating to inspection of water supplies.

**H.B. 970.** A BILL to amend and reenact § 15.2-1215 of the Code of Virginia, relating to authority to cut grass.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 428.** Commending Ann Garrett.

**H.J.R. 429.** Commending Donna Miller.

**H.J.R. 430.** Commending Ellen Graves.

**H.J.R. 431.** Commending Whole Foods Market.

**H.J.R. 432.** Commending Arthur R. Giesen, Jr.

**H.J.R. 433.** Commending the Deep Run High School golf team.

**H.J.R. 434.** On the death of Dr. E. Curtis Fawson.

**H.J.R. 435.** Commending the Amherst County High School baseball team.

**H.J.R. 436.** Commending Landon R. Wyatt, Jr.

**H.J.R. 437.** Commending Edward Coleman Trexler, Jr.

**H.J.R. 438.** Commending Brittany Taylor Darnell.

**H.J.R. 439.** On the death of Robert Morris Reel.

**H.J.R. 440.** On the death of William Woodrow Walling.

**H.J.R. 441.** Celebrating the life of John P. Shacochis.

**H.J.R. 442.** Commending Stonewall Jackson Hospital.

**H.J.R. 443.** Commending the Fairfax Police Youth Club.

**H.J.R. 444.** On the death of John D. Eure.

**H.J.R. 445.** Commending Jamie Bradley, Stephen Price, and Eric Joines.

**H.J.R. 446.** Commending Dr. Carole G. Adams.

**H.J.R. 447.** Commending the Virginia Dietetic Association on its 75th anniversary.

**H.J.R. 448.** Commending Thomas Jefferson High School for Science and Technology.

**H.J.R. 449.** Commending Pastor Frank M. Long, Jr.

**H.J.R. 450.** Commending Samuel O. Smith.

**H.J.R. 451.** Commending the Virginia Motorsports Coalition and the motorsports industry in the Commonwealth.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 110.** A BILL to amend and reenact the second enactment of Chapter 227 of the Acts of Assembly of 2003, relating to effective date of water supply plan regulations.

**S.B. 315.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-212.1:2, relating to education programs to promote waste reduction and resource efficiency; green schools program.

**S.B. 344.** A BILL to amend and reenact §§ 59.1-510, 59.1-511, 59.1-513, and 59.1-514 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-513.1, relating to the Virginia Telephone Privacy Protection Act.

**S.B. 434.** A BILL to amend and reenact § 30-73.4 of the Code of Virginia and to repeal the second enactment clause of Chapter 677 of the Acts of Assembly of 2002, relating to the Joint Commission on Administrative Rules, the continuation of the Commission, and staffing and assistance for the Commission.

**S.B. 517.** A BILL to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to authorizing an additional transient occupancy tax in Rockbridge County and the Cities of Lexington and Buena Vista with the revenues from such tax dedicated for certain promissory notes signed or executed by the Virginia Horse Center Foundation or the Virginia Equine Center Foundation.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 198.** Celebrating the life of Emily W. Myatt.

**S.J.R. 199.** On the death of Lee Eddy.

**S.J.R. 200.** Commending Lizzie Mae Funkhouser Miller.

**S.J.R. 201.** Commending Mary Ellen Shaw.

**S.J.R. 202.** On the death of Paul C. Slayton, Jr.

**S.J.R. 203.** Commending Nationwide Insurance.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Williams was granted a leave of absence for the day; however, he was inadvertently recorded as voting yea on the question of waiving the reading of the House communication.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 428, H.J.R. 429, H.J.R. 430, H.J.R. 431, H.J.R. 432, H.J.R. 433, H.J.R. 434, H.J.R. 435, H.J.R. 436, H.J.R. 437, H.J.R. 438, H.J.R. 439, H.J.R. 440, H.J.R. 441, H.J.R. 442, H.J.R. 443, H.J.R. 444, H.J.R. 445, H.J.R. 446, H.J.R. 447, H.J.R. 448, H.J.R. 449, H.J.R. 450, and H.J.R. 451.**

#### COMMITTEE REPORT

The following bills, having been considered by the committee in session, were reported by Senator Stolle from the Committee for Courts of Justice:

**H.B. 120** (one hundred twenty).

**H.B. 137** (one hundred thirty-seven).

**H.B. 402** (four hundred two) with amendment.

**H.B. 430** (four hundred thirty).

**H.B. 504** (five hundred four) with amendments.

**H.B. 511** (five hundred eleven) with substitute.

**H.B. 592** (five hundred ninety-two).

**H.B. 593** (five hundred ninety-three) with substitute.

**H.B. 624** (six hundred twenty-four) with substitute.

**H.B. 733** (seven hundred thirty-three).

**H.B. 734** (seven hundred thirty-four) with amendments.

**H.B. 751** (seven hundred fifty-one) with substitute.

**H.B. 916** (nine hundred sixteen).

**H.B. 1055** (one thousand fifty-five) with amendments.

**H.B. 1127** (one thousand one hundred twenty-seven).

**H.B. 1130** (one thousand one hundred thirty) with substitute.

**H.B. 1137** (one thousand one hundred thirty-seven) with amendments.

**H.B. 1379** (one thousand three hundred seventy-nine) with amendments.

**H.B. 1388** (one thousand three hundred eighty-eight).

**GUESTS PRESENTED**

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

Senators Lambert, Marsh, and Watkins presented the family of the late Lawrence E. Blanchard, Jr., a prominent Richmond business and community leader, to the Senate.

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

Senator Watkins presented Judge Hullihen Williams Moore, former commissioner of the Virginia State Corporation Commission, to the Senate.

**INTRODUCTION OF LEGISLATION**

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Deeds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 242.** Commending the University of Virginia chapter of the National Organization for Women and the University of Virginia All Women Attaining Knowledge and Enrichment Organization.

Patrons--Deeds; Delegate: Van Yahres

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Devolites introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 243.** Commending Amanda Gilbert.

Patron--Devolites

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Locke introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 244.** Commending Dr. William R. Harvey.

Patron--Locke

**S.J.R. 245.** Commending Dr. Melvin O. Marriner.

Patron--Locke

**S.J.R. 246.** Commending Dr. Bertha Davis.

Patron--Locke

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Marsh introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 247.** Commending the Reverend Leslie Francis Griffin.

Patron--Marsh

**S.J.R. 248.** Commemorating the 40th anniversary of the Civil Rights Act of 1964.

Patron--Marsh

**S.J.R. 249.** Celebrating the life of the Reverend Dr. Ollie B. Wells, Sr.

Patron--Marsh

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Rerras introduced joint resolutions; subsequently, the following were presented and laid on the Clerk's Desk:

**S.J.R. 250.** Commending the American seafarers in the United States Merchant Marine and Maritime Service from Mathews County.

Patrons--Rerras; Delegate: Morgan

**S.J.R. 251.** On the death of Charles Charnock.

Patrons--Rerras; Delegate: Lewis

**S.J.R. 252.** On the death of Frank B. Shaw.

Patrons--Rerras; Delegate: Drake

## CALENDAR

### UNFINISHED BUSINESS — SENATE

**S.B. 7** (seven) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 13, engrossed, after *vested*  
strike  
*equally among its voting members*  
insert  
*within its membership*

On motion of Senator Martin, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 24** (twenty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 37.1-67.5:01, relating to interpreters in mental commitment proceedings.

On motion of Senator Marsh, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 72** (seventy-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 15, engrossed, after *probation*

insert

*or community service*

2. Line 16, engrossed, after *probationer or*

insert

*person on community service or*

3. Line 18, engrossed, after *to a*

insert

*driver transporting the persons on probation or community service or a*

4. Line 19, engrossed, after *probationer*

insert

*or person on community service*

On motion of Senator Puckett, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 76** (seventy-six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 14, engrossed

insert

*temporary*

2. Line 15, engrossed, after *owner*.

strike

the remainder of line 15 and through § 24.2-943. on line 17

On motion of Senator Potts, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 172** (one hundred seventy-two), on motion of Senator Mims, was passed by for the day.

**S.B. 183** (one hundred eighty-three), on motion of Senator Blevins, was passed by temporarily.

**S.B. 201** (two hundred one) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 116, engrossed, after *award of*

insert

*reasonable*

2. Line 118, engrossed

insert

*D. The provisions of this section relating to the award of attorneys' fees shall not apply to any local government or agency thereof that is otherwise subject to the grievance procedure set forth in this chapter.*

On motion of Senator Reynolds, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

**S.B. 234** (two hundred thirty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL for the relief of Julius Earl Ruffin.

Senator Lambert moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--3. NAYS--35. RULE 36--0.

YEAS--Blevins, O'Brien, Stolle--3.

NAYS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--35.

RULE 36--0.

**S.B. 271** (two hundred seventy-one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.

Senator Quayle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--2. NAYS--37. RULE 36--0.

YEAS--Stolle, Watkins--2.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Whipple--37.

RULE 36--0.

**S.B. 302** (three hundred two) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.

On motion of Senator O'Brien, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 304** (three hundred four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 2.2-2670 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 4.1, consisting of sections numbered 2.2-435.1 through 2.2-435.5, by adding a section numbered 37.1-207.1, relating to the special advisor for workforce development; review of job training and drug and alcohol treatment programs; performance-based budgeting.

On motion of Senator O'Brien, the substitute was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

**S.B. 320** (three hundred twenty), on motion of Senator Stolle, was passed by temporarily.

**S.B. 321** (three hundred twenty-one), on motion of Senator Stolle, was passed by temporarily.

**S.B. 385** (three hundred eighty-five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 30, engrossed, after *(d)*  
strike  
*an MCHIP licensee*  
insert  
*a licensee of a managed care health insurance plan (MCHIP) as defined in § 38.2-5800*

On motion of Senator Norment, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 397** (three hundred ninety-seven) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 14, engrossed  
insert  
*four of whom may be nonresidents of Virginia*

On motion of Senator Norment, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 438** (four hundred thirty-eight) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 24, engrossed, after *notify*  
strike  
*parents*  
insert  
*the parent*

2. Line 30, engrossed, after *notify*

strike

*parents*

insert

*the parent*

3. Line 32, engrossed, after *appropriate education*

strike

*through age 21*

insert

*to age 21, inclusive*

4. Line 38, engrossed, after *title, to*

strike

*parents*

insert

*the parent*

5. Line 41, engrossed, after *notify the*

strike

*parents*

insert

*parent*

6. Line 42, engrossed

strike

*right to a free public education through the age of 21*

insert

*opportunity for a free public education*

On motion of Senator Locke, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

**S.B. 503** (five hundred three) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 40, engrossed, after after

strike

twenty-four

insert

36

On motion of Senator Mims, the amendment was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 504** (five hundred four) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 20, engrossed, after *loan*,

strike

*the*

2. Line 21, engrossed, after *acquire*

insert

*the secured*

On motion of Senator Mims, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 543** (five hundred forty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

Senator Hawkins moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--2. NAYS--37. RULE 36--0.

YEAS--Norment, Saslaw--2.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

RULE 36--0.

**S.B. 550** (five hundred fifty) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 197, engrossed, after ~~primary~~  
strike  
*predominate*  
insert  
*predominant*
2. Line 200, engrossed  
strike  
*regardless of*  
insert  
: (i)
3. Line 200, engrossed, after *aggressor*  
strike  
*(i) the intent of the law to protect*  
insert  
*, (ii) the protection of*
4. Line 201, engrossed, after *members*,  
strike  
*(ii)*  
insert  
*(iii)*
5. Line 202, engrossed, after *members*,  
strike  
*(iii)*  
insert  
*(iv)*
6. Line 203, engrossed, after , *and*  
strike  
*(iv)*  
insert  
*(v)*
7. Line 239, engrossed, after ~~primary~~  
strike  
*predominate*

insert

*predominant*

On motion of Senator Howell, the amendments were agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--Houck--1.

RULE 36--0.

**S.B. 561** (five hundred sixty-one) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 17, engrossed, after election.

strike

the remainder of line 17 and all of line 18

Senator Lambert moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The recorded vote is as follows:

YEAS--1. NAYS--38. RULE 36--0.

YEAS--Stolle--1.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

RULE 36--0.

**S.B. 587** (five hundred eighty-seven) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 6.1-2.25 and 17.1-223 of the Code of Virginia, relating to duty of clerk to record writings; title insurance.

On motion of Senator Deeds, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 633** (six hundred thirty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 16.1-260, 19.2-83.1, and 22.1-279.3:1 of the Code of Virginia, relating to report of arrest of school students to school superintendent or principals for certain offenses.

On motion of Senator Saslaw, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 646** (six hundred forty-six) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 88, engrossed  
insert

*I. Provided that no loan shall be made to any entity which conducts human stem cell research from human embryos, or for any loan to conduct such research.*

Senator Howell moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The recorded vote is as follows:

YEAS--16. NAYS--23. RULE 36--0.

YEAS--Bell, Bolling, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Ruff, Stosch, Wagner, Wampler--16.

NAYS--Blevins, Chichester, Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Reynolds, Saslaw, Stolle, Ticer, Watkins, Whipple--23.

RULE 36--0.

**S.B. 669** (six hundred sixty-nine) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 16, engrossed, after employee strike  
the remainder of line 16 and all of lines 17 and 18 and through city on line 19  
insert  
*of any such clerk of a district court*

On motion of Senator Obenshain, the amendment was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--Cuccinelli, Deeds--2.

RULE 36--0.

**S.B. 670** (six hundred seventy), on motion of Senator Newman, was passed by for the day.

**S.B. 189** (one hundred eighty-nine) was taken up.

On motion of Senator Reynolds, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.J.R. 77** (seventy-seven) was taken up.

On motion of Senator Hanger, the Senate acceded to the request of the House of Delegates for a committee of conference on the joint resolution.

**S.J.R. 79** (seventy-nine) was taken up.

On motion of Senator Obenshain, the Senate acceded to the request of the House of Delegates for a committee of conference on the joint resolution.

### HOUSE BILLS ON THIRD READING

**H.B. 106** (one hundred six), on motion of Senator Norment, was passed by for the day.

**H.B. 862** (eight hundred sixty-two), on motion of Senator Hawkins, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 745** (seven hundred forty-five).  
**H.B. 127** (one hundred twenty-seven).  
**H.B. 168** (one hundred sixty-eight).  
**H.B. 253** (two hundred fifty-three).  
**H.B. 347** (three hundred forty-seven).  
**H.B. 358** (three hundred fifty-eight).  
**H.B. 471** (four hundred seventy-one).  
**H.B. 538** (five hundred thirty-eight).  
**H.B. 557** (five hundred fifty-seven).  
**H.B. 664** (six hundred sixty-four).  
**H.B. 667** (six hundred sixty-seven).  
**H.B. 676** (six hundred seventy-six).  
**H.B. 774** (seven hundred seventy-four).  
**H.B. 889** (eight hundred eighty-nine).  
**H.B. 1043** (one thousand forty-three).  
**H.B. 1058** (one thousand fifty-eight).  
**H.B. 1059** (one thousand fifty-nine).  
**H.B. 1060** (one thousand sixty).  
**H.B. 1136** (one thousand one hundred thirty-six).  
**H.B. 1138** (one thousand one hundred thirty-eight).  
**H.B. 1139** (one thousand one hundred thirty-nine).  
**H.B. 1141** (one thousand one hundred forty-one).  
**H.B. 1146** (one thousand one hundred forty-six).  
**H.B. 1147** (one thousand one hundred forty-seven).  
**H.B. 1205** (one thousand two hundred five).  
**H.B. 1209** (one thousand two hundred nine).  
**H.B. 1237** (one thousand two hundred thirty-seven).  
**H.B. 1246** (one thousand two hundred forty-six).  
**H.B. 1293** (one thousand two hundred ninety-three).  
**H.B. 1303** (one thousand three hundred three).  
**H.B. 1307** (one thousand three hundred seven).  
**H.B. 1308** (one thousand three hundred eight).  
**H.B. 1364** (one thousand three hundred sixty-four).  
**H.B. 1396** (one thousand three hundred ninety-six).  
**H.B. 1410** (one thousand four hundred ten).  
**H.B. 1432** (one thousand four hundred thirty-two).

The motion was agreed to.

**H.B. 745** (seven hundred forty-five) was taken up.

The amendment in the nature of a substitute proposed on February 19, 2004, by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.1:01, relating to notice of application for licensure to operate methadone clinics.

The reading of the substitute was waived.

Senator Potts moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The amendment in the nature of a substitute proposed on March 4, 2004, by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the treatment of persons with opiate addiction.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 127** (one hundred twenty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-268.3 and 18.2-268.4 of the Code of Virginia, relating to refusal of breath or blood test; penalties.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 253** (two hundred fifty-three) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 66, engrossed, after law  
strike  
*, including community service*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 538** (five hundred thirty-eight) was taken up.

The following amendments proposed by the Committee on General Laws were offered:

1. Line 57, engrossed, after *Records of*  
insert  
*a law enforcement agency to the extent that they disclose*
2. Line 58, engrossed, after *devices provided*  
strike  
*by a law enforcement agency*

The reading of the amendments was waived.

On motion of Senator Stosch, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 664** (six hundred sixty-four) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 34, engrossed, after or at any  
strike  
~~hospital or medical facility~~  
insert  
hospital or medical facility
2. Line 34, engrossed, after ~~facility~~  
strike  
*location*
3. Line 35, engrossed, after accident has  
strike  
*moved or*
4. Line 39, engrossed, after arrest.  
insert  
*In addition, such officer may arrest at any location, within three hours of the occurrence of such accident, a person who has left the scene of such accident.*

The reading of the amendments was waived.

Senator Stolle moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

Senator Stolle offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-81 of the Code of Virginia, relating to arrest without warrant for drunk driving.

On motion of Senator Stolle, the reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 667** (six hundred sixty-seven) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 7, engrossed, Title, after *intoxicated*;  
strike  
*subsequent offense; prior conviction*  
insert  
*blood alcohol levels*
2. Line 12, engrossed, after misdemeanor.  
strike  
remainder of line 12, all of line 13, and through *days.* on line 14

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 889** (eight hundred eighty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1043** (one thousand forty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to the creation of the Competitive Government Act.

The reading of the substitute was waived.

On motion of Senator Stosch, the substitute was agreed to.

Senator Stosch offered the following amendment to the substitute:

1. Line 39, substitute, after *activity to be*  
strike  
*procured*  
insert  
*competed*

On motion of Senator Stosch, the reading of the amendment was waived.

On motion of Senator Stosch, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

**H.B. 1136** (one thousand one hundred thirty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to administrative license suspension.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1146** (one thousand one hundred forty-six) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 20, engrossed, after court  
insert  
*, when practicable,*
2. Line 86, engrossed, after *court*  
insert  
*, when practicable,*
3. Line 96, engrossed  
strike  
all of line 96

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1147** (one thousand one hundred forty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-270, 18.2-271 and 46.2-391 of the Code of Virginia, relating to punishment for DUI; mandatory minimums.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1205** (one thousand two hundred five) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 49, engrossed, after Commonwealth,  
strike  
*any retired member of*  
insert  
*and any Virginia Marine Police officer retired from*
2. Line 51, engrossed, after Board  
insert  
*other than an officer or agent terminated for cause,*
3. Line 54, engrossed, after *age*,  
strike  
*other than an officer or agent terminated by cause,*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1237** (one thousand two hundred thirty-seven) was taken up.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 122, engrossed, after *expert*  
strike  
*employed or*
2. Line 124, engrossed, after *37.1-70.5*.  
insert  
*Any expert employed to assist the person on matters relating to the person's mental health shall be a licensed psychiatrist or licensed clinical psychologist who is skilled in the diagnosis and treatment of mental abnormalities and disorders associated with violent sex offenders, and who is not a member of the CRC.*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1293** (one thousand two hundred ninety-three) was taken up.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 26, engrossed, after *occurred or*  
insert

*, when the county or city where the offense is alleged to have occurred cannot be determined, then*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1303** (one thousand three hundred three) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 15.2-1209, 18.2-299 and 22.1-277.07 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-915.2, relating to use of pneumatic guns.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 745** (seven hundred forty-five) with substitute.

**H.B. 127** (one hundred twenty-seven) with substitute.

**H.B. 168** (one hundred sixty-eight).

**H.B. 253** (two hundred fifty-three) with amendment.

**H.B. 347** (three hundred forty-seven).

**H.B. 358** (three hundred fifty-eight).

**H.B. 538** (five hundred thirty-eight) with amendments.

**H.B. 664** (six hundred sixty-four) with substitute.

**H.B. 667** (six hundred sixty-seven) with amendments.

**H.B. 676** (six hundred seventy-six).

**H.B. 774** (seven hundred seventy-four).  
**H.B. 889** (eight hundred eighty-nine) with substitute.  
**H.B. 1043** (one thousand forty-three) with substitute with amendment.  
**H.B. 1058** (one thousand fifty-eight).  
**H.B. 1059** (one thousand fifty-nine).  
**H.B. 1060** (one thousand sixty).  
**H.B. 1136** (one thousand one hundred thirty-six) with substitute.  
**H.B. 1138** (one thousand one hundred thirty-eight).  
**H.B. 1139** (one thousand one hundred thirty-nine).  
**H.B. 1141** (one thousand one hundred forty-one).  
**H.B. 1146** (one thousand one hundred forty-six) with amendments.  
**H.B. 1147** (one thousand one hundred forty-seven) with substitute.  
**H.B. 1205** (one thousand two hundred five) with amendments.  
**H.B. 1209** (one thousand two hundred nine).  
**H.B. 1237** (one thousand two hundred thirty-seven) with amendments.  
**H.B. 1246** (one thousand two hundred forty-six).  
**H.B. 1293** (one thousand two hundred ninety-three) with amendment.  
**H.B. 1303** (one thousand three hundred three) with substitute.  
**H.B. 1307** (one thousand three hundred seven).  
**H.B. 1308** (one thousand three hundred eight).  
**H.B. 1364** (one thousand three hundred sixty-four).  
**H.B. 1396** (one thousand three hundred ninety-six).  
**H.B. 1410** (one thousand four hundred ten).  
**H.B. 1432** (one thousand four hundred thirty-two).

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**H.B. 471** (four hundred seventy-one) was taken up.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 6, engrossed, Title, after *debt counseling*  
     insert  
                                   ; *penalty*
2. Line 614, engrossed, after line 613  
     insert
3. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 5, engrossed, Title, after *through*  
strike

6.1-363.27

insert

6.1-363.26

2. Line 14, engrossed, after through  
strike

6.1-363.27

insert

6.1-363.26

3. Line 74, engrossed, after *chapter*:  
insert

*E. Any person who violates this section is guilty of a Class 1 misdemeanor. Each violation of this section shall constitute a separate offense.*

4. Line 396, engrossed  
strike

all of lines 396 through 398

5. Line 399, engrossed, after §  
strike

6.1-363.25

insert

6.1-363.24

6. Line 403, engrossed, after §  
strike

6.1-363.26

insert

6.1-363.25

7. Line 416, engrossed, after §  
strike

6.1-363.27

insert

6.1-363.26

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**H.B. 471**, on motion of Senator Devolites, was passed by for the day.

**H.B. 557** (five hundred fifty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-272, 46.2-301, 46.2-329 and 46.2-391 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.

The reading of the substitute was waived.

Senator Stolle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

**H.B. 557**, on motion of Senator Stolle, was passed by temporarily.

**H.B. 390** (three hundred ninety), on motion of Senator Wagner, was passed by for the day.

**H.B. 1430** (one thousand four hundred thirty), on motion of Senator Norment, was passed by for the day.

**H.B. 360** (three hundred sixty), on motion of Senator Norment, was passed by for the day.

**H.B. 1129** (one thousand one hundred twenty-nine) was read by title the third time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 16, engrossed, after *employee*,  
strike

remainder of line 16 and all of lines 17 through 24

insert

*who has probable cause to believe that a person has made a recording in violation of subsection A on the premises of the owner or lessee, may detain such person for a period not to exceed one hour pending arrival of a law-enforcement officer. Such owner, lessee, agent or employee shall not be held civilly liable for unlawful detention, if such detention does not exceed one hour, slander, malicious prosecution, false imprisonment, false arrest, or assault and battery of the person so arrested or detained, whether such arrest or detention takes place on the premises of the owner or lessee or after close pursuit from such premises, provided that, in causing the arrest or detention of such person, the owner, lessee, agent or employee had at the time of such arrest or detention probable cause to believe the person was making or had made an illegal recording in violation of subsection A.*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1129**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--34. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--34.

NAYS--Chichester, Lambert, Locke, Marsh--4.

RULE 36--0.

**H.B. 1357** (one thousand three hundred fifty-seven) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-3707 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-3707.01, relating to the Freedom of Information Act; application to meetings of the General Assembly.

The reading of the substitute was waived.

Senator Stosch moved that the substitute be agreed to.

**H.B. 1357**, on motion of Senator Edwards, was passed by for the day.

#### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 3** (three).

**H.B. 158** (one hundred fifty-eight).

**H.B. 272** (two hundred seventy-two).

**H.B. 429** (four hundred twenty-nine).

**H.B. 453** (four hundred fifty-three).

**H.B. 545** (five hundred forty-five).

**H.B. 547** (five hundred forty-seven).

**H.B. 576** (five hundred seventy-six).

**H.B. 637** (six hundred thirty-seven).

**H.B. 692** (six hundred ninety-two).

**H.B. 710** (seven hundred ten).

**H.B. 712** (seven hundred twelve).

**H.B. 817** (eight hundred seventeen).

**H.B. 909** (nine hundred nine).

**H.B. 910** (nine hundred ten).

**H.B. 1013** (one thousand thirteen).

**H.B. 1014** (one thousand fourteen).

**H.B. 1015** (one thousand fifteen).

**H.B. 1154** (one thousand one hundred fifty-four).

**H.B. 1171** (one thousand one hundred seventy-one).

**H.B. 1182** (one thousand one hundred eighty-two).

**H.B. 1213** (one thousand two hundred thirteen).

**H.B. 1227** (one thousand two hundred twenty-seven).

**H.B. 1231** (one thousand two hundred thirty-one).  
**H.B. 1291** (one thousand two hundred ninety-one).  
**H.B. 1294** (one thousand two hundred ninety-four).  
**H.B. 1346** (one thousand three hundred forty-six).  
**H.B. 1413** (one thousand four hundred thirteen).  
**H.B. 1425** (one thousand four hundred twenty-five).  
**H.B. 1443** (one thousand four hundred forty-three).  
**H.B. 1475** (one thousand four hundred seventy-five).  
**H.B. 38** (thirty-eight).  
**H.B. 380** (three hundred eighty).  
**H.B. 1018** (one thousand eighteen).  
**H.B. 1376** (one thousand three hundred seventy-six).  
**H.B. 1383** (one thousand three hundred eighty-three).  
**H.B. 1419** (one thousand four hundred nineteen).

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House bills were passed by for the day:

**H.B. 3** (three).  
**H.B. 158** (one hundred fifty-eight).  
**H.B. 272** (two hundred seventy-two).  
**H.B. 429** (four hundred twenty-nine).  
**H.B. 453** (four hundred fifty-three).  
**H.B. 545** (five hundred forty-five).  
**H.B. 547** (five hundred forty-seven).  
**H.B. 576** (five hundred seventy-six).  
**H.B. 637** (six hundred thirty-seven).  
**H.B. 692** (six hundred ninety-two).  
**H.B. 710** (seven hundred ten).  
**H.B. 712** (seven hundred twelve).  
**H.B. 817** (eight hundred seventeen).  
**H.B. 909** (nine hundred nine).  
**H.B. 910** (nine hundred ten).  
**H.B. 1013** (one thousand thirteen).  
**H.B. 1014** (one thousand fourteen).  
**H.B. 1015** (one thousand fifteen).  
**H.B. 1154** (one thousand one hundred fifty-four).  
**H.B. 1171** (one thousand one hundred seventy-one).  
**H.B. 1182** (one thousand one hundred eighty-two).  
**H.B. 1213** (one thousand two hundred thirteen).  
**H.B. 1227** (one thousand two hundred twenty-seven).

**H.B. 1231** (one thousand two hundred thirty-one).  
**H.B. 1291** (one thousand two hundred ninety-one).  
**H.B. 1294** (one thousand two hundred ninety-four).  
**H.B. 1346** (one thousand three hundred forty-six).  
**H.B. 1413** (one thousand four hundred thirteen).  
**H.B. 1425** (one thousand four hundred twenty-five).  
**H.B. 1443** (one thousand four hundred forty-three).  
**H.B. 1475** (one thousand four hundred seventy-five).  
**H.B. 38** (thirty-eight).  
**H.B. 380** (three hundred eighty).  
**H.B. 1018** (one thousand eighteen).  
**H.B. 1376** (one thousand three hundred seventy-six).  
**H.B. 1383** (one thousand three hundred eighty-three).  
**H.B. 1419** (one thousand four hundred nineteen).

#### HOUSE JOINT RESOLUTIONS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House joint resolutions be waived:

**H.J.R. 6** (six).  
**H.J.R. 13** (thirteen).  
**H.J.R. 34** (thirty-four).  
**H.J.R. 71** (seventy-one).  
**H.J.R. 72** (seventy-two).  
**H.J.R. 79** (seventy-nine).  
**H.J.R. 103** (one hundred three).  
**H.J.R. 105** (one hundred five).  
**H.J.R. 114** (one hundred fourteen).  
**H.J.R. 117** (one hundred seventeen).  
**H.J.R. 118** (one hundred eighteen).  
**H.J.R. 120** (one hundred twenty).  
**H.J.R. 122** (one hundred twenty-two).  
**H.J.R. 123** (one hundred twenty-three).  
**H.J.R. 124** (one hundred twenty-four).  
**H.J.R. 125** (one hundred twenty-five).  
**H.J.R. 126** (one hundred twenty-six).  
**H.J.R. 132** (one hundred thirty-two).  
**H.J.R. 133** (one hundred thirty-three).  
**H.J.R. 134** (one hundred thirty-four).  
**H.J.R. 152** (one hundred fifty-two).  
**H.J.R. 153** (one hundred fifty-three).  
**H.J.R. 154** (one hundred fifty-four).  
**H.J.R. 162** (one hundred sixty-two).  
**H.J.R. 163** (one hundred sixty-three).  
**H.J.R. 164** (one hundred sixty-four).  
**H.J.R. 168** (one hundred sixty-eight).  
**H.J.R. 170** (one hundred seventy).  
**H.J.R. 172** (one hundred seventy-two).  
**H.J.R. 174** (one hundred seventy-four).  
**H.J.R. 176** (one hundred seventy-six).  
**H.J.R. 180** (one hundred eighty).

**H.J.R. 183** (one hundred eighty-three).  
**H.J.R. 185** (one hundred eighty-five).  
**H.J.R. 186** (one hundred eighty-six).  
**H.J.R. 192** (one hundred ninety-two).  
**H.J.R. 193** (one hundred ninety-three).  
**H.J.R. 194** (one hundred ninety-four).  
**H.J.R. 195** (one hundred ninety-five).  
**H.J.R. 196** (one hundred ninety-six).  
**H.J.R. 197** (one hundred ninety-seven).  
**H.J.R. 205** (two hundred five).  
**H.J.R. 225** (two hundred twenty-five).  
**H.J.R. 228** (two hundred twenty-eight).  
**H.J.R. 247** (two hundred forty-seven).  
**H.J.R. 259** (two hundred fifty-nine).  
**H.J.R. 260** (two hundred sixty).  
**H.J.R. 261** (two hundred sixty-one).  
**H.J.R. 278** (two hundred seventy-eight).  
**H.J.R. 287** (two hundred eighty-seven).  
**H.J.R. 288** (two hundred eighty-eight).  
**H.J.R. 291** (two hundred ninety-one).  
**H.J.R. 292** (two hundred ninety-two).

The motion was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the following House joint resolutions were passed by for the day:

**H.J.R. 6** (six).  
**H.J.R. 13** (thirteen).  
**H.J.R. 34** (thirty-four).  
**H.J.R. 71** (seventy-one).  
**H.J.R. 72** (seventy-two).  
**H.J.R. 79** (seventy-nine).  
**H.J.R. 103** (one hundred three).  
**H.J.R. 105** (one hundred five).  
**H.J.R. 114** (one hundred fourteen).  
**H.J.R. 117** (one hundred seventeen).  
**H.J.R. 118** (one hundred eighteen).  
**H.J.R. 120** (one hundred twenty).  
**H.J.R. 122** (one hundred twenty-two).  
**H.J.R. 123** (one hundred twenty-three).  
**H.J.R. 124** (one hundred twenty-four).  
**H.J.R. 125** (one hundred twenty-five).

**H.J.R. 126** (one hundred twenty-six).  
**H.J.R. 132** (one hundred thirty-two).  
**H.J.R. 133** (one hundred thirty-three).  
**H.J.R. 134** (one hundred thirty-four).  
**H.J.R. 152** (one hundred fifty-two).  
**H.J.R. 153** (one hundred fifty-three).  
**H.J.R. 154** (one hundred fifty-four).  
**H.J.R. 162** (one hundred sixty-two).  
**H.J.R. 163** (one hundred sixty-three).  
**H.J.R. 164** (one hundred sixty-four).  
**H.J.R. 168** (one hundred sixty-eight).  
**H.J.R. 170** (one hundred seventy).  
**H.J.R. 172** (one hundred seventy-two).  
**H.J.R. 174** (one hundred seventy-four).  
**H.J.R. 176** (one hundred seventy-six).  
**H.J.R. 180** (one hundred eighty).  
**H.J.R. 183** (one hundred eighty-three).  
**H.J.R. 185** (one hundred eighty-five).  
**H.J.R. 186** (one hundred eighty-six).  
**H.J.R. 192** (one hundred ninety-two).  
**H.J.R. 193** (one hundred ninety-three).  
**H.J.R. 194** (one hundred ninety-four).  
**H.J.R. 195** (one hundred ninety-five).  
**H.J.R. 196** (one hundred ninety-six).  
**H.J.R. 197** (one hundred ninety-seven).  
**H.J.R. 205** (two hundred five).  
**H.J.R. 225** (two hundred twenty-five).  
**H.J.R. 228** (two hundred twenty-eight).  
**H.J.R. 247** (two hundred forty-seven).  
**H.J.R. 259** (two hundred fifty-nine).  
**H.J.R. 260** (two hundred sixty).  
**H.J.R. 261** (two hundred sixty-one).  
**H.J.R. 278** (two hundred seventy-eight).  
**H.J.R. 287** (two hundred eighty-seven).  
**H.J.R. 288** (two hundred eighty-eight).  
**H.J.R. 291** (two hundred ninety-one).  
**H.J.R. 292** (two hundred ninety-two).

#### SENATE JOINT RESOLUTION ON SECOND READING

**S.J.R. 218** (two hundred eighteen) was read by title the second time.

The following amendments proposed by the Committee on Privileges and Elections were offered:

1. Line 9, introduced, after Warner  
strike  
remainder of line 9 and all of line 10  
insert  
during the 2004 Regular Session:
2. Line 33, introduced, after line 32

insert

Board of Education

Isis M. Castro, 2404 Culpeper Road, Alexandria, Virginia 22308, Member, appointed on March 1, 2004, for a term of four years, beginning on January 30, 2004, and ending on January 29, 2008, to succeed Ruby Wolfe Rogers.

3. Line 41, introduced, after line 40

insert

Board of Visitors, University of Virginia and Affiliated Schools

Glassell Slaughter Fitz-Hugh, Jr., 302 Virginia Avenue, Richmond, Virginia 23226, Member, appointed March 2, 2004, for a term of four years beginning March 2, 2004, and ending March 1, 2008, to succeed Thomas Bliley.

W. Heywood Fralin, 2744 South Jefferson Street, Roanoke, Virginia 24014, Member, appointed March 2, 2004, for a term of four years beginning March 2, 2004, and ending March 1, 2008, to succeed William Goodwin.

Glynn D. Key, 1875 Taylor Street, N.W., Washington, District of Columbia 20011, Member, appointed March 2, 2004, for a term of four years beginning March 2, 2004, and ending March 1, 2008, to succeed Charles Glazer.

Gordon F. Rainey, 4801 Pocahontas Avenue, Richmond, Virginia 23236, Member, appointed March 2, 2004, for a term of four years beginning March 2, 2004, and ending March 1, 2008, to succeed himself.

4. Line 64, introduced, after line 63

insert

INDEPENDENT

Board of Trustees of the Virginia Retirement System

Judith Ewell, 301 Indian Springs Road, Williamsburg, Virginia 23185, Member, appointed February 27, 2004, for a term of five years, beginning on March 1, 2004, and ending February 28, 2009, to succeed W. Mark Crain.

The reading of the amendments was waived.

On motion of Senator Martin, the amendments were agreed to.

On motion of Senator Martin, the joint resolution was ordered to be engrossed and read by title the third time.

Senator Martin moved that the Rules be suspended and the third reading of the title of **S.J.R. 218** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.J.R. 218**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

### SENATE RESOLUTION ON SECOND READING

**S.R. 9** (nine) was read by title the second time and, on motion of Senator Martin, was ordered to be engrossed and read by title the third time.

Senator Martin moved that the Rules be suspended and the third reading of the title of **S.R. 9** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

### SENATE RESOLUTION NO. 9

Confirming nominations to the Senate Ethics Advisory Panel.

RESOLVED by the Senate of Virginia, That the Senate confirm the following nominations by the Senate Committee on Privileges and Elections to the Senate Ethics Advisory Panel made in accordance with § 30-112 of the Code of Virginia:

The Honorable Wiley F. Mitchell, Jr., 437 Goodspeed Road, Virginia Beach, Virginia 23451, for a term of four years, beginning July 1, 2004, to succeed himself; and

Dr. Ronald E. Carrier, James Madison University, Office of the President Emeritus, Harrisonburg, Virginia 22807, for a term of four years, beginning July 1, 2004, to succeed himself.

**S.R. 9**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

#### HOUSE JOINT RESOLUTIONS ON SECOND READING

**H.J.R. 82** (eighty-two) was read by title the second time.

**H.J.R. 187** (one hundred eighty-seven) was read by title the second time.

#### SENATE JOINT RESOLUTION ON SECOND READING

**S.J.R. 209** (two hundred nine) was read by title the second time and, on motion of Senator Martin, was ordered to be engrossed and read by title the third time.

Senator Martin moved that the Rules be suspended and the third reading of the title of **S.J.R. 209** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.J.R. 209**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--3.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--Hawkins, Puckett, Ruff--3.

#### RECONSIDERATION

Senator Martin moved to reconsider the vote by which **S.J.R. 209** (two hundred nine) was agreed to.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.J.R. 209**, on motion of Senator Martin, was agreed to.

The recorded vote is as follows:

YEAS--35. NAYS--0. RULE 36--4.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple--35.

NAYS--0.

RULE 36--Hawkins, Puckett, Ruff, Wampler--4.

#### UNFINISHED BUSINESS — SENATE

**S.B. 183** (one hundred eighty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 36-99.5:1 of the Code of Virginia, relating to the Uniform Statewide Building Code; certain housing facilities.

On motion of Senator Blevins, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 320** (three hundred twenty) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 321** (three hundred twenty-one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; multijurisdictional grand juries; penalties.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

### HOUSE BILL ON THIRD READING

**H.B. 557** (five hundred fifty-seven) was taken up.

Senator Stolle offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 18.2-272, 46.2-301 and 46.2-329 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.

On motion of Senator Stolle, the reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 557**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

### COMMENDING RESOLUTION IMMEDIATE CONSIDERATION

On motion of Senator Stosch, the Rules were suspended and **H.J.R. 433** (four hundred thirty-three), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

**H.J.R. 433**, on motion of Senator Stosch, was agreed to.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Mims introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 253.** Commending First Mount Olive Baptist Church.

Patrons--Mims and Potts; Delegates: Black, Marshall, R.G., May, Reese and Rust

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Reynolds introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 255.** On the death of Warren G. Lineberry.

Patron--Reynolds

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Puckett introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 254.** On the death of Harold B. Cumberledge.

Patrons--Puckett and Reynolds

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 26 (g), Senator Marsh introduced a joint resolution; subsequently, the following was presented and laid on the Clerk's Desk:

**S.J.R. 256.** Commending the Virginia Union University Men's Basketball Team.

Patrons--Marsh, Lambert, Locke, Lucas and Miller

### CONFERENCE PROCEDURES

Senator Chichester, Chair of the Committee on Finance, appointed Senators Norment, Stolle, and Watkins, the conferees on the part of the Senate for **H.B. 105** (one hundred five).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Mims, Cuccinelli, and Whipple, the conferees on the part of the Senate for **H.B. 601** (six hundred one).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Norment, Newman, and Ticer, the conferees on the part of the Senate for **H.B. 970** (nine hundred seventy).

Senator Williams, Chair of the Committee on Transportation, appointed Senators Rerras, Blevins, and Deeds, the conferees on the part of the Senate for **S.B. 189** (one hundred eighty-nine).

Senator Norment, Chair of the Committee on Rules, appointed Senators Hanger, Potts, and Houck, the conferees on the part of the Senate for **S.J.R. 77** (seventy-seven).

Senator Norment, Chair of the Committee on Rules, appointed Senators Obenshain, Bolling, and Mims, the conferees on the part of the Senate for **S.J.R. 79** (seventy-nine).

On motion of Senator Newman, a leave of absence for the day was granted Senator Williams.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 10:00 a.m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee reports.

### COMMITTEE REPORTS

The following bills, having been considered by the committee in session, were reported by Senator Wampler from the Committee on Commerce and Labor:

**H.B. 59** (fifty-nine).

**H.B. 529** (five hundred twenty-nine).

**H.B. 686** (six hundred eighty-six).

**H.B. 688** (six hundred eighty-eight).

**H.B. 754** (seven hundred fifty-four) with substitute.

**H.B. 1155** (one thousand one hundred fifty-five) with amendments.

The following bills, having been considered by the committee in session, were reported by Senator Chichester from the Committee on Finance:

**H.B. 250** (two hundred fifty).

**H.B. 846** (eight hundred forty-six).

**H.B. 993** (nine hundred ninety-three).

The following joint resolution, having been considered by the committee in session, was reported by Senator Norment from the Committee on Rules:

H.J.R. 142 (one hundred forty-two) with amendment.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is written in a cursive style with a large initial "S" and a long horizontal stroke.

Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, MARCH 9, 2004

The Senate met at 10:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. William B. Hutchinson, Sr., Lawrenceville Baptist Church, Lawrenceville, Virginia, offered the following prayer:

Great and Almighty God, we come to You this day to present ourselves humble in service. Knowing that as we depend upon Your strength and power we are able to accomplish much. Therefore, today I pray the honorable people of this Senate will each seek wisdom to make decisions which shall be for the good of all the people of the Commonwealth. That they will seek compassion and empathy as they make decisions that affect the lives of all. That they seek conviction, to search their inner most being for the right decisions for the Commonwealth.

I pray blessing upon each representative and their homes for the service they afford to the Commonwealth of Virginia. That they should in every action apply the words of the Apostle Paul when he wrote to the ancient church in Philippi: "Therefore Brothers, Whatever is true, whatever is honest, whatever is just, whatever is pure, whatever is lovely, whatever is of good report, think on these things." Guide and direct them on, God, reminding them of those who came before them, who set the course of history and lead in the journey toward this day. As they represent the birthplace of this great nation, may they forge the example of a government "by the people for the people" in every action of faith and fortitude.

"O God, our help in ages past, our hope for years to come, our shelter from the stormy blast, be thou our guard while life shall last and our eternal home."

Remind us all God, "Thus be it ever when free men shall stand, Between their loved home and the war's desolation; Blest with the victory and peace, may the heaven rescued land Praise the Power that hath made and preserved us a nation! Then conquer we must, when our cause it is just; And this be our motto: In God we Trust! And the Star Spangled Banner in triumph shall wave Over the land of the free and the home of the Brave!"

God we call upon You now to lead, direct and bless this our Senate and the great Commonwealth of Virginia. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Quayle, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

## HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
March 8, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

- S.B. 118.** A BILL to amend and reenact § 8.01-6 of the Code of Virginia, relating to amending pleadings; notice to agent.
- S.B. 202.** A BILL to amend and reenact § 18.2-268.3 of the Code of Virginia, relating to refusal of DUI breath or blood tests; procedures.
- S.B. 224.** A BILL to amend and reenact § 38.2-3405 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 54.1-2963.1 relating to physician disclosure of medical treatment options.
- S.B. 333.** A BILL to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 19.3, consisting of sections numbered 19.2-327.10 through 19.2-327.14, relating to post-conviction relief.
- S.B. 386.** A BILL to amend and reenact § 10.1-1322.3 of the Code of Virginia, relating to the air emissions trading program.
- S.B. 505.** A BILL to amend and reenact § 55-66.3 of the Code of Virginia, relating to release of deed of trust or other lien.
- S.B. 518.** A BILL to amend the Code of Virginia by adding a section numbered 22.1-98.2, relating to certain school board agreements.
- S.B. 612.** A BILL to amend and reenact § 63.2-1721 of the Code of Virginia, relating to criminal background checks; foster parents.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

- S.B. 208.** A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.
- S.B. 230.** A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, and by adding a section numbered 58.1-346.25, relating to the Brown v. Board of Education Scholarship Program and Fund.
- S.B. 276.** A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.4, relating to spousal abuse by active members of the Armed Forces.
- S.B. 325.** A BILL to amend and reenact § 54.1-3401 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-3455.1, relating to counterfeit drugs; the Drug Control Act; penalty.

**S.B. 329.** A BILL to amend and reenact §§ 16.1-69.48:1.01, 16.1-247, 16.1-260, 17.1-275.11, 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10, 18.2-270.1, 18.2-271, 18.2-271.1, 18.2-272, 19.2-187.02, 19.2-389, 46.2-301, 46.2-301.1, 46.2-316, 46.2-384, 46.2-389, 46.2-391.2, 46.2-391.4, 46.2-395, 46.2-411 and 46.2-111.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 18.2-266.2, relating to DUI; blood alcohol level; refusal.

**S.B. 384.** A BILL to amend and reenact §§ 18.2-270, 18.2-271, 19.2-294.1, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment on charge of third DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension.

**S.B. 442.** A BILL to amend and reenact §§ 19.2-120 and 19.2-390 of the Code of Virginia, relating to DUI; admission to bail; criminal history record information.

**S.B. 454.** A BILL to amend the Code of Virginia by adding a section numbered 10.1-1316.1 and by adding in Title 10.1 a chapter numbered 21.2, consisting of a section numbered 10.1-2135, relating to enforcement for severe ozone nonattainment areas.

**S.B. 493.** A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens and unidentified people.

**S.B. 601.** A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-1839.1, relating to risk management plans; physicians and community hospitals.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING HOUSE BILL:

**H.B. 1489.** A BILL to amend and reenact §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231, and 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; annual banquet and annual mixed beverage banquet licenses.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 1063.** A BILL to amend and reenact § 64.1-145 of the Code of Virginia, relating to damages resulting from legal malpractice concerning irrevocable trusts.

**H.B. 1107.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.

**H.B. 1172.** A BILL to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 35.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

**H.B. 176.** A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02, 18.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

**H.B. 638.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.

**H.B. 766.** A BILL to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 57.** A BILL to amend and reenact § 33.1-252 of the Code of Virginia, relating to toll-free use of the Richmond Metropolitan Authority's toll facilities by quadriplegic drivers.

**S.B. 114.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abuse and neglect of infants; affirmative defense.

**S.B. 335.** A BILL to amend and reenact §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272 of the Code of Virginia, relating to service of process on teacher or other school personnel; restrictions; fees.

**S.B. 363.** A BILL to amend and reenact §§ 2.2-2407, 40.1-6 and 60.2-113 of the Code of Virginia, relating to the Migrant and Seasonal Farmworkers Board and the Interagency Migrant Worker Policy Committee.

**S.B. 492.** A BILL to amend and reenact §§ 19.2-120 and 19.2-299 of the Code of Virginia, relating to gang crimes; presumption against bail; presentence report.

**S.B. 577.** A BILL to amend and reenact §§ 16.1-247 and 16.1-249 of the Code of Virginia, relating to custody and confinement for juvenile offenses.

**S.B. 593.** A BILL to amend and reenact § 16.1-260 of the Code of Virginia, relating to juvenile intake; notification of school superintendent.

**S.B. 609.** A BILL to repeal Chapter 1017 of the Acts of Assembly of 2003, relating to final judgments in circuit court; modification and appeal.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 47.** A BILL to amend and reenact § 16.1-77 of the Code of Virginia, relating to actions of unlawful entry or detainer in general district courts.

**H.B. 79.** A BILL to amend and reenact § 18.2-308.2:01 of the Code of Virginia, relating to possession or transportation of firearms by certain noncitizens.

**H.B. 148.** A BILL to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.

- H.B. 282.** A BILL to amend and reenact § 58.1-339.4 of the Code of Virginia, relating to qualified equity and subordinated debt investments tax credit.
- H.B. 321.** A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 7 of Title 17.1 a section numbered 17.1-705.1, relating to civil immunity for investigation of commissioners of accounts.
- H.B. 332.** A BILL to amend and reenact § 17.1-227 of the Code of Virginia, relating to recordation of powers of attorney.
- H.B. 346.** A BILL to amend and reenact § 46.2-1208 of the Code of Virginia, relating to certain vehicles abandoned on private property; notice to owners and persons having security interests.
- H.B. 350.** A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, relating to the Department of the Treasury; risk management plans; inclusion of guardians.
- H.B. 404.** A BILL to amend and reenact § 18.2-308.2:2 of the Code of Virginia, relating to purchase of one handgun a month.
- H.B. 410.** A BILL to amend and reenact §§ 24.2-659 and 24.2-668 of the Code of Virginia, relating to post-election procedures and securing of election equipment and materials.
- H.B. 411.** A BILL to amend and reenact § 24.2-404 of the Code of Virginia, relating to duties of the State Board of Elections including duties with respect to electronic pollbooks and registration inquiry devices.
- H.B. 414.** A BILL to amend and reenact § 18.2-308.2 of the Code of Virginia, relating to possession or transportation of explosives by convicted felons; penalty.
- H.B. 415.** A BILL to amend the Code of Virginia by adding a section numbered 44-146.17:2, relating to the Emergency Services and Disaster Law; annual statewide drill.
- H.B. 437.** A BILL to amend and reenact § 18.2-340.33 of the Code of Virginia, relating to charitable gaming; prohibited practices; exceptions.
- H.B. 447.** A BILL to amend and reenact §§ 16.1-278.15 and 20-103 of the Code of Virginia, relating to mandatory parenting classes; exception.
- H.B. 472.** A BILL to amend and reenact § 40.1-29 of the Code of Virginia, relating to payment of wages or salaries; deposit to account.
- H.B. 609.** A BILL to amend and reenact § 38.2-2125 of the Code of Virginia, relating to fire insurance; notices required involving flood coverage.
- H.B. 639.** A BILL to amend and reenact §§ 10.1-1408.4 and 10.1-1408.5 of the Code of Virginia, relating to siting of landfills.
- H.B. 653.** A BILL to amend and reenact §§ 16.1-247 and 16.1-249 of the Code of Virginia, relating to custody and confinement for juvenile offenses.
- H.B. 654.** A BILL to amend and reenact §§ 18.2-268.5, 19.2-310.3 and 46.2-341.26:5 of the Code of Virginia, relating to the qualifications of persons authorized to take blood samples.

- H.B. 758.** A BILL to amend and reenact § 29.1-301 of the Code of Virginia, relating to exemptions from obtaining hunting, trapping, and fishing licenses.
- H.B. 787.** A BILL to amend and reenact § 16.1-305 of the Code of Virginia, relating to confidentiality of court records.
- H.B. 801.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-55.1, relating to hazing of youth gang members.
- H.B. 818.** A BILL to amend and reenact § 38.2-2114 of the Code of Virginia, relating to homeowners insurance; grounds for nonrenewal.
- H.B. 863.** A BILL to amend and reenact § 18.2-57.2 of the Code of Virginia, relating to third offense of assault and battery against a family or household member; penalty.
- H.B. 872.** A BILL to amend and reenact §§ 2.2-511, 18.2-186.3, 18.2-186.5 and 63.2-1809 of the Code of Virginia, relating to identity theft; fictitious name; DMV identity passport; authority of the Attorney General to institute or conduct criminal prosecutions in the circuit courts; penalties.
- H.B. 1022.** A BILL to amend the Code of Virginia by adding a section numbered 54.1-603.1, relating to the Department of Professional and Occupational Regulation; Auctioneers Board; continuing education.
- H.B. 1111.** A BILL to amend and reenact § 20-107.3 of the Code of Virginia, relating to divorce; property distribution.
- H.B. 1124.** A BILL to amend and reenact §§ 2.2-1153 and 2.2-1156 of the Code of Virginia, relating to the Division of Engineering and Buildings; surplus real property.
- H.B. 1233.** A BILL to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault, and violation of provisions of protective orders; penalty.
- H.B. 1261.** A BILL authorizing the Virginia Employment Commission to convey certain real property to the City of Petersburg.
- H.B. 1312.** A BILL to amend and reenact § 46.2-700 of the Code of Virginia, relating to specialized mobile safety equipment.
- H.B. 1330.** A BILL to amend and reenact §§ 2.2-603 and 2.2-2009 of the Code of Virginia, relating to the security of state government databases and data communications.
- H.B. 1407.** A BILL to amend and reenact §§ 38.2-5001, 38.2-5009, 38.2-5020 and 38.2-5021 of the Code of Virginia, relating to the Virginia Birth-Related Neurological Injury Compensation Act; assessment of participating hospitals and participating physicians.
- H.B. 1447.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-1822.1, relating to the Department of Accounts; recovery audits of state contracts.
- H.B. 1480.** A BILL to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

- H.B. 64.** A BILL to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.
- H.B. 182.** A BILL to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.
- H.B. 215.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying a concealed weapon; reciprocity.
- H.B. 464.** A BILL to amend and reenact §§ 58.1-3103 and 58.1-3983.1 of the Code of Virginia, relating to local taxes; appeals.
- H.B. 632.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-258.2, relating to unlawful procurement of prescription drugs for others; penalty.
- H.B. 812.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511, relating to sale of military grave markers.
- H.B. 856.** A BILL to amend and reenact §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303 of the Code of Virginia, relating to the practice of optometry.
- H.B. 918.** A BILL to amend and reenact § 35.1-25 of the Code of Virginia, relating to regulation of restaurants; exemption.
- H.B. 985.** A BILL to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.
- H.B. 1039.** A BILL to amend and reenact § 2.2-4301 of the Code of Virginia, relating to the Virginia Public Procurement Act; contracts for professional services.
- H.B. 1076.** A BILL to amend and reenact §§ 58.1-3400 and 58.1-3651 of the Code of Virginia, relating to property tax exemptions.
- H.B. 1094.** A BILL to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.
- H.B. 1142.** A BILL to amend and reenact §§ 29.1-573 of the Code of Virginia, relating to nonindigenous aquatic nuisance species.
- H.B. 1143.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-270.01, relating to DUI offenders; payment to Trauma Center Fund.
- H.B. 1144.** A BILL to amend and reenact §18.2-308.2:2 of the Code of Virginia, relating to firearms purchases Virginia by residents of another state and by residents of Virginia in another state.
- H.B. 1149.** A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by criminal street gangs; penalty.

**H.B. 1201.** A BILL to amend and reenact § 2.2-1111 of the Code of Virginia, relating to regulations of the Division of Purchases and Supply; outsourcing.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES WITH AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 184.** A BILL to amend and reenact § 18.2-52.1 of the Code of Virginia, relating to malicious bodily injury; penalty.

**H.B. 871.** A BILL to amend and reenact § 18.2-67.4:1 of the Code of Virginia, relating to infected sexual battery; penalty.

**H.B. 1427.** A BILL to amend and reenact §§ 24.2-303.2 and 24.2-304.02 of the Code of Virginia, relating to certain Senatorial and House of Delegates districts respectively.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The House bill communicated as passed by the House of Delegates, the first reading of its title required by the Constitution having been dispensed with, was referred as follows:

**H.B. 1489** was referred to the Committee on Rehabilitation and Social Services.

#### COMMITTEE REPORTS

Senator Stolle, from the Committee for Courts of Justice, presented the following reports:

#### SENATE OF VIRGINIA

March 8, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified for the respective circuit court judgeships, as follows:

The Honorable Norman Allan Thomas, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2004.

William Allan Sharrett, of Emporia, as a judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2004.

The Honorable Aundria D. Foster, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2004.

Daniel T. Balfour, of Henrico, as a judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

Timothy J. Battle, of Alexandria, as a judge of the Eighteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Nolan B. Dawkins, of Alexandria, as a judge of the Eighteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

Michael S. Irvine, of Buena Vista, as a judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing July 1, 2004.

Larry B. Kirksey, of Bristol, as a judge of the Twenty-eighth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Lonnie E. Farris, of Prince William, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing August 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

SENATE OF VIRGINIA

March 8, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified for the respective general district court judgeships, as follows:

Teresa N. McCrimmon, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing April 1, 2004.

James S. Mathews, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing May 1, 2004.

Mitchell I. Mutnick, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing May 1, 2004.

Gordon F. Saunders, of Lexington, as a judge of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2004.

Randal J. Duncan, of Radford, as a judge of the Twenty-seventh Judicial District for a term of six years commencing May 1, 2004.

Craig D. Johnston, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing August 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

SENATE OF VIRGINIA

March 8, 2004

TO THE SENATE OF VIRGINIA:

The Committee for Courts of Justice hereby certifies that the following persons are qualified for the respective juvenile and domestic relations district court judgeships, as follows:

Deborah V. Bryan, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing May 1, 2004.

Michael S. Mulkey, of Newport News, as a judge of the Seventh Judicial District for a term of six years commencing July 1, 2004.

Marvin H. Dunkum, Jr., of Buckingham, as a judge of the Tenth Judicial District for a term of six years commencing April 1, 2004.

Scott David Cardani, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

Michael HuYoung, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

Stuart L. Williams, Jr., of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

James S. Yoffy, of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

Constance H. Frogale, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing August 1, 2004.

Jean K. Niebauer, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing August 1, 2004.

Elizabeth Kellas, of Winchester, as a judge of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ Kenneth W. Stolle, Chairman  
Committee for Courts of Justice

**GUESTS PRESENTED**

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Stolle presented the family of the late Officer Rodney F. Pocceschi, Virginia Beach Police Officer, to the Senate.

**CALENDAR****UNFINISHED BUSINESS — SENATE**

**S.B. 172** (one hundred seventy-two), on motion of Senator Mims, was passed by for the day.

**S.B. 670** (six hundred seventy), on motion of Senator Newman, was passed by temporarily.

**S.B. 145** (one hundred forty-five) was taken up with the amendment in the nature of a substitute with amendments proposed by the House of Delegates, the title of the substitute, printed separately, and amendments being as follows:

A BILL to amend and reenact § 22.1-298 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 22.1-307.1, relating to teacher licensure and dismissal.

1. Line 87, substitute, after *held*  
strike  
*by the local school board*
2. Line 92, substitute  
strike  
all of lines 92 and 93
3. Line 96, substitute  
strike  
all of lines 96 through 102

On motion of Senator Cuccinelli, the substitute with amendments was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 156** (one hundred fifty-six), on motion of Senator Potts, was passed by temporarily.

**S.B. 204** (two hundred four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

Senator Quayle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--4. NAYS--36. RULE 36--0.

YEAS--Martin, Potts, Ruff, Williams--4.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--36.

RULE 36--0.

**S.B. 241** (two hundred forty-one) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 49, engrossed, after purposes.

insert

*However, such funds shall not be used for personnel costs within the circuit court clerks' offices.*

2. Line 66, engrossed, after fund

insert

(i)

3. Line 66, engrossed, after purposes of

strike

(i)

4. Line 70, engrossed, after provide

insert

*secure*

5. Line 74, engrossed, after *will accommodate*

insert

*secure*

6. Line 80, engrossed, after *Compensation Board*.

insert

*The individual circuit court clerk's office or its designated application service provider shall certify compliance with such security standards.*

7. Line 101, engrossed, after *locality*.

strike

the remainder of line 101, all of line 102 and through *Websites*. on line 103

On motion of Senator Norment, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 246** (two hundred forty-six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 31, engrossed, after *place*

strike

*or cause to be placed*

2. Line 34, engrossed

insert

2. That the provisions of this act shall not become effective unless reenacted by the 2005 Session of the General Assembly.

On motion of Senator Deeds, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 337** (three hundred thirty-seven) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 563, engrossed, after fifteen days  
 insert  
     *of receipt*
  
2. Line 776, engrossed, after C.  
 strike  
     *Except as specifically provided herein, the*  
 insert  
     The
  
3. Line 780, engrossed, after 2.  
 strike  
     ~~Except where specifically provided herein, The~~  
 insert  
     Except where specifically provided herein, the

On motion of Senator Stolle, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 523** (five hundred twenty-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 32, engrossed, after *Department*  
 strike  
     *shall*  
 insert  
     *may*
  
2. Line 36, engrossed, after *however*,  
 insert  
     *the Department may assist with*
  
3. Line 37, engrossed, after *Program*  
 strike  
     the remainder of line 37, all of line 38 and through *Program* on line 39  
 insert  
     *to the extent that funding is available*

On motion of Senator Hanger, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 547** (five hundred forty-seven) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 161, engrossed

insert

*s. Food Stamp recipients participating in the work experience component of the Food Stamp Employment and Training Program, who shall be deemed employees of the Commonwealth for the purposes of this title.*

2. Line 258, engrossed, after members

insert

*and certain Food Stamp Employment and Training Program participants*

3. Line 259, engrossed, after *in*

strike

*subsection E*

insert

*subsections E and F*

4. Line 285, engrossed

insert

*F. Food Stamp recipients participating in the work experience component of the Food Stamp Employment and Training Program as defined in subsection s of § 65.2-101 shall not be eligible to receive weekly compensation for total incapacity, whether permanent or temporary, regardless of whether the injury results in death.*

5. Line 285, engrossed, after members

insert

*and certain Food Stamp Employment and Training Program participants*

6. Line 286, engrossed, after *provided in*

strike

*subsection B*

insert

*subsections B and C*

7. Line 300, engrossed

insert

*C. Food Stamp recipients participating in the work experience component of the Food Stamp Employment and Training Program as defined in subsection s of § 65.2-101 shall not be eligible to receive weekly compensation for partial incapacity, whether permanent or temporary, regardless of whether the injury results in death.*

8. Line 301, engrossed, after *provided in*  
strike

*subsection F*

insert

*subsections F and G*

9. Line 326, engrossed  
insert

*G. No benefits shall be paid pursuant to subsections A, C, D or E to the dependents of a Food Stamp recipient participating in the work experience component of the Food Stamp Employment and Training Program as defined in subsection s of § 65.2-101.*

2. That an emergency exists and this act is in force from its passage.

On motion of Senator Puckett, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 549** (five hundred forty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

**S.B. 549**, on motion of Senator Puckett, was stricken from the Calendar.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 558** (five hundred fifty-eight) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 75, engrossed, after *expenses*  
insert  
*and reasonable attorney's fees*

On motion of Senator Norment, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 586** (five hundred eighty-six) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 49, engrossed  
strike  
lines 49 and 50

Senator Puckett moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The recorded vote is as follows:

YEAS--4. NAYS--36. RULE 36--0.

YEAS--Hawkins, Norment, Stolle, Ticer--4.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--36.

RULE 36--0.

**S.B. 606** (six hundred six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 64, engrossed, after ~~royalties~~,  
strike  
*and*

2. Line 65, engrossed, after *cargo*

insert

, and (iii) commercial facilities engaged in the business of selling or servicing watercraft

On motion of Senator Bolling, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 607** (six hundred seven) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 44, engrossed, after *D*.

strike

the remainder of line 44 and all of lines 45 and 46

insert

*No applicant for a license to provide treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements that has obtained a certificate of occupancy in accordance with the law and regulations in effect on January 1, 2004, shall be required to comply with the provisions of this section. No existing licensed provider shall be required to comply with the provisions of this section in any city or county in which it is currently providing such treatment.*

2. Line 47, engrossed, after *of*

insert

*subsection A of*

3. Line 48, engrossed, after 2.

strike

the remainder of line 48, all of lines 49 through 50 and through 3. on line 51

On motion of Senator Wampler, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 663** (six hundred sixty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 56-49.01, relating to natural gas companies' right of entry upon property.

On motion of Senator Wagner, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 664** (six hundred sixty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 30-19.03:1.2, relating to unemployment compensation; legislation affecting revenues.

On motion of Senator Wagner, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 687** (six hundred eighty-seven) was taken up with the amendment in the nature of a substitute with amendments proposed by the House of Delegates, the title of the substitute, printed separately, and amendments being as follows:

A BILL to amend and reenact §§ 38.2-5001, 38.2-5009 and 38.2-5020 of the Code of Virginia, relating to the Virginia Birth-Related Neurological Injury Compensation Act; assessment of participating hospitals and participating physicians.

1. Line 14, substitute, after infant  
strike

*weighing at least 2,000 grams at birth,*

2. Line 23, substitute, after here  
strike

*, with the exception of the threshold weight requirement of 2,000 grams,*

On motion of Senator Devolites, the substitute with amendments was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 100** (one hundred) was taken up.

On motion of Senator Devolites, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 124** (one hundred twenty-four) was taken up.

On motion of Senator Watkins, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 156** (one hundred fifty-six) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800, and 58.1-2501 of the Code of Virginia and to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 through 38.2-6113, relating to dental plan organizations.

On motion of Senator Potts, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 670** (six hundred seventy) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to construction of a U.S. Route 29 bypass around cities in certain counties.

On motion of Senator Newman, the substitute was agreed to.

The recorded vote is as follows:

YEAS--23. NAYS--16. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--23.

NAYS--Deeds, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Saslaw, Ticer, Whipple--16.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

**H.B. 106** (one hundred six), on motion of Senator Norment, was passed by for the day.

**H.B. 862** (eight hundred sixty-two), on motion of Senator Hawkins, was passed by for the day.

**H.B. 909** (nine hundred nine), on motion of Senator Reynolds, was passed by for the day.

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 3** (three).

**H.B. 158** (one hundred fifty-eight).

**H.B. 272** (two hundred seventy-two).

**H.B. 429** (four hundred twenty-nine).

**H.B. 453** (four hundred fifty-three).

**H.B. 545** (five hundred forty-five).

**H.B. 547** (five hundred forty-seven).

**H.B. 576** (five hundred seventy-six).

**H.B. 637** (six hundred thirty-seven).

**H.B. 692** (six hundred ninety-two).

**H.B. 710** (seven hundred ten).

**H.B. 712** (seven hundred twelve).  
**H.B. 817** (eight hundred seventeen).  
**H.B. 910** (nine hundred ten).  
**H.B. 1013** (one thousand thirteen).  
**H.B. 1014** (one thousand fourteen).  
**H.B. 1015** (one thousand fifteen).  
**H.B. 1154** (one thousand one hundred fifty-four).  
**H.B. 1171** (one thousand one hundred seventy-one).  
**H.B. 1182** (one thousand one hundred eighty-two).  
**H.B. 1213** (one thousand two hundred thirteen).  
**H.B. 1227** (one thousand two hundred twenty-seven).  
**H.B. 1231** (one thousand two hundred thirty-one).  
**H.B. 1291** (one thousand two hundred ninety-one).  
**H.B. 1294** (one thousand two hundred ninety-four).  
**H.B. 1346** (one thousand three hundred forty-six).  
**H.B. 1413** (one thousand four hundred thirteen).  
**H.B. 1425** (one thousand four hundred twenty-five).  
**H.B. 1443** (one thousand four hundred forty-three).  
**H.B. 1475** (one thousand four hundred seventy-five).

The motion was agreed to.

**H.B. 471** (four hundred seventy-one) was taken up, the committee amendments having been agreed to March 8, 2004.

The amendments were ordered to be engrossed.

**H.B. 429** (four hundred twenty-nine) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to reflectors or reflective material on the rear end of certain trailers.

The reading of the substitute was waived.

On motion of Senator Williams, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 453** (four hundred fifty-three) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 195, engrossed, after line 194  
insert
2. That the provisions of this act shall become effective on January 1, 2005.

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 545** (five hundred forty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to require the Virginia Research and Technology Advisory Commission (VRTAC) to continue its examination of establishing integrated research and academic campuses in the Commonwealth.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 817** (eight hundred seventeen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1015** (one thousand fifteen) was taken up.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 16, engrossed, after reproduction,  
strike  
remainder of line 16, all of lines 17 and 18, and through *law* ] on line 19  
insert  
*the prevention of and responses to sexual assault, including the need for immediate medical attention,*
2. Line 26, engrossed  
strike  
all of lines 26 through 29

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1182** (one thousand one hundred eighty-two) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 4, engrossed, Title, after *Bridge*  
strike  
remainder of line 4 and all of lines 5 and 6  
insert  
.”
2. Line 16, engrossed  
strike  
all of lines 16 through 19

The reading of the amendments was waived.

On motion of Senator Williams, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1346** (one thousand three hundred forty-six) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 18, engrossed, after *commercial*  
insert  
*motor*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1443** (one thousand four hundred forty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 22.1-3, 22.1-5, and 22.1-270 of the Code of Virginia, relating to the admission of certain persons to the public schools of the Commonwealth.

The reading of the substitute was waived.

On motion of Senator Potts, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:



insert  
selected from among

3. Line 512, engrossed, after Association  
strike  
*, if any*

4. Line 1923, engrossed, after House  
insert  
~~one each from~~ *of Delegates*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

**H.B. 1231**, on motion of Senator Whipple, was passed by for the day.

**H.B. 1425** (one thousand four hundred twenty-five) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 30, engrossed, after *with an*  
insert  
*approved surplus lines carrier or*

The reading of the amendment was waived.

On motion of Senator Williams, the amendment was agreed to.

**H.B. 1425**, on motion of Senator Hanger, was passed by for the day.

**H.B. 734** (seven hundred thirty-four) was taken up.

The following amendment proposed by the Committee for Courts of Justice on February 23, 2004, was offered:

1. Line 18, engrossed, after *jury duty*  
insert  
*outside their normal hours of employment*

The reading of the amendment was waived.

Senator Stolle moved that amendment No. 1 be rejected.

The question was put on agreeing to amendment No. 1.

Amendment No. 1 was rejected.

The following amendments proposed by the Committee for Courts of Justice on March 8, 2004, were offered:

2. Line 18, engrossed, after ~~serve on~~

strike  
                   *required to appear for*  
 insert  
                   *summoned to serve on*

3. Line 19, engrossed, after ~~day~~  
 strike  
                   *date*  
 insert  
                   *day*

4. Line 21, engrossed, after line 20  
 insert

2. That the provisions of this act shall become effective July 1, 2005.

The reading of the amendments was waived.

On motion of Senator Stolle, amendments Nos. 2, 3, and 4 were agreed to.

The amendments were ordered to be engrossed.

**H.B. 734**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 390** (three hundred ninety), on motion of Senator O'Brien, was passed by for the day.

**H.B. 1430** (one thousand four hundred thirty), on motion of Senator Stolle, was passed by for the day.

**H.B. 360** (three hundred sixty) was read by title the third time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 25, engrossed, after *published*  
 insert  
                   *in a newspaper of general circulation in the locality where the sale is to be held*  
                   *once a week for two successive weeks and*

The reading of the amendment was waived.

Senator Mims moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Mims offered the following amendments:

1. Line 25, engrossed, after *prosecution*,  
strike

*and*

2. Line 27, engrossed, after *personal property*  
strike

*. Such property*

3. Line 27, engrossed, after *Police*,  
insert

*which*

4. Line 29, engrossed, after *sale*  
insert

*, and (iv) cause to be published in a newspaper of general circulation in the locality where the sale is to be held once a week for two successive weeks prior to the sale, a notice that includes the date, time, place of the sale, general description of items to be sold and the State Police website address*

On motion of Senator Mims, the reading of the amendments was waived.

On motion of Senator Mims, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 360**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Reynolds--1.

RULE 36--0.

**H.B. 1357** (one thousand three hundred fifty-seven) was taken up, the committee substitute having been offered on March 8, 2004.

On motion of Senator Stosch, the substitute was agreed to.

Senator Houck offered the following amendment to the substitute:

1. Line 43, substitute, after *public meeting*,  
strike

~~The notice provisions of this chapter shall not apply to informal meetings or gatherings of the members of the General Assembly.~~

insert

The notice provisions of this chapter shall not apply to informal meetings or gatherings of the members of the General Assembly.

On motion of Senator Houck, the reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

**H.B. 1357**, on motion of Senator Stosch, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Cuccinelli, Devolites, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--29.

NAYS--Bolling, Colgan, Deeds, Edwards, Hanger, Locke, Martin, Mims, Puckett, Reynolds--10.  
RULE 36--0.

**H.B. 38** (thirty-eight) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59, 46.2-749.69 of the Code of Virginia, to amend the Code of Virginia by sections numbered 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, and 46.2-749.98:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, and 46.2-749.98 of the Code of Virginia, relating to special license plates; supporters of adoption programs offered by the Virginia Department of Social Services and licensed Virginia nonprofit child-placing services, Mothers Against Drunk Driving, Project Lifesaver, the Interdenominational Children's Foundation of Virginia, the Boy Scouts of America, and the Juvenile Diabetes Research Foundation; members and associates of court-appointed special advocate programs; members of the American Legion; commemorating the 200th anniversary of the Town of Occoquan, the 350th anniversary of the County of New Kent, the 150th anniversary of Burke's Station, and the 275th anniversary of the County of Prince William; retired law-enforcement officers; U.S. Navy chief petty officers; bicycle enthusiasts; Langley Air Force Base; professional stock car drivers; parachutists; persons awarded the Combat Infantryman Badge; and general registrars; fees.

The reading of the substitute was waived.

On motion of Senator Williams, the substitute was agreed to.

Senator Newman offered the following amendments to the substitute:

1. Line 22, substitute, Title, after *stock car drivers*;  
strike  
*parachutists*

insert

*paratroopers*

2. Line 39, substitute, after *license plates*;

strike

*parachutists*

insert

*paratroopers*

3. Line 41, substitute

strike

*parachutist*

insert

*paratrooper*

4. Line 41, substitute, after *or former*

strike

*parachutist*

insert

*paratrooper*

On motion of Senator Newman, the reading of the amendments was waived.

On motion of Senator Newman, the amendments were agreed to.

The substitute with amendments was ordered to be engrossed.

**H.B. 38**, on motion of Senator Newman, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--2. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Whipple, Williams--36.

NAYS--Blevins, Watkins--2.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Wagner stated that he was recorded as not voting on the question of the passage of **H.B. 38**, whereas he intended to vote yea.

**H.B. 380** (three hundred eighty) was read by title the third time.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 161, engrossed, after C.

strike

[Repealed.]

*D.*

2. Line 162, engrossed, after *proposed charter*  
strike

*agreement*

insert

*application*

3. Line 164, engrossed, after *curriculum, financial soundness, and other*  
insert

*objective*

4. Line 164, engrossed, after *criteria as the Board may establish,*  
strike

remainder of line 164 and all of line 165

insert

*consistent with existing state law. The Board's review and comment shall be for the purpose of ensuring that the application conforms with such criteria, but shall not include consideration as to whether the application shall be approved by the local school board.*

The reading of the amendments was waived.

On motion of Senator Potts, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 380**, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--32. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--32.

NAYS--Deeds, Edwards, Marsh, Puller, Reynolds, Ticer, Whipple--7.

RULE 36--0.

**H.B. 1018** (one thousand eighteen) was read by title the third time and, on motion of Senator Potts, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Whipple--28.

NAYS--Chichester, Cuccinelli, Hanger, Obenshain, O'Brien, Puckett, Saslaw, Wagner, Wampler, Watkins, Williams--11.

RULE 36--0.

**H.B. 1376** (one thousand three hundred seventy-six) was read by title the third time and, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--0.

YEAS--Bell, Colgan, Cuccinelli, Edwards, Locke, Lucas, Miller, Norment, Obenshain, O'Brien, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Watkins, Whipple, Williams--20.

NAYS--Blevins, Bolling, Chichester, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Marsh, Martin, Mims, Newman, Puckett, Reynolds, Ruff, Wagner, Wampler--19.

RULE 36--0.

**H.B. 1383** (one thousand three hundred eighty-three) was read by title the third time and, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 1419** (one thousand four hundred nineteen) was read by title the third time.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 332, engrossed, after line 331

insert

2. That if the project contemplated by this act is not constructed because of opposition from a metropolitan planning organization and the Federal Highway Administration requires the Commonwealth to reimburse the federal government for federal funds expended in connection with such project, an amount equal to the amount of such reimbursement shall be deducted by the Commonwealth Transportation Board from primary system highway construction funds allocated or allocable to the highway construction district in which the project was located. Furthermore, in the event of such nonconstruction, an amount equal to the total of all state funds expended on such project shall be deducted by the Commonwealth Transportation Board from primary system highway construction funds allocated or allocable to the highway construction district in which the project was located.

The reading of the amendment was waived.

Senator Newman moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The yeas and nays were called for; and, being desired by one-fifth of the Senators present, the yeas and nays were ordered.

The recorded vote is as follows:

YEAS--23. NAYS--17. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--23.

NAYS--Colgan, Deeds, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Saslaw, Ticer, Whipple--17.

RULE 36--0.

The amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1419**, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--14. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hawkins, Howell, Lambert, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--26.

NAYS--Colgan, Deeds, Edwards, Hanger, Houck, Locke, Lucas, Marsh, Miller, Puckett, Puller, Reynolds, Ticer, Whipple--14.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 1357** (one thousand three hundred fifty-seven) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1357**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--26. NAYS--14. RULE 36--0.

YEAS--Bell, Blevins, Cuccinelli, Devolites, Hawkins, Houck, Howell, Lambert, Lucas, Miller, Newman, Norment, Obenshain, O'Brien, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--26.

NAYS--Bolling, Chichester, Colgan, Deeds, Edwards, Hanger, Locke, Marsh, Martin, Mims, Potts, Puckett, Reynolds, Watkins--14.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 1018** (one thousand eighteen) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1018**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--23. NAYS--17. RULE 36--0.

YEAS--Blevins, Bolling, Deeds, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Potts, Puller, Quayle, Rerras, Ruff, Ticer, Whipple--23.

NAYS--Bell, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Obenshain, O'Brien, Puckett, Reynolds, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--17.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

Senator Norment moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:

**H.B. 59** (fifty-nine).

**H.B. 120** (one hundred twenty).

**H.B. 250** (two hundred fifty).

**H.B. 504** (five hundred four).

**H.B. 511** (five hundred eleven).

**H.B. 592** (five hundred ninety-two).

**H.B. 593** (five hundred ninety-three).

**H.B. 686** (six hundred eighty-six).

**H.B. 733** (seven hundred thirty-three).

**H.B. 846** (eight hundred forty-six).  
**H.B. 916** (nine hundred sixteen).  
**H.B. 993** (nine hundred ninety-three).  
**H.B. 1055** (one thousand fifty-five).  
**H.B. 1137** (one thousand one hundred thirty-seven).  
**H.B. 1155** (one thousand one hundred fifty-five).  
**H.B. 1379** (one thousand three hundred seventy-nine).  
**H.B. 1388** (one thousand three hundred eighty-eight).  
**H.B. 137** (one hundred thirty-seven).  
**H.B. 402** (four hundred two).  
**H.B. 430** (four hundred thirty).  
**H.B. 529** (five hundred twenty-nine).  
**H.B. 624** (six hundred twenty-four).  
**H.B. 688** (six hundred eighty-eight).  
**H.B. 751** (seven hundred fifty-one).  
**H.B. 754** (seven hundred fifty-four).  
**H.B. 1127** (one thousand one hundred twenty-seven).  
**H.B. 1130** (one thousand one hundred thirty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 59** (fifty-nine), on motion of Senator Watkins, was passed by for the day.

The following House bills were read by title the third time:

**H.B. 120** (one hundred twenty).  
**H.B. 592** (five hundred ninety-two).  
**H.B. 733** (seven hundred thirty-three).  
**H.B. 916** (nine hundred sixteen).  
**H.B. 1388** (one thousand three hundred eighty-eight).

**H.B. 250** (two hundred fifty) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 14, engrossed, after *(ii) as*  
strike  
*a*  
insert  
*the sole and proximate*
2. Line 17, engrossed, after appropriation

strike

remainder of line 17 and all of line 18

insert

cannot be determined for periods of imprisonment in state adult correctional facilities and cannot be determined for

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 504** (five hundred four) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 30, engrossed, after ~~appropriation~~

strike

*shall be appropriated*

insert

held by such treasurer subject to appropriation

2. Line 31, engrossed, after *sheriff*,

strike

remainder of line 31 and all of lines 32 and 33

insert

*equipment and other personal property used in connection with courthouse security.*

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 511** (five hundred eleven) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 593** (five hundred ninety-three) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-392 of the Code of Virginia, relating to penalties for aggressive driving.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 846** (eight hundred forty-six) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 23-9.8:1, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-235, relating to the Brown v. Board of Education Scholarship Program and Fund.

The reading of the substitute was waived.

On motion of Senator Chichester, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 993** (nine hundred ninety-three) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 28, engrossed, after appropriation  
strike  
is  
insert  
cannot be determined
2. Line 29, engrossed, after facilities and  
insert  
is \$0

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1055** (one thousand fifty-five) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 5, engrossed, Title, after ~~48.2-386~~

insert

18.2-386

2. Line 170, engrossed, after ~~18.2-386~~

insert

18.2-386

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1137** (one thousand one hundred thirty-seven) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 3, engrossed, Title, after *reenact*

strike

remainder of line 3 and all of line 4

insert

*§ 46.2-417 of the Code of Virginia, relating to driver's license suspension for nonpayment of certain judgments.*

2. Line 10, engrossed, after That

strike

remainder of line 10 and all of lines 11 through 24

insert

§ 46.2-417 of the Code of Virginia is amended and reenacted as follows:

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1155** (one thousand one hundred fifty-five) was read by title the third time.

The following amendments proposed by the Committee on Commerce and Labor were offered:

1. Line 89, engrossed, after 3.

strike

remainder of line 89, all of line 90, and through 4. on line 91

2. Line 93, engrossed

strike

5.

insert

4.

3. Line 436, engrossed, after *section*

strike  
5  
insert  
4

4. Line 553, engrossed, after *person*  
strike  
[ , including the attorney general, ]

The reading of the amendments was waived.

On motion of Senator Wampler, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1379** (one thousand three hundred seventy-nine) was read by title the third time.

The following amendments proposed by the Committee for Courts of Justice were offered:

1. Line 12, engrossed  
strike  
A.
2. Line 23, engrossed  
strike  
all of lines 23 through 37

The reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The amendments were ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

- H.B. 120** (one hundred twenty).  
**H.B. 250** (two hundred fifty) with amendments.  
**H.B. 504** (five hundred four) with amendments.  
**H.B. 511** (five hundred eleven) with substitute.  
**H.B. 592** (five hundred ninety-two).  
**H.B. 593** (five hundred ninety-three) with substitute.  
**H.B. 733** (seven hundred thirty-three).  
**H.B. 846** (eight hundred forty-six) with substitute.  
**H.B. 916** (nine hundred sixteen).  
**H.B. 993** (nine hundred ninety-three) with amendments.  
**H.B. 1055** (one thousand fifty-five) with amendments.  
**H.B. 1137** (one thousand one hundred thirty-seven) with amendments.  
**H.B. 1155** (one thousand one hundred fifty-five) with amendments.

**H.B. 1379** (one thousand three hundred seventy-nine) with amendments.

**H.B. 1388** (one thousand three hundred eighty-eight).

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 686** (six hundred eighty-six) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Cuccinelli, Martin, O'Brien--3.

RULE 36--0.

## HOUSE BILLS ON THIRD READING

### RECONSIDERATION

Senator Quayle moved to reconsider the vote by which **H.B. 1376** (one thousand three hundred seventy-six) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1376**, on motion of Senator Williams, was passed with its title.

The recorded vote is as follows:

YEAS--21. NAYS--17. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Edwards, Lambert, Locke, Lucas, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Saslaw, Stosch, Ticer, Watkins, Whipple, Williams--21.

NAYS--Colgan, Deeds, Devolites, Hanger, Houck, Howell, Martin, Miller, Mims, Newman, Norment, Puckett, Reynolds, Ruff, Stolle, Wagner, Wampler--17.

RULE 36--0.

### RECONSIDERATION

Senator Reynolds moved to reconsider the vote by which **H.B. 909** (nine hundred nine) was passed by for the day.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 909**, on motion of Senator Reynolds, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON SECOND READING

**H.B. 137** (one hundred thirty-seven) was read by title the third time.

Senator Stolle moved that the bill be passed with its title.

The question was put on passing the bill with its title.

**H.B. 137** was defeated with its title.

The recorded vote is as follows:

YEAS--19. NAYS--21. RULE 36--0.

YEAS--Bolling, Deeds, Edwards, Houck, Howell, Lucas, Marsh, Miller, Mims, Norment, Obenshain, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Whipple--19.

NAYS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Lambert, Locke, Martin, Newman, O'Brien, Potts, Puckett, Ruff, Ticer, Wagner, Wampler, Watkins, Williams--21.

RULE 36--0.

**H.B. 402** (four hundred two) was read by title the third time.

The following amendment proposed by the Committee for Courts of Justice was offered:

1. Line 117, engrossed, after *permit*

insert

*and a revocation of the de facto permit*

The reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 402**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Lambert, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--30.

NAYS--Colgan, Devolites, Howell, Locke, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--10.

RULE 36--0.

**H.B. 430** (four hundred thirty), on motion of Senator Stolle, was passed by for the day.

**H.B. 529** (five hundred twenty-nine) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Howell, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--27.

NAYS--Deeds, Edwards, Lambert, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--11.

RULE 36--0.

**H.B. 624** (six hundred twenty-four) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 8.01-380 of the Code of Virginia, relating to nonsuits.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 624**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Quayle--1.

RULE 36--0.

### RECONSIDERATION

Senator Devolites moved to reconsider the vote by which **H.B. 137** (one hundred thirty-seven) was defeated with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 137**, on motion of Senator Mims, was passed by for the day.

**H.B. 688** (six hundred eighty-eight) was read by title the third time and, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 751** (seven hundred fifty-one) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 20-45.3, relating to the Affirmation of Marriage Act for the Commonwealth of Virginia.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

**H.B. 751**, on motion of Senator Howell, was passed by for the day.

**H.B. 754** (seven hundred fifty-four) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Commerce and Labor was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 56-1, 56-49, and 56-265.1 of the Code of Virginia, relating to public service corporations; limited liability companies.

The reading of the substitute was waived.

On motion of Senator Watkins, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 754**, on motion of Senator Watkins, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, Reynolds, Ruff--3.

RULE 36--0.

**H.B. 1127** (one thousand one hundred twenty-seven) was read by title the third time and, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--33.

NAYS--Deeds, Edwards, Lambert, Marsh, Puckett, Reynolds--6.

RULE 36--0.

**H.B. 1130** (one thousand one hundred thirty) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee for Courts of Justice was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to forfeiture of vehicle for third DUI offense.

The reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1130**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Deeds, Edwards, Hanger, Hawkins, Houck, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Williams--29.

NAYS--Colgan, Cuccinelli, Devolites, Howell, Lambert, Locke, Lucas, Miller, Puller, Watkins, Whipple--11.

RULE 36--0.

### RECONSIDERATION

Senator Quayle moved to reconsider the vote by which **H.B. 754** (seven hundred fifty-four) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 754**, on motion of Senator Quayle, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Cuccinelli, Reynolds, Ruff--3.

RULE 36--Potts--1.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 686** (six hundred eighty-six) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 686**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Cuccinelli, O'Brien--2.

RULE 36--0.

### RECONSIDERATION

Senator Norment moved to reconsider the vote by which **H.B. 1127** (one thousand one hundred twenty-seven) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1127**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--33. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Howell, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--33.

NAYS--Deeds, Edwards, Lambert, Marsh, Puckett, Reynolds--6.

RULE 36--0.

#### HOUSE JOINT RESOLUTIONS ON THIRD READING

Senator Norment moved that the following House joint resolutions, the titles of the joint resolutions having been printed in the Calendar for their third reading, be placed before the Senate by number only:

**H.J.R. 6** (six).

**H.J.R. 13** (thirteen).

**H.J.R. 34** (thirty-four).

**H.J.R. 71** (seventy-one).

**H.J.R. 72** (seventy-two).

**H.J.R. 79** (seventy-nine).

**H.J.R. 103** (one hundred three).

**H.J.R. 105** (one hundred five).

**H.J.R. 114** (one hundred fourteen).

**H.J.R. 117** (one hundred seventeen).

**H.J.R. 118** (one hundred eighteen).

**H.J.R. 120** (one hundred twenty).

**H.J.R. 122** (one hundred twenty-two).

**H.J.R. 123** (one hundred twenty-three).

**H.J.R. 124** (one hundred twenty-four).

**H.J.R. 125** (one hundred twenty-five).

**H.J.R. 126** (one hundred twenty-six).

**H.J.R. 132** (one hundred thirty-two).

**H.J.R. 133** (one hundred thirty-three).

**H.J.R. 134** (one hundred thirty-four).

**H.J.R. 152** (one hundred fifty-two).

**H.J.R. 153** (one hundred fifty-three).

**H.J.R. 154** (one hundred fifty-four).

**H.J.R. 162** (one hundred sixty-two).

**H.J.R. 163** (one hundred sixty-three).

**H.J.R. 164** (one hundred sixty-four).

**H.J.R. 168** (one hundred sixty-eight).  
**H.J.R. 170** (one hundred seventy).  
**H.J.R. 172** (one hundred seventy-two).  
**H.J.R. 174** (one hundred seventy-four).  
**H.J.R. 176** (one hundred seventy-six).  
**H.J.R. 180** (one hundred eighty).  
**H.J.R. 183** (one hundred eighty-three).  
**H.J.R. 185** (one hundred eighty-five).  
**H.J.R. 186** (one hundred eighty-six).  
**H.J.R. 192** (one hundred ninety-two).  
**H.J.R. 193** (one hundred ninety-three).  
**H.J.R. 194** (one hundred ninety-four).  
**H.J.R. 195** (one hundred ninety-five).  
**H.J.R. 196** (one hundred ninety-six).  
**H.J.R. 197** (one hundred ninety-seven).  
**H.J.R. 205** (two hundred five).  
**H.J.R. 225** (two hundred twenty-five).  
**H.J.R. 228** (two hundred twenty-eight).  
**H.J.R. 247** (two hundred forty-seven).  
**H.J.R. 259** (two hundred fifty-nine).  
**H.J.R. 260** (two hundred sixty).  
**H.J.R. 261** (two hundred sixty-one).  
**H.J.R. 278** (two hundred seventy-eight).  
**H.J.R. 287** (two hundred eighty-seven).  
**H.J.R. 288** (two hundred eighty-eight).  
**H.J.R. 291** (two hundred ninety-one).  
**H.J.R. 292** (two hundred ninety-two).

The motion was agreed to.

**H.J.R. 34** (thirty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study the Virginia Retirement System and review the benefits of public safety officers who are injured in the line of duty. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 71** (seventy-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Requesting 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 individuals with limited English proficiency who are lawfully in the United States and to identify, prioritize and estimate the costs of translating significant information and documents used by agencies and service providers within the Secretariat. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 103** (one hundred three) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 4, engrossed, Title, after *for*  
insert  
*and cost of*
2. Line 4, engrossed, Title, after *services*  
insert  
*, policies, and program management*
3. Line 52, engrossed, after *for*  
insert  
*and cost of*
4. Line 53, engrossed, after *services*  
insert  
*, policies, and program management*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 105** (one hundred five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study the level of the Commonwealth's assistance to localities that is necessary for developing adequate K-12 school infrastructure. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 114** (one hundred fourteen) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Directing 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. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 122** (one hundred twenty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Directing the Virginia State Crime Commission to study campus safety at Virginia's public and private institutions of higher education. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 132** (one hundred thirty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Recognizing the Entrepreneurial Education Region of Virginia with appropriate postings of the entrances to the region along Interstate Routes 77 and 81, and U.S. Routes 52, 58, 100, and 221 by the relevant localities comprising the region. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 153** (one hundred fifty-three) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 4, engrossed, Title, after *underground*

strike  
*in urban areas*

2. Line 20, engrossed, after underground  
strike  
*in urban areas*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 154** (one hundred fifty-four) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 29, engrossed  
strike  
health own  
insert  
own health

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 162** (one hundred sixty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study the desirability and feasibility of issuing “smart” driver's licenses and identification cards in Virginia. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 170** (one hundred seventy) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Continuing the Commission on Growth and Economic Development. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 176** (one hundred seventy-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Establishing a joint subcommittee to study the impact of collecting remote sales taxes on the economy of the Commonwealth. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 185** (one hundred eighty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Continuing the U.S. Route 460 Communications Committee. Report.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

Senator Norment offered the following amendment to the substitute:

1. Line 39, substitute, after to serve.  
strike

The ex officio members

insert

The Commonwealth Transportation Commissioner or his designee; the Executive Director of the Virginia Port Authority or his designee; the Director of the Virginia Department of Environmental Quality or his designee; the Executive Director of the Hampton Roads Planning District Commission or his designee; and the Executive Director of the Crater Planning District Commission or his designee

On motion of Senator Norment, the reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

**H.J.R. 192** (one hundred ninety-two) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 59, engrossed, after and, be it  
insert

RESOLVED FURTHER, That any action anticipated to enforce No Child Left Behind be deferred until full funding to implement the law has been authorized; and, be it

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 194** (one hundred ninety-four) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 4, engrossed, Title, after *Rescinding*  
insert

*and withdrawing all*

2. Line 4, engrossed, Title, after *Assembly*  
strike

*calling for*

insert

*applying to the Congress of the United States to call*

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 228** (two hundred twenty-eight) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 21, engrossed, after be  
strike

encouraged to purchase

insert

apprised of the benefits of purchasing

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 247** (two hundred forty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Memorializing the Congress of the United States to promptly enact the State Waste Empowerment and Enforcement Provision Act of 2003 (HR 1123).

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 260** (two hundred sixty) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 16, engrossed, after choices  
strike  
such as water, fruits, yogurt, juices and sports drinks

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 278** (two hundred seventy-eight) was taken up.

The following amendment proposed by the Committee on Rules was offered:

1. Line 28, engrossed, after concurring,  
insert  
That the members of the National Guard and Reserve be recognized and supported by conducting awareness programs and by holding Military Appreciation Day and other ceremonies; and, be it  
RESOLVED FURTHER,

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 291** (two hundred ninety-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Encouraging the Commonwealth Transportation Board and the Virginia Department of Transportation, upon completion of the 18-month NEPA environmental review, to consider various ways to address congestion and safety problems on Interstate 81.

The reading of the substitute was waived.

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Norment moved that the questions on agreeing to the House joint resolutions that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House joint resolutions were agreed to en bloc:

**H.J.R. 6** (six).

**H.J.R. 13** (thirteen).

**H.J.R. 34** (thirty-four) with substitute.

**H.J.R. 71** (seventy-one) with substitute.

**H.J.R. 72** (seventy-two).

**H.J.R. 79** (seventy-nine).

**H.J.R. 103** (one hundred three) with amendments.

**H.J.R. 105** (one hundred five) with substitute.

**H.J.R. 114** (one hundred fourteen) with substitute.

**H.J.R. 117** (one hundred seventeen).

**H.J.R. 118** (one hundred eighteen).

**H.J.R. 120** (one hundred twenty).

**H.J.R. 122** (one hundred twenty-two) with substitute.

**H.J.R. 123** (one hundred twenty-three).

**H.J.R. 124** (one hundred twenty-four).

**H.J.R. 125** (one hundred twenty-five).

**H.J.R. 126** (one hundred twenty-six).

**H.J.R. 132** (one hundred thirty-two) with substitute.

**H.J.R. 133** (one hundred thirty-three).

**H.J.R. 134** (one hundred thirty-four).

**H.J.R. 152** (one hundred fifty-two).

**H.J.R. 153** (one hundred fifty-three) with amendments.

**H.J.R. 154** (one hundred fifty-four) with amendment.

**H.J.R. 162** (one hundred sixty-two) with substitute.

**H.J.R. 163** (one hundred sixty-three).

**H.J.R. 164** (one hundred sixty-four).

**H.J.R. 168** (one hundred sixty-eight).

**H.J.R. 170** (one hundred seventy) with substitute.

**H.J.R. 172** (one hundred seventy-two).

**H.J.R. 174** (one hundred seventy-four).

**H.J.R. 176** (one hundred seventy-six) with substitute.

**H.J.R. 180** (one hundred eighty).

**H.J.R. 183** (one hundred eighty-three).

**H.J.R. 185** (one hundred eighty-five) with substitute with amendment.

**H.J.R. 186** (one hundred eighty-six).

**H.J.R. 192** (one hundred ninety-two) with amendment.

**H.J.R. 193** (one hundred ninety-three).

**H.J.R. 194** (one hundred ninety-four) with amendments.

**H.J.R. 195** (one hundred ninety-five).

**H.J.R. 196** (one hundred ninety-six).  
**H.J.R. 197** (one hundred ninety-seven).  
**H.J.R. 205** (two hundred five).  
**H.J.R. 225** (two hundred twenty-five).  
**H.J.R. 228** (two hundred twenty-eight) with amendment.  
**H.J.R. 247** (two hundred forty-seven) with substitute.  
**H.J.R. 259** (two hundred fifty-nine).  
**H.J.R. 260** (two hundred sixty) with amendment.  
**H.J.R. 261** (two hundred sixty-one).  
**H.J.R. 278** (two hundred seventy-eight) with amendment.  
**H.J.R. 287** (two hundred eighty-seven).  
**H.J.R. 288** (two hundred eighty-eight).  
**H.J.R. 291** (two hundred ninety-one) with substitute.  
**H.J.R. 292** (two hundred ninety-two).

**H.J.R. 82** (eighty-two) was read by title the third time.

The following amendments proposed by the Committee on Rules were offered:

1. Line 6, engrossed, Title, after *collect*  
strike  
*information*  
insert  
*sales tax data*
2. Line 18, engrossed, after collect  
strike  
information  
insert  
sales tax data
3. Line 20, engrossed  
strike  
information pertaining to the economic impact  
insert  
sales tax collections for businesses in the immediate vicinity
4. Line 22, engrossed, after year  
strike  
in each biennium over  
insert  
within

The reading of the amendments was waived.

On motion of Senator Norment, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 82**, on motion of Senator Norment, was agreed to.

**H.J.R. 187** (one hundred eighty-seven) was read by title the third time.



The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.J.R. 142** was read by title the third time.

The following amendment proposed by the Committee on Rules was offered:

1. Line 66, engrossed, after exceed  
strike  
\$6,000  
insert  
\$3,000

The reading of the amendment was waived.

On motion of Senator Norment, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.J.R. 142**, on motion of Senator Norment, was agreed to.

### CONFERENCE PROCEDURES

Senator Stosch, Chair of the Committee on General Laws, appointed Senators Devolites, Bell, and Lambert, the conferees on the part of the Senate for **S.B. 100** (one hundred).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Watkins, Cuccinelli, and Whipple, the conferees on the part of the Senate for **S.B. 124** (one hundred twenty-four).

### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 9, 2004

**H.B. 69.** An Act to amend and reenact § 2.2-1839 of the Code of Virginia, relating to participants in risk management plans.

**H.B. 118.** An Act to amend and reenact § 19.2-66 of the Code of Virginia, relating to when Attorney General may apply for wiretap orders.

**H.B. 119.** An Act to amend and reenact § 18.2-46 of the Code of Virginia, relating to criminal venue in mob crime cases.

- H.B. 153.** An Act to amend and reenact §§ 55-222, 55-248.4, and 55-248.37 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-248.7:2, relating to landlord and tenant law; termination of tenancies; security deposit.
- H.B. 159.** An Act to amend and reenact § 32.1-263 of the Code of Virginia, relating to vital records; filing of death certificates.
- H.B. 224.** An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to medical assistance services; marriage and family therapy.
- H.B. 234.** An Act to amend the Code of Virginia by adding a section numbered 66-3.2, relating to the Department of Juvenile Justice; additional duties of the Director.
- H.B. 283.** An Act to amend the Code of Virginia by adding in Chapter 43 of Title 54.1 a section numbered 54.1-4306, relating to regulation of itinerant merchants; penalty.
- H.B. 286.** An Act to amend and reenact § 18.2-308.1 of the Code of Virginia, relating to possession of weapon on school property.
- H.B. 302.** An Act to direct the Department of General Services to establish a statewide contract for telephonic language interpretation services and other interpretation and translation services.
- H.B. 324.** An Act to amend and reenact § 18.2-254 of the Code of Virginia, relating to escape from a drug treatment facility.
- H.B. 391.** An Act to amend and reenact §§ 32.1-102.3 and 32.1-102.6 of the Code of Virginia, relating to criteria for determining need; local governing body to join with applicant under certain circumstances; certificate of public need for medical care facilities.
- H.B. 422.** An Act to amend and reenact § 54.1-1115 of the Code of Virginia, relating to the Board for Contractors; prohibited acts; misrepresentation; penalty.
- H.B. 423.** An Act to amend the Code of Virginia by adding a section numbered 36-99.6:3, relating to the Uniform Statewide Building Code; regulation of HVAC facilities.
- H.B. 448.** An Act to amend and reenact §§ 55-362 and 55-374 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 55-376.1, relating to the Virginia Real Estate Time-Share Act; possibility of reverter.
- H.B. 463.** An Act to amend and reenact § 54.1-503 of the Code of Virginia, relating to the Department of Professional and Occupational Regulation; Board for Asbestos, Lead, and Home Inspectors; necessity for license.
- H.B. 467.** An Act to amend and reenact § 2.2-3101 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 2.2-3100.1, and to amend the Code of Virginia by adding in Chapter 31 of Title 2.2 an article numbered 8, consisting of sections numbered 2.2-3128 through 2.2-3131, relating to the State and Local Government Conflict of Interests Act and orientation programs for public personnel.
- H.B. 478.** An Act to amend and reenact §§ 2.2-2006, 2.2-4343, and 23-77.4 of the Code of Virginia, relating to information technology and telecommunications at the University of Virginia Medical Center.

- H.B. 494.** An Act to amend and reenact § 37.1-134.17 of the Code of Virginia, relating to standby guardianship.
- H.B. 501.** An Act to amend and reenact Chapter 912 of the Acts of Assembly of 2000, relating to amendment of certain certificate of public need.
- H.B. 503.** An Act to amend and reenact § 59.1-148.3 of the Code of Virginia, relating to the purchase of handguns by certain officers.
- H.B. 524.** An Act to amend and reenact § 54.1-2729 of the Code of Virginia, relating to the Board of Dentistry; continuing education for dental hygienists.
- H.B. 617.** An Act to amend and reenact § 23-215 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 1 of Title 23 a section numbered 23-9.2:7, relating to distance learning in higher education.
- H.B. 618.** An Act to amend and reenact § 44-93.5 of the Code of Virginia, relating to enforcement of provisions protecting job security of members of the military reserves.
- H.B. 622.** An Act relating to the use of natural cut Christmas trees in the common areas of places of worship and in apartment dwelling units that do not have automatic sprinkler systems.
- H.B. 627.** An Act to require ambulance permits to be consistent with certain federal requirements.
- H.B. 642.** An Act to amend and reenact § 2 of the first enactment of Chapter 319 of the Acts of Assembly of 2002, relating to The Miller School of Albemarle.
- H.B. 650.** An Act to amend and reenact § 19.2-62 of the Code of Virginia, relating to the interception, disclosure of wire, electronic or oral communications; penalty.
- H.B. 690.** An Act to amend and reenact § 54.1-3434.02 of the Code of Virginia, relating to the filling and stocking of automated drug dispensing systems in hospital pharmacies by registered pharmacy technicians.
- H.B. 705.** An Act to amend and reenact § 8.01-6 of the Code of Virginia, relating to amending pleadings; notice to agent.
- H.B. 782.** An Act to amend and reenact §§ 2.2-212, as it is currently effective and as it shall become effective, 2.2-215, and 2.2-2628 of the Code of Virginia, relating to the Council on Indians.
- H.B. 786.** An Act to amend and reenact §§ 18.2-268.5 and 46.2-341.26:5 of the Code of Virginia, relating to the procedure for taking blood samples.
- H.B. 938.** An Act to amend the Code of Virginia by adding a section numbered 56-235.5:1, relating to telecommunications services; local exchange telephone service competition policy.

#### HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates  
March 9, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 330.** A BILL to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01, through 19.2-163.04 and 19.2-163.4:1 and repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.

**S.B. 447.** A BILL to amend and reenact § 57-3 of the Code of Virginia, relating to appropriation of glebe lands and church property.

**S.B. 573.** A BILL to amend and reenact the third enactment of Chapter 998 of the Acts of Assembly of 2003, relating to the Department of Professional and Occupational Regulation and the Department of Health Professions; continuing education for certain professional licensees.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

**S.B. 233.** A BILL to amend the Code of Virginia by adding a section numbered 36-22.1, relating to housing authorities; no trespass policy.

**S.B. 326.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE WITH AMENDMENTS THE FOLLOWING SENATE BILL:

**S.B. 660.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENTS AND HAS REQUESTED COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 561.** A BILL to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.

**S.B. 646.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 22 of Title 2.2 a section numbered 2.2-2233.2, relating to the Biotechnology Commercialization Loan Fund.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTES AND HAS REQUESTED COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 234.** A BILL for the relief of Julius Earl Ruffin.

**S.B. 271.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10 and 8.01-195.11, relating to compensation for wrongful incarceration for a felony conviction.

**S.B. 543.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 798.** A BILL to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:5, 56-484.7:6 and 56-484.7:7, relating to telephonic reading services.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 1056.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 10 of Title 19.2 a section numbered 19.2-163.01, relating to standards of conduct for court-appointed counsel.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTE WITH AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 1041.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

**H.B. 569.** A BILL to amend and reenact § 18.2-46.3 of the Code of Virginia, relating to recruitment of juveniles for criminal street gang; penalty.

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR THE FOLLOWING HOUSE BILL:

**H.B. 577.** An Act to amend and reenact §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8, and to repeal §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615 of the Code of Virginia, relating to disciplinary proceedings by health regulatory boards.

THE HOUSE OF DELEGATES HAS AGREED TO AMENDMENTS 1 THROUGH 10 IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR AND HAS REJECTED AMENDMENT 11 TO THE FOLLOWING HOUSE BILL:

**H.B. 635.** An Act to authorize an exception to regulations for certain assisted living facilities.

THE HOUSE OF DELEGATES HAS AGREED TO WITH AMENDMENTS THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 39.** Recognizing the need for various transit options in the U.S. Route 1 corridor in Fairfax and Prince William Counties. Report.

**S.J.R. 64.** Establishing a joint subcommittee to study manufacturing needs and the future of manufacturing in Virginia. Report.

**S.J.R. 74.** Establishing a joint subcommittee to study public funding of higher education in Virginia.

**S.J.R. 75.** Requesting the Virginia Board of Forestry to study the provision of incentives to private landowners to hold and preserve their forestland. Report.

**S.J.R. 95.** Directing the Virginia Housing Study Commission to study the impact of absentee landlords who own blighted or deteriorated properties in older urban communities as part of the Commission's study on the development of a statewide housing policy. Report.

**S.J.R. 122.** Requesting the Department of Medical Assistance Services to seek reimbursement for translation and interpretation services provided Medicaid-eligible persons with limited English proficiency. Report.

**S.J.R. 131.** Requesting the Department of Health to study the statewide response to sexual assault victims and the prevention of sexual assault. Report.

THE HOUSE OF DELEGATES HAS AGREED TO WITH A SUBSTITUTE THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 43.** Continuing the Joint Subcommittee Studying Lead-Poisoning Prevention. Report.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 467.** Celebrating the life of Hannibal E. Howell.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 99.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; retired law-enforcement officers.

**S.B. 161.** A BILL to amend and reenact § 2.2-1124 of the Code of Virginia, relating to the Department of General Services; disposition of surplus computer equipment.

**S.B. 215.** A BILL to amend and reenact §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230, and 24.2-234 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 1 of Title 24.2 a section numbered 24.2-109.1, relating to powers and duties of the State Board of Elections and local electoral boards; appointments, terms, and removal of certain public officials, including general registrars.

**S.B. 227.** A BILL to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to permits to sell or purchase pistols or revolvers in counties.

**S.B. 341.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; reciprocity for law-enforcement officers.

**S.B. 394.** A BILL to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; economic development.

**S.B. 566.** A BILL to amend the Code of Virginia by adding sections numbered 1-13.13:1 and 1-13.25:1, relating to the meaning of terms used in the appointment process.

**S.B. 614.** A BILL to amend and reenact § 6 of Chapter 809 of the 2002 Acts of Assembly, relating to authorizing the Department of Conservation and Recreation to amend a lease by and between the Secretary of the Army, Lessor, and the Commonwealth of Virginia, Department of Conservation and Recreation, Lessee, for Occoneechee State Park in Mecklenburg County.

**S.B. 617.** A BILL to amend and reenact § 16.1-330.1 of the Code of Virginia, relating to qualification for Serious or Habitual Offender Comprehensive Action Program.

**S.B. 648.** A BILL to amend the Code of Virginia by adding in Title 9.1 a chapter numbered 10, consisting of a section numbered 9.1-1000, relating to retired law-enforcement officers.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 600.** A BILL to amend and reenact §§ 16.1-250, 16.1-266, and 16.1-267 and to repeal § 16.1-250.1 of the Code of Virginia, relating to detention hearings.

**H.B. 1037.** A BILL to amend and reenact §§ 2.2-518 and 2.2-4806 of the Code of Virginia, relating to the Office of the Attorney General; debt collection.

**H.B. 1211.** A BILL to amend and reenact § 15.2-5158 of the Code of Virginia, relating to community development authorities.

**H.B. 1456.** A BILL to amend and reenact §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1 of the Code of Virginia, relating to nuisance abatement; tax delinquent properties.

**H.B. 1485.** A BILL to amend and reenact § 15.2-1518 of the Code of Virginia, relating to liability insurance for localities.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 1042.** A BILL relating to state correctional facilities; private contracts.

**H.B. 1393.** A BILL to amend and reenact §§ 15.2-6400 and 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 6.** Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.

**S.J.R. 19.** Requesting James Madison University to study the status, impact, and utilization of community health workers. Report.

**S.J.R. 24.** Establishing a joint subcommittee to study access to and the costs of oral health care. Report.

**S.J.R. 25.** Directing the Joint Commission on Health Care to study the mental health needs and treatment of young minority adults in the Commonwealth. Report.

**S.J.R. 38.** Requesting the Department of Game and Inland Fisheries to study local firearms hunting ordinances. Report.

**S.J.R. 57.** Requesting the Department of Agriculture and Consumer Services to study ways to enhance the economic development of Virginia's horse industry. Report.

**S.J.R. 58.** Directing 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. Report.

**S.J.R. 65.** Designating May 14th, in 2004 and in each succeeding year, as Colonial Founders Day in Virginia.

**S.J.R. 80.** Directing 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. Report.

**S.J.R. 86.** Requesting 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. Report.

**S.J.R. 88.** Encouraging the Department of Corrections and the Department of Juvenile Justice to include an evaluation and reporting component in any new mental health or substance abuse treatment initiative undertaken for offenders in their custody.

**S.J.R. 89.** Establishing a joint subcommittee to study the issues attendant to the incorporation of churches in Virginia. Report.

**S.J.R. 90.** Establishing a joint subcommittee to study the administrative and financial relationships between the Commonwealth and its institutions of higher education. Report.

**S.J.R. 111.** Establishing a joint subcommittee to study measures to improve and enhance economic development in the Southwest region of the Commonwealth. Report.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

The House joint resolution, communicated as agreed to by the House of Delegates, was laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 467.**

On motion of Senator Chichester, the Senate adjourned until tomorrow at 11:00 a.m. Pursuant to Rule 21 (d)ii, the Clerk was ordered to receive the committee reports.

COMMITTEE REPORT

The following bill, having been considered by the committee in session, was reported by Senator Hanger from the Committee on Rehabilitation and Social Services:

**H.B. 1489** (one thousand four hundred eighty-nine).

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and flows across the line.

Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, MARCH 10, 2004

The Senate met at 11:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

John McE. Garrett, Deputy Clerk of the Senate and Elder at St. James Presbyterian Church, King William, Virginia, offered the following prayer:

O God of yesterday, today, and tomorrow, Your countenance is eternal. We ask that these Thy servants of the peoples of the Commonwealth be aware and know of Your presence. May their decisions reflect Your ways and the greater good of all. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Cuccinelli, Martin, and Stosch notified the Clerk of their presence.

On motion of Senator Wampler, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**INTRODUCTION OF LEGISLATION**

Senator Stolle, by leave, under Senate Rule 11 (b) presented the following resolutions which were ordered to be printed and referred:

**S.R. 10.** Nominating persons to be elected to circuit court judgeships.

Patron--Stolle

Referred to Committee for Courts of Justice

**S.R. 11.** Nominating persons to be elected to general district court judgeships.

Patron--Stolle

Referred to Committee for Courts of Justice

**S.R. 12.** Nominating persons to be elected to juvenile and domestic relations district court judgeships.

Patron--Stolle

Referred to Committee for Courts of Justice

**JUDICIAL NOMINATION FORMS RECEIVED**

Pursuant to Senate Rule 18 (c), the following judicial nomination forms were filed with the Clerk:

**JUDICIAL NOMINATION FORM  
CIRCUIT COURT**

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Norman Allan Thomas, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ D. Nick Rerras

**JUDICIAL NOMINATION FORM  
CIRCUIT COURT**

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Sixth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

William Allan Sharrett, of Emporia, as a judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2004.

Respectfully submitted,

/s/ Henry L. Marsh III

/s/ L. Louise Lucas

/s/ Frederick M. Quayle

/s/ Frank M. Ruff

**JUDICIAL NOMINATION FORM  
CIRCUIT COURT**

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Seventh Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Aundria D. Foster, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2004.

Respectfully submitted,

/s/ Thomas K. Norment, Jr.

/s/ Martin E. Williams

/s/ Mamie E. Locke

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourteenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Daniel T. Balfour, of Henrico, as a judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III

/s/ Walter A. Stosch

/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Eighteenth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Nolan B. Dawkins, of Alexandria, as a judge of the Eighteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw

/s/ Patricia S. Ticer

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-fifth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Michael S. Irvine, of Buena Vista, as a judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing July 1, 2004.

Respectfully submitted,

/s/ Emmett W. Hanger, Jr.

/s/ John S. Edwards

/s/ R. Creigh Deeds

/s/ J. Brandon Bell

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-eighth Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Larry B. Kirksey, of Bristol, as a judge of the Twenty-eighth Judicial Circuit for a term of eight years commencing April 1, 2004.

Respectfully submitted,

/s/ William C. Wampler, Jr.

/s/ Phillip P. Puckett

JUDICIAL NOMINATION FORM  
CIRCUIT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirty-first Judicial Circuit hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the circuit court judgeship listed below:

Lonnie E. Farris, of Prince William, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing August 1, 2004.

Respectfully submitted,

/s/ Charles J. Colgan

/s/ John H. Chichester

/s/ Linda T. Puller

/s/ Jay O'Brien

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Second Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Teresa N. McCrimmon, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing April 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ Kenneth W. Stolle

/s/ D. Nick Rerras

/s/ Frank W. Wagner

/s/ Harry B. Blevins

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

James S. Mathews, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ D. Nick Rerras

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Nineteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Mitchell I. Mutnick, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw

/s/ Janet D. Howell

/s/ Patricia S. Ticer

/s/ Mary Margaret Whipple

/s/ William C. Mims

/s/ Linda T. Puller

/s/ Kenneth T. Cuccinelli II

/s/ Jay O'Brien

/s/ Jeannemarie Devolites

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-fifth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Gordon F. Saunders, of Lexington, as a judge of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2004.

Respectfully submitted,

/s/ Emmett W. Hanger, Jr.

/s/ John S. Edwards

/s/ R. Creigh Deeds

/s/ J. Brandon Bell

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-seventh Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Randal J. Duncan, of Radford, as a judge of the Twenty-seventh Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ William C. Wampler, Jr.

/s/ John S. Edwards

/s/ W. Roscoe Reynolds

/s/ Phillip P. Puckett

/s/ J. Brandon Bell

JUDICIAL NOMINATION FORM  
GENERAL DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Thirty-first Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the general district court judgeship listed below:

Craig D. Johnston, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing August 1, 2004.

Respectfully submitted,

/s/ Charles J. Colgan

/s/ John H. Chichester

/s/ Linda T. Puller

/s/ Jay O'Brien

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Second Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Deborah V. Bryan, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ Yvonne B. Miller

/s/ Kenneth W. Stolle

/s/ D. Nick Rerras

/s/ Frank W. Wagner

/s/ Harry B. Blevins

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Tenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Marvin H. Dunkum, Jr., of Buckingham, as a judge of the Tenth Judicial District for a term of six years commencing April 1, 2004.

Respectfully submitted,

/s/ L. Louise Lucas

/s/ John C. Watkins

/s/ Frank M. Ruff

/s/ R. Creigh Deeds

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Fourteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Stuart L. Williams, Jr., of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ Benjamin J. Lambert III  
/s/ Walter A. Stosch  
/s/ John C. Watkins

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Eighteenth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Jean K. Niebauer, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing August 1, 2004.

Respectfully submitted,

/s/ Richard L. Saslaw  
/s/ Patricia S. Ticer

JUDICIAL NOMINATION FORM  
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

TO THE SENATE OF VIRGINIA:

The undersigned Senators representing the Twenty-sixth Judicial District hereby nominate, pursuant to Senate Rule 18 (c), the following person to be elected to the juvenile and domestic relations district court judgeship listed below:

Elizabeth Kellas, of Winchester, as a judge of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2004.

Respectfully submitted,

/s/ H. Russell Potts, Jr.  
/s/ Emmett W. Hanger, Jr.  
/s/ Mark D. Obenshain

**MESSAGE FROM THE HOUSE  
IMMEDIATE CONSIDERATION**

A message was received from the House of Delegates by Delegate Kilgore, who informed the Senate that the House had agreed to **H.J.R. 517** (five hundred seventeen), as follows; in which it requested the concurrence of the Senate:

HOUSE JOINT RESOLUTION NO. 517

Election of Circuit Court Judges, General District Court Judges, and Juvenile and Domestic Relations District Court Judges.

RESOLVED by the House of Delegates, the Senate concurring,

That the General Assembly, in accordance with the provisions of House Joint Resolution No. 1, shall proceed this day at the conclusion of each house's morning hour

To the election of Circuit Court judges for a term of eight years commencing as follows:

- One judge for the Fourth Judicial Circuit, term commencing May 1, 2004.
- One judge for the Sixth Judicial Circuit, term commencing July 1, 2004.
- One judge for the Seventh Judicial Circuit, term commencing July 1, 2004.
- One judge for the Eighth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Fourteenth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Eighteenth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Twenty-fifth Judicial Circuit, term commencing July 1, 2004.
- One judge for the Twenty-eighth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Thirty-first Judicial Circuit, term commencing August 1, 2004.

To the election of General District Court judges for a term of six years commencing as follows:

- One judge for the Second Judicial District, term commencing April 1, 2004.
- One judge for the Fourth Judicial District, term commencing May 1, 2004.
- One judge for the Nineteenth Judicial District, term commencing May 1, 2004.
- One judge for the Twenty-fifth Judicial District, term commencing July 1, 2004.
- One judge for the Twenty-seventh Judicial District, term commencing May 1, 2004.
- One judge for the Thirty-first Judicial District, term commencing August 1, 2004.

To the election of Juvenile and Domestic Relations District Court judges for a term of six years commencing as follows:

- One judge for the Second Judicial District, term commencing May 1, 2004.
- One judge for the Seventh Judicial District, term commencing July 1, 2004.
- One judge for the Tenth Judicial District, term commencing April 1, 2004.
- One judge for the Fourteenth Judicial District, term commencing May 1, 2004.
- One judge for the Eighteenth Judicial District, term commencing August 1, 2004.
- One judge for the Twenty-sixth Judicial District, term commencing May 1, 2004.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of four, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their

respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

On motion of Senator Stolle, the Rules were suspended and **H.J.R. 517** was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Stolle, the reading of the joint resolution was waived.

Senator Stolle offered the following amendments:

1. Line 14, engrossed  
strike

One judge for the Eighth Judicial Circuit, term commencing April 1, 2004.

2. Line 30, engrossed  
strike

One judge for the Seventh Judicial District, term commencing July 1, 2004.

On motion of Senator Stolle, the reading of the amendments was waived.

On motion of Senator Stolle, amendment No. 1 was passed by temporarily.

On motion of Senator Stolle, amendment No. 2 was agreed to.

Amendment No. 1 was taken up and, on motion of Senator Stolle, was agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 517**, on motion of Senator Stolle, was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

Senator Stolle was ordered to inform the House of Delegates thereof.

At 11:35 a.m., Senator Norment moved that the Senate recess until 12:10 p.m.

The motion was agreed to.

The hour of 12:10 p.m. having arrived, the Chair was resumed.

## CALENDAR

### UNFINISHED BUSINESS — HOUSE

**H.B. 35** (thirty-five) was taken up.

On motion of Senator Williams, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Hanger, Obenshain, Reynolds--3.

RULE 36--0.

**H.B. 176** (one hundred seventy-six) was taken up.

On motion of Senator Quayle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 638** (six hundred thirty-eight) was taken up.

On motion of Senator Norment, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 766** (seven hundred sixty-six) was taken up.

On motion of Senator Hawkins, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 798** (seven hundred ninety-eight) was taken up.

On motion of Senator Wampler, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 1041** (one thousand forty-one) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute with amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1056** (one thousand fifty-six) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1063** (one thousand sixty-three) was taken up.

On motion of Senator Stolle, the Senate receded from its amendment.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1107** (one thousand one hundred seven) was taken up.

On motion of Senator Stolle, the Senate insisted on its amendment and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1172** (one thousand one hundred seventy-two), on motion of Senator Stolle, was passed by temporarily.

#### UNFINISHED BUSINESS — SENATE

**S.B. 172** (one hundred seventy-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 38, engrossed, after within  
strike  
fifteen  
insert  
15

2. Line 39, engrossed, after within  
strike  
fifteen  
insert  
15

3. Line 88, engrossed, after assets  
strike  
*or insufficient assets*

4. Line 99, engrossed, after judgment.  
strike  
the remainder of line 99 and all of lines 100 through 104

On motion of Senator Stolle, the amendments were agreed to.

The recorded vote is as follows:

YEAS--30. NAYS--10. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Newman, Norment, Obenshain, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins--30.

NAYS--Blevins, Cuccinelli, Miller, Mims, O'Brien, Potts, Quayle, Ticer, Whipple, Williams--10.

RULE 36--0.

**S.B. 118** (one hundred eighteen) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 16, engrossed, after pleading  
strike  
and  
insert  
, (comma)

2. Line 17, engrossed, after received  
insert  
~~such~~

On motion of Senator Watkins, the amendments were agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**S.B. 202** (two hundred two) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 44, engrossed, after A  
strike  
, (comma)  
insert  
*and*

On motion of Senator Reynolds, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 208** (two hundred eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.

Senator Quayle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--3. NAYS--37. RULE 36--0.

YEAS--Deeds, Newman, Puckett--3.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

RULE 36--0.

**S.B. 224** (two hundred twenty-four) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 63, engrossed, after *liable*

insert

*to any health insurer, in an action instituted solely on behalf of the health insurer,*

2. Line 63, engrossed, after *information.*

insert

*This section shall not affect any cause of action a patient may have against a physician.*

On motion of Senator Marsh, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 230** (two hundred thirty) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, relating to the Brown v. Board of Education Scholarship Program and Fund.

On motion of Senator Lambert, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 233** (two hundred thirty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 36-22.1, relating to housing authorities; no trespass policy.

On motion of Senator Lambert, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 276** (two hundred seventy-six) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.4 relating to spousal abuse by active members of the Armed Forces.

On motion of Senator Wampler, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 325** (three hundred twenty-five) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 18.2-247 of the Code of Virginia, relating to counterfeit drugs; penalty.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 326** (three hundred twenty-six) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--37.

NAYS--Devolites, Miller, Whipple--3.

RULE 36--0.

**S.B. 329** (three hundred twenty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 18.2-267, 18.2-268.2, 18.2-268.3, 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272 of the Code of Virginia, relating to driving on a suspended license after consuming alcohol.

Senator Stolle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--2. NAYS--38. RULE 36--0.

YEAS--Houck, Puckett--2.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

RULE 36--0.

## MESSAGE FROM THE HOUSE

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 519** (five hundred nineteen); in which it requested the concurrence of the Senate:

**H.J.R. 519.** Amending Rule 25 of House Joint Resolution No. 1 of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s).

The joint resolution was taken up, read by title the first time, and referred to the Committee on Rules.

## UNFINISHED BUSINESS — SENATE

## RECONSIDERATION

Senator Stolle moved to reconsider the vote by which the Senate agreed to the substitute proposed by the House of Delegates to **S.B. 326** (three hundred twenty-six).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--28. NAYS--12. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--28.

NAYS--Colgan, Devolites, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--12.

RULE 36--0.

**S.B. 330** (three hundred thirty) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 282, engrossed, after *Albemarle*;  
strike

*and*

2. Line 283, engrossed, after *Norfolk*  
insert

; (semicolon)

*v. The City of Newport News; and*

3. Line 283, engrossed, after *Newport News; and* (in amendment no. 2)

insert

*w. The City of Chesapeake*

4. Line 358, engrossed, after 4.

strike

the remainder of line 358

insert

That the provisions of § 19.2-163.03 shall become effective July 1, 2005, only if funds are appropriated by the General Assembly to carry out the purposes of that section.

Senator Stolle moved that the amendments be rejected.

The question was put on agreeing to the amendments.

The amendments were rejected.

The recorded vote is as follows:

YEAS--2. NAYS--38. RULE 36--0.

YEAS--Blevins, Whipple--2.

NAYS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--38.

RULE 36--0.

**S.B. 333** (three hundred thirty-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 13, engrossed, after *ACTUAL*

strike

*INNOCENCE*

insert

*INNOCENCE*

2. Line 17, engrossed, after *chapter*.

insert

*Only one such writ based upon such conviction may be filed by a petitioner.*

3. Line 29, engrossed, after *was*

strike

*not previously known or available*

insert

*previously unknown or unavailable*

4. Line 34, engrossed, after *obtained*

strike

*before the conviction became final*

insert

*before the expiration of 21 days following entry of the final order of conviction by the court*

5. Line 40, engrossed, after § 53.1-232.1

insert

*or to delay or stay any other post-conviction appeals or petitions to any court*

6. Line 60, engrossed, after *petition*

insert

*that may be extended for good cause shown*

7. Line 90, engrossed, after *or*

strike

*upon a hearing*

8. Line 107, engrossed

insert

2. That the Office of the Executive Secretary of the Supreme Court of Virginia shall report to the Chairmen of the Senate and House Courts of Justice Committees on January 1 of each year the number of petitions filed for writs of actual innocence pursuant to Chapter 19.3 of Title 19.2 and the dispositions thereof.

Senator Cuccinelli requested that, pursuant to Senate Rule 31, there be a division of the amendments for consideration.

On motion of Senator Stolle, amendments Nos. 1, 3, 4, 5, 6, 7, and 8 were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Stolle, amendment No. 2 was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Cuccinelli, Edwards--2.

RULE 36--0.

**MESSAGE FROM THE HOUSE  
IMMEDIATE CONSIDERATION**

A message was received from the House of Delegates by Delegate Kilgore, who informed the Senate that the House had agreed to **H.J.R. 520** (five hundred twenty), as follows; in which it requested the concurrence of the Senate:

HOUSE JOINT RESOLUTION NO. 520

Election of Circuit Court Judges, General District Court Judges, and Juvenile and Domestic Relations District Court Judges.

RESOLVED by the House of Delegates, the Senate concurring,

That the General Assembly, in accordance with the provisions of House Joint Resolution No. 1, shall proceed this day at the conclusion of each house's morning hour

To the election of Circuit Court judges for a term of eight years commencing as follows:

- One judge for the Fourth Judicial Circuit, term commencing May 1, 2004.
- One judge for the Sixth Judicial Circuit, term commencing July 1, 2004.
- One judge for the Seventh Judicial Circuit, term commencing July 1, 2004.
- One judge for the Fourteenth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Twenty-fifth Judicial Circuit, term commencing July 1, 2004.
- One judge for the Twenty-eighth Judicial Circuit, term commencing April 1, 2004.
- One judge for the Thirty-first Judicial Circuit, term commencing August 1, 2004.

To the election of General District Court judges for a term of six years commencing as follows:

- One judge for the Second Judicial District, term commencing April 1, 2004.
- One judge for the Fourth Judicial District, term commencing May 1, 2004.
- One judge for the Nineteenth Judicial District, term commencing May 1, 2004.
- One judge for the Twenty-fifth Judicial District, term commencing July 1, 2004.
- One judge for the Twenty-seventh Judicial District, term commencing May 1, 2004.
- One judge for the Thirty-first Judicial District, term commencing August 1, 2004.

To the election of Juvenile and Domestic Relations District Court judges for a term of six years commencing as follows:

- One judge for the Second Judicial District, term commencing May 1, 2004.
- One judge for the Tenth Judicial District, term commencing April 1, 2004.
- One judge for the Fourteenth Judicial District, term commencing May 1, 2004.
- One judge for the Twenty-sixth Judicial District, term commencing May 1, 2004.

And that in the execution of the joint order nominations shall be made in the order herein named, and that each house shall be notified of said nominations, and when the rolls shall be called for the whole number, the presiding officers of each house shall appoint a committee of four, which together shall constitute the joint committee to count the vote of each house in each case and report the results to their respective houses. The joint order may be suspended by the presiding officer of either house at any time but for no longer than twenty-four hours to receive the report of the joint committee.

On motion of Senator Stolle, the Rules were suspended and **H.J.R. 520** was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Stolle, the reading of the joint resolution was waived.

**H.J.R. 520**, on motion of Senator Stolle, was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Stolle was ordered to inform the House of Delegates thereof.

#### UNFINISHED BUSINESS — SENATE

**S.B. 384** (three hundred eighty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 18.2-270, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment on charge of third DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension.

Senator Norment moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--0. NAYS--40. RULE 36--0.

YEAS--0.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

RULE 36--0.

**S.B. 386** (three hundred eighty-six) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 29, engrossed

insert

2. Nothing in this act, however, shall be construed to interfere with, apply to, or affect the auction of Virginia's allocation of nitrogen oxide pollution credits set aside for new sources of electric power generation for the years 2004 and 2005 as authorized by Chapter 1042 of the Acts of Assembly of 2003.

2. Line 29, engrossed, after generation (in committee amendment no. 1)

insert

and other facilities

On motion of Senator Norment, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 442** (four hundred forty-two) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.

Senator Rerras moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--5. NAYS--35. RULE 36--0.

YEAS--Bolling, Hanger, Martin, Quayle, Stosch--5.

NAYS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--35.

RULE 36--0.

### JOINT ORDER FOR ELECTIONS

The morning hour of each house having been concluded, the President stated that the Senate on its part was ready to proceed, pursuant to House Joint Resolution No. 520, with the execution of the Joint Order to the election of certain judges of the Commonwealth.

The President stated that nominations were in order for judges of the respective circuit courts.

On motion of Senator Stolle, the Rules were suspended and **S.R. 10** (ten) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### SENATE RESOLUTION NO. 10

Nominating persons to be elected to circuit court judgeships.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the respective circuit court judgeships as follows:

The Honorable Norman Allan Thomas, of Norfolk, as a judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2004.

William Allan Sharrett, of Emporia, as a judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2004.

The Honorable Aundria D. Foster, of Newport News, as a judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2004.

Daniel T. Balfour, of Henrico, as a judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Nolan B. Dawkins, of Alexandria, as a judge of the Eighteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

Michael S. Irvine, of Buena Vista, as a judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing July 1, 2004.

Larry B. Kirksey, of Bristol, as a judge of the Twenty-eighth Judicial Circuit for a term of eight years commencing April 1, 2004.

The Honorable Lonnie E. Farris, of Prince William, as a judge of the Thirty-first Judicial Circuit for a term of eight years commencing August 1, 2004.

Senator Stolle offered the following amendment:

1. Line 18, introduced  
strike  
all of lines 18 and 19

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

**S.R. 10**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

The President stated that nominations were in order for judges of the respective general district courts.

On motion of Senator Stolle, the Rules were suspended and **S.R. 11** (eleven) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 11

Nominating persons to be elected to general district court judgeships.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the respective general district court judgeships as follows:

Teresa N. McCrimmon, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing April 1, 2004.

James S. Mathews, of Norfolk, as a judge of the Fourth Judicial District for a term of six years commencing May 1, 2004.

Mitchell I. Mutnick, of Fairfax County, as a judge of the Nineteenth Judicial District for a term of six years commencing May 1, 2004.

Gordon F. Saunders, of Lexington, as a judge of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2004.

Randal J. Duncan, of Radford, as a judge of the Twenty-seventh Judicial District for a term of six years commencing May 1, 2004.

Craig D. Johnston, of Prince William, as a judge of the Thirty-first Judicial District for a term of six years commencing August 1, 2004.

**S.R. 11**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

The President stated that nominations were in order for judges of the respective juvenile and domestic relations district courts.

On motion of Senator Stolle, the Rules were suspended and **S.R. 12** (twelve) was taken up for immediate consideration, discharging the Committee for Courts of Justice from further consideration of the resolution, and waiving the readings of the title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 12

Nominating persons to be elected to juvenile and domestic relations district court judgeships.

RESOLVED by the Senate, That the following persons are hereby nominated to be elected to the respective juvenile and domestic relations district court judgeships as follows:

Deborah V. Bryan, of Virginia Beach, as a judge of the Second Judicial District for a term of six years commencing May 1, 2004.

Marvin H. Dunkum, Jr., of Buckingham, as a judge of the Tenth Judicial District for a term of six years commencing April 1, 2004.

Stuart L. Williams, Jr., of Henrico, as a judge of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

Jean K. Niebauer, of Alexandria, as a judge of the Eighteenth Judicial District for a term of six years commencing August 1, 2004.

Elizabeth Kellas, of Winchester, as a judge of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2004.

Senator Stolle offered the following amendment:

1. Line 16, introduced  
strike  
all of lines 16 and 17

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

**S.R. 12**, on motion of Senator Stolle, was ordered to be engrossed and was agreed to.

Senator Stolle was ordered to inform the House of Delegates of the nominations made by the Senate.

#### UNFINISHED BUSINESS — SENATE

**S.B. 447** (four hundred forty-seven) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 13, engrossed  
insert  
A.

2. Line 22, engrossed  
insert

*B. Any county granted authority on or after July 1, 2004, to use "Glebe Fund" for improvements to its courthouse or related facilities shall use such funds exclusively for compliance with the Americans with Disabilities Act (40 USC § 12101 et seq.) at such courthouse or related facilities.*

2. That the provisions of this act shall not apply to any county granted authority to use Glebe Fund for improvements to its courthouse or related facilities before July 1, 2004.

On motion of Senator Rerras, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 454** (four hundred fifty-four) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 10.1-1300 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-1316.1, relating to enforcement for severe ozone nonattainment areas.

On motion of Senator Whipple, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 493** (four hundred ninety-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 19.2-74, 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of certain illegal aliens and unidentified people.

Senator Mims moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

The recorded vote is as follows:

YEAS--3. NAYS--37. RULE 36--0.

YEAS--Chichester, Houck, Wampler--3.

NAYS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

RULE 36--0.

**S.B. 505** (five hundred five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 40, engrossed, after *office*

insert

*with the necessary fee for filing*

On motion of Senator Mims, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 518** (five hundred eighteen) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 37, engrossed  
insert

*E. This agreement and adjusted state payment shall be in lieu of any existing funds a locality receives from a Small School Division Assistance grant.*

*F. Any standard of quality set forth in this act that is not required as of June 30, 2004, and for which additional state funding is required, shall not take effect unless the state's share of funding that standard is included in the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor.*

On motion of Senator Hanger, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 573** (five hundred seventy-three) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 18, engrossed, after if  
strike  
the person is on active military duty during 2003 and
2. Line 19, engrossed, after welfare.  
strike  
the remainder of line 19 and all of line 20

On motion of Senator Bolling, the amendments were agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 601** (six hundred one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 2.2-1839 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-1839.1, relating to risk management plans; physicians and community hospitals.

On motion of Senator Newman, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 612** (six hundred twelve) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 52, engrossed, after *convicted of*  
 strike  
     the remainder of line 52 and through *law* on line 53  
 insert  
     *statutory burglary for breaking and entering a dwelling home or other structure with intent to commit larceny*

On motion of Senator Ticer, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 660** (six hundred sixty) was taken up with the amendment in the nature of a substitute with amendments proposed by the House of Delegates, the title of the substitute, printed separately, and amendments being as follows:

A BILL to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.

1. Line 25, substitute, after *luggage*,  
strike

*or*

2. Line 26, substitute, after *area*  
insert

*, or (iv) concealed carry permit holder who is in the act of picking up or dropping off a passenger of an airline*

Senator Stolle moved that the substitute with amendments be rejected.

The question was put on agreeing to the substitute with amendments.

The substitute with amendments was rejected.

The recorded vote is as follows:

YEAS--14. NAYS--26. RULE 36--0.

YEAS--Bell, Bolling, Cuccinelli, Deeds, Hanger, Hawkins, Martin, Mims, Obenshain, O'Brien, Rerras, Reynolds, Ruff, Wampler--14.

NAYS--Blevins, Chichester, Colgan, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Potts, Puckett, Puller, Quayle, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--26.

RULE 36--0.

**S.J.R. 39** (thirty-nine) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 7, engrossed, title, after *Counties*,  
strike

*Report.*

On motion of Senator Puller, the amendment was agreed to.

**S.J.R. 43** (forty-three) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

Continuing the Joint Subcommittee Studying Lead-Poisoning Prevention.

On motion of Senator Lambert, the substitute was agreed to.

**S.J.R. 64** (sixty-four) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 24, engrossed, after addressed;

strike  
and

2. Line 24, engrossed, after (iii)  
insert

consider both local and state tax policies affecting the manufacturing sector and regulatory compliance and costs; and (iv)

On motion of Senator Wagner, the amendments were agreed to.

**S.J.R. 74** (seventy-four) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 33, engrossed, after and (iii)  
insert

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

On motion of Senator Stosch, the amendment was agreed to.

**S.J.R. 75** (seventy-five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 26, engrossed, after states  
insert

, localities,

On motion of Senator Ticer, the amendment was agreed to.

**S.J.R. 95** (ninety-five) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 6, engrossed, title, after *impact of*  
strike

*absentee landlords who own*

2. Line 13, engrossed, after Commonwealth  
strike

, owned by absentee landlords who do not live in the communities where the properties are located

3. Line 22, engrossed  
strike

absentee landlords

insert

blighted and deteriorated properties

4. Line 25, engrossed, after impact of  
strike

absentee landlords who own

On motion of Senator Lucas, the amendments were agreed to.

**S.J.R. 122** (one hundred twenty-two) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 3, engrossed, title, after *reimbursement*  
insert  
*from the Centers for Medicare and Medicaid Services*
2. Line 56, engrossed, after reimbursement  
insert  
from the Centers for Medicare and Medicaid Services

On motion of Senator Lucas, the amendments were agreed to.

**S.J.R. 131** (one hundred thirty-one) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 37, engrossed, after determine  
insert  
the effectiveness of
2. Line 37, engrossed, after communities  
strike  
and

On motion of Senator Watkins, the amendments were agreed to.

**S.B. 234** (two hundred thirty-four) was taken up.

On motion of Senator Lambert, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 271** (two hundred seventy-one) was taken up.

On motion of Senator Quayle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 543** (five hundred forty-three) was taken up.

On motion of Senator Hawkins, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 561** (five hundred sixty-one) was taken up.

On motion of Senator Lambert, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 646** (six hundred forty-six) was taken up.

On motion of Senator Howell, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Stolle, for the committee of conference on **H.B. 569** (five hundred sixty-nine), presented the following report:

Joint Conference Committee Report On  
House Bill No. 569

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 569, report as follows:

We recommend that the Senate Amendment in the Nature of a Substitute be amended as follows to resolve the matter under disagreement.

1. Page 1, line 49, after § 18.2-46.3,

strike

*or of similar offenses under the law of any other jurisdiction,*

2. Page 1, line 51, after *felony*.

strike

the remainder of line 51 and all of lines 52 and 53

Respectfully submitted,

/s/ Delegate David B. Albo

/s/ Delegate Glenn M. Weatherholtz

/s/ Delegate Kenneth R. Melvin

Conferees on the part of the House

/s/ Senator Kenneth W. Stolle

/s/ Senator Nick Rerras

/s/ Senator L. Louise Lucas

Conferees on the part of the Senate

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### UNFINISHED BUSINESS — HOUSE

**H.B. 1172** (one thousand one hundred seventy-two) was taken up.

On motion of Senator Stolle, the Senate insisted on its amendment and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### UNFINISHED BUSINESS — SENATE RECONSIDERATION

Senator Edwards moved to reconsider the vote by which the Senate rejected the substitute with amendments proposed by the House of Delegates to **S.B. 660** (six hundred sixty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

Senator Stolle moved that the substitute with amendments be rejected.

The question was put on agreeing to the substitute with amendments.

The substitute with amendments was rejected.

The recorded vote is as follows:

YEAS--17. NAYS--23. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Cuccinelli, Deeds, Edwards, Hanger, Houck, Martin, Mims, Newman, Obenshain, O'Brien, Rerras, Reynolds, Ruff, Wampler--17.

NAYS--Chichester, Colgan, Devolites, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, Potts, Puckett, Puller, Quayle, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--23.

RULE 36--0.

#### STATEMENT ON VOTE

Senator Hawkins stated that he was recorded as voting nay on the question of agreeing to the substitute with amendments proposed by the House of Delegates to **S.B. 660**, whereas he intended to vote yea.

#### HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 577** (five hundred seventy-seven) was taken up together with the following communication from the Governor:

#### COMMONWEALTH OF VIRGINIA

Office of the Governor

March 5, 2004

TO THE HOUSE OF DELEGATES

HOUSE BILL NO. 577

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 427, enrolled, after *patients*.

insert

*For the purposes of this subdivision, "practitioner" shall include any person holding a multistate licensure privilege to practice nursing.*

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**H.B. 577**, on motion of Senator Potts, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 635** (six hundred thirty-five) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

March 1, 2004

TO THE HOUSE OF DELEGATES  
HOUSE BILL NO. 635

I am returning this bill without my signature with the request that the following amendments be made:

1. Line 12, enrolled, after *primary*  
insert  
*psychiatric*
2. Line 13, enrolled, after *dwelling*  
insert  
*where the bedrooms, living space and common areas are located on the first level of the dwelling and such facility is*
3. Line 18, enrolled, after *requested*  
strike  
; (vi)  
insert  
*, 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)*
4. Line 19, enrolled, after *by a*  
strike  
*Virginia*
5. Line 19, enrolled, after *company*  
insert  
*initially organized or authorized to transact business in Virginia before January 1, 1997,*
6. Line 19, enrolled, after *three*  
insert  
*but no more than nine*
7. Line 19, enrolled, after *facilities*  
strike  
*with a combined minimum of 15 residents; and (vii)*  
insert  
*(viii)*

8. Line 20, enrolled, after *notice to*  
 strike

*the*

insert

*any current*

9. Line 21, enrolled, after *representative*

insert

*within 30 days after the effective date of this act and, thereafter, to any new resident and his legally authorized representative*

10. Line 21, enrolled, after *two*

strike

*are*

insert

*is*

11. Line 22, enrolled, after *times.*

insert

*Nothing herein shall be construed to exempt any such facility from compliance with any other provision of 22 VAC 40-71, and nothing herein shall be construed to prevent the Commissioner from requiring adequate staff for scheduled feeding and bathing of residents.*

/s/ Mark R. Warner  
 Governor

The reading of the communication was waived.

**H.B. 635**, on motion of Senator Hanger, was amended in accordance with recommendations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT  
 RECONSIDERATION**

Senator Stolle moved to reconsider the vote by which the Senate agreed to the joint conference committee report on **H.B. 569** (five hundred sixty-nine).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE BILLS ON THIRD READING

Senator Norment moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

**H.B. 106** (one hundred six).

**H.B. 862** (eight hundred sixty-two).

**H.B. 59** (fifty-nine).

The motion was agreed to.

**H.B. 106** (one hundred six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding in Chapter 22 of title 2.2 an article numbered 6.1, consisting of sections numbered 2.2-2278.1 and 2.2-2278.2, relating to the financing of projects by the Virginia Public Building Authority.

The reading of the substitute was waived.

Senator Stolle moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

**H.B. 862** (eight hundred sixty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 3.1-336.2, 3.1-336.3, 58.1-1000, 58.1-1003, 58.1-1009, 58.1-1010, 58.1-1011, and 58.1-1013 of the Code of Virginia and to repeal §§ 58.1-1004, 58.1-1005, and 58.1-1014 of the Code of Virginia, relating to tax stamping of cigarettes, nonparticipating manufacturers' escrow requirements, and enforcement of cigarette sales reporting requirements.

The reading of the substitute was waived.

Senator Hawkins moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

**H.B. 1231** (one thousand two hundred thirty-one) was taken up, the committee amendments having been agreed to on March 9, 2004.

Senator Whipple offered the following amendments:

1. Line 8, engrossed, Title, after *15.2-4510*,  
insert  
*15.2-4512*,

2. Line 30, engrossed, after *15.2-4510*,  
insert  
*15.2-4512*,

3. Line 656, engrossed, after *appointments*  
insert  
. (period)

4. Line 713, engrossed, after line 712  
insert

*§ 15.2-4512. Quorum and action by commission.*

*A majority of the commission, which majority shall include at least one commissioner from a majority of the component governments, shall constitute a quorum. Members of the commission who are members of the General Assembly shall not be counted in determining a quorum while the General Assembly is in session. The Chairman of the Commonwealth Transportation Board or his designee may be included for the purposes of constituting a quorum. The presence of a quorum and a vote of the majority of members present, including an affirmative vote from a majority of the jurisdictions represented, shall be necessary to take any action.*

On motion of Senator Whipple, the reading of the amendments was waived.

On motion of Senator Whipple, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 1425** (one thousand four hundred twenty-five) was taken up, the committee amendment having been agreed to on March 9, 2004.

The amendment was ordered to be engrossed.

Senator Norment moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Norment, the following House bills were passed en bloc with their titles:

**H.B. 106** (one hundred six).

**H.B. 862** (eight hundred sixty-two).

**H.B. 1231** (one thousand two hundred thirty-one) with amendments.

**H.B. 1425** (one thousand four hundred twenty-five) with amendment.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 59** (fifty-nine), on motion of Senator Norment, was passed by temporarily.

**H.B. 390** (three hundred ninety) was read by title the third time.

Senator Wagner offered the following amendments:

1. Line 19, engrossed, after ~~10,000~~  
strike

*30,000*

insert

*20,000*

2. Line 20, engrossed, after ~~20,000~~  
strike

*35,000*

insert

*30,000*

On motion of Senator Wagner, the reading of the amendments was waived.

On motion of Senator Wagner, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 390**, on motion of Senator Wampler, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--19. RULE 36--0.

YEAS--Colgan, Deeds, Devolites, Edwards, Howell, Lambert, Locke, Lucas, Marsh, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Ticer, Wampler, Watkins, Whipple--20.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, Reynolds, Ruff, Stolle, Stosch, Wagner, Williams--19.

RULE 36--0.

**H.B. 1430** (one thousand four hundred thirty) was taken up, the substitute proposed by the Committee on Finance having been agreed to on March 5, 2004.

Senator Stolle offered the following amendments to the substitute:

1. Line 52, substitute, after Drug

insert

Offender Assessment *and*

2. Line 66, substitute, after Drug

insert

Offender Assessment *and*

3. Line 105, substitute, after Drug

insert

Offender Assessment *and*

4. Line 110, substitute, after Drug

insert

Offender Assessment *and*

5. Line 240, substitute, after Drug

insert

Offender Assessment *and*

6. Line 242, substitute, after Drug

insert

Offender Assessment *and*

7. Line 246, substitute, after Drug

insert

Offender Assessment *and*

8. Line 248, substitute, after General Assembly to the

strike

remainder of line 248 and all of lines 249 through 253

insert

*Department of Corrections, the Department of Juvenile Justice, and the Commission on VASAP to implement and operate the offender substance abuse screening and assessment program; the Department of Criminal Justice Services for the support of community-based probation and local pretrial services agencies; and the Office of the Executive Secretary of the Supreme Court of Virginia for the support of drug treatment court programs.*

9. Line 350, substitute, after line 349  
insert

2. That the provisions of this act shall not take effect unless funding to implement the provisions of this act, by means of general funds, is included in the general appropriation act for the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General Assembly and signed into law by the Governor.

On motion of Senator Stolle, the reading of the amendments was waived.

On motion of Senator Stolle, the amendments were agreed to.

The substitute with amendments was ordered to be engrossed.

**H.B. 1430**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 137** (one hundred thirty-seven) was taken up.

Senator Stolle moved that **H.B. 137** be passed with its title.

The question was put on passing **H.B. 137** with its title.

**H.B. 137** was defeated with its title.

The recorded vote is as follows:

YEAS--17. NAYS--21. RULE 36--0.

YEAS--Bolling, Deeds, Edwards, Houck, Howell, Lucas, Marsh, Miller, Mims, Obenshain, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Whipple--17.

NAYS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Lambert, Locke, Martin, Newman, O'Brien, Potts, Puckett, Ruff, Ticer, Wagner, Wampler, Watkins, Williams--21.

RULE 36--0.

**H.B. 430** (four hundred thirty) was read by title the third time.

Senator Mims offered the following amendments:

1. Line 88, engrossed, after assets  
insert

*or insufficient assets*

2. Line 98, engrossed, after judgment.

insert

*In addition, if the appellee proves by a preponderance of evidence that an appellant, for whom the appeal bond or irrevocable letter of credit requirement has been limited or waived pursuant to subsection J, has insufficient assets to pay the judgment that are subject to the jurisdiction of the United States courts and has substantial assets that are not subject to such jurisdiction, the court may impose additional conditions or may require the appellant to post a bond or irrevocable letter of credit in an amount up to the full amount of the judgment.*

Senator Mims withdrew the amendments.

**H.B. 430**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Mims--1.

RULE 36--0.

#### JOINT ORDER FOR ELECTIONS RESUMED

The Joint Order under House Joint Resolution No. 520 was resumed.

A message was received from the House of Delegates by Delegate Kilgore, who informed the Senate that the following nominations had been made by the House:

For judges of the respective circuit courts:

Norman Allan Thomas, Fourth Judicial Circuit.

William Allan Sharrett, Sixth Judicial Circuit.

Aundria D. Foster, Seventh Judicial Circuit.

Daniel T. Balfour, Fourteenth Judicial Circuit.

Michael S. Irvine, Twenty-fifth Judicial Circuit.

Larry B. Kirksey, Twenty-eighth Judicial Circuit.

Lonnie E. Farris, Thirty-first Judicial Circuit.

For judges of the respective general district courts:

Teresa N. McCrimmon, Second Judicial District.

James S. Mathews, Fourth Judicial District.

Mitchell I. Mutnick, Nineteenth Judicial District.

Gordon F. Saunders, Twenty-fifth Judicial District.

Randal J. Duncan, Twenty-seventh Judicial District.

Craig D. Johnston, Thirty-first Judicial District.

For judges of the respective juvenile and domestic relations district courts:

Deborah V. Bryan, Second Judicial District.  
Marvin H. Dunkum, Jr., Tenth Judicial District.  
Stuart L. Williams, Jr., Fourteenth Judicial District.  
Elizabeth Kellas, Twenty-sixth Judicial District.

The roll was called with the following results:

For judges of the respective circuit courts for the terms set forth:

The nominees by Senate Resolution No. 10 received an affirmative vote of 40.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

For judges of the respective general district courts for the terms set forth:

The nominees by Senate Resolution No. 11 received an affirmative vote of 40.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

For judges of the respective juvenile and domestic relations district courts for the terms set forth:

The nominees by Senate Resolution No. 12 received an affirmative vote of 40.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

The President appointed Senators Blevins, Cuccinelli, Obenshain, and Locke, the committee on the part of the Senate to count and report the vote of each house in each case.

Subsequently, the committee reported as follows:

Whole number of votes necessary to elect:

In the House of Delegates..... 51  
In the Senate..... 21

For judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2004:

Norman Allan Thomas received:

In the House.....94  
In the Senate.....40

For judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2004:

William Allan Sharrett received:

In the House.....94  
In the Senate.....40

For judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2004:

Aundria D. Foster received:

In the House.....95  
In the Senate.....40

For judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2004:

Daniel T. Balfour received:

In the House.....97  
In the Senate.....40

For judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing July 1, 2004:

Michael S. Irvine received:

In the House.....96  
In the Senate.....40

For judge of the Twenty-eight Judicial Circuit for a term of eight years commencing April 1, 2004:

Larry B. Kirksey received:

In the House.....97  
In the Senate.....40

For judge of the Thirty-first Judicial Circuit for a term of eight years commencing August 1, 2004:

Lonnie E. Farris received:

In the House.....97

In the Senate.....40

For judge of the General District Court of the Second Judicial District for a term of six years commencing April 1, 2004:

Teresa N. McCrimmon received:

In the House.....97

In the Senate.....40

For judge of the General District Court of the Fourth Judicial District for a term of six years commencing May 1, 2004:

James S. Mathews received:

In the House.....98

In the Senate.....40

For judge of the General District Court of the Nineteenth Judicial District for a term of six years commencing May 1, 2004:

Mitchell I. Mutnick received:

In the House.....98

In the Senate.....40

For judge of the General District Court of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2004:

Gordon F. Saunders received:

In the House.....98

In the Senate.....40

For judge of the General District Court of the Twenty-seventh Judicial District for a term of six years commencing May 1, 2004:

Randal J. Duncan received:

In the House.....98

In the Senate.....40

For judge of the General District Court of the Thirty-first Judicial District for a term of six years commencing August 1, 2004:

Craig D. Johnston received:

In the House.....98  
In the Senate.....40

For judge of the Juvenile and Domestic Relations District Court of the Second Judicial District for a term of six years commencing May 1, 2004:

Deborah V. Bryan received:

In the House.....98  
In the Senate.....40

For judge of the Juvenile and Domestic Relations District Court of the Tenth Judicial District for a term of six years commencing April 1, 2004:

Marvin H. Dunkum, Jr. received:

In the House.....98  
In the Senate.....40

For judge of the Juvenile and Domestic Relations District Court of the Fourteenth Judicial District for a term of six years commencing May 1, 2004:

Stuart L. Williams, Jr. received:

In the House.....100  
In the Senate.....40

For judge of the Juvenile and Domestic Relations District Court of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2004:

Elizabeth Kellas received:

In the House.....99  
In the Senate.....40

On motion of Senator Stolle, the reading of the report was waived.

The recorded vote is as follows:  
YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.  
RULE 36--0.

The nominees, having received the vote of a majority of the members elected to each house of the General Assembly, were declared by the President duly elected judges of the respective circuit courts, general district courts, and juvenile and domestic relations district courts, as follows:

Norman Allan Thomas, judge of the Fourth Judicial Circuit for a term of eight years commencing May 1, 2004.

William Allan Sharrett, judge of the Sixth Judicial Circuit for a term of eight years commencing July 1, 2004.

Aundria D. Foster, judge of the Seventh Judicial Circuit for a term of eight years commencing July 1, 2004.

Daniel T. Balfour, judge of the Fourteenth Judicial Circuit for a term of eight years commencing April 1, 2004.

Michael S. Irvine, judge of the Twenty-fifth Judicial Circuit for a term of eight years commencing July 1, 2004.

Larry B. Kirksey, judge of the Twenty-eighth Judicial Circuit for a term of eight years commencing April 1, 2004.

Lonnie E. Farris, judge of the Thirty-first Judicial Circuit for a term of eight years commencing August 1, 2004.

Teresa N. McCrimmon, judge of the General District Court of the Second Judicial District for a term of six years commencing April 1, 2004.

James S. Mathews, judge of the General District Court of the Fourth Judicial District for a term of six years commencing May 1, 2004.

Mitchell I. Mutnick, judge of the General District Court of the Nineteenth Judicial District for a term of six years commencing May 1, 2004.

Gordon F. Saunders, judge of the General District Court of the Twenty-fifth Judicial District for a term of six years commencing July 1, 2004.

Randal J. Duncan, judge of the General District of the Twenty-seventh Judicial District for a term of six years commencing May 1, 2004.

Craig D. Johnston, judge of the General District Court of the Thirty-first Judicial District for a term of six years commencing August 1, 2004.

Deborah V. Bryan, judge of the Juvenile and Domestic Relations Distinct Court of the Second Judicial District for a term of six years commencing May 1, 2004.

Marvin H. Dunkum, Jr., judge of the Juvenile and Domestic Relations District Court of the Tenth Judicial District for a term of six years commencing April 1, 2004.

Stuart L. Williams, Jr., judge of the Juvenile and Domestic Relations District Court of the Fourteenth Judicial District for a term of six years commencing May 1, 2004.

Elizabeth Kellas, judge of the Juvenile and Domestic Relations District Court of the Twenty-sixth Judicial District for a term of six years commencing May 1, 2004.

### HOUSE BILL ON THIRD READING

**H.B. 751** (seven hundred fifty-one) was taken up, the committee substitute having been agreed to on March 9, 2004.

The substitute was ordered to be engrossed.

**H.B. 751**, on motion of Senator Stolle, was passed with its title.

The recorded vote is as follows:

YEAS--27. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--27.

NAYS--Edwards, Howell, Lambert, Locke, Lucas, Marsh, Puller, Saslaw, Ticer, Whipple--10.

RULE 36--0.

### HOUSE BILL ON SECOND READING

**H.B. 1489** (one thousand four hundred eighty-nine) was read by title the second time.

Senator Hanger moved that the Rules be suspended and the third reading of the title of **H.B. 1489** as required by Article IV, Section 11, of the Constitution, be dispensed with.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 1489**, on motion of Senator Hanger, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**HOUSE BILL ON THIRD READING  
RECONSIDERATION**

Senator Cuccinelli moved to reconsider the vote by which **H.B. 751** (seven hundred fifty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 751**, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--28. NAYS--10. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--28.

NAYS--Edwards, Howell, Lambert, Locke, Lucas, Marsh, Puller, Saslaw, Ticer, Whipple--10.

RULE 36--0.

**MEMORIAL RESOLUTION  
IMMEDIATE CONSIDERATION**

On motion of Senator Norment, the Rules were suspended and **H.J.R. 467** (four hundred sixty-seven), having been laid on the Clerk's Desk pursuant to Senate Rule 26 (g), was taken up for immediate consideration.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.J.R. 467**, on motion of Senator Miller, was agreed to by a unanimous standing vote.

**HOUSE BILL ON THIRD READING**

**H.B. 59** (fifty-nine) was taken up and, on motion of Senator Norment, was passed with its title.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--Lambert--1.

### IMMEDIATE CONSIDERATION

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 519** (five hundred nineteen), the second reading of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.J.R. 519** was read by title the third time.

### HOUSE JOINT RESOLUTION NO. 519

Amending Rule 25 of House Joint Resolution No. 1 of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s).

RESOLVED by the House of Delegates, the Senate concurring, That Rule 25 of House Joint Resolution No. 1 of the 2004 Regular Session of the General Assembly of Virginia is amended and reenacted as follows:

Rule 25. The first conference on the Budget Bill(s) shall complete its deliberations no later than ~~midnight, Tuesday, March 9~~ noon, Friday, March 12, 2004, ~~and the report of such conference shall be made available to all members of the General Assembly no later than noon, Thursday, March 11, 2004.~~ No engrossment of the Budget Bill(s) shall be required in either house, and any conference on the Budget Bill(s) shall consider, as the basis of its deliberations, the Budget Bill(s) as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house.

**H.J.R. 519**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### CONFERENCE PROCEDURES

Senator Chichester, Chair of the Committee on Finance, appointed Senators Quayle, Hanger, and Lambert, the conferees on the part of the Senate for **S.B. 234** (two hundred thirty-four).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Quayle, Howell, and Blevins, the conferees on the part of the Senate for **S.B. 271** (two hundred seventy-one).

Senator Stosch, Chair of the Committee on General Laws, appointed Senators Ruff, Reynolds, and Hawkins, the conferees on the part of the Senate for **S.B. 543** (five hundred forty-three).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Lambert, Watkins, and Cuccinelli, the conferees on the part of the Senate for **S.B. 561** (five hundred sixty-one).

Senator Stosch, Chair of the Committee on General Laws, appointed Senators Potts, Howell, and Watkins, the conferees on the part of the Senate for **S.B. 646** (six hundred forty-six).

### INTRODUCTION OF LEGISLATION

Senator Norment, by leave, under Senate Rule 26 (g) presented the following resolutions which were laid on the Clerk's Desk:

**S.R. 13.** Commending the Williamsburg Youth League 10-year-old All-Star baseball team.

Patron--Norment

**S.R. 14.** Commending the Williamsburg Youth League Host Committee.

Patron--Norment

### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate, pursuant to § 30-14.2 of the Code of Virginia, on the date recorded below, signed the following bills that had been amended in accordance with the recommendations of the Governor and reenrolled:

March 10, 2004

**H.B. 577.** (Reenrolled.) An Act to amend and reenact §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8, and to repeal §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615 of the Code of Virginia, relating to disciplinary proceedings by health regulatory boards.

**H.B. 635.** (Reenrolled.) An Act to authorize an exception to regulations for certain assisted living facilities.

### HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates  
March 10, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

**S.B. 286.** A BILL to amend and reenact § 24.2-504 of the Code of Virginia, relating to persons entitled to have name printed on ballot.

**S.B. 338.** A BILL to amend and reenact § 23-9.6:1 of the Code of Virginia, relating to responsibilities of the State Council of Higher Education.

**S.B. 605.** A BILL to amend the Code of Virginia by adding in Title 28.2 a chapter numbered 16, consisting of articles numbered 1, 2 and 3, containing sections numbered 28.2-1600 through 28.2-1623, relating to water column leases for aquaculture.

THE HOUSE OF DELEGATES HAS PASSED WITH SUBSTITUTES THE FOLLOWING SENATE BILLS:

**S.B. 39.** A BILL to provide for certain projects to be financed by the Virginia Public Building Authority.

**S.B. 236.** A BILL to amend and reenact §§ 9.1-102, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault.

**S.B. 651.** A BILL to amend and reenact §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-585, 56-589, and 56-594 of the Code of Virginia, relating to the Electric Utility Restructuring Act.

**S.B. 668.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-184.1, relating to declaratory judgment to adjudicate constitutional nexus.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 586.** A BILL to amend and reenact § 29.1-103 of the Code of Virginia, relating to the powers of the Board of Game and Inland Fisheries.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 204.** A BILL to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 1015.** A BILL to amend and reenact § 22.1-207.1 of the Code of Virginia, relating to family life education.

**H.B. 1055.** A BILL to amend and reenact §§ 17.1-805, 18.2-124, 18.2-374.3, and 19.2-299 of the Code of Virginia and to repeal §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358, and 18.2-367 of the Code of Virginia, relating to the revision of Title 18.2; repeal of certain statutes.

**H.B. 1419.** A BILL to amend the Code of Virginia by adding in Title 33.1 a chapter numbered 16, consisting of sections numbered 33.1-447 through 33.1-463, relating to creation of a local transportation district within the City of Charlottesville and Albemarle County.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 511.** A BILL to amend and reenact §§ 20-60.3 and 20-108.2 of the Code of Virginia, relating to child support; extraordinary medical expenses.

**H.B. 557.** A BILL to amend and reenact §§ 18.2-272, 46.2-301 and 46.2-329 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.

**H.B. 624.** A BILL to amend and reenact § 8.01-380 of the Code of Virginia, relating to medical malpractice actions; nonsuits.

**H.B. 745.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to notice of application for license to be a provider of treatment for persons with opiate addiction.

**H.B. 817.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**H.B. 846.** A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, relating to the Brown v. Board of Education Scholarship Program and Fund.

**H.B. 1136.** A BILL to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to administrative suspension of license or privilege to operate a motor vehicle.

**H.B. 1147.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

**H.B. 877.** An Act to amend and reenact §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; procedure for certain patients to obtain access to their records.

**H.B. 878.** An Act to amend and reenact §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, and 37.1-134.21 of the Code of Virginia, relating to access to health records and information for guardians ad litem and attorneys representing minors and certain adults in certain court proceedings.

**H.B. 879.** An Act to amend and reenact § 32.1-127.1:03 of the Code of Virginia, relating to health records privacy.

THE HOUSE OF DELEGATES HAS AGREED TO WITH AMENDMENT THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 209.** Confirming appointments to the Tobacco Indemnification and Community Revitalization Commission.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENT PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 154.** Designating October, in 2004 and in each succeeding year, as Health Literacy Month in Virginia.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 247.** Memorializing Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003.

THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:

**S.B. 31.** A Bill to authorize the issuance of bonds to finance \$137,700,600 in previously authorized projects and \$117,616,000 in new projects for a total of up to \$255,316,600, plus financing costs, pursuant to Article X, Section 9(c) of the Constitution of Virginia, for paying costs of acquiring, constructing and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.

**S.B. 32.** A Bill to authorize the issuance of bonds, in an amount up to \$5,700,000 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring a revenue-producing capital project to be administered by the Department of General Services, to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital project and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.

**S.B. 61.** A BILL to amend and reenact § 57-60 of the Code of Virginia, relating to exemption from registration requirements for certain charitable organizations.

**S.B. 174.** A BILL to amend and reenact § 51.1-303 of the Code of Virginia, relating to the Judicial Retirement System; technical correction.

**S.B. 677.** A BILL to amend and reenact § 18.2-57 of the Code of Virginia, relating to assault and battery of volunteer firefighters; penalty.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

- H.B. 250.** A BILL to amend and reenact § 46.2-868 of the Code of Virginia, relating to reckless driving; penalties.
- H.B. 253.** A BILL to amend and reenact §§ 16.1-69.40:1 and 46.2-878.2 of the Code of Virginia, relating to prepayable fines for local speeding offenses.
- H.B. 360.** A BILL to amend the Code of Virginia by adding in Chapter 1 of Title 52 sections numbered 52-11.4 and 52-11.5, relating to disposal of unclaimed property in the possession of State Police.
- H.B. 380.** A BILL to amend and reenact §§ 2.2-3109, 22.1-212.5, 22.1-212.6, 22.1-212.8, 22.1-212.9, 22.1-212.11, and 22.1-212.12 of the Code of Virginia, relating to the Charter School Excellence and Accountability Act.
- H.B. 402.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to issuance of concealed handgun permits.
- H.B. 453.** A BILL to amend and reenact §§ 46.2-733 and 46.2-1500 of the Code of Virginia, relating to motor vehicle dealers; persons dealing solely in fire-fighting equipment, ambulances, and funeral vehicles.
- H.B. 471.** A BILL to amend and reenact §§ 54.1-3905, 57-60, and 59.1-200 of the Code of Virginia, to amend the Code of Virginia by adding in Title 6.1 a chapter numbered 10.2, consisting of sections numbered 6.1-363.2 through 6.1-363.26, and to repeal Chapter 10.1 (§ 6.1-363.1) of Title 6.1, relating to non-profit credit counseling; non-profit debt counseling; penalty.
- H.B. 504.** A BILL to amend and reenact § 53.1-120 of the Code of Virginia, relating to courthouse security fee.
- H.B. 538.** A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; cell phone number of law-enforcement personnel.
- H.B. 667.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; blood alcohol levels.
- H.B. 734.** A BILL to amend and reenact § 18.2-465.1 of the Code of Virginia, relating to penalizing an employee for service on a jury panel.
- H.B. 993.** A BILL to amend and reenact § 46.2-867 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-865.1, relating to certain racing conduct punishable as involuntary manslaughter.
- H.B. 1129.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-187.2, relating to the audiovisual recording of motion pictures.
- H.B. 1137.** A BILL to amend and reenact § 46.2-417 of the Code of Virginia, relating to driver's license suspension for nonpayment of certain judgments.
- H.B. 1146.** A BILL to amend and reenact §§ 16.1-269.6 and 16.1-296 of the Code of Virginia, relating to appeals of cases involving juveniles.

- H.B. 1155.** A BILL to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 and 38.2-6101, relating to the Interstate Insurance Product Regulation Compact.
- H.B. 1182.** A BILL to designate the Lynchburg Bypass bridge across the James River between Amherst County and the City of Lynchburg the "Monacan Bridge."
- H.B. 1205.** A BILL to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed weapons.
- H.B. 1237.** A BILL to amend and reenact §§ 37.1-70.3 and 37.1-70.5 through 37.1-70.9 of the Code of Virginia, relating to civil commitment of sexually violent predators.
- H.B. 1293.** A BILL to amend and reenact § 18.2-359 of the Code of Virginia, relating to venue for criminal sexual assault.
- H.B. 1346.** A BILL to amend and reenact § 46.2-803.1 of the Code of Virginia, relating to lane restrictions for certain commercial vehicles on certain highways.
- H.B. 1379.** A BILL to amend the Code of Virginia by adding a section numbered 8.01-15.2, relating to the Servicemembers Civil Relief Act.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

- H.B. 429.** A BILL to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to reflectors or reflective material on the rear end of certain trailers.
- H.B. 545.** A BILL to require the Virginia Research and Technology Advisory Commission (VRTAC) to continue its examination of establishing integrated research and academic campuses in the Commonwealth.
- H.B. 593.** A BILL to amend and reenact § 46.2-392 of the Code of Virginia, relating to penalties for aggressive driving.
- H.B. 664.** A BILL to amend and reenact § 19.2-81 of the Code of Virginia, relating to arrest without warrant for drunk driving.
- H.B. 754.** A BILL to amend and reenact §§ 56-1, 56-49, and 56-265.1 of the Code of Virginia, relating to public service corporations; limited liability companies.
- H.B. 889.** A BILL to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.
- H.B. 1130.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to forfeiture of vehicle for third DUI offense.
- H.B. 1303.** A BILL to amend and reenact §§ 15.2-1209, 18.2-299 and 22.1-277.07 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-915.2, relating to use of pneumatic guns.

**H.B. 1443.** A BILL to amend and reenact §§ 22.1-3, 22.1-5, and 22.1-270 of the Code of Virginia, relating to the admission of certain persons to the public schools of the Commonwealth.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES WITH AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 38.** A BILL to amend and reenact §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59, 46.2-749.69 of the Code of Virginia, to amend the Code of Virginia by sections numbered 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, and 46.2-749.98:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, and 46.2-749.98 of the Code of Virginia, relating to special license plates; supporters of adoption programs offered by the Virginia Department of Social Services and licensed Virginia nonprofit child-placing services, Mothers Against Drunk Driving, Project Lifesaver, the Interdenominational Children's Foundation of Virginia, the Boy Scouts of America, and the Juvenile Diabetes Research Foundation; members and associates of court-appointed special advocate programs; members of the American Legion; commemorating the 200th anniversary of the Town of Occoquan, the 350th anniversary of the County of New Kent, the 150th anniversary of Burke's Station, and the 275th anniversary of the County of Prince William; retired law-enforcement officers; U.S. Navy chief petty officers; bicycle enthusiasts; Langley Air Force Base; professional stock car drivers; paratroopers; persons awarded the Combat Infantryman Badge; and general registrars; fees.

**H.B. 1043.** A BILL to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to the creation of the Competitive Government Act.

**H.B. 1357.** A BILL to amend and reenact § 2.2-3707 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-3707.01, relating to the Freedom of Information Act; application to meetings of the General Assembly.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 218.** Confirming appointments by the Governor.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 82.** Requesting the Department of Taxation to collect sales tax data pertaining to the economic impact of nonstate agency cultural institutions on the Commonwealth. Report.

**H.J.R. 103.** Directing 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. Report.

**H.J.R. 142.** Establishing a joint subcommittee to study the feasibility of the consolidation of the Cities of Norfolk and Portsmouth. Report.

**H.J.R. 153.** Requesting the State Corporation Commission to study the placement of utility lines underground. Report.

**H.J.R. 187.** Memorializing the Congress of the United States to propose a constitutional amendment to protect the fundamental institution of marriage as a union between a man and a woman.

**H.J.R. 194.** Rescinding and withdrawing all past resolutions of the General Assembly applying to the Congress of the United States to call a constitutional convention to amend the Constitution of the United States.

**H.J.R. 228.** Recognizing and supporting the need for Adjusted Gross Revenue insurance for farmers.

**H.J.R. 260.** Urging school divisions to provide age-appropriate and culturally sensitive health, nutrition and physical education necessary to develop the knowledge, attitudes, skills, and behaviors required for students to adopt and maintain healthy eating habits and physically active lifestyles.

**H.J.R. 278.** Recognizing and supporting members of the National Guard and Reserve by conducting awareness programs and by holding Military Appreciation Day and other ceremonies.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 34.** Establishing a joint subcommittee to study the Virginia Retirement System and review the benefits of public safety officers who are injured in the line of duty. Report.

**H.J.R. 71.** Requesting 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 individuals with limited English proficiency who are lawfully in the United States and to identify, prioritize and estimate the costs of translating significant information and documents used by agencies and service providers within the Secretariat. Report.

**H.J.R. 105.** Establishing a joint subcommittee to study the level of the Commonwealth's assistance to localities that is necessary for developing adequate K-12 school infrastructure. Report.

**H.J.R. 114.** Directing 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. Report.

**H.J.R. 122.** Directing the Virginia State Crime Commission to study campus safety at Virginia's public and private institutions of higher education. Report.

**H.J.R. 132.** Recognizing the Entrepreneurial Education Region of Virginia with appropriate postings of the entrances to the region along Interstate Routes 77 and 81, and U.S. Routes 52, 58, 100, and 221 by the relevant localities comprising the region. Report.

**H.J.R. 162.** Establishing a joint subcommittee to study the desirability and feasibility of issuing "smart" driver's licenses and identification cards in Virginia. Report.

**H.J.R. 170.** Continuing the Commission on Growth and Economic Development. Report.

**H.J.R. 176.** Establishing a joint subcommittee to study the impact of collecting remote sales taxes on the economy of the Commonwealth. Report.

**H.J.R. 291.** Encouraging the Commonwealth Transportation Board and the Virginia Department of Transportation, upon completion of the 18-month NEPA environmental review, to consider various ways to address congestion and safety problems on Interstate 81.

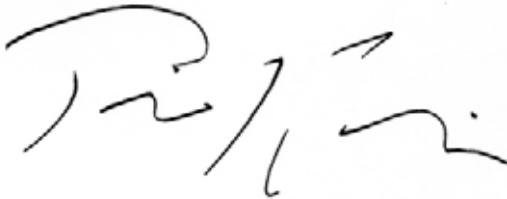
THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE WITH AMENDMENT PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 185.** Continuing the U.S. Route 460 Communications Committee. Report.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Chichester, the Senate adjourned until tomorrow at 11:00 a.m.

A handwritten signature in black ink, appearing to read 'Timothy M. Kaine', written in a cursive style.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read 'Susan Clarke Schaar', written in a cursive style.

Susan Clarke Schaar  
Clerk of the Senate

## THURSDAY, MARCH 11, 2004

The Senate met at 11:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Basil L. Ballard, Windsor Congregational Christian Church, Windsor, Virginia, offered the following prayer:

Dear God, in whom we live and move and have our being, we humbly come to You today seeking Your will and Your way within these hallowed halls. This place has become sacred because of all those who have gone before us seeking Your guidance in their efforts to serve Your people. We too come with that purpose today. Show us Your will. Teach us how to better serve the people of the Commonwealth of Virginia.

Thank You for all that has been achieved and show us what we may yet do. We pray for friends, loved ones and even strangers who are in harm's way this very hour around the world. As they provide and protect the freedoms we now enjoy, keep them safe and hasten their homecoming.

May this assembly be an example of sound leadership and good government today and through the years ahead. May we always remember from Your Holy Word, "*Blessed is the nation whose God is the Lord,*" (Psalm 33:12a).

We bring to You these petitions humbly in Your Most Holy name. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Stosch, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates

March 11, 2004

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENTS AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 330.** A BILL to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01, through 19.2-163.04 and 19.2-163.4:1 and repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTES AND HAS REQUESTED COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 208.** A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.

**S.B. 329.** A BILL to amend and reenact §§ 16.1-69.48:1.01, 16.1-247, 16.1-260, 17.1-275.11, 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10, 18.2-270.1, 18.2-271, 18.2-271.1, 18.2-272, 19.2-187.02, 19.2-389, 46.2-301, 46.2-301.1, 46.2-316, 46.2-384, 46.2-389, 46.2-391.2, 46.2-391.4, 46.2-395, 46.2-411 and 46.2-111.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 18.2-266.2, relating to DUI; blood alcohol level; refusal.

**S.B. 384.** A BILL to amend and reenact §§ 18.2-270, 18.2-271, 19.2-294.1, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment on charge of third DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension.

**S.B. 442.** A BILL to amend and reenact §§ 19.2-120 and 19.2-390 of the Code of Virginia, relating to DUI; admission to bail; criminal history record information.

**S.B. 493.** A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens and unidentified people.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS SUBSTITUTE WITH AMENDMENTS AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 660.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 35.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

**H.B. 176.** A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02, 18.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

**H.B. 638.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.

**H.B. 766.** A BILL to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.

**H.B. 798.** A BILL to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:5, 56-484.7:6 and 56-484.7:7, relating to telephonic reading services.

**H.B. 1041.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.

**H.B. 1056.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 10 of Title 19.2 a section numbered 19.2-163.01, relating to standards of conduct for court-appointed counsel.

**H.B. 1107.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.

**H.B. 1172.** A BILL to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

#### GUESTS PRESENTED

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:  
YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--0.  
RULE 36--0.

Senators Potts and Stolle presented to the Senate the family of Marine Lance Corporal David E. Owens, Jr., one of the first fatalities in the war in Iraq and the first Honorary Virginia State Trooper.

### CALENDAR

#### UNFINISHED BUSINESS — HOUSE

**H.B. 511** (five hundred eleven) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 557** (five hundred fifty-seven) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 624** (six hundred twenty-four) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 745** (seven hundred forty-five) was taken up.

On motion of Senator Potts, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 817** (eight hundred seventeen) was taken up.

On motion of Senator Norment, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 846** (eight hundred forty-six) was taken up.

On motion of Senator Potts, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 1015** (one thousand fifteen) was taken up.

On motion of Senator Mims, the Senate receded from its amendments.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1055** (one thousand fifty-five) was taken up.

On motion of Senator Stolle, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1136** (one thousand one hundred thirty-six) was taken up.

On motion of Senator Williams, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1147** (one thousand one hundred forty-seven) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1419** (one thousand four hundred nineteen) was taken up.

On motion of Senator Newman, the Senate receded from its amendment.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.J.R. 154** (one hundred fifty-four) was taken up.

On motion of Senator Norment, the Senate insisted on its amendment and respectfully requested a committee of conference.

**H.J.R. 247** (two hundred forty-seven) was taken up.

On motion of Senator Norment, the Senate insisted on its substitute and respectfully requested a committee of conference.

#### UNFINISHED BUSINESS — SENATE

**S.B. 39** (thirty-nine) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to authorize the Virginia Public Building Authority to finance the undertaking, development, acquisition and construction of the State Agency Radio System (STARS), Phase I.

On motion of Senator Stolle, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 236** (two hundred thirty-six) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault, and violation of provisions of protective orders; penalty.

On motion of Senator Norment, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 286** (two hundred eighty-six) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 15, engrossed, after election.

insert

*However, a candidate for a federal, statewide, or General Assembly office may have his name printed on the ballot for two offices at an election.*

Senator O'Brien moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

The recorded vote is as follows:

YEAS--4. NAYS--34. RULE 36--0.

YEAS--Colgan, Edwards, Reynolds, Stosch--4.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple--34.

RULE 36--0.

**S.B. 338** (three hundred thirty-eight) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 124, engrossed

strike

all of lines 124 and 125

insert

*dual admissions and articulation agreements between two- and four-year public and private institutions of higher education in Virginia. Such agreements shall be subject to the admissions requirements of the four-year institutions.*

On motion of Senator Edwards, the amendment was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 605** (six hundred five) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 182, engrossed, after 2.

strike

the remainder of line 182

insert

The provisions of this act shall not take effect unless state funding is included for this specific purpose in the general appropriation act for the period July 1, 2005, through June 30, 2006.

On motion of Senator Bolling, the amendment was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Chichester, Mims--2.

RULE 36--0.

**S.B. 651** (six hundred fifty-one) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-585, 56-589, and 56-594 of the Code of Virginia, relating to the Electric Utility Restructuring Act.

On motion of Senator Norment, the substitute was agreed to.

The recorded vote is as follows:

YEAS--31. NAYS--8. RULE 36--1.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--31.

NAYS--Deeds, Hanger, Hawkins, Obenshain, Puckett, Reynolds, Ruff, Whipple--8.

RULE 36--Lambert--1.

**S.B. 668** (six hundred sixty-eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 8.01-184.1, relating to declaratory judgment to adjudicate constitutional nexus for imposition of sales and use tax.

On motion of Senator Mims, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.J.R. 209** (two hundred nine), on motion of Senator Martin, was passed by temporarily.

**S.B. 204** (two hundred four) was taken up.

On motion of Senator Quayle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Locke, Puller, Ticer--3.

RULE 36--0.

**S.B. 586** (five hundred eighty-six), on motion of Senator Deeds, was passed by temporarily.

**S.B. 208** (two hundred eight) was taken up.

On motion of Senator Quayle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 329** (three hundred twenty-nine) was taken up.

On motion of Senator Stolle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 330** (three hundred thirty) was taken up.

On motion of Senator Stolle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 384** (three hundred eighty-four) was taken up.

On motion of Senator Norment, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

**S.B. 442** (four hundred forty-two) was taken up.

On motion of Senator Rerras, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 493** (four hundred ninety-three) was taken up.

On motion of Senator Mims, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 660** (six hundred sixty) was taken up.

On motion of Senator Stolle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Cuccinelli--1.

RULE 36--0.

**S.B. 586** (five hundred eighty-six) was taken up.

On motion of Senator Puckett, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

## RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate acceded to the request of the House of Delegates for a committee of conference on **S.B. 204** (two hundred four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Quayle, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Locke, Newman, Puller--3.

RULE 36--0.

**S.J.R. 209** (two hundred nine) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 20, engrossed  
insert

RESOLVED FURTHER, That the General Assembly confirm the following appointments made by the Speaker of the House of Delegates to the Tobacco Indemnification and Community Revitalization Commission pursuant to § 3.1-1108 of the Code of Virginia:

The Honorable Kathy J. Byron, 523 Leesville Road, Lynchburg, Virginia 24502, for a term coincident with her term of office in the House of Delegates ending January 14, 2004.

The Honorable Allen W. Dudley, 1521 Altice Mill Road, Rocky Mount, Virginia 24151, for a term coincident with his term of office in the House of Delegates ending January 14, 2004.

The Honorable Clarke N. Hogan, 455 Short Street, Suite 204, South Boston, Virginia 24592, for a term coincident with his term of office in the House of Delegates ending January 14, 2004.

The Honorable Joseph P. Johnson, Jr., 164 East Valley Street, Abingdon, Virginia 24210, for a term coincident with his term of office in the House of Delegates ending January 14, 2004.

The Honorable Terry G. Kilgore, P.O. Box 669, Gate City, Virginia 24251, for a term coincident with his term of office in the House of Delegates ending January 14, 2004.

The Honorable Thomas C. Wright, Jr., P.O. Box 1323, Victoria, Virginia 23974, for a term coincident with his term of office in the House of Delegates ending January 14, 2004.

On motion of Senator Martin, the amendment was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--3.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--36.

NAYS--0.

RULE 36--Hawkins, Ruff, Wampler--3.

### RECONSIDERATION

Senator Martin moved to reconsider the vote by which the Senate agreed to the amendment proposed by the House of Delegates to **S.J.R. 209** (two hundred nine).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Martin, the amendment was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--4.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--36.

NAYS--0.

RULE 36--Hawkins, Puckett, Ruff, Wampler--4.

### HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 877** (eight hundred seventy-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

March 8, 2004

TO: THE HOUSE OF DELEGATES  
HOUSE BILL NO. 877

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

- 1. Line 560, enrolled, after ~~fifteen~~ 15 days  
insert

*of receipt*

- 2. Line 1029, enrolled, after adults  
strike

*and to subpoenas for the health records of individuals in connection with hearings pursuant to Title 65.2 or any action at law brought to recover damages against any employer that is subject to Title 65.2*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 877**, on motion of Senator Potts, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.  
RULE 36--0.

**H.B. 878** (eight hundred seventy-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

March 8, 2004

TO: THE HOUSE OF DELEGATES  
HOUSE BILL NO. 878

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 488, enrolled, after adults  
strike

*and to subpoenas for the health records of individuals in connection with hearings pursuant to Title 65.2 or any action at law brought to recover damages against any employer that is subject to Title 65.2*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 878**, on motion of Senator Potts, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 879** (eight hundred seventy-nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

March 8, 2004

TO: THE HOUSE OF DELEGATES  
HOUSE BILL NO. 879

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 411, enrolled, after adults  
strike

*and to subpoenas for the health records of individuals in connection with hearings pursuant to Title 65.2 or any action at law brought to recover damages against any employer that is subject to Title 65.2*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 879**, on motion of Senator Potts, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

**H.J.R. 434** (four hundred thirty-four).

**H.J.R. 439** (four hundred thirty-nine).

**H.J.R. 440** (four hundred forty).

**H.J.R. 441** (four hundred forty-one).

**H.J.R. 444** (four hundred forty-four).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions were taken up, ordered to be engrossed, and agreed to en bloc by a unanimous standing vote:

**S.J.R. 227** (two hundred twenty-seven).

**S.J.R. 233** (two hundred thirty-three).

**S.J.R. 234** (two hundred thirty-four).

**S.J.R. 239** (two hundred thirty-nine).

**S.J.R. 240** (two hundred forty).

**S.J.R. 249** (two hundred forty-nine).

**S.J.R. 251** (two hundred fifty-one).

**S.J.R. 252** (two hundred fifty-two).

**S.J.R. 254** (two hundred fifty-four).

**S.J.R. 255** (two hundred fifty-five).

**S.J.R. 235** (two hundred thirty-five) was taken up, as follows:

#### SENATE JOINT RESOLUTION NO. 235

On the death of William Marvin Minter.

WHEREAS, William Marvin Minter of Mathews County, for 16 years a member of the Senate of Virginia, died on August 1, 1970; and

WHEREAS, a native of Mathews County, Marvin Minter was educated in the Mathews County public schools and at the College of William and Mary; and

WHEREAS, in the early 20th century, Marvin Minter was the owner and editor of the *Mathews Journal*, one of the predecessors of the *Gloucester Gazette-Journal*; and

WHEREAS, admitted to the bar in 1917, Marvin Minter's career in private practice was interrupted by World War I, in which he served honorably as an infantry lieutenant; and

WHEREAS, from 1931 until his election to the Senate in 1943, Marvin Minter served as Commonwealth's Attorney for Mathews County, earning widespread respect for his fairness and integrity; and

WHEREAS, as a member of the Senate of Virginia from 1944 to 1960, Marvin Minter was dedicated to the advancement of Mathews County and the Tidewater Virginia area and was also a champion of the seafood industry and the welfare of the indigent; and

WHEREAS, Marvin Minter served as chairman of the Fish and Game Committee and was chief patron of the legislation that created the Virginia Fisheries Laboratory, now the Virginia Institute of Marine Science; and

WHEREAS, after leaving the Senate, Marvin Minter continued to serve the citizens of Mathews County in multiple roles, including service on the Mathews County School Board and in leadership positions in many community service organizations; and

WHEREAS, Marvin Minter was a 45-year member of the Virginia and American Bar Associations and served as a member of the Committee of Forty of the Virginia Bar Association that prepared the plan for the integration of the Virginia State Bar; and

WHEREAS, throughout his distinguished career in the Senate of Virginia, Marvin Minter was recognized for his independence, his integrity, and his energetic and effective representation of the people of Mathews County; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby note with great sadness the loss of an exceptional Virginian, William Marvin Minter; and, be it

RESOLVED FURTHER, That the Clerk of the Senate prepare a copy of this resolution for presentation to the family of William Marvin Minter as an expression of the esteem in which his memory is held by the members of the General Assembly and the citizens of Virginia.

**S.J.R. 235**, on motion of Senator Rerras, was ordered to be engrossed and was agreed to by a unanimous standing vote.

### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

**H.J.R. 428** (four hundred twenty-eight).

**H.J.R. 429** (four hundred twenty-nine).

**H.J.R. 430** (four hundred thirty).

**H.J.R. 431** (four hundred thirty-one).

**H.J.R. 432** (four hundred thirty-two).  
**H.J.R. 435** (four hundred thirty-five).  
**H.J.R. 436** (four hundred thirty-six).  
**H.J.R. 437** (four hundred thirty-seven).  
**H.J.R. 438** (four hundred thirty-eight).  
**H.J.R. 442** (four hundred forty-two).  
**H.J.R. 443** (four hundred forty-three).  
**H.J.R. 445** (four hundred forty-five).  
**H.J.R. 446** (four hundred forty-six).  
**H.J.R. 447** (four hundred forty-seven).  
**H.J.R. 448** (four hundred forty-eight).  
**H.J.R. 449** (four hundred forty-nine).  
**H.J.R. 450** (four hundred fifty).  
**H.J.R. 451** (four hundred fifty-one).

On motion of Senator Norment, the questions on agreeing to the Senate joint resolutions and resolutions that follow were considered en bloc.

On motion of Senator Norment, the following Senate joint resolutions and resolutions were taken up, ordered to be engrossed, and agreed to en bloc:

**S.J.R. 228** (two hundred twenty-eight).  
**S.J.R. 229** (two hundred twenty-nine).  
**S.J.R. 230** (two hundred thirty).  
**S.J.R. 231** (two hundred thirty-one).  
**S.J.R. 232** (two hundred thirty-two).  
**S.J.R. 236** (two hundred thirty-six).  
**S.J.R. 237** (two hundred thirty-seven).  
**S.J.R. 238** (two hundred thirty-eight).  
**S.J.R. 241** (two hundred forty-one).  
**S.J.R. 243** (two hundred forty-three).  
**S.J.R. 244** (two hundred forty-four).  
**S.J.R. 245** (two hundred forty-five).  
**S.J.R. 246** (two hundred forty-six).  
**S.J.R. 248** (two hundred forty-eight).  
**S.J.R. 250** (two hundred fifty).  
**S.J.R. 253** (two hundred fifty-three).  
**S.R. 13** (thirteen).  
**S.R. 14** (fourteen).

**S.J.R. 242** (two hundred forty-two), on motion of Senator Deeds, was ordered to be engrossed and was agreed to.

**S.J.R. 247** (two hundred forty-seven), on motion of Senator Marsh, was ordered to be engrossed and was agreed to.

**S.J.R. 256** (two hundred fifty-six), on motion of Senator Marsh, was ordered to be engrossed and was agreed to.

**CONFERENCE COMMITTEE REPORT**

Senator Devolites, for the committee of conference on **H.B. 20** (twenty), presented the following report:

Joint Conference Committee Report On  
House Bill No. 20

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 20, report as follows:

We recommend that the Senate Amendments be accepted.

Respectfully submitted,

/s/ Delegate James M. Scott

/s/ Delegate Clifford L. Athey, Jr.

/s/ Delegate Terry G. Kilgore

Conferees on the part of the House

/s/ Senator Jeannemarie A. Devolites

/s/ Senator John S. Edwards

/s/ Senator Ken T. Cuccinelli, II

Conferees on the part of the Senate

On motion of Senator Devolites, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Mims, for the committee of conference on **H.B. 601** (six hundred one), presented the following report:

Joint Conference Committee Report On  
House Bill No. 601

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 601, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the engrossed bill be amended as follows to resolve the matters under disagreement.

1. Line 13, engrossed,  
strike

~~A.~~

insert

A.

2. Line 19, engrossed,  
strike

all of lines 19 through 30

insert

B. Every public water supply operator shall at least quarterly test the public water supply for the presence of methyl tertiary butyl ether (MTBE). The locality shall maintain a record of testing conducted pursuant to this subsection. If the results of any test conducted pursuant to this subsection indicates the presence of MTBE in excess of fifteen parts per billion, the locality shall immediately notify the Department of Environmental Quality and the Department of Health. The Division of Consolidated Laboratory Services shall maintain and make available, upon the request of any person, a list of laboratories, accredited under the provisions of the federal Safe Drinking Water Act (42 U.S.C. § 300f et seq.) to analyze samples, located throughout the Commonwealth that possess the technical expertise to analyze water samples for the presence of MTBE. Any lab seeking accreditation under the Safe Drinking Water Act may contact the Division of Consolidated Laboratory Services. The Division of Consolidated Laboratory Services shall establish a fee system to offset the costs of tests performed on behalf of public water supply operators.

3. Line 19, engrossed, after ~~least~~  
strike

~~quarterly~~

insert

annually

4. Line 30, engrossed, after ~~operators.~~  
insert

*Such test may be conducted simultaneously with other tests.*

*Notwithstanding the provisions of this subsection, the State Board of Health, acting pursuant to its authority regarding public water supplies, may establish an alternative schedule for water supply testing, which shall apply in lieu of this subsection, for any public waterworks where annual testing is not otherwise required, if it determines that an alternative schedule is appropriate to protect the public health and promote the public welfare.*

Respectfully submitted,

/s/ Delegate Allen W. Dudley

/s/ Delegate Daniel W. Marshall, III

/s/ Delegate Ward L. Armstrong

Conferees on the part of the House

/s/ Senator William C. Mims  
/s/ Senator Kenneth T. Cuccinelli II  
/s/ Senator Mary Margaret Whipple  
Conferees on the part of the Senate

On motion of Senator Mims, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Howell, for the committee of conference on **H.B. 952** (nine hundred fifty-two), presented the following report:

#### Joint Conference Committee Report On House Bill No. 952

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 952, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Adam P. Ebbin  
/s/ Delegate Phillip A. Hamilton  
/s/ Delegate Robert D. Orrock, Sr.  
Conferees on the part of the House

/s/ Senator Janet D. Howell  
/s/ Senator Emmett W. Hanger, Jr.  
/s/ Senator Martin E. Williams  
Conferees on the part of the Senate

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 952

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

On motion of Senator Howell, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Howell, for the committee of conference on **S.B. 318** (three hundred eighteen), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 318

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 318, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Janet D. Howell

/s/ Senator Emmett W. Hanger, Jr.

/s/ Senator Martin E. Williams

Conferees on the part of the Senate

/s/ Delegate Adam P. Ebbin

/s/ Delegate Phillip A. Hamilton

/s/ Delegate Robert D. Orrock, Sr.

Conferees on the part of the House

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 318

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

On motion of Senator Howell, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Puller, for the committee of conference on **S.B. 381** (three hundred eighty-one), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 381

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 381, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be adopted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator Linda T. Puller

/s/ Senator Yvonne B. Miller

/s/ Senator H. Russell Potts, Jr.

Conferees on the part of the Senate

/s/ Delegate H. Morgan Griffith

/s/ Delegate Thelma Drake

/s/ Delegate Marian Van Landingham

Conferees on the part of the House

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 381

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

On motion of Senator Puller, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Puckett, for the committee of conference on **S.B. 548** (five hundred forty-eight), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 548

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 548, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Phillip P. Puckett

/s/ Senator Harry B. Blevins

/s/ Senator Nick Rerras

Conferees on the part of the Senate

/s/ Delegate Terry G. Kilgore

/s/ Delegate Robert Hurt

/s/ Delegate Onzlee Ware

Conferees on the part of the House

### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 548

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

On motion of Senator Puckett, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE PROCEDURES

Senator Williams, Chair of the Committee on Transportation, appointed Senators Rerras, Blevins, and Deeds, the conferees on the part of the Senate for **H.B. 35** (thirty-five).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Watkins, Lambert, and Cuccinelli, the conferees on the part of the Senate for **H.B. 176** (one hundred seventy-six).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Quayle, Blevins, and Howell, the conferees on the part of the Senate for **H.B. 638** (six hundred thirty-eight).

Senator Hawkins, Chair of the Committee on Agriculture, Conservation and Natural Resources, appointed Senators Ruff, Watkins, and Reynolds, the conferees on the part of the Senate for **H.B. 766** (seven hundred sixty-six).

Senator Wampler, Chair of the Committee on Commerce and Labor, appointed Senators Williams, Wagner, and Wampler, the conferees on the part of the Senate for **H.B. 798** (seven hundred ninety-eight).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Obenshain, Cuccinelli, and Reynolds, the conferees on the part of the Senate for **H.B. 1041** (one thousand forty-one).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Stolle, Mims, and Marsh, the conferees on the part of the Senate for **H.B. 1056** (one thousand fifty-six).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Rerras, Norment, and Saslaw, the conferees on the part of the Senate for **H.B. 1107** (one thousand one hundred seven).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Stolle, Blevins, and Howell, the conferees on the part of the Senate for **H.B. 1172** (one thousand one hundred seventy-two).

Senator Quayle, Chair of the Committee on Local Government, appointed Senators Quayle, Martin, and Puckett, the conferees on the part of the Senate for **S.B. 204** (two hundred four).

Senator Hawkins, Chair of the Committee on Agriculture, Conservation and Natural Resources, appointed Senators Puckett, Reynolds, and Hanger, the conferees on the part of the Senate for **S.B. 586** (five hundred eighty-six).

At 1:05 p.m., Senator Norment moved that the Senate recess until 2:10 p.m.

The motion was agreed to.

The hour of 2:10 p.m. having arrived, the Chair was resumed.

## HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
March 11, 2004

THE HOUSE OF DELEGATES HAS PASSED WITH A SUBSTITUTE THE FOLLOWING SENATE BILL:

**S.B. 628.** A BILL to amend and reenact § 51.1-1110 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.

THE HOUSE OF DELEGATES HAS INSISTED ON ITS AMENDMENT AND HAS REQUESTED A COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 286.** A BILL to amend and reenact § 24.2-504 of the Code of Virginia, relating to persons entitled to have name printed on ballot.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 318.** A BILL to amend and reenact §§ 2.2-3705, 2.2-3711, 2.2-4002, 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 63.2-1607.1, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

**S.B. 381.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**S.B. 548.** A BILL to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

**H.B. 390.** A BILL to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

**H.B. 1231.** A BILL to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the 2003 Acts of Assembly; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of a sections numbered 22.1-358 and 22.1-359, and by adding in

Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the 1964 Acts of Assembly, Chapter 449 of the 1968 Acts of Assembly, Chapters 295 and 422 of the 1972 Acts of Assembly, Chapters 251 and 520 of the 1974 Acts of Assembly, Chapter 141 of the 1976 Acts of Assembly, Chapter 144 of the 1980 Acts of Assembly, Chapter 227 of the 1981 Acts of Assembly, and Chapter 149 of the 1989 Acts of Assembly, relating to requirements of collegial bodies; reports.

THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 127.** A BILL to amend and reenact § 18.2-268.4 of the Code of Virginia, relating to sanctions for refusal to submit to blood or breath test.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 511.** A BILL to amend and reenact §§ 20-60.3 and 20-108.2 of the Code of Virginia, relating to child support; extraordinary medical expenses.

**H.B. 557.** A BILL to amend and reenact §§ 18.2-272, 46.2-301 and 46.2-329 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.

**H.B. 624.** A BILL to amend and reenact § 8.01-380 of the Code of Virginia, relating to medical malpractice actions; nonsuits.

**H.B. 745.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to notice of application for license to be a provider of treatment for persons with opiate addiction.

**H.B. 817.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**H.B. 846.** A BILL to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, relating to the Brown v. Board of Education Scholarship Program and Fund.

**H.B. 1055.** A BILL to amend and reenact §§ 17.1-805, 18.2-124, 18.2-374.3, and 19.2-299 of the Code of Virginia and to repeal §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358, and 18.2-367 of the Code of Virginia, relating to the revision of Title 18.2; repeal of certain statutes.

**H.B. 1136.** A BILL to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to administrative suspension of license or privilege to operate a motor vehicle.

**H.B. 1147.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 20.** A BILL to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites.

**H.B. 601.** A BILL to amend and reenact § 15.2-2144 of the Code of Virginia, relating to inspection of water supplies.

**H.B. 952.** A BILL to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 518.** Confirming an appointment by the Joint Rules Committee to the Board of Trustees of the Virginia Retirement System.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENT PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 192.** Memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states such as Virginia that have successfully increased student achievement through their own standards and accountability reforms.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 154.** Designating October, in 2004 and in each succeeding year, as Health Literacy Month in Virginia.

**H.J.R. 247.** Memorializing Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, O'Brien, Potts,

Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The House joint resolution, communicated as agreed to by the House of Delegates, the first reading of its title having been waived, was referred as follows:

**H.J.R. 518** was referred to the Committee on Rules.

**SUPPLEMENTAL CALENDAR NO. 1**

**UNFINISHED BUSINESS — HOUSE**

**H.B. 127** (one hundred twenty-seven) was taken up.

On motion of Senator Stolle, the Senate insisted on its substitute and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 390** (three hundred ninety) was taken up.

On motion of Senator Wagner, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1231** (one thousand two hundred thirty-one) was taken up.

On motion of Senator Norment, the Senate insisted on its amendments and respectfully requested a committee of conference.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.J.R. 192** (one hundred ninety-two) was taken up.

On motion of Senator Norment, the Senate insisted on its amendment and respectfully requested a committee of conference.

#### UNFINISHED BUSINESS — SENATE

**S.B. 286** (two hundred eighty-six) was taken up.

On motion of Senator O'Brien, the Senate acceded to the request of the House of Delegates for a committee of conference on the bill.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 628** (six hundred twenty-eight) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

A BILL to amend and reenact § 51.1-1110 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.

On motion of Senator Devolites, the substitute was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Puckett, for the committee of conference on **S.B. 546** (five hundred forty-six), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 546

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 546, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the attached amendment in the nature of a substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Phillip P. Puckett  
/s/ Senator Mark D. Obenshain  
/s/ Senator W. Roscoe Reynolds  
Conferees on the part of the Senate

/s/ Delegate Riley E. Ingram  
/s/ Delegate Allen W. Dudley  
/s/ Delegate Jackie T. Stump  
Conferees on the part of the House

**AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 546**

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 15.2-6400 and 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

On motion of Senator Puckett, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE PROCEDURES**

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Quayle, Howell, and Cuccinelli, the conferees on the part of the Senate for **H.B. 511** (five hundred eleven).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Rerras, Norment, and Stolle, the conferees on the part of the Senate for **H.B. 557** (five hundred fifty-seven).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Mims, Quayle, and Edwards, the conferees on the part of the Senate for **H.B. 624** (six hundred twenty-four).

Senator Potts, Chair of the Committee on Education and Health, appointed Senators Bell, Blevins, and Lucas, the conferees on the part of the Senate for **H.B. 745** (seven hundred forty-five).

Senator Norment, Chair of the Committee on Rules, appointed Senators Mims, Whipple, and Saslaw, the conferees on the part of the Senate for **H.B. 817** (eight hundred seventeen).

Senator Potts, Chair of the Committee on Education and Health, appointed Senators Lambert, Locke, and Marsh, the conferees on the part of the Senate for **H.B. 846** (eight hundred forty-six).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Quayle, Marsh, and Obenshain, the conferees on the part of the Senate for **H.B. 1055** (one thousand fifty-five).

Senator Williams, Chair of the Committee on Transportation, appointed Senators Mims, Rerras, and Deeds, the conferees on the part of the Senate for **H.B. 1136** (one thousand one hundred thirty-six).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Rerras, Norment, and Stolle, the conferees on the part of the Senate for **H.B. 1147** (one thousand one hundred forty-seven).

Senator Norment, Chair of the Committee on Rules, appointed Senators Mims, Whipple, and Saslaw, the conferees on the part of the Senate for **H.J.R. 154** (one hundred fifty-four).

Senator Norment, Chair of the Committee on Rules, appointed Senators Obenshain, Bolling, and Mims, the conferees on the part of the Senate for **H.J.R. 247** (two hundred forty-seven).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Quayle, Howell, and Cuccinelli, the conferees on the part of the Senate for **S.B. 208** (two hundred eight).

Senator Martin, Chair of the Committee on Privileges and Elections, appointed Senators O'Brien, Bolling, and Deeds, the conferees on the part of the Senate for **S.B. 286** (two hundred eighty-six).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Stolle, Rerras, and Norment, the conferees on the part of the Senate for **S.B. 329** (three hundred twenty-nine).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Stolle, Quayle, and Saslaw, the conferees on the part of the Senate for **S.B. 330** (three hundred thirty).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Norment, Stolle, and Rerras, the conferees on the part of the Senate for **S.B. 384** (three hundred eighty-four).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Rerras, Norment, and Stolle, the conferees on the part of the Senate for **S.B. 442** (four hundred forty-two).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Mims, Rerras, and Reynolds, the conferees on the part of the Senate for **S.B. 493** (four hundred ninety-three).

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Stolle, Saslaw, and Quayle, the conferees on the part of the Senate for **S.B. 660** (six hundred sixty).

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates  
March 11, 2004

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 127.** A BILL to amend and reenact § 18.2-268.4 of the Code of Virginia, relating to sanctions for refusal to submit to blood or breath test.

**H.B. 390.** A BILL to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

**H.B. 1231.** A BILL to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the 2003 Acts of Assembly; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of a sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the 1964 Acts of Assembly, Chapter 449 of the 1968 Acts of Assembly, Chapters 295 and 422 of the 1972 Acts of Assembly, Chapters 251 and 520 of the 1974 Acts of Assembly, Chapter 141 of the 1976 Acts of Assembly, Chapter 144 of the 1980 Acts of Assembly, Chapter 227 of the 1981 Acts of Assembly, and Chapter 149 of the 1989 Acts of Assembly, relating to requirements of collegial bodies; reports.

THE HOUSE OF DELEGATES HAS ACCEDED TO THE REQUEST OF THE SENATE FOR A COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE JOINT RESOLUTION

**H.J.R. 192.** Memorializing the Congress of the United States to amend the No Child Left Behind Act immediately to include a mechanism for an automatic waiver from its provisions for school accountability for states such as Virginia that have successfully increased student achievement through their own standards and accountability reforms.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Edwards--1.

RULE 36--0.

### CONFERENCE PROCEDURES

Senator Stolle, Chair of the Committee for Courts of Justice, appointed Senators Rerras, Norment, and Stolle, the conferees on the part of the Senate for **H.B. 127** (one hundred twenty-seven).

Senator Wampler, Chair of the Committee on Commerce and Labor, appointed Senators Wagner, O'Brien, and Puller, the conferees on the part of the Senate for **H.B. 390** (three hundred ninety).

Senator Norment, Chair of the Committee on Rules, appointed Senators Whipple, Mims, and Hanger, the conferees on the part of the Senate for **H.B. 1231** (one thousand two hundred thirty-one).

Senator Norment, Chair of the Committee on Rules, appointed Senators Hanger, Potts, and Houck, the conferees on the part of the Senate for **H.J.R 192** (one hundred ninety-two).

### HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates  
March 11, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENT PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 1425.** A BILL to amend and reenact § 46.2-1166 of the Code of Virginia, relating to garage liability insurance covering motor vehicle safety inspection stations.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 751.** A BILL to amend the Code of Virginia by adding a section numbered 20-45.3, relating to the Affirmation of Marriage Act for the Commonwealth of Virginia.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTE WITH AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILL:

**H.B. 1430.** A BILL to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8, and 18.2-251.02 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 11, 2004

- H.B. 1.** An Act to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.
- H.B. 40.** An Act to amend the Code of Virginia by adding a section numbered 3.1-14.2, relating to agriculture curriculum specialists.
- H.B. 45.** An Act to amend and reenact § 16.1-267 of the Code of Virginia, relating to compensation of appointed counsel.
- H.B. 49.** An Act to amend and reenact § 8.01-417 of the Code of Virginia, relating to providing documents to other party.
- H.B. 144.** An Act to amend and reenact §§ 3.1-796.104, 3.1-796.104:1, and 3.1-796.106 of the Code of Virginia, relating to animal control officer training.
- H.B. 221.** An Act to amend and reenact § 38.2-111 of the Code of Virginia, relating to miscellaneous casualty insurance.
- H.B. 288.** An Act to amend and reenact § 60.2-618 of the Code of Virginia, relating to disqualification for unemployment compensation benefits.
- H.B. 293.** An Act to amend the Code of Virginia by adding in Article 5 of Chapter 39 of Title 58.1 a section numbered 58.1-3994, relating to offers in compromise with respect to local taxes.
- H.B. 295.** An Act to amend and reenact § 58.1-3983.1 of the Code of Virginia, relating to appeals and rulings of certain local business taxes.
- H.B. 628.** An Act to amend and reenact § 38.2-4306 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-4320.1, relating to health maintenance organizations providing services to enrollees covered by medical assistance services or the Family Access to Medical Insurance Security (FAMIS) Plan; emergency.
- H.B. 1265.** An Act to amend and reenact §§ 8.01-499 and 17.1-272 of the Code of Virginia, relating to sheriff's fees.

The President of the Senate, pursuant to § 30-14.2 of the Code of Virginia, on the date recorded below, signed the following bills that had been amended in accordance with the recommendations of the Governor and reenrolled:

March 11, 2004

**H.B. 877.** (Reenrolled.) An Act to amend and reenact §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; procedure for certain patients to obtain access to their records.

**H.B. 878.** (Reenrolled.) An Act to amend and reenact §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, and 37.1-134.21 of the Code of Virginia, relating to access to health records and information for guardians ad litem and attorneys representing minors and certain adults in certain court proceedings.

March 11, 2004

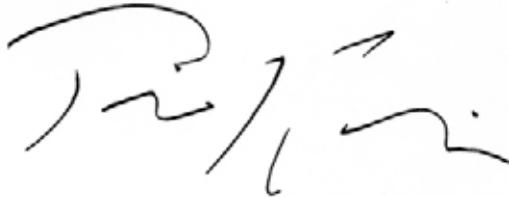
**H.B. 879.** (Reenrolled.) An Act to amend and reenact § 32.1-127.1:03 of the Code of Virginia, relating to health records privacy.

### HONORARY ADJOURNMENT

Senator Cuccinelli addressed the Senate in memory and honor of the victims of the tragedy in Spain.

Senator Cuccinelli requested that when the Senate adjourns today, it adjourn in memory and honor of the victims of the tragedy in Spain.

On motion of Senator Chichester, the Senate, in memory and honor of the victims of the tragedy in Spain, adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, MARCH 12, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Dr. John F. Sloop, First Presbyterian Church, Harrisonburg, Virginia, offered the following prayer:

Holy Father, You are the God of power and grace. You have been "Our help in ages past ... and You alone are our hope for the years to come." So, we humble ourselves in Your holy presence. We come to You in prayer because we know You care about each one of us. You care about the decisions to be made in this Senate chamber today by these, Your servants, who are seeking to be faithful to the trust placed in them by the good people of the Commonwealth of Virginia.

We seek Your divine guidance at the beginning of today's session because we need wisdom to solve this budget impasse. Deliver us from debating and voting on today's agenda out of self-interest, peer pressure ... or even misguided partisanship.

Rather, give us the grace to be "ready to listen, slow to speak, and slow to get angry ... for anger does not bring about the righteousness of God." God of all grace, may our leaders in this chamber be sensitive to Your leading, and may You grant each one: Clarity in their thinking, Compassion in their judgements, Patience in their deliberations, and above all, Courage to live out their convictions ... no matter what the cost. And when the day is done ... and this session ended ... may each one know the joy of hearing the Master say:

"Well done, good and faithful servant."

Hear and answer our prayers, for we come, believing, in the Name of Him who created us ... who sustains us by His Spirit, and Redeems us by the power of his sacrificial love. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Cuccinelli and O'Brien notified the Clerk of their presence.

On motion of Senator Hanger, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

At 12:10 p.m., Senator Norment moved that the Senate recess until 12:20 p.m.

The motion was agreed to.

The hour of 12:20 p.m. having arrived, the Chair was resumed.

## CALENDAR

### CONFERENCE COMMITTEE REPORT

Senator Watkins, for the committee of conference on **H.B. 176** (one hundred seventy-six), presented the following report:

Joint Conference Committee Report On  
House Bill No. 176

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 176, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached amendment in the nature of a substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Viola Osborne Baskerville

/s/ Delegate Bradley P. Marrs

/s/ Delegate John M. O'Bannon, III

Conferees on the part of the House

/s/ Senator John Watkins

/s/ Senator Benjamin J. Lambert, III

/s/ Senator Ken T. Cuccinelli, II

Conferees on the part of the Senate

### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 176

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

On motion of Senator Watkins, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Stolle, for the committee of conference on **H.B. 557** (five hundred fifty-seven), presented the following report:

Joint Conference Committee Report On  
House Bill No. 557

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 557, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be accepted.

B. We recommend that the Senate Amendment in the Nature of a Substitute be further amended as follows to resolve the matter under disagreement.

1. Line 63, substitute bill, after is

insert

not guilty of a violation of this section but is

2. Line 78, substitute bill, after is

insert

not guilty of a violation of this section but is

Respectfully submitted,

/s/ Senator Nick Rerras

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator Kenneth W. Stolle

Conferees on the part of the Senate

/s/ Delegate Beverly J. Sherwood

/s/ Delegate Robert F. McDonnell

/s/ Delegate Brian J. Moran

Conferees on the part of the House

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Bell, for the committee of conference on **H.B. 745** (seven hundred forty-five), presented the following report:

#### Joint Conference Committee Report On House Bill No. 745

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 745, report as follows:

We recommend that the Senate Amendment in the Nature of a Substitute be amended as follows to resolve the matter under disagreement.

1. Line 50, after *The provisions of*  
insert  
*subsection A of*

Respectfully submitted,

/s/ Delegate Onzlee Ware

/s/ Delegate William H. Fralin, Jr.

/s/ Delegate Terry G. Kilgore

Conferees on the part of the House

/s/ Senator J. Brandon Bell, II

/s/ Senator Harry B. Blevins

/s/ Senator L. Louise Lucas

Conferees on the part of the Senate

On motion of Senator Bell, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Mims, for the committee of conference on **H.B. 817** (eight hundred seventeen), presented the following report:

Joint Conference Committee Report On  
House Bill No. 817

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 817, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be accepted.

Respectfully submitted,

/s/ Delegate Marian Van Landingham

/s/ Delegate H. Morgan Griffith

/s/ Delegate Thelma Drake

Conferees on the part of the House

/s/ Senator William C. Mims

/s/ Senator Mary Margaret Whipple

/s/ Senator Richard L. Saslaw

Conferees on the part of the Senate

On motion of Senator Mims, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Potts, for the committee of conference on **H.B. 928** (nine hundred twenty-eight), presented the following report:

Joint Conference Committee Report On  
House Bill No. 928

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 928, report as follows:

We recommend that the Senate Amendments be accepted.

Respectfully submitted,

/s/ Delegate Jeffrey M. Frederick  
/s/ Delegate John J. Welch, III  
/s/ Delegate Mamy E. BaCote  
Conferees on the part of the House

/s/ Senator H. Russell Potts, Jr.  
/s/ Senator R. Edward Houck  
/s/ Senator Janet D. Howell  
Conferees on the part of the Senate

On motion of Senator Potts, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Hawkins, for the committee of conference on **H.B. 1212** (one thousand two hundred twelve), presented the following report:

#### Joint Conference Committee Report On House Bill No. 1212

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1212, report as follows:

A. We recommend that the Senate Amendment be accepted.

B. We recommend that the engrossed bill be further amended as follows to resolve the matter under disagreement.

1. After line 68, engrossed  
insert

2. That except as provided in the third enactment of this act, the provisions of this act shall become effective no later than the beginning of the term of the Governor elected November 8, 2005.

3. That if funding for the position and expenses of the Secretary of Agriculture and Forestry created by this act is included in the 2004 appropriation act passed by the General Assembly, the provisions of this act shall become effective beginning on the date set out in the appropriation act.

4. That notwithstanding the provisions of the second or third enactments of this act, effective July 1, 2004, the Governor shall appoint a Deputy Secretary of Agriculture and Forestry within the Secretariat of Commerce and Trade to administer the policies affecting the Commonwealth's agricultural and forestry interests. Such Deputy Secretary of Agriculture and Forestry shall serve until the position of Secretary of Agriculture and Forestry is filled.

Respectfully submitted,

/s/ Senator Charles R. Hawkins

/s/ Senator Frank M. Ruff, Jr.

/s/ Senator W. Roscoe Reynolds

Conferees on the part of the Senate

/s/ Delegate R. Steven Landes

/s/ Delegate M. Kirkland Cox

/s/ Delegate Jackie T. Stump

Conferees on the part of the House

On motion of Senator Hawkins, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Watkins, for the committee of conference on **S.B. 58** (fifty-eight), presented the following report:

##### Joint Conference Committee Report On Senate Bill No. 58

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 58, report as follows:

We recommend that the House Amendments be accepted.

Respectfully submitted,

/s/ Senator John Watkins

/s/ Senator Phillip P. Puckett

/s/ Senator Jay O'Brien

Conferees on the part of the Senate

/s/ Delegate Leo C. Wardrup, Jr.  
/s/ Delegate Thomas Davis Rust  
/s/ Delegate Fenton L. Bland, Jr.  
Conferees on the part of the House

On motion of Senator Watkins, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--22. NAYS--17. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Lambert, Martin, Miller, Newman, Obenshain, O'Brien, Puckett, Rerras, Stosch, Wagner, Wampler, Watkins, Williams--22.

NAYS--Deeds, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Mims, Norment, Potts, Puller, Quayle, Reynolds, Saslaw, Stolle, Ticer, Whipple--17.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Watkins, for the committee of conference on **S.B. 124** (one hundred twenty-four), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 124

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 124, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the attached amendment in the nature of a substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator John Watkins  
/s/ Senator Ken T. Cuccinelli, II  
/s/ Senator Mary Margaret Whipple  
Conferees on the part of the Senate

/s/ Delegate Viola Osborne Baskerville  
/s/ Delegate Bradley P. Marrs  
/s/ Delegate John M. O'Bannon, III  
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 124

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

On motion of Senator Watkins, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Quayle, for the committee of conference on **S.B. 204** (two hundred four), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 204

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 204, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the engrossed bill be amended as follows to resolve the matters under disagreement.

1. Line 40, engrossed bill, after *property*  
strike  
remainder of line 40 through *ordinance*
2. Line 57, engrossed bill, after *located*  
strike  
remainder of line 57 and line 58 through *property*
3. Line 75, engrossed bill, after *located*  
strike  
remainder of line 75 and line 76 through *property*
4. Line 90, engrossed bill, after *property*  
strike  
remainder of line 90 and line 91 through *ordinance*

Respectfully submitted,

/s/ Senator Frederick M. Quayle  
/s/ Senator Stephen H. Martin  
/s/ Senator Phillip P. Puckett  
Conferees on the part of the Senate

/s/ Delegate L. Preston Bryant, Jr.  
/s/ Delegate Michele B. McQuigg  
/s/ Delegate Dwight C. Jones  
Conferees on the part of the House

On motion of Senator Quayle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Colgan, Puller, Ticer--3.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator O'Brien, for the committee of conference on **S.B. 286** (two hundred eighty-six), presented the following report:

##### Joint Conference Committee Report On Senate Bill No. 286

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 286, report as follows:

A. We recommend that the House Amendment be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Jay O'Brien  
/s/ Senator Bill Bolling  
\* Senator R. Creigh Deeds  
Conferees on the part of the Senate

/s/ Delegate John A. Cosgrove  
/s/ Delegate Melanie L. Rapp  
/s/ Delegate Kenneth C. Alexander  
Conferees on the part of the House

\*I dissent.

/s/ Senator R. Creigh Deeds

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 286

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 24.2-504 and 24.2-525 of the Code of Virginia, relating to persons entitled to have name printed on ballot.

On motion of Senator O'Brien, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Deeds--1.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Hawkins, for the committee of conference on **S.B. 543** (five hundred forty-three), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 543

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 543, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be accepted.

B. We recommend that the Amendment in the Nature of a Substitute be further amended as follows to resolve the matter under disagreement.

1. At the beginning of line 67, substitute

strike

all of lines 67 and 68

insert

2. That except as provided in the third enactment of this act, the provisions of this act shall become effective no later than the beginning of the term of the Governor elected November 8, 2005.

3. That if funding for the position and expenses of the Secretary of Agriculture and Forestry created by this act is included in the 2004 appropriation act passed by the General Assembly, the provisions of this act shall become effective beginning on the date set out in the appropriation act.

4. That notwithstanding the provisions of the second or third enactments of this act, effective July 1, 2004, the Governor shall appoint a Deputy Secretary of Agriculture and Forestry within the Secretariat of Commerce and Trade to administer the policies affecting the Commonwealth's agricultural and forestry interests. Such Deputy Secretary of Agriculture and Forestry shall serve until the position of Secretary of Agriculture and Forestry is filled.

Respectfully submitted,

/s/ Senator Charles R. Hawkins

/s/ Senator Frank M. Ruff, Jr.

/s/ Senator W. Roscoe Reynolds

Conferees on the part of the Senate

/s/ Delegate R. Steven Landes

/s/ Delegate M. Kirkland Cox

/s/ Delegate Jackie T. Stump

Conferees on the part of the House

On motion of Senator Hawkins, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Stolle, for the committee of conference on **S.B. 660** (six hundred sixty), presented the following report:

##### Joint Conference Committee Report On Senate Bill No. 660

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 660, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute and Amendments thereto be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Senator Kenneth W. Stolle

/s/ Senator Richard L. Saslaw

/s/ Senator Frederick M. Quayle

Conferees on the part of the Senate

/s/ Delegate H. Morgan Griffith

/s/ Delegate Clarke N. Hogan

/s/ Delegate Floyd H. Miles, Sr.

Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 660

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Howell, Lambert, Locke, Lucas, Marsh, Mims, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--27.

NAYS--Bell, Bolling, Cuccinelli, Hanger, Hawkins, Houck, Martin, Miller, Obenshain, O'Brien, Reynolds, Wampler--12.

RULE 36--0.

IMMEDIATE CONSIDERATION

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 518** (five hundred eighteen), the second reading of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.J.R. 518** was read by title the third time.

## HOUSE JOINT RESOLUTION NO. 518

Confirming an appointment by the Joint Rules Committee to the Board of Trustees of the Virginia Retirement System.

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly confirm the following appointment made by the Joint Rules Committee to the Board of Trustees of the Virginia Retirement System pursuant to § 51.1-124.20 of the Code of Virginia:

Edwin T. Burton, 2505 Hunt Country Lane, Charlottesville, Virginia 22901, for a term of five years beginning March 1, 2004, to succeed Charles B. Walker.

**H.J.R. 518**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT****RECONSIDERATION**

Senator Norment moved to reconsider the vote by which the Senate agreed to the joint conference committee report on **S.B. 204** (two hundred four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--35. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--35.

NAYS--Colgan, Houck, Newman, Ticer--4.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT RECONSIDERATION

Senator Edwards moved to reconsider the vote by which the Senate agreed to the joint conference committee report on **S.B. 660** (six hundred sixty).

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--23. NAYS--16. RULE 36--0.

YEAS--Blevins, Chichester, Colgan, Deeds, Devolites, Howell, Lambert, Locke, Lucas, Marsh, Mims, Potts, Puckett, Puller, Quayle, Rerras, Saslaw, Stolle, Stosch, Wagner, Watkins, Whipple, Williams--23.

NAYS--Bell, Bolling, Cuccinelli, Edwards, Hanger, Hawkins, Houck, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Reynolds, Ticer, Wampler--16.

RULE 36--0.

At 1:00 p.m., Senator Norment moved that the Senate recess until 1:50 p.m.

The motion was agreed to.

The hour of 1:50 p.m. having arrived, the Chair was resumed.

At 1:55 p.m., Senator Norment moved that the Senate recess until 2:20 p.m.

The motion was agreed to.

The hour of 2:20 p.m. having arrived, the Chair was resumed.

## HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates  
March 12, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:

**H.J.R. 452.** Celebrating the life of Greta Evans.

**H.J.R. 453.** Commending Pinky O'Neil.

**H.J.R. 454.** Commending Doris J. Ward.

**H.J.R. 455.** Celebrating the life of Major William R. Watkins III.

**H.J.R. 456.** On the death of Reverend Ollie B. Wells, Sr.

**H.J.R. 457.** On the death of Anthony Kevin Herndon.

**H.J.R. 458.** On the death of Malcolm J. Forbes, Sr.

**H.J.R. 459.** On the death of William Gravely Davis.

**H.J.R. 460.** On the death of Martin Kirwan King.

**H.J.R. 461.** Commending William E. Long.

**H.J.R. 462.** Commending Harriet Tubman Day.

**H.J.R. 463.** Commending Josh Piercy and Jake Piercy.

**H.J.R. 464.** Commending the Virginia Union University men's basketball team.

**H.J.R. 465.** Commending Temple Kessinger.

**H.J.R. 466.** Commending Bruce Smith.

**H.J.R. 468.** On the death of Stephen Louis Whitehead, Jr.

**H.J.R. 469.** On the death of Robert W. Woltz, Sr.

**H.J.R. 470.** On the death of Norwood C. Middleton.

**H.J.R. 471.** On the death of Winton Warren Shelor, Sr.

**H.J.R. 472.** On the death of William T. Phelps, Sr.

**H.J.R. 473.** On the death of Lucy Pannill Sale.

- H.J.R. 474.** On the death of Patricia Ann Kranz.
- H.J.R. 475.** On the death of Charles E. Beatley, Jr.
- H.J.R. 476.** Commending Sarah-Elizabeth Hurt.
- H.J.R. 477.** On the death of Nina K. Peace.
- H.J.R. 478.** On the death of Edna Moore McCormick Pickral.
- H.J.R. 479.** On the death of George David Grow.
- H.J.R. 480.** On the death of Glenn L. Claytor.
- H.J.R. 481.** Commending the Northern Virginia Transportation Commission on the occasion of its 40th anniversary.
- H.J.R. 482.** Commending Gerald S. Stokes.
- H.J.R. 483.** Commending Virginia Military Institute for its contributions to the War on Terrorism.
- H.J.R. 484.** Commending Robert Davis.
- H.J.R. 485.** Commending Judge George E. Honts III.
- H.J.R. 486.** Commending Judge Joseph E. Hess.
- H.J.R. 487.** Commending the Robert E. Lee High School Scholastic Bowl team.
- H.J.R. 488.** Commending Dwight Lineberry.
- H.J.R. 489.** Commending William H. Kline, Jr.
- H.J.R. 490.** Commending the hundreds of volunteers at the Martinsville-Henry County Dental Clinic and Health Fair.
- H.J.R. 491.** Commending Kim Franklin, Joel Franklin, Bill Ramsey, and the Mount Cross Volunteer Fire Department.
- H.J.R. 492.** Commending Robert S. Bloxom.
- H.J.R. 493.** Commending Thomas D. Sikes.
- H.J.R. 494.** Commending Orvin H. Kiser.
- H.J.R. 495.** Commending Roanoke Valley Governor's School for Science and Technology.
- H.J.R. 496.** Commending Dr. N. Wayne Tripp.
- H.J.R. 497.** Commending the Salem Swift Water Rescue Team.
- H.J.R. 498.** Commending Luther Jackson Middle School.

**H.J.R. 499.** Commending Bruce Smith.

**H.J.R. 500.** Commending Arlene Rager.

**H.J.R. 501.** Commending Judge Stephen W. Rideout.

**H.J.R. 502.** Commending the Alexandria Bar Association.

**H.J.R. 503.** Commending Joseph B. Benedetti.

**H.J.R. 504.** Commending Roy C. Wood.

**H.J.R. 505.** Commending Patrick M. Mayerchak.

**H.J.R. 506.** Commending Cynthia J. Kelley.

**H.J.R. 507.** Commending J. Donald Hanger.

**H.J.R. 508.** Commending Roy Fauber.

**H.J.R. 509.** Commending Will Harris.

**H.J.R. 510.** Commending Nanalou Sauder.

**H.J.R. 511.** Commending Nancy Stagner.

**H.J.R. 512.** Commending York High School.

**H.J.R. 513.** Commending the Lafayette High School girls' swimming team.

**H.J.R. 514.** Commending Alec Gould.

**H.J.R. 515.** Commending the Norfolk Southern Corporation and its partner organizations for sponsoring the General Assembly's visit to the "68th Annual Old Fiddler's Convention" weekend.

**H.J.R. 516.** Commending Diana Robbins.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

**S.J.R. 204.** Commending Ruby Nell Bridges.

**S.J.R. 205.** Celebrating the life of William L. Boswell, Jr.

**S.J.R. 206.** Commending the Loudoun Valley High School softball team.

**S.J.R. 208.** Celebrating the life of William Blankenship.

**S.J.R. 210.** Commending the Delmarva Firemen's Association.

**S.J.R. 211.** On the death of Robert L. Hicks, Sr.

**S.J.R. 212.** On the death of Trooper Anthony Daryl Campbell.

**S.J.R. 213.** Celebrating the life of Jacob Wesley Alexander Salter.

**S.J.R. 214.** Commending Dick and Janet Hays.

**S.J.R. 215.** Commending Linda Miller.

**S.J.R. 216.** Commending Nancy Susco.

**S.J.R. 217.** Commending Karen Connell Cleveland.

**S.J.R. 219.** Commending Wanda Wilt.

**S.J.R. 220.** On the death of Theodore F. Constant.

**S.J.R. 221.** On the deaths of June Carter Cash and Johnny Cash.

**S.J.R. 222.** Celebrating the life of Alma Alverta Norris Jackson.

**S.J.R. 224.** Commending Joe Wilson.

**S.J.R. 225.** Celebrating the life of Gailya Chambers Johnson.

**S.J.R. 226.** Celebrating the life of Shirley Mae Montague Willis-Robinson.

**S.J.R. 227.** Celebrating the life of Willis Fleming Davis, Jr.

**S.J.R. 228.** Commending the Hampden-Sydney College basketball team.

**S.J.R. 229.** Commending Robert M. Sager, Margaret B. Douglas, and Sidney A. Reyes.

**S.J.R. 230.** Commending Wayne Griffith.

**S.J.R. 231.** Commending Frederick F. Flemming.

**S.J.R. 232.** Commending the Potomac Falls High School and Broad Run High School debate teams.

**S.J.R. 233.** Celebrating the life of Kenneth W. Culbert.

**S.J.R. 234.** Celebrating the life of William F. Webb, Jr.

**S.J.R. 235.** On the death of William Marvin Minter.

**S.J.R. 236.** Commending Leigh B. Middleditch Jr. Esquire.

**S.J.R. 237.** Commending Albert J. Boudreau.

**S.J.R. 238.** Commending Alexis Kuiper.

**S.J.R. 239.** On the death of Wilbert Novarro Lee.

**S.J.R. 240.** Celebrating the life of Roosevelt Cunningham.

**S.J.R. 241.** Commending James W. Loulies.

**S.J.R. 242.** Commending the University of Virginia chapter of the National Organization for Women and the University of Virginia All Women Attaining Knowledge and Enrichment Organization.

**S.J.R. 243.** Commending Amanda Gilbert.

**S.J.R. 244.** Commending Dr. William R. Harvey.

**S.J.R. 245.** Commending Dr. Melvin O. Marriner.

**S.J.R. 246.** Commending Dr. Bertha Davis.

**S.J.R. 247.** Commending the Reverend Leslie Francis Griffin.

**S.J.R. 248.** Commemorating the 40th anniversary of the Civil Rights Act of 1964.

**S.J.R. 249.** Celebrating the life of the Reverend Dr. Ollie B. Wells, Sr.

**S.J.R. 250.** Commending the American seafarers in the United States Merchant Marine and Maritime Service from Mathews County.

**S.J.R. 251.** On the death of Charles Charnock.

**S.J.R. 252.** On the death of Frank B. Shaw.

**S.J.R. 253.** Commending First Mount Olive Baptist Church.

**S.J.R. 254.** On the death of Harold B. Cumberledge.

**S.J.R. 255.** On the death of Warren G. Lineberry.

**S.J.R. 256.** Commending the Virginia Union University men's basketball team.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

In the House of Delegates  
March 12, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 58.** A BILL to amend the Code of Virginia by adding a section numbered 33.1-370.2, relating to maintenance and repair of nonconforming signs.

**S.B. 124.** A BILL to amend and reenact §§ 4.03 and 5.01 as amended of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding a section numbered 4.03.1, relating to the election, powers and responsibilities of the mayor, and the appointment and qualifications of the chief administrative officer.

**S.B. 204.** A BILL to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

**S.B. 234.** A BILL for the relief of Julius Earl Ruffin.

**S.B. 286.** A BILL to amend and reenact § 24.2-504 of the Code of Virginia, relating to persons entitled to have name printed on ballot.

**S.B. 493.** A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens and unidentified people.

**S.B. 543.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

**S.B. 546.** A BILL to amend and reenact § 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.

**S.B. 646.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 22 of Title 2.2 a section numbered 2.2-2233.2, relating to the Biotechnology Commercialization Loan Fund.

**S.B. 660.** A BILL to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 176.** A BILL to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02, 18.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

**H.B. 557.** A BILL to amend and reenact §§ 18.2-272, 46.2-301 and 46.2-329 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.

**H.B. 624.** A BILL to amend and reenact § 8.01-380 of the Code of Virginia, relating to medical malpractice actions; nonsuits.

**H.B. 745.** A BILL to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to notice of application for license to be a provider of treatment for persons with opiate addiction.

**H.B. 817.** A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**H.B. 848.** A BILL for the relief of Julius Earl Ruffin.

**H.B. 928.** A BILL to amend the Code of Virginia by adding a section numbered 58.1-3916.02, relating to real estate taxes; alternative payment schedules.

**H.B. 1212.** A BILL to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

THE HOUSE OF DELEGATES HAS REQUESTED A SECOND COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

**H.B. 35.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:  
YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--0.  
RULE 36--0.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 452, H.J.R. 453, H.J.R. 454, H.J.R. 455, H.J.R. 456, H.J.R. 457, H.J.R. 458, H.J.R. 459, H.J.R. 460, H.J.R. 461, H.J.R. 462, H.J.R. 463, H.J.R. 464, H.J.R. 465, H.J.R. 466, H.J.R. 468, H.J.R. 469, H.J.R. 470, H.J.R. 471, H.J.R. 472, H.J.R. 473, H.J.R. 474, H.J.R. 475, H.J.R. 476, H.J.R. 477, H.J.R. 478, H.J.R. 479, H.J.R. 480, H.J.R. 481, H.J.R. 482, H.J.R. 483, H.J.R. 484, H.J.R. 485, H.J.R. 486, H.J.R. 487, H.J.R. 488, H.J.R. 489, H.J.R. 490, H.J.R. 491, H.J.R. 492, H.J.R. 493, H.J.R. 494, H.J.R. 495, H.J.R. 496, H.J.R. 497, H.J.R. 498, H.J.R. 499, H.J.R. 500, H.J.R. 501, H.J.R. 502, H.J.R. 503, H.J.R. 504, H.J.R. 505, H.J.R. 506, H.J.R. 507, H.J.R. 508, H.J.R. 509, H.J.R. 510, H.J.R. 511, H.J.R. 512, H.J.R. 513, H.J.R. 514, H.J.R. 515, and H.J.R. 516.**

#### UNFINISHED BUSINESS — HOUSE

**H.B. 35** (thirty-five) was taken up.

On motion of Senator Williams, the Senate acceded to the request of the House of Delegates for a second committee of conference on the bill.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### STATEMENT ON VOTE

Senator Watkins stated that he was recorded as not voting on the motion to accede to the House request for a second committee of conference on **H.B. 35**, whereas he intended to vote yea.

### CONFERENCE PROCEDURES

Senator Williams, Chair of the Committee on Transportation, appointed Senators Reynolds, Rerras, and Deeds, the conferees on the part of the Senate for a second committee of conference on **H.B. 35** (thirty-five).

### CONFERENCE COMMITTEE REPORT

Senator Mims, for the committee of conference on **H.B. 624** (six hundred twenty-four), presented the following report:

#### Joint Conference Committee Report On House Bill No. 624

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 624, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be accepted.

Respectfully submitted,

/s/ Delegate John M. O'Bannon, III

/s/ Delegate Robert B. Bell

/s/ Delegate Ward L. Armstrong

Conferees on the part of the House

/s/ Senator William C. Mims

/s/ Senator Frederick M. Quayle

/s/ Senator John S. Edwards

Conferees on the part of the Senate

On motion of Senator Mims, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--37.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Quayle, for the committee of conference on **H.B. 638** (six hundred thirty-eight), presented the following report:

Joint Conference Committee Report On  
House Bill No. 638

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 638, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Robert Tata

/s/ Delegate John M. O'Bannon, III

/s/ Delegate Jackie T. Stump

Conferees on the part of the House

/s/ Senator Frederick M. Quayle

/s/ Senator Janet D. Howell

/s/ Senator Harry B. Blevins

Conferees on the part of the Senate

### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 638

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.

On motion of Senator Quayle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Lambert--1.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Lambert, for the committee of conference on **H.B. 848** (eight hundred forty-eight), presented the following report:

Joint Conference Committee Report On  
House Bill No. 848

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 848, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the engrossed bill be amended as follows to resolve the matters under disagreement.

1. Line 72, engrossed bill, after *sum of*

strike

*\$250,000*

insert

*\$325,000*

2. Line 73, engrossed bill, after *(b)*

strike

*\$500,000 for the purchase of an annuity for the primary benefit of Julius Earl Ruffin providing for equal monthly payments, for a period certain of 20 years commencing on or before September 1, 2004*

insert

*an annuity for the primary benefit of Julius Earl Ruffin providing for equal monthly payments, for a period certain of 30 years commencing on or before September 1, 2004, in the cumulative amount of \$900,000*

Respectfully submitted,

/s/ Delegate S. Chris Jones

/s/ Delegate Robert Tata

/s/ Delegate Johnny S. Joannou

Conferees on the part of the House



/s/ Senator Frederick M. Quayle  
/s/ Senator Emmett W. Hanger, Jr.  
/s/ Senator Benjamin J. Lambert, III  
Conferees on the part of the Senate

/s/ Delegate S. Chris Jones  
/s/ Delegate Robert Tata  
/s/ Delegate Johnny S. Joannou  
Conferees on the part of the House

On motion of Senator Lambert, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Quayle, for the committee of conference on **S.B. 271** (two hundred seventy-one), presented the following report:

##### Joint Conference Committee Report On Senate Bill No. 271

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 271, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Frederick M. Quayle  
/s/ Senator Janet D. Howell  
/s/ Senator Harry B. Blevins  
Conferees on the part of the Senate

/s/ Delegate Robert Tata  
/s/ Delegate John M. O'Bannon III  
/s/ Delegate Jackie T. Stump  
Conferees on the part of the House

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 271

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.

On motion of Senator Quayle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Lambert--1.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Mims, for the committee of conference on **S.B. 493** (four hundred ninety-three), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 493

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 493, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator William C. Mims

/s/ Senator Nick Rerras

/s/ Senator W. Roscoe Reynolds

Conferees on the part of the Senate

/s/ Delegate David B. Albo

/s/ Delegate Robert B. Bell

/s/ Delegate Ryan T. McDougle

Conferees on the part of the House

### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 493

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens.

On motion of Senator Mims, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--Miller--1.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Howell, for the committee of conference on **S.B. 646** (six hundred forty-six), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 646

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 646, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the engrossed bill be amended as follows to resolve the matter under disagreement.

1. Line 87, engrossed bill, after end of line  
insert

*I. No loan shall be made to any entity which conducts human stem cell research from human embryos, or for any loan to conduct such research; however, research conducted using adult stem cells may be funded.*

Respectfully submitted,

/s/ Senator Janet D. Howell

/s/ Senator H. Russell Potts, Jr.

/s/ Senator John Watkins

Conferees on the part of the Senate

/s/ Delegate Robert G. Marshall

/s/ Delegate Joseph P. Johnson, Jr.

/s/ Delegate John S. Reid

Conferees on the part of the House

On motion of Senator Howell, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received and read:

In the House of Delegates

March 12, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 442.** A BILL to amend and reenact §§ 19.2-120 and 19.2-390 of the Code of Virginia, relating to DUI; admission to bail; criminal history record information.

**S.B. 561.** A BILL to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 798.** A BILL to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:5, 56-484.7:6 and 56-484.7:7, relating to telephonic reading services.

**H.B. 1231.** A BILL to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the 2003 Acts of Assembly; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of a sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the 1964 Acts of Assembly, Chapter 449 of the 1968 Acts of Assembly, Chapters 295 and 422 of the 1972 Acts of Assembly, Chapters 251 and 520 of the 1974 Acts of Assembly, Chapter 141 of the 1976 Acts of Assembly, Chapter 144 of the 1980 Acts of Assembly, Chapter 227 of the 1981 Acts of Assembly, and Chapter 149 of the 1989 Acts of Assembly, relating to requirements of collegial bodies; reports.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE JOINT RESOLUTION:

**S.J.R. 79.** Memorializing the Congress of the United States to enact legislation that would allow states to regulate and impose a fee upon municipal solid waste imported from other states.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 247.** Memorializing Congress to enact the State Waste Empowerment and Enforcement Provision Act of 2003.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

#### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 12, 2004

**H.B. 604.** An Act to amend and reenact §§ 24.2-405, 24.2-406, and 24.2-418 of the Code of Virginia, relating to lists of registered voters and persons voting and to voter registration applications.

- H.B. 700.** An Act to amend and reenact § 51.1-1103 of the Code of Virginia, relating to the Virginia Sickness and Disability Program; suspension of eligibility.
- H.B. 1030.** An Act to amend and reenact §§ 58.1-3505 and 58.1-3506 of the Code of Virginia, relating to classifications of farm animals, farm products and equipment, and other tangible personal property for taxation.
- S.B. 2.** An Act to amend and reenact § 2.2-609 of the Code of Virginia, relating to state publications.
- S.B. 8.** An Act to repeal Article 13 (§§ 2.2-2640 and 2.2-2641) of Chapter 26 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Interagency Coordinating Council on Housing for the Disabled.
- S.B. 9.** An Act to amend and reenact § 60.2-113 of the Code of Virginia, relating to the Virginia Employment Commission workforce plan for times of economic recession, natural disaster and military mobilization.
- S.B. 10.** An Act to amend and reenact § 2.2-612 of the Code of Virginia and to repeal Article 3 (§§ 2.2-2506 and 2.2-2507) of Chapter 25 of Title 2.2 of the Code of Virginia, relating to the abolishment of the Virginia Advisory Commission on Intergovernmental Relations.
- S.B. 44.** An Act to repeal the fifth enactment of Chapter 941 of the Acts of Assembly of 1999, relating to insurance coverage for biologically based mental illness.
- S.B. 45.** An Act to amend and reenact § 15.2-1508.3 of the Code of Virginia, relating to state and local health departments.
- S.B. 69.** An Act to amend and reenact §§ 15.2-6701 and 15.2-6703 of the Code of Virginia, relating to the Buchanan County Tourist Train Development Authority.
- S.B. 90.** An Act to amend and reenact § 15.2-1503.1 of the Code of Virginia, relating to criminal background checks.
- S.B. 97.** An Act to amend and reenact §§ 5.1 and 5.2, as amended, of Chapter 319 of the Acts of Assembly of 1966, which provided a charter for the City of Fairfax, relating to salaries.
- S.B. 131.** An Act to amend and reenact §§ 13.1-750 and 13.1-912 of the Code of Virginia, relating to corporations; articles of termination of corporate existence.
- S.B. 152.** An Act to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.
- S.B. 154.** An Act to amend and reenact § 38.2-401 of the Code of Virginia, relating to the Fire Programs Fund.
- S.B. 163.** An Act to amend and reenact § 6.1-1.1 of the Code of Virginia, relating to confidentiality of information.
- S.B. 171.** An Act to amend and reenact § 56-484.17 of the Code of Virginia, relating to the Wireless E-911 Fund.
- S.B. 203.** An Act to amend Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, by adding a section numbered 5.02.1, and to repeal §§ 5.02, 5.04 and 8.02, §§ 8.03 and 8.07, as amended, §§ 8.09, 8.10 and 8.12, §§ 9.01 and 9.02, as amended, §§ 9.03 through 9.06, § 9.07, as amended, §§ 9.08 and 9.09, § 9.11, as amended, §§ 11.01 through 11.05 and § 12.01, § 12.02, as amended, §§ 12.03 through 12.06, § 12.07, as amended, §§ 12.08, 12.09 and 13.01 through 13.04, § 13.05, as amended, §§ 13.10, 14.01 and 14.02, § 14.03, as amended, §§ 14.04, 14.05 and 14.06, §§ 15.01 through 15.05, and §§ 16.01 through 16.04 of Chapter 323 of the Acts of Assembly of 1950, relating to personnel and city departments.

- S.B. 211.** An Act to amend and reenact § 12.04, as amended, of Chapter 155 of the Acts of Assembly of 1962, which provided a charter for the City of Franklin, relating to compensation of school board.
- S.B. 212.** An Act to amend and reenact §§ 37.1-255, 37.1-256 and 37.1-256.1 of the Code of Virginia, and to repeal § 37.1-257 of the Code of Virginia, relating to the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services.
- S.B. 261.** An Act to amend the Code of Virginia by adding a section numbered 29.1-508.1, relating to the use of drugs on vertebrate wildlife; penalty.
- S.B. 323.** An Act to amend and reenact § 65.2-801 of the Code of Virginia, relating to workers' compensation insurance; self-insurers.
- S.B. 355.** An Act to amend and reenact § 38.2-1230 of the Code of Virginia, relating to insurance reciprocals.
- S.B. 372.** An Act to amend and reenact §§ 38.2-4300, 38.2-4301, and 38.2-4302 of the Code of Virginia, relating to health maintenance organizations.
- S.B. 396.** An Act to amend and reenact § 9, as amended, § 10, §§ 22.1 and 22.3, as amended, of Chapter 393 of the Acts of Assembly of 1932, which provided a charter for the City of Williamsburg, relating to utilities, school board, and oaths for board and commissions.
- S.B. 461.** An Act to amend and reenact §§ 15.2-710, 15.2-720.1 and 15.2-726 of the Code of Virginia, relating to the county manager plan of government; budget, constitutional officers and easements.
- S.B. 480.** An Act to amend and reenact §§ 15.2-6006 and 15.2-6011 of the Code of Virginia, relating to the Virginia Coalfield Economic Development Authority.
- S.B. 659.** An Act to repeal §§ 18.2-341, 18.2-342, 18.2-343, and 40.1-28.5 of the Code of Virginia, relating to Sunday closing laws.

On motion of Senator Blevins, a leave of absence for the day was granted Senator Ruff.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 11:00 a.m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## SATURDAY, MARCH 13, 2004

The Senate met at 11:00 a.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend Canon J. Fletcher Lowe, Jr., Virginia Interfaith Center for Public Policy, Richmond, Virginia, offered the following prayer:

Blessed are You, Lord God, of the universe and of Virginia. We thank You for the gift of life that You have given to each of us—each of us being wonderfully and marvelously made.

We thank You for each of these Senators and those who have supported them during these past days and weeks and months. We thank You for their multifaceted gifts committed to the common good of the Commonwealth. Work through their accomplishments and successes, their leadership and their courage, their frustrations and their fatigue to bring about Your kingdom on earth as it is in heaven.

Continue in these especially difficult days to be their guide and their support, their strength and their affirmation. And, as they adjourn soon, protect them as they travel and affirm them in their future service to us—the people of the Commonwealth of Virginia. And in the name of God, we ask this. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

After the roll call, Senators Bolling and Cuccinelli notified the Clerk of their presence.

On motion of Senator Houck, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

### INTRODUCTION OF LEGISLATION

Senator Norment, by leave, under Senate Rule 26 (g) presented the following resolution which was laid on the Clerk's Desk:

**S.R. 15.** Commending Kirk Jonas.

Patron--Norment

Senator Rerras, by leave, under Senate Rule 26 (g) presented the following resolution which was laid on the Clerk's Desk:

S.R. 16. On the death of David Burr Lawrence.

Patrons--Rerras; Delegates: Alexander, Drake and Howell, A.T.

CALENDAR

CONFERENCE COMMITTEE REPORT

Senator Chichester, for the committee of conference on H.B. 29 (twenty-nine), presented the following report:

Joint Conference Committee Report On House Bill 29

We, the conferees, appointed by the respective bodies to consider and report the disagreeing vote on House Bill 29 report as follows:

A. We recommend that the House and Senate amendments be rejected.

B. We recommend that House Bill 29, as introduced, be amended as follows to resolve the matters under disagreement.

Revenues Item 0 #1c
Revenues Language

Language:

Page 1, delete lines 30 through 44 and insert:

Table with 4 columns: Item, First Year, Second Year, Total. Rows include Unreserved Balance, Additions to Balance, Official Revenue Estimates, Transfers, Revenue Stabilization Fund, Lottery Proceeds Fund, and Total General Fund Resources Available for Appropriation.

Page 1, delete lines 46 through 50 and insert:

Table with 4 columns: Item, First Year, Second Year, Total. Rows include Balance, Official Revenue Estimates, Bond Proceeds, Total Nongeneral Fund Revenues Available for Appropriation, and TOTAL PROJECTED REVENUES.

Page 2, delete lines 1 through 4.

Executive Offices Item 53 #1
Division of Debt Collection Language

Language:

Page 13, strike lines 29 through 37 and insert:

“A. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified by the State Comptroller, except as otherwise specified in this Act.

B.1. There is hereby created on the books of the Comptroller a special nonreverting fund known as the “Debt Collection Recovery Fund.” The Division of Debt Collection shall deposit to the Fund all revenues generated by it, less any cost of recovery, from receivables collected on behalf of state agencies. This provision shall apply whether such payment is made directly to the affected agency or to the Office of the Attorney General.

2. The Secretary of Finance may make exemptions from the required deposits to the Fund, as specified in B.1. above, upon his determination that such collections are more appropriately returned to the fund source in which such receivables are due. Any such exemptions shall be reported to the Chairmen of the Senate Finance and House Appropriations Committees within 30 days of such approval.

3. From the amounts collected for the Fund, 30 percent, not to exceed \$1,800,000 in any fiscal year, shall be paid to the Division of Debt Collection.

4. From the amounts collected for the Fund, 30 percent shall be returned to the state agency for which the claim was collected. Out of the balance in the Fund, the State Comptroller shall transfer up to \$1,570,000 to the general fund on or before June 30, 2004. Any amount in excess of the transfer which remains in the Debt Collection Recovery Fund each year after the transfer shall be returned on a pro rata basis to all state agencies having claims collected by the Division of Debt Collection during the course of the year, to the extent that such collections contributed to the balance in the Fund.

5. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than \$15,000.

6. The Division of Debt Collection and the Department of Accounts shall promulgate rules necessary to implement these provisions.”

Administration

Item 58 #1c

Secretary of Administration

Language

Language:

Page 15, after line 28, insert:

“C. The Secretary of Administration, in consultation with the Secretary of Education, the Office of the Attorney General, and third party professional engineers with experience in the field of building environmental controls, shall prepare a report outlining plans, including a schedule of steps and events, which are to be implemented with a view toward corrective actions addressing remaining design and construction issues associated with the maintenance and operation of the Library of Virginia building in Richmond. The Secretaries shall report to the Governor and the Chairmen of the House Appropriations Committee and Senate Finance Committee no later than August 1, 2004.”

Education: Elementary & Secondary

Item 147 #1c

Direct Aid to Public Education

FY 02-03

FY 03-04

\$0

(\$9,311,347)

GF

Language:

Page 57, line 38, strike “\$2,752,643,222” and insert “\$2,743,331,875”.

Education: Elementary & Secondary

Item 147 #2c

Direct Aid to Public Education

Language

Language:

Page 78, line 9, strike “first” and insert “second”.

Page 78, line 11, strike "2003" and insert "2004".

Education: Elementary & Secondary  
Direct Aid to Public Education

Item 147 #3c

Language

Language:

Page 79, line 40, strike "first" and insert "second".

Page 79, line 42, strike "2003" and insert "2004".

Education: Elementary & Secondary  
Direct Aid to Public Education

Item 147 #4c

Language

Language:

Page 80, line 26, strike "first" and insert "second".

Page 80, line 28, strike "2003" and insert "2004".

Education: Elementary & Secondary  
Direct Aid To Public Education

Item 147 #5c

FY 02-03	FY 03-04
\$0	(\$9,884,747)

GF

Language:

Page 57, line 38, strike "\$2,752,643,222" and insert "\$2,742,758,475".

Page 64, line 43, strike "\$240,299,297" and insert "\$250,184,044".

Education: Elementary & Secondary  
Direct Aid To Public Education

Item 148 #1c

FY 02-03	FY 03-04
\$0	\$16,666,667

GF

Language:

Page 82, line 29, strike "\$1,233,899,374" and insert "\$1,250,566,041".

Education: Elementary & Secondary  
Direct Aid To Public Education

Item 148 #2c

Language

Language:

Page 83, line 2, strike "\$240,299,297" and insert "\$250,184,044".

Page 83, line 8, strike "\$156,103,371" and insert "\$146,218,624".

Page 83, line 11, strike "\$239.41" and insert "\$224.25".

Education: Elementary & Secondary  
Direct Aid To Public Education

Item 148 #3c

Language

Language:

Page 83, line 58, strike "first" and insert "second".

Page 84, line 1, strike "2003" and insert "2004".

Finance  
Department of Accounts

Item 278.10 #1c

FY 02-03	FY 03-04
\$0	\$87,000,000

GF

Language:

Page 144, line 32, strike "\$0" and insert "\$87,000,000".

Page 145, after line 7, insert:

"C. Out of this appropriation, \$87,000,000 shall be paid by the State Comptroller on or before June 30, 2004, into the Revenue Stabilization Fund pursuant to § 2.1-191.2, Code of Virginia. This amount represents an estimate of the required deposit to the Revenue Stabilization Fund attributable

to tax collections for fiscal year 2004, which the Auditor of Public Accounts shall determine for the year ending June 30, 2004. If the Auditor of Public Account’s certification of the required deposit attributable to actual tax collections for fiscal year 2004 exceeds the amount included in this item, the incremental amount required to meet the actual required deposit as certified by the Auditor of Public Accounts shall be deposited into the Revenue Stabilization Fund by no later than June 30, 2006.”

Health and Human Resources			Item 305 #1c
Department of Health	FY 02-03	FY 03-04	
	\$0	\$50,000	GF

Language:

Page 172, line 9, strike “\$12,538,129” and insert “\$12,588,129”.

Page 172, after line 51, insert:

“C. Out of this appropriation, \$50,000 the second year from the general fund shall be provided to the Virginia Department of Health to provide case management services to pregnant women in rural communities who lose obstetrical services.”

Health and Human Resources		Item 329 #1c
Grants to Localities		

Language

Language:

Page 204, after line 33, insert:

“Q.1. Notwithstanding the Commissioner’s discretion to grant licenses pursuant to this chapter or any Board regulation regarding licensing, no initial license shall be granted by the Commissioner to a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, if such provider is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner of the Department of Mental Health, Mental Retardation or Substance Abuse Services or owned or operated by an agency of the Commonwealth.

2. Further, upon receiving notice of a proposal for or an application to obtain initial licensure from a provider of treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements, the Commissioner shall, within 15 days of such receipt, notify the local governing body of and the community services board serving the jurisdiction in which the facility is to be located of such proposal or application and its proposed location.

Within 30 days of the date of the notice, local governing bodies and community services boards shall submit to the Commissioner comments on such proposals or applications. The local governing body shall notify the Commissioner within 30 days of the date of the notice concerning the compliance of the applicant with this section and any applicable local ordinances.

3. No license shall be issued by the Commissioner to such provider until the conditions of this section have been met, i.e., local governing body and community services board comments have been received and the local governing body has determined compliance with the provisions of this section and any relevant local ordinances.

4. No applicant for a license to provide treatment for persons with opiate addiction through the use of the controlled substance, methadone, or other opioid replacements that has obtained a certificate of occupancy in accordance with the law and regulations in effect on January 1, 2004, shall be required to comply with the provisions of this section. No existing licensed provider shall be required to comply with the provisions of this section in any city or county in which it is currently providing such treatment.

5. The provisions of paragraph Q.1. of this item shall not apply to the jurisdictions located in Planning District 8.”

Health and Human Resources			Item 329 #2c
Department of Mental Health, Mental Retardation and Substance Abuse Services	FY 02-03	FY 03-04	
	\$0	\$1,000,000	GF

Language:

Page 199, line 42, strike “\$15,688,674” and insert “\$16,688,674”.

Page 204, after line 33, insert:

“Q. Out of this appropriation, \$1,000,000 the second year from the general fund shall be used to provide substance abuse services through community services boards. In the event that funding in excess of this appropriation is necessary to prevent a reduction in federal funding from the Substance Abuse Prevention and Treatment block grant, the Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall transfer such funds as are necessary to prevent a reduction.”

Health and Human Resources		Item 329 #3c
Department of Mental Health, Mental Retardation and Substance Abuse Services		Language

Language:

Page 204, after line 33, insert:

“Q. The Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall move expeditiously but by no later than June 30, 2004, to approve Comprehensive Services Act programming to be provided by a private contractor in a state-owned building at the Southwest Virginia Mental Health Institute.”

Health and Human Resources		Item 345 #1c
Department of Rehabilitative Services		Language

Language:

Page 207, after line 16, insert:

“The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning disabled persons in hospitals to rehabilitation facilities. As part of this expedited process, the Department of Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of referrals from local departments of social services.”

Natural Resources			Item 380 #1c
Department of Conservation and Recreation	FY 02-03	FY 03-04	
	\$0	\$467,907	NGF

Language:

Page 218, line 40, strike “\$20,974,631” and insert “\$21,442,538”.

Page 220, line 33, after “year”, insert:

“and \$467,907 the second year”.

Public Safety		Item 401 #1c
Secretary of Public Safety		Language

## Language:

Page 226, after line 2, insert:

“E. Notwithstanding the provisions of Item 480 of Chapter 1042 of the Acts of Assembly of 2003, the Secretary of Public Safety, in coordination with the Secretary of Transportation, shall authorize the transfer, for consideration, of the motor vehicle dealer center adjacent to the Franconia Customer Service Center from the Department of Motor Vehicles to the Department of Alcoholic Beverage Control. Furthermore, notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from such transfer shall be deposited into the general fund.”

Public Safety

Item 417 #1c

Division of Community Corrections

Language

## Language:

Page 230, line 43, after “Justice,” insert:

“to adjust a previously approved funding level, which had been based on planning study estimates, to the actual project cost as determined by competitive bid,”.

Page 231, strike lines 7-20 and insert:

“D.1. The following project is hereby exempted from the provisions of Paragraph C.1. in order to proceed in planning. Notwithstanding the provisions of § 53.1-82.3, Code of Virginia, the governing body of this proposed facility shall submit the required community-based corrections plans, facility specifications, and the expected financing costs to the Department of Corrections by May 1, 2004, in order that the Board of Corrections may complete its review of these projects prior to March 1, 2005. Furthermore, the Governor may include a recommendation for funding this project for consideration by the General Assembly at its 2005 Session. The review by the Board of Corrections of this project shall be consistent with Paragraphs E., F., and G. below.

2. The Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center, for an expansion project involving the development of a new community corrections facility with approximately 204 beds, and a 120-bed expansion of the existing jail.

E. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is consistent with the projected number of local and state responsible offenders to be housed in such facility.

F. The Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility, except when such project is proposed to be built using Community Custody Facilities Standards, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security.”

Page 231, line 21, strike “D” and insert “G”.

Page 231, line 21, strike “may” and insert “shall”.

Public Safety

Item 457 #1c

Department of State Police

Language

## Language:

Page 240, line 11, strike “State Agency Radio System” and insert:

“Statewide Agencies Radio System”.

Central Appropriations

Item 512 #1c

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

“S. Up to \$200,000 of the funding available under Item 491 of Chapter 1042 of the Acts of Assembly of 2003 for the industrial access road program shall be used to fund the planning and initial preliminary engineering costs for the transportation improvements required as part of the construction of the New Marine Terminal in the City of Portsmouth. Any such funding spent on the improvements described in this paragraph shall be repaid to the industrial access road program once federal authorization of the marine terminal project is received.”

Central Appropriations

Item 512 #2c

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

“S.1. The Secretaries of Technology, Finance, and Administration are directed to expedite initial review of any conceptual proposals for enterprise-wide business modernization efforts submitted under the Public-Private Education Facilities and Infrastructure Act of 2002. A report on the initial review of any conceptual proposal shall be made to the Chairmen of the House Appropriations and Senate Finance Committees within 15 days of any determination to reject any proposal or proceed to post notice of acceptance of an unsolicited conceptual proposal and invite competing proposals. If any proposal submitted prior to January 1, 2004, is found to be beneficial to the Commonwealth, the responsible Secretary shall issue an invitation for competing proposals by June 1, 2004. Such review shall be undertaken in accordance with the guidelines adopted by the Secretary of Administration effective December 2002.

2. The Secretaries of Technology, Finance, and Administration shall identify and evaluate opportunities to expand public-private partnerships and present a joint report on the findings of such evaluation to the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2004.”

Central Appropriations

Item 512 #3c

Central Appropriations

FY 02-03

FY 03-04

\$0

\$225,000

GF

Language:

Page 249, line 45, strike “\$24,005,841” and insert “\$24,230,841”.

Page 254, after line 35, insert:

“S. Out of this appropriation, \$225,000 the second year from the general fund is provided to the Department of General Services for unanticipated utility cost increases at the seat of government.”

Central Appropriations

Item 512 #4c

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

“S. The Director of Department of Planning and Budget shall unallot \$127,500 the second year from the general fund in Item 142 of Chapter 1042 of the Acts of Assembly of 2003.”

Central Appropriations

Item 512 #5c

Central Appropriations

FY 02-03

FY 03-04

\$0

\$22,193

GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,028,034".

Page 254, after line 35 insert:

"S. Out of this item, \$22,193 the second year from the general fund shall be transferred to the Virginia Crime Commission for the replacement of federal funds."

Central Appropriations			Item 512 #6c
Central Appropriations	FY 02-03	FY 03-04	
	\$0	\$50,000	GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,055,841".

Page 254, after line 35, insert:

"S. Included in the amount for Economic Contingency is \$50,000 from the general fund in the second year to match an equivalent amount from the Commonwealth of Kentucky for a celebration of the 50th anniversary of Breaks Interstate Park."

Education: Higher Education		Item C-28.30 #1c
Norfolk State University		
		Language

Language:

Page 270, line 28, strike "the".

Page 270, strike line 29.

Page 270, line 30, strike "development of " and insert:

"a public or private entity to design, construct and finance".

Page 270, line 33, after "2002.", insert:

"The student housing projects may be located on property owned by the Commonwealth".

Page 270, line 35, strike "NSUF" and insert:

"a public or private entity".

Page 271, line 16, strike "the Norfolk State" and insert:

"a public or private entity".

Page 271, line 17, strike "University Foundation".

Education: Higher Education			Item C-47.97 #1c
University of Virginia	FY 02-03	FY 03-04	
	\$0	\$1,000,000	NGF

Language:

Page 273, after line 8, insert:

"C-47.97. Improvements: Renovate Cocke Hall (16584) \$0 \$1,000,000

Fund Sources: Higher Education Operating \$0". \$1,000,000".

Public Safety		Item C-126.10 #1c
Department of Corrections, Central Activities		
		Language

Language:

Page 279, after line 25, insert:

"C-126.10.

Fund Sources:

1. The General Assembly hereby authorizes the Department of Corrections to contract with the Town of Jarratt, Virginia, for the financing, acquisition, renovation, equipping, maintenance and/or operation of property known as the Jarratt Egg Building, for use in the Department’s Agribusiness Program.

2. The Department of Corrections is authorized to enter into a lease purchase agreement with the Town of Jarratt for the property. The lease purchase agreement shall be upon terms and conditions to be negotiated by the parties subject to the written approval of the Governor’s designee for approval of real estate transactions and the following conditions. The lease shall provide for payments to begin not later than the fiscal year ending June 30, 2005. Lease payments shall be sufficient to pay debt service and administrative expenses on the bonds to be issued by the Town of Jarratt and to repay the Town for the cost of the property. The bonds shall provide amounts sufficient for the planning, renovation and equipping of the property, including issuance costs and any reserve fund and all interest on the bonds prior to the beginning of the lease payments. The terms and structure of the bonds shall be approved by the Treasury Board as provided in § 2.2-2416(7), Code of Virginia. The lease shall provide for a term of no more than 15 years and shall provide that upon expiration of its term and the payment of the bonds, the property shall convey to the Commonwealth at no additional cost.

3. It is the intent of the General Assembly to appropriate amounts sufficient to pay lease payments.”

Transportation Item C-129 #1c  
Department of Transportation Language

Language:

Page 280, line 20, after “approve any such agreement.”, insert:

“Not later than 30 days prior to the approval of such agreement, a report describing the proposed agreement shall be submitted to the Chairmen of the Senate Finance and House Appropriations Committees.”

Central Appropriations Item C-152.10 #1c  
Central Capital Outlay FY 02-03    FY 03-04  
\$0    \$31,800,000 NGF

Language:

Page 281, after line 26, insert:

“C-152.10. New Construction: Medical Research Building (MR-6) \$0    \$31,800,000  
Fund Sources: Bond Proceeds \$0    \$31,800,000”.

Central Appropriations Item C-152.10 #2c  
Central Capital Outlay Language

Language:

Page 281, after line 26, insert:

“C-152.10. Improvements: Rouss Hall

Fund Sources:

That the following provision shall be stricken from Item C-47.20 during enrolling of House Bill 29:

“The operation and maintenance of this facility shall be the responsibility of nongeneral fund sources.”

Central Appropriations			Item C-152.10 #3c
Central Capital Outlay			
			Language

Language:

Page 281, after line 26, insert:  
 “C-152.10. Acquisition: Acquire and Renovate Hospital Property (16882)”.  
 Fund Sources:

Central Appropriations			Item C-152.10 #4c
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$7,500,000	NGF

Language:

Page 281, after line 26, insert:  
 “C-152.10. New Construction: Fitness Center  
 Fund Sources: Bond Proceeds \$7,500,000  
 \$7,500,000”.

Central Appropriations			Item C-152.10 #5c
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$7,700,000	NGF

Language:

Page 281, after line 26, insert:  
 “C-152.10. New Construction: Construct Addition to Massey  
 Cancer Center (15277) \$7,700,000  
 Fund Sources: Bond Proceeds \$7,700,000”.

Central Appropriations			Item C-152.1 #6c
Central Capital Outlay	FY 02-03	FY 03-04	
	\$0	\$3,500,000	NGF

Language:

Page 281, following line 26  
 “C-152.1. New Construction: Ash Lawn Performance Facility \$3,500,000  
 Fund Sources: Higher Education Operating \$3,500,000”.

Transfers			Item 3-1.01 #1c
Interfund Transfers			
			Language

Language:

Page 292, line 25, strike “\$384,991,376” and insert “\$383,972,603.”

Conflict with Other Laws			Item 4-11.00 #1c
Conflict with Other Laws			
			Language

Language:

Page 320, line 11, strike “A.”  
 Page 320, strike lines 18 and 19.

Respectfully submitted,

/s/ Vincent F. Callahan, Jr.  
/s/ Lacey E. Putney  
/s/ Phillip A. Hamilton  
/s/ M. Kirkland Cox  
/s/ Johnny S. Joannou  
House Conferees

/s/ John H. Chichester  
/s/ William C. Wampler, Jr.  
/s/ Walter A. Stosch  
/s/ Charles J. Colgan  
Senate Conferees

On motion of Senator Chichester, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Ruff, for the committee of conference on **H.B. 766** (seven hundred sixty-six), presented the following report:

##### Joint Conference Committee Report On House Bill No. 766

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 766, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be accepted.

B. We recommend that the Amendment in the Nature of a Substitute be amended as follows to resolve the matters under disagreement.

1. Line 16, substitute, after *establishments*

strike

The rest of line 16, and lines 17 through 36.

insert

*that (a) do not prepare or serve food; (b) sell only food or beverages that are sealed in packaging by the manufacturer and have been officially inspected in the manufacturing process; (c) do not sell infant formulas; (d) do not sell salvaged foods; and (e) certify to the Department of Agriculture and Consumer Services that they meet the foregoing provisions of this section. Retail establishments that meet the provisions of clause (ii) shall be exempt from inspection and the inspection fees; however, nothing in this section shall prevent the Department of Agriculture and Consumer Services from inspecting any retail establishment if a consumer complaint is received.*

Respectfully submitted,

/s/ Senator Frank M. Ruff, Jr.

/s/ Senator John Watkins

/s/ Senator W. Roscoe Reynolds

Conferees on the part of the Senate

/s/ Delegate Robert Hurt

/s/ Delegate Clarke N. Hogan

/s/ Delegate Joseph P. Johnson, Jr.

Conferees on the part of the House

On motion of Senator Ruff, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Williams, for the committee of conference on **H.B. 798** (seven hundred ninety-eight), presented the following report:

##### Joint Conference Committee Report On House Bill No. 798

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 798, report as follows:

We recommend that the Senate Amendments be accepted.

Respectfully submitted,

/s/ Delegate J. Chapman Petersen

/s/ Delegate Kathy J. Byron

/s/ Delegate Samuel A. Nixon, Jr.

Conferees on the part of the House

/s/ Senator Martin E. Williams

/s/ Senator Frank W. Wagner

/s/ Senator William C. Wampler, Jr.

Conferees on the part of the Senate

On motion of Senator Williams, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--1. RULE 36--1.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Mims--1.

RULE 36--Potts--1.

### CONFERENCE COMMITTEE REPORT

Senator Obenshain, for the committee of conference on **H.B. 1041** (one thousand forty-one), presented the following report:

#### Joint Conference Committee Report On House Bill No. 1041

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1041, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matter(s) under disagreement.

Respectfully submitted,

/s/ Delegate Christopher B. Saxman

/s/ Delegate H. Morgan Griffith

/s/ Delegate Vivian E. Watts

Conferees on the part of the House

/s/ Senator Mark D. Obenshain

/s/ Senator Ken T. Cuccinelli, II

/s/ Senator W. Roscoe Reynolds

Conferees on the part of the Senate

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 1041

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.

On motion of Senator Obenshain, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Stolle, for the committee of conference on **H.B. 1172** (one thousand one hundred seventy-two), presented the following report:

Joint Conference Committee Report On  
House Bill No. 1172

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1172, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Terry G. Kilgore

/s/ Delegate Ward L. Armstrong

/s/ Delegate Robert Hurt

Conferees on the part of the House

/s/ Senator Kenneth W. Stolle

/s/ Senator Harry B. Blevins

/s/ Senator Janet D. Howell

Conferees on the part of the Senate

**AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 1172**

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--4. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--36.

NAYS--Cuccinelli, Newman, O'Brien, Watkins--4.  
RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Whipple, for the committee of conference on **H.B. 1231** (one thousand two hundred thirty-one), presented the following report:

#### Joint Conference Committee Report On House Bill No. 1231

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1231, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the engrossed bill be amended as follows to resolve the matters under disagreement.

1. Line 8, engrossed, Title, after *15.2-4510*,  
insert  
*15.2-4512*,
2. Line 30, engrossed, after 15.2-4510,  
insert  
*15.2-4512*,
3. Line 511, engrossed, after Virginia  
strike  
State
4. Line 511, engrossed, after ~~among~~  
strike  
*appointed after consideration of the*  
insert  
selected from among
5. Line 512, engrossed, after Association  
strike  
*, if any*
6. Line 656, engrossed, after *appointments*  
insert  
. (period)

7. Line 713, engrossed, after line 712

insert

§ 15.2-4512. Quorum and action by commission.

A majority of the commission, which majority shall include at least one commissioner from a majority of the component governments, shall constitute a quorum. *Members of the commission who are members of the General Assembly shall not be counted in determining a quorum while the General Assembly is in session.* The Chairman of the Commonwealth Transportation Board or his designee may be included for the purposes of constituting a quorum. The presence of a quorum and a vote of the majority of the members ~~present,~~ *necessary to constitute a quorum of all the members appointed to the commission,* including an affirmative vote from a majority of the jurisdictions represented, shall be necessary to take any action. *Notwithstanding the provisions of § 2.2-3708, members of the General Assembly may participate in the meetings of the commission through electronic communications while the General Assembly is in session.*

8. Line 1923, engrossed, after House

insert

~~one each from~~ of Delegates

Respectfully submitted,

/s/ Delegate H. Morgan Griffith

/s/ Delegate Leo C. Wardrup, Jr.

/s/ Delegate Vivian E. Watts

Conferees on the part of the House

/s/ Senator Mary Margaret Whipple

/s/ Senator William C. Mims

/s/ Senator Emmett W. Hanger, Jr.

Conferees on the part of the Senate

On motion of Senator Whipple, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--37.

NAYS--Newman, Reynolds, Williams--3.

RULE 36--0.

## SECOND CONFERENCE COMMITTEE REPORT

Senator Reynolds, for the second committee of conference on **H.B. 35** (thirty-five), presented the following report:

Second Joint Conference Committee Report On  
House Bill No. 35

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 35, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be adopted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Beverly J. Sherwood  
/s/ Delegate Clifford L. Athey, Jr.  
/s/ Delegate Fenton L. Bland, Jr.  
Conferees on the part of the House

/s/ Senator W. Roscoe Reynolds  
/s/ Senator Nick Rerras  
/s/ Senator R. Creigh Deeds  
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 35

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

On motion of Senator Reynolds, the second joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Rerras, for the committee of conference on **H.B. 1107** (one thousand one hundred seven), presented the following report:

Joint Conference Committee Report On  
House Bill No. 1107

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1107, report as follows:

A. We recommend that the Senate Amendment be rejected.

B. We recommend that the engrossed bill be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Brian J. Moran

/s/ Delegate Robert F. McDonnell

/s/ Delegate David B. Albo

Conferees on the part of the House

/s/ Senator Nick Rerras

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator Richard L. Saslaw

Conferees on the part of the Senate

On motion of Senator Rerras, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Obenshain, for the committee of conference on **H.J.R. 247** (two hundred forty-seven), presented the following report:

##### Joint Conference Committee Report On House Joint Resolution No. 247

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Joint Resolution No. 247, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute for House Joint Resolution No. 247 be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute for House Joint Resolution 247 be approved as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Allen L. Louderback

/s/ Harvey B. Morgan

/s/ Albert C. Pollard, Jr.

Conferees on the part of the House

/s/ Mark D. Obenshain

/s/ William T. Bolling

/s/ William C. Mims

Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE JOINT RESOLUTION NO. 247

[The substitute having been printed separately, the title only is recorded as follows:]

Memorializing the Congress of the United States to enact the State Waste Empowerment and Enforcement Provision Act of 2003 (HR 1123).

On motion of Senator Obenshain, the joint conference committee report was agreed to.

**CONFERENCE COMMITTEE REPORT**

Senator Rerras, for the committee of conference on **S.B. 442** (four hundred forty-two), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 442

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 442, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the engrossed bill be accepted as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Nick Rerras

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator Kenneth W. Stolle

Conferees on the part of the Senate

/s/ Delegate Robert F. McDonnell

/s/ Delegate David B. Albo

/s/ Delegate Brian J. Moran

Conferees on the part of the House

On motion of Senator Rerras, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Lambert, for the committee of conference on **S.B. 561** (five hundred sixty-one), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 561

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 561, report as follows:

A. We recommend that the House Amendments be rejected.

B. We recommend that the engrossed bill be amended as follows to resolve the matters under disagreement.

1. Line 17, engrossed bill, after *held in*  
strike

*2004,*

insert

*2008, and subject to approval by referendum as called for by this act,*

2. Line 83, engrossed bill, at beginning of line  
insert

2. That there shall be a referendum question on the issue of council terms placed on the ballot at the November 2, 2004, election. No court order shall be required pursuant to § 24.2-684 of the Code of Virginia. It shall be the duty of the officers conducting such election, at the places appointed for holding the same, to open a poll and take the sense of the qualified voters on such question. The question shall be substantially as follows:

Question: "Beginning with the election to be held on November 4, 2008, shall members of city council be elected to four-year terms?"

The ballot shall be prepared, distributed and voted and the results thereof ascertained and certified, in the manner prescribed by Title 24.2 of the Code of Virginia.

Respectfully submitted,

/s/ Senator Benjamin J. Lambert, III

/s/ Senator John Watkins

/s/ Senator Ken T. Cuccinelli, II

Conferees on the part of the Senate

/s/ Delegate Viola Osborne Baskerville  
/s/ Delegate Bradley P. Marrs  
/s/ Delegate John M. O'Bannon, III  
Conferees on the part of the House

On motion of Senator Lambert, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--37.

NAYS--Hanger, Marsh--2.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Obenshain, for the committee of conference on **S.J.R. 79** (seventy-nine), presented the following report:

#### Joint Conference Committee Report On Senate Joint Resolution No. 79

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Joint Resolution No. 79, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute for Senate Joint Resolution No. 79 be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute for Senate Joint Resolution No. 79 be approved as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Mark D. Obenshain  
/s/ William T. Bolling  
/s/ William C. Mims  
Conferees on the part of the Senate

/s/ Allen L. Louderback  
/s/ Harvey B. Morgan  
/s/ Albert C. Pollard, Jr.  
Conferees on the part of the House

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 79

[The substitute having been printed separately, the title only is recorded as follows:]

Memorializing the Congress of the United States to enact the State Waste Empowerment and Enforcement Provision Act of 2003 (HR 1123).

On motion of Senator Obenshain, the joint conference committee report was agreed to.

### MEMORIAL RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc by a unanimous standing vote:

- H.J.R. 452** (four hundred fifty-two).
- H.J.R. 455** (four hundred fifty-five).
- H.J.R. 456** (four hundred fifty-six).
- H.J.R. 457** (four hundred fifty-seven).
- H.J.R. 458** (four hundred fifty-eight).
- H.J.R. 459** (four hundred fifty-nine).
- H.J.R. 460** (four hundred sixty).
- H.J.R. 468** (four hundred sixty-eight).
- H.J.R. 469** (four hundred sixty-nine).
- H.J.R. 470** (four hundred seventy).
- H.J.R. 471** (four hundred seventy-one).
- H.J.R. 472** (four hundred seventy-two).
- H.J.R. 473** (four hundred seventy-three).
- H.J.R. 474** (four hundred seventy-four).
- H.J.R. 475** (four hundred seventy-five).
- H.J.R. 477** (four hundred seventy-seven).
- H.J.R. 478** (four hundred seventy-eight).
- H.J.R. 479** (four hundred seventy-nine).
- H.J.R. 480** (four hundred eighty).

### COMMENDING RESOLUTIONS

On motion of Senator Norment, the questions on agreeing to the House joint resolutions that follow were considered en bloc.

On motion of Senator Norment, the following House joint resolutions were taken up and agreed to en bloc:

- H.J.R. 453** (four hundred fifty-three).
- H.J.R. 454** (four hundred fifty-four).
- H.J.R. 461** (four hundred sixty-one).
- H.J.R. 462** (four hundred sixty-two).
- H.J.R. 463** (four hundred sixty-three).
- H.J.R. 464** (four hundred sixty-four).
- H.J.R. 465** (four hundred sixty-five).
- H.J.R. 466** (four hundred sixty-six).
- H.J.R. 476** (four hundred seventy-six).
- H.J.R. 481** (four hundred eighty-one).
- H.J.R. 482** (four hundred eighty-two).
- H.J.R. 483** (four hundred eighty-three).
- H.J.R. 484** (four hundred eighty-four).
- H.J.R. 485** (four hundred eighty-five).

**H.J.R. 486** (four hundred eighty-six).  
**H.J.R. 487** (four hundred eighty-seven).  
**H.J.R. 488** (four hundred eighty-eight).  
**H.J.R. 489** (four hundred eighty-nine).  
**H.J.R. 490** (four hundred ninety).  
**H.J.R. 491** (four hundred ninety-one).  
**H.J.R. 493** (four hundred ninety-three).  
**H.J.R. 494** (four hundred ninety-four).  
**H.J.R. 495** (four hundred ninety-five).  
**H.J.R. 496** (four hundred ninety-six).  
**H.J.R. 497** (four hundred ninety-seven).  
**H.J.R. 498** (four hundred ninety-eight).  
**H.J.R. 499** (four hundred ninety-nine).  
**H.J.R. 500** (five hundred).  
**H.J.R. 501** (five hundred one).  
**H.J.R. 502** (five hundred two).  
**H.J.R. 503** (five hundred three).  
**H.J.R. 504** (five hundred four).  
**H.J.R. 505** (five hundred five).  
**H.J.R. 506** (five hundred six).  
**H.J.R. 507** (five hundred seven).  
**H.J.R. 508** (five hundred eight).  
**H.J.R. 509** (five hundred nine).  
**H.J.R. 510** (five hundred ten).  
**H.J.R. 511** (five hundred eleven).  
**H.J.R. 512** (five hundred twelve).  
**H.J.R. 513** (five hundred thirteen).  
**H.J.R. 514** (five hundred fourteen).  
**H.J.R. 515** (five hundred fifteen).  
**H.J.R. 516** (five hundred sixteen).

**H.J.R. 492** (four hundred ninety-two) was taken up.

On motion of Senator Rerras, the Senate requested that the House of Delegates add the following Senators as co-patrons of **H.J.R. 492**:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, and Williams.

**H.J.R. 492**, on motion of Senator Norment, was agreed to.

#### CONFERENCE COMMITTEE REPORT

Senator Wagner, for the committee of conference on **H.B. 390** (three hundred ninety), presented the following report:

Joint Conference Committee Report On  
House Bill No. 390

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 390, report as follows:

A. We recommend that the Senate Amendments be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Kristen J. Amundson  
/s/ Delegate Leo C. Wardrup, Jr.  
/s/ Delegate Robert D. Orrock, Sr.  
Conferees on the part of the House

/s/ Senator Frank W. Wagner  
/s/ Senator Jay O'Brien  
/s/ Senator Linda T. Puller  
Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 390

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

On motion of Senator Wagner, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--34. NAYS--6. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--34.

NAYS--Chichester, Houck, Mims, Newman, Obenshain, Ruff--6.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Mims, for the committee of conference on **H.B. 570** (five hundred seventy), presented the following report:

Joint Conference Committee Report On  
House Bill No. 570

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 570, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate David B. Albo  
/s/ Delegate Robert B. Bell  
/s/ Delegate Ryan T. McDougle  
Conferees on the part of the House

/s/ Senator William C. Mims  
/s/ Senator Mark D. Obenshain  
/s/ Senator Linda T. Puller  
Conferees on the part of the Senate

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 570

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens.

On motion of Senator Mims, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Miller--1.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Mims, for the committee of conference on **H.B. 1136** (one thousand one hundred thirty-six), presented the following report:

##### Joint Conference Committee Report On House Bill No. 1136

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1136, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Robert F. McDonnell

/s/ Delegate Brian J. Moran

/s/ Delegate David B. Albo

Conferees on the part of the House

/s/ Senator William C. Mims

/s/ Senator Nick Rerras

/s/ Senator R. Creigh Deeds

Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 1136

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to DUI; administrative license suspension.

On motion of Senator Mims, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**HOUSE COMMUNICATIONS**

The following communications were received:

In the House of Delegates

March 13, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 521.** Commending Bernard A. Gill, Jr.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson

Clerk, House of Delegates

In the House of Delegates

March 13, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING SENATE BILLS:

**S.B. 208.** A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.

**S.B. 329.** A BILL to amend and reenact §§ 16.1-69.48:1.01, 16.1-247, 16.1-260, 17.1-275.11, 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10, 18.2-270.1, 18.2-271, 18.2-271.1, 18.2-272, 19.2-187.02, 19.2-389, 46.2-301, 46.2-301.1, 46.2-316, 46.2-384, 46.2-389, 46.2-391.2, 46.2-391.4, 46.2-395, 46.2-411 and 46.2-111.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 18.2-266.2, relating to DUI; blood alcohol level; refusal.

**S.B. 330.** A BILL to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01, through 19.2-163.04 and 19.2-163.4:1 and repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.

**S.B. 384.** A BILL to amend and reenact §§ 18.2-270, 18.2-271, 19.2-294.1, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment on charge of third DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension.

**S.B. 556.** A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to notice of certain facility for civil commitment of persons convicted of sexually violent offenses.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 29.** A BILL to amend and reenact Chapter 1042 of the Acts of Assembly of 2003, which appropriated the public revenue and provided a portion of such revenue for the two years ending, respectively, on the thirtieth day of June, 2003, and the thirtieth day of June, 2004.

**H.B. 127.** A BILL to amend and reenact § 18.2-268.4 of the Code of Virginia, relating to sanctions for refusal to submit to blood or breath test.

**H.B. 390.** A BILL to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

**H.B. 511.** A BILL to amend and reenact §§ 20-60.3 and 20-108.2 of the Code of Virginia, relating to child support; extraordinary medical expenses.

**H.B. 570.** A BILL to amend and reenact §§ 19.2-74, 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of certain illegal aliens and unidentified people.

**H.B. 766.** A BILL to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.

**H.B. 1041.** A BILL to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.

**H.B. 1056.** A BILL to amend the Code of Virginia by adding in Article 3 of Chapter 10 of Title 19.2 a section numbered 19.2-163.01, relating to standards of conduct for court-appointed counsel.

**H.B. 1107.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.

**H.B. 1136.** A BILL to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to administrative suspension of license or privilege to operate a motor vehicle.

**H.B. 1147.** A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.

**H.B. 1172.** A BILL to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE SECOND COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

**H.B. 35.** A BILL to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR THE FOLLOWING HOUSE BILL:

**H.B. 199.** An Act to amend and reenact § 51.1-505 of the Code of Virginia, relating to group life and accident insurance for state and local employees.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

**S.B. 271.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10 and 8.01-195.11, relating to compensation for wrongful incarceration for a felony conviction.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

**H.B. 638.** A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

The House joint resolution, communicated as agreed to by the House of Delegates, was laid on the Clerk's Desk under Senate Rule 26 (g) as follows:

**H.J.R. 521.**

At 1:05 p.m., Senator Norment moved that the Senate recess until 2:45 p.m.

The motion was agreed to.

The hour of 2:45 p.m. having arrived, the Chair was resumed.

**MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to the following joint resolution; in which it requested the concurrence of the Senate:

**H.J.R. 522.** Amending Rules 25 and 27 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 519, of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s) and the extension of the session.

The joint resolution was taken up, read by title the first time, and referred to the Committee on Rules.

**CONFERENCE COMMITTEE REPORT**

Senator Rerras, for the committee of conference on **H.B. 127** (one hundred twenty-seven), presented the following report:

Joint Conference Committee Report On  
House Bill No. 127

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 127, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate David B. Albo

/s/ Delegate Robert F. McDonnell

/s/ Delegate Brian J. Moran

Conferees on the part of the House

/s/ Senator Nick Rerras

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator Kenneth W. Stolle

Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 127

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 18.2-268.3 and 18.2-268.4 of the Code of Virginia, relating to refusal of breath or blood test; penalties.

On motion of Senator Rerras, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Quayle, for the committee of conference on **H.B. 511** (five hundred eleven), presented the following report:

Joint Conference Committee Report On  
House Bill No. 511

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 511, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Frederick M. Quayle  
/s/ Senator Janet D. Howell  
/s/ Senator Ken T. Cuccinelli, II  
Conferees on the part of the Senate

/s/ Delegate Bradley P. Marrs  
/s/ Delegate Gary A. Reese  
/s/ Delegate Onzlee Ware  
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 511

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.

On motion of Senator Quayle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Stolle, for the committee of conference on **H.B. 1056** (one thousand fifty-six), presented the following report:

Joint Conference Committee Report On  
House Bill No. 1056

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1056, report as follows:

We recommend that the Senate Amendment in the Nature of a Substitute be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate Brian J. Moran  
/s/ Delegate Phillip A. Hamilton  
/s/ Delegate Terry G. Kilgore  
Conferees on the part of the House

/s/ Senator Kenneth W. Stolle  
/s/ Senator William C. Mims  
/s/ Senator Henry L. Marsh, III  
Conferees on the part of the Senate

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Rerras, for the committee of conference on **H.B. 1147** (one thousand one hundred forty-seven), presented the following report:

#### Joint Conference Committee Report On House Bill No. 1147

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1147, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Robert F. McDonnell  
/s/ Delegate David B. Albo  
/s/ Delegate Brian J. Moran  
Conferees on the part of the House

/s/ Senator Nick Rerras  
/s/ Senator Thomas K. Norment, Jr.  
/s/ Senator Kenneth W. Stolle  
Conferees on the part of the Senate

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 1147

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense; penalties.

On motion of Senator Rerras, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Quayle, for the committee of conference on **S.B. 208** (two hundred eight), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 208

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 208, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Frederick M. Quayle

/s/ Senator Janet D. Howell

/s/ Senator Ken T. Cuccinelli, II

Conferees on the part of the Senate

/s/ Delegate Bradley P. Marrs

/s/ Delegate Gary A. Reese

/s/ Delegate Onzlee Ware

Conferees on the part of the House

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 208

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.

On motion of Senator Quayle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Stolle, for the committee of conference on **S.B. 329** (three hundred twenty-nine), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 329

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 329, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Kenneth W. Stolle

/s/ Senator Nick Rerras

/s/ Senator Thomas K. Norment, Jr.

Conferees on the part of the Senate

/s/ Delegate Robert F. McDonnell

/s/ Delegate David B. Albo

/s/ Delegate Brian J. Moran

Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 329

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272 of the Code of Virginia, relating to driving on a suspended license after consuming alcohol.

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### CONFERENCE COMMITTEE REPORT

Senator Stolle, for the committee of conference on **S.B. 330** (three hundred thirty), presented the following report:

#### Joint Conference Committee Report On Senate Bill No. 330

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 330, report as follows:

A. We recommend that the House Amendments be rejected to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Kenneth W. Stolle

/s/ Senator Frederick M. Quayle

/s/ Senator Richard L. Saslaw

Conferees on the part of the Senate

\* Delegate Phillip A. Hamilton

/s/ Delegate Terry G. Kilgore

/s/ Delegate Brian J. Moran

Conferees on the part of the House

\* While I wholeheartedly support the reconstitution of the Public Defender Commission into an Indigent Defense Commission, I am disappointed that this Joint Conference Report for SB 330 continues to ignore the need for a public defenders office in Chesapeake and Newport News.

In January 2004, the Sprangenberg Group released its nine-month study of indigent defense in Virginia. Unfortunately, the indigent defense system in Newport News was frequently referenced.

On page 44, the report states: *Attorneys and clerks in Newport News acknowledge that the system used to appoint counsel is designed to maximize a private attorney's time and earnings on court-appointed cases by assigning multiple clients for court appearances set for the same day ... One attorney told us (Sprangenberg), 'You have to take multiple cases the same day, to earn adequate money.'*

This practice and attorney attitude raises several concerns. First, it reinforces the attitude demonstrated last year by the “meal ticket” reference by a practicing court-appointed attorney in Newport News. Secondly, it appears that the Newport News courts make the “clustering” of cases a routine practice. As such, I wonder how much time a court-appointed attorney spends with the indigent client. I suspect that such practices tend to facilitate an attitude of quickly processing cases and securing as many guilty pleas as possible.

Another concern is the practice of assigning court-appointed cases from the bench. On page 45, the report states the following: *In the circuit court in Newport News, for example, cases on direct indictment are normally assigned to attorneys who are present in the courtroom at the time the assignment is needed.*

This indicates little concern for the client’s need for competent counsel to handle the pending charges against him. By “hanging around” the courthouse, an attorney can secure court-appointed assignments not based on competence, but rather by merely being present.

Finally, in another example on page 50 of the report, a Newport News attorney admitted ... *with a retained client, he spends substantially more time looking for an issue that will benefit the client, while in a court-appointed case he spends as little time as possible looking for an issue that will dispose of the case. “If we want to make a living we have to get rid of the case as quickly as possible.”*

For these reasons, I respectfully dissent.

/s/ Delegate Phillip A. Hamilton

On motion of Senator Stolle, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O’Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### CONFERENCE COMMITTEE REPORT

Senator Norment, for the committee of conference on **S.B. 384** (three hundred eighty-four), presented the following report:

##### Joint Conference Committee Report On Senate Bill No. 384

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 384, report as follows:

A. We recommend that the House Amendment in the Nature of a Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted as follows to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator Kenneth W. Stolle

/s/ Senator Nick Rerras

Conferees on the part of the Senate

/s/ Delegate Robert F. McDonnell

/s/ Delegate David B. Albo

/s/ Delegate Brian J. Moran

Conferees on the part of the House

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 384

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 18.2-270, 19.2-294.1, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment for DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension; penalties.

On motion of Senator Norment, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

#### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate agreed to the joint conference committee report on **S.B. 384** (three hundred eighty-four).

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

On motion of Senator Norment, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Marsh, for the committee of conference on **S.B. 556** (five hundred fifty-six), presented the following report:

Joint Conference Committee Report On  
Senate Bill No. 556

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on Senate Bill No. 556, report as follows:

A. We recommend that the Senate Amendment in the Nature of a Substitute for Senate Bill No. 556 be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute for Senate Bill 556 be approved to resolve the matters under disagreement.

Respectfully submitted,

/s/ Senator Henry L. Marsh, III  
/s/ Senator Benjamin J. Lambert, III  
/s/ Senator W. Roscoe Reynolds  
Conferees on the part of the Senate

/s/ Delegate H. Morgan Griffith  
/s/ Delegate Robert B. Bell  
/s/ Delegate W. Benny Keister  
Conferees on the part of the House

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 556

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to notice of certain facility for civil commitment of persons convicted of sexually violent offenses.

On motion of Senator Marsh, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE BILL WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 199** (one hundred ninety-nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

March 12, 2004

TO THE HOUSE OF DELEGATES  
HOUSE BILL NO. 199

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 69, enrolled, at the beginning of the line

strike

25

insert

20

2. Line 107, enrolled, after shall

strike

not

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 199**, on motion of Senator Chichester, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

## MEMORIAL RESOLUTION

**S.R. 16** (sixteen), on motion of Senator Rerras, was ordered to be engrossed and was agreed to by a unanimous standing vote.

## COMMENDING RESOLUTIONS

**H.J.R. 521** (five hundred twenty-one), on motion of Senator Norment, was agreed to.

**S.R. 15** (fifteen), on motion of Senator Norment, was ordered to be engrossed and was agreed to.

## IMMEDIATE CONSIDERATION

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **H.J.R. 522** (five hundred twenty-two), the second reading of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.J.R. 522** was read by title the third time.

## HOUSE JOINT RESOLUTION NO. 522

Amending Rules 25 and 27 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 519, of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s) and the extension of the session.

RESOLVED by the House of Delegates, the Senate concurring, That Rules 25 and 27 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 519, of the 2004 Regular Session of the General Assembly of Virginia are amended and reenacted as follows:

Rule 25. The first conference on the Budget Bill(s) shall complete its deliberations no later than noon, ~~Friday, March 12~~ *Tuesday, March 16, 2004. If there is no conference report at that time, the House conference members shall present to the House of Delegates a written report explaining the differences between the House and Senate positions.* No engrossment of the Budget Bill(s) shall be required in either house, and any conference on the Budget Bill(s) shall consider, as the basis of its deliberations, the Budget Bill(s) as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house.

Rule 27. This session of the General Assembly shall ~~adjourn sine die no later than the legislative day of Saturday, March 13, 2004.~~ *be extended beyond the 60-day period provided in Section 6 of Article IV of the Constitution of Virginia to midnight, Tuesday, March 16, 2004. Members and legislative assistants*

*shall not receive per diem payment for any day or days that the session is extended. No legislation shall be introduced for consideration during the extension, except for legislation affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees.*

Senator Norment offered the following amendments:

1. Line 20, engrossed, after *Virginia*

strike

~~to~~ and shall adjourn sine die no later than

insert

to

2. Line 22, engrossed, after . (period)

insert

No legislation shall be introduced for consideration during the extension except (i) bills and joint resolutions requested in writing by the Governor, if the member offering such legislation has not exceeded the introduction limits established in Rule 5 and (ii) legislation affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees.

On motion of Senator Norment, the reading of the amendments was waived.

On motion of Senator Norment, amendment No. 1 was agreed to.

On motion of Senator Norment, amendment No. 2 was agreed to.

Senator Bolling offered the following amendment:

1. Line 12, engrossed, after time,

strike

the House conference members shall present to the House of Delegates

insert

the conference members shall present to the members of their respective bodies

On motion of Senator Bolling, the reading of the amendment was waived.

On motion of Senator Bolling, the amendment was agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 522**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates thereof.

**HOUSE COMMUNICATION**

The following communication was received:

In the House of Delegates  
March 13, 2004

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORTS OF THE COMMITTEES OF CONFERENCE ON THE FOLLOWING HOUSE BILLS:

**H.B. 105.** A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

**H.B. 1055.** A BILL to amend and reenact §§ 17.1-805, 18.2-124, 18.2-374.3, and 19.2-299 of the Code of Virginia and to repeal §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358, and 18.2-367 of the Code of Virginia, relating to the revision of Title 18.2; repeal of certain statutes.

THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE JOINT RESOLUTION:

**H.J.R. 522.** Amending Rules 25 and 27 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 519, of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s) and the extension of the session.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Norment, for the committee of conference on **H.B. 105** (one hundred five), presented the following report:

Joint Conference Committee Report On  
House Bill No. 105

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 105, report as follows:

A. We recommend that the Senate Substitute be rejected.

B. We recommend that the attached Amendment in the Nature of a Substitute be accepted to resolve the matters under disagreement.

Respectfully submitted,

/s/ Delegate Harvey B. Morgan

/s/ Delegate Lacey E. Putney

/s/ Delegate J. Paul Councill, Jr.

Conferees on the part of the House

/s/ Senator Thomas K. Norment, Jr.

/s/ Senator Kenneth W. Stolle

/s/ Senator John C. Watkins

Conferees on the part of the Senate

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 105

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.

On motion of Senator Norment, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**CONFERENCE COMMITTEE REPORT**

Senator Obenshain, for the committee of conference on **H.B. 1055** (one thousand fifty-five), presented the following report:

Joint Conference Committee Report On  
House Bill No. 1055

We, the conferees, appointed by the respective bodies to consider and report upon the disagreeing vote on House Bill No. 1055, report as follows:

- A. We recommend that the Senate Amendments be rejected.
- B. We recommend that the engrossed bill be accepted to resolve the matter under disagreement.

Respectfully submitted,

/s/ Delegate David B. Albo  
/s/ Delegate William R. Janis  
/s/ Delegate Robert H. Brink  
Conferees on the part of the House

/s/ Senator Frederick M. Quayle  
/s/ Senator Henry L. Marsh, III  
/s/ Senator Mark D. Obenshain  
Conferees on the part of the Senate

On motion of Senator Obenshain, the joint conference committee report was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**LEGISLATION SIGNED BY PRESIDING OFFICER**

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 13, 2004

**S.B. 71.** An Act to amend and reenact §§ 58.1-3814 and 58.1-3816.2 of the Code of Virginia, relating to local consumer utility taxes.

**S.B. 73.** An Act to amend and reenact §§ 58.1-811 and 58.1-3606 of the Code of Virginia, relating to taxes upon incorporated churches.

**S.B. 120.** An Act to amend and reenact § 58.1-2628 of the Code of Virginia, relating to filing annual reports by utilities.

**S.B. 122.** An Act to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.

- S.B. 136.** An Act to amend and reenact §§ 32.1-127.1:03 and 40.1-8 of the Code of Virginia, relating to disclosure of certain protected health information to the Commissioner of the Department of Labor and Industry or his designee.
- S.B. 153.** An Act to amend and reenact § 23-231.15 of the Code of Virginia, relating to the Board of Trustees of the Roanoke Higher Education Authority.
- S.B. 165.** An Act to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.
- S.B. 166.** An Act to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.
- S.B. 173.** An Act to amend and reenact §§ 23-276.1 and 23-276.2 of the Code of Virginia, relating to regulation of certain private and out-of-state institutions of higher education; exemptions.
- S.B. 231.** An Act to amend and reenact § 58.1-439 of the Code of Virginia, relating to the major business facility job tax credit.
- S.B. 316.** An Act to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.
- S.B. 361.** An Act to amend and reenact § 58.1-3211 of the Code of Virginia, relating to real property tax; exemptions for elderly and handicapped.
- S.B. 366.** An Act to amend and reenact § 58.1-2606 of the Code of Virginia, relating to local taxation of real and tangible personal property of public service corporations and other persons.
- S.B. 398.** An Act to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to the entitlement of sales tax revenues generated from transactions in certain public facilities.
- S.B. 403.** An Act to amend and reenact § 58.1-3 of the Code of Virginia, relating to secrecy of tax information.
- S.B. 464.** An Act to amend and reenact §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91.35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43, and 23-91.44 of the Code of Virginia, relating to the University of Mary Washington.
- S.B. 526.** An Act to amend and reenact § 58.1-301 of the Code of Virginia, relating to Commonwealth's system of taxation.
- S.B. 533.** An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to media-related sales and use tax exemptions.
- S.B. 570.** An Act to amend and reenact § 23-231.20 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.
- S.B. 571.** An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for film, video, audio in Virginia.
- S.B. 597.** An Act to amend and reenact § 65.2-201 of the Code of Virginia, relating to Workers' Compensation Commission.

**S.B. 632.** An Act to amend and reenact § 58.1-609.5 of the Code of Virginia, relating to sales and use tax exemption for electronic transmissions of software, data, content and other information services.

**S.B. 644.** An Act to amend and reenact § 22.1-32 of the Code of Virginia, relating to salaries of certain school boards.

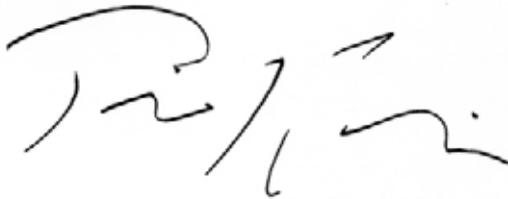
**S.B. 690.** An Act to amend and reenact § 58.1-439.7 of the Code of Virginia, relating to tax credit for machinery and equipment used to produce personal property from recyclable materials.

The President of the Senate, pursuant to § 30-14.2 of the Code of Virginia, on the date recorded below, signed the following bill that had been amended in accordance with the recommendations of the Governor and reenrolled:

March 13, 2004

**H.B. 199.** (Reenrolled.) An Act to amend and reenact § 51.1-505 of the Code of Virginia, relating to group life and accident insurance for state and local employees.

On motion of Senator Norment, the Senate adjourned until Monday, March 15, 2004, at 4:00 p.m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## MONDAY, MARCH 15, 2004

The Senate met at 4:00 p.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

John McE. Garrett, Deputy Clerk of the Senate and Elder at St. James Presbyterian Church, King William, Virginia, offered the following prayer:

Let us pray as we listen to these words found in the Book of Hosea:

For He has torn, that He may heal us:

He has stricken and He will bind us up.

... He will revive us;

... He will raise us up.

We ask that these words be a source of hope to these representatives of the peoples of the Commonwealth. In God's name we pray, Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Devolites, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple.

A quorum was present.

After the roll call, Senator Lambert notified the Clerk of his presence.

On motion of Senator Miller, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--32. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Devolites, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--32.

NAYS--0.

RULE 36--0.

**LEGISLATION SIGNED BY PRESIDING OFFICER**

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the date recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 15, 2004

**H.B. 2.** An Act to amend and reenact §§ 46.2-746.7, 46.2-746.8, and 46.2-746.9 of the Code of Virginia, and to repeal §§ 46.2-736.01, 46.2-736.02, 46.2-746.2:2.1, 46.2-746.4:3, 46.2-746.6:2, 46.2-746.8:1, 46.2-749.5:1, 46.2-749.23:1, 46.2-749.28:1, 46.2-749.32 through 46.2-749.36, 46.2-749.39, 46.2-749.41, 46.2-749.42, 46.2-749.43, 46.2-749.47, 46.2-749.73:1, 46.2-749.84, 46.2-749.85, 46.2-749.87, 46.2-749.88, 46.2-749.93, 46.2-749.95 through 46.2-749.100, of the Code of Virginia, relating to special license plates; registered nurses; submarine service veterans; American Red Cross; Fraternal Order of Police Associates; Fraternal Order of Police Auxiliary; Corvette motor vehicle enthusiasts; National Association of Retired Federal Employees; Virginia Federation of Women's Clubs; local government attorneys; Motorcycle Rider Safety Training

Program; Virginia Statute for Religious Freedom; Marriage Encounter Movement; retired state employees; POW/MIA logo; insurance agents; Cold War veterans; Virginia is for Lovers; historic covered bridges; Leukemia and Lymphoma Society; Seton House; Interdenominational Children's Foundation of Virginia; Washington Capitals; National Motto -- In God We Trust; medical doctors; emergency medical technicians; paramedics; hunter safety instructors; Police Benevolent Association; Langley Air Force Base; multiple sclerosis; Job's Daughters; Civilian Conservation Corps; coal mining heritage; teachers; Children's Hospital of the King's Daughters; military parachutists; and Izaak Walton League.

**H.B. 83.** An Act to amend and reenact § 46.2-750 of the Code of Virginia, relating to registration of motor vehicles owned by regional jail authorities.

**H.B. 85.** An Act to amend and reenact § 46.2-1157 of the Code of Virginia, relating to motor vehicle safety inspections; certain new motor vehicles exempt.

**H.B. 86.** An Act to amend and reenact § 46.2-346 of the Code of Virginia, relating to photographing or otherwise copying certain driver documents issued by the Department of Motor Vehicles.

**H.B. 87.** An Act to amend the Code of Virginia by adding a section numbered 46.2-1077.1, relating to mobile infrared transmitters.

**H.B. 145.** An Act to amend and reenact § 46.2-752 of the Code of Virginia, as it is currently effective and as it shall become effective, relating to local motor vehicle taxes and fees.

**H.B. 180.** An Act to amend and reenact § 46.2-629 of the Code of Virginia, relating to odometer reading disclosures.

**H.B. 232.** An Act to amend and reenact § 46.2-1052 of the Code of Virginia, relating to tinting films, etc., on vehicle windows and windshields; contract passenger carriers.

**H.B. 239.** An Act to amend and reenact § 63.2-2004 of the Code of Virginia, relating to the Neighborhood Assistance Act.

**H.B. 257.** An Act to amend and reenact § 46.2-330 of the Code of Virginia, relating to vision examinations for applicants for renewal of driver's licenses and learner's permits.

**H.B. 319.** An Act to amend and reenact §§ 46.2-330 and 46.2-1521 of the Code of Virginia, to amend the Code of Virginia by adding in Article 1 of Chapter 2 of Title 46.2 sections numbered 46.2-221.2, 46.2-221.3 and 46.2-221.4 and by adding in Chapter 1 of Subtitle I of Title 54.1 a section numbered 54.1-117, and to repeal § 46.2-331 of the Code of Virginia, relating to expiration of certain documents issued to citizens of Virginia serving in the armed forces of the United States or in the diplomatic service of the United States.

**H.B. 420.** An Act to amend and reenact §§ 63.2-105 and 63.2-1503 of the Code of Virginia, relating to child abuse and neglect; multidisciplinary investigation teams.

**H.B. 477.** An Act to amend and reenact § 46.2-335 of the Code of Virginia, relating to motorcycle learner's permits; operation of motorcycles by persons holding such permits.

**H.B. 532.** An Act to amend and reenact §§ 46.2-1188 through 46.2-1192 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-1190.1 through 46.2-1190.7, relating to motorcycle rider safety; penalties.

- H.B. 556.** An Act to amend and reenact § 46.2-892 of the Code of Virginia, relating to amber warning lights on vehicles used to deliver or collect the United States mail.
- H.B. 721.** An Act to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to regulation or prohibition by certain towns of parking of certain vehicles.
- H.B. 834.** An Act to amend and reenact § 33.1-120 of the Code of Virginia, relating to allowing the owner of property condemned by the Commonwealth Transportation Commissioner to receive payment before the owner is forced to vacate.
- H.B. 835.** An Act to amend and reenact § 33.1-132 of the Code of Virginia, relating to remedies of certain landowners whose property is condemned by the Commonwealth Transportation Commissioner.
- H.B. 847.** An Act to amend and reenact § 46.2-490 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-490.3 through 46.2-490.11, and to repeal § 46.2-490.2 of the Code of Virginia, relating to driver improvement clinics.
- H.B. 866.** An Act to amend and reenact § 46.2-335 of the Code of Virginia, relating to learner's permits; certification of driving experience for certain driver's license applicants.
- H.B. 887.** An Act to amend and reenact §§ 46.2-1176 and 46.2-1178 of the Code of Virginia, relating to motor vehicle emissions inspections; hybrid vehicles.
- H.B. 899.** An Act to amend and reenact §§ 46.2-100 and 46.2-676 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 46.2 an article numbered 13.1, consisting of sections numbered 46.2-916.1, 46.2-916.2 and 46.2-916.3, relating to registration and operation of golf carts and utility vehicles.
- H.B. 900.** An Act to amend and reenact §§ 46.2-725, 46.2-736.2, 46.2-742 through 46.2-742.2, 46.2-745, 46.2-746.3, 46.2-746.7, 46.2-749, and 46.2-749.4 of the Code of Virginia, relating to special license plates, generally.
- H.B. 904.** An Act to amend the Code of Virginia by adding a section numbered 33.1-12.1 relating to certain agreements between cities and towns and the Commonwealth Transportation Commissioner.
- H.B. 1002.** An Act to amend and reenact § 46.2-694 of the Code of Virginia, relating to the distribution of the "four for life" fund.
- H.B. 1109.** An Act to amend and reenact § 63.2-100 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-905.1, relating to independent living services.
- H.B. 1119.** An Act to amend and reenact §§ 43-34, 46.2-1203 and 46.2-1603.1 of the Code of Virginia, relating to nonrepairable and salvage vehicles; vehicle demolishers; enforcement of certain liens.
- H.B. 1135.** An Act to amend and reenact § 63.2-1502 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 63.2-1516.01, relating to child protective services; training and investigation procedures.
- H.B. 1157.** An Act to amend and reenact §§ 46.2-819 and 46.2-819.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 8 of Title 46.2 a section numbered 46.2-819.3, relating to the use of toll facilities without payment of toll.

**H.B. 1314.** An Act to amend and reenact § 4.1-120 of the Code of Virginia, relating to alcoholic beverage control; operation of government stores.

**H.B. 1335.** An Act to amend and reenact § 46.2-1022 of the Code of Virginia, relating to flashing blue, red and blue, blue and white, or red, white, and blue warning lights on certain vehicles.

**H.B. 1394.** An Act to amend and reenact § 4.1-230 of the Code of Virginia, relating to alcoholic beverage control; application for licenses; shippers' licenses.

**H.B. 1448.** An Act to amend and reenact § 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; taxes on local licenses.

**S.B. 54.** An Act to amend the Code of Virginia by adding a section numbered 29.1-527.1, relating to the feeding of migratory and nonmigratory waterfowl; penalty.

**S.B. 200.** An Act to amend and reenact § 3.1-610.26:1 of the Code of Virginia, relating to beekeeper assistance.

March 15, 2004

**H.B. 82.** An Act to amend and reenact § 23-7.4:2 of the Code of Virginia, relating to reduced tuition for certain students at the University of Virginia's College at Wise.

**H.B. 270.** An Act to amend and reenact §§ 54.1-3513 and 65.2-603 of the Code of Virginia, relating to certain vocational rehabilitation counselors.

**H.B. 357.** An Act to amend and reenact § 2.2-514 of the Code of Virginia, relating to settlements involving the Commonwealth.

**H.B. 454.** An Act to direct the Director of the Department of Professional and Occupational Regulation and the Board for Contractors to establish a pilot program for local enforcement of licensure.

**H.B. 462.** An Act to amend the Code of Virginia by adding a section numbered 54.1-516.1, relating to the Department of Professional and Occupational Regulation; Board for Asbestos, Lead, and Home Inspectors; summary suspension of licenses.

**H.B. 470.** An Act to amend and reenact §§ 2.2-4303 and 2.2-4304 of the Code of Virginia, relating to procurement; online auctions and the General Services Administration.

**H.B. 575.** An Act to amend and reenact § 22.1-98 of the Code of Virginia, relating to reduction of aid for loss of school days; emergency.

**H.B. 769.** An Act to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to career and technical education.

**H.B. 824.** An Act to amend and reenact §§ 55-248.13 and 55-248.16 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-248.11:2, relating to the Virginia Residential Landlord and Tenant Act; disclosure of mold in dwelling unit.

**H.B. 836.** An Act to amend and reenact § 32.1-351.2 of the Code of Virginia, relating to the Children's Health Insurance Program Advisory Committee.

**H.B. 873.** An Act to amend and reenact § 44-146.19 of the Code of Virginia, relating to alert and warning systems for municipalities.

**H.B. 976.** An Act to amend and reenact §§ 16.1-88.03 and 55-246.1 of the Code of Virginia, relating to pleadings and other papers and recovery of rent or possession by parties not represented by attorneys.

**H.B. 1405.** An Act to amend and reenact § 2.2-2282 of the Code of Virginia, relating to the Small Business Financing Authority; membership; voting.

**H.B. 1483.** An Act to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation; emergency.

On motion of Senator Obenshain, a leave of absence for the day was granted Senator Cuccinelli.

On motion of Senator Puckett, a leave of absence for the day was granted Senator Deeds.

On motion of Senator Whipple, a leave of absence for the day was granted Senator Edwards.

On motion of Senator Ruff, a leave of absence for the day was granted Senator Mims.

On motion of Senator Obenshain, a leave of absence for the day was granted Senator O'Brien.

On motion of Senator Watkins, a leave of absence for the day was granted Senator Wagner.

On motion of Senator Newman, a leave of absence for the day was granted Senator Williams.

On motion of Senator Chichester, the Senate adjourned until tomorrow at 12 m.



Timothy M. Kaine  
President of the Senate



Susan Clarke Schaar  
Clerk of the Senate

## TUESDAY, MARCH 16, 2004

The Senate met at 12 m. and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend J. Denise Honeycutt, Virginia Conference, Secretary of Global Ministries, United Methodist Church, Richmond, Virginia, offered the following prayer:

Oh God, we come into Your presence a bit weary and frustrated. We have struggled and worked, we have negotiated and compromised, and yet there's more to be done. We have found ourselves at odds with those who sit across from us, with those who differ from us, and if we are truthful, at odds even within ourselves. There are many places that we would rather be on this rainy day—but here we are, God, with work still to be done.

We are grateful that You have promised to never leave or forsake us. So as this Senate enters into the work which they have been called, we ask that they would be reminded of Your presence. Give each person here the boldness and strength to speak and act on behalf of the weakest of our society. In all that is done, let our actions be motivated from the true authentic core of our being, that justice may flow down like water and integrity like an unfailing stream.

In Christ's name—Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Ticer, Watkins, Whipple.

A quorum was present.

After the roll call, Senators Bolling, Chichester, Cuccinelli, Hanger, Rerras, Stosch, and Wampler notified the Clerk of their presence.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Norment introduced a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 257.** Amending Rules 25, 27, and 28 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 219 and House Joint Resolution No. 522, of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s) and the extension of the session.

Patron--Norment

Referred to Committee on Rules

### IMMEDIATE CONSIDERATION

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **S.J.R. 257** (two hundred fifty-seven), the first reading of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--33. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wampler, Watkins, Whipple--33.

NAYS--0.

RULE 36--0.

**S.J.R. 257** was read by title the second time and, on motion of Senator Norment, was ordered to be engrossed and read by title the third time.

Senator Norment moved that the Rules be suspended and the third reading of the title of **S.J.R. 257** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--34. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Edwards, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--34.

NAYS--0.

RULE 36--0.

#### SENATE JOINT RESOLUTION NO. 257

Amending Rules 25, 27, and 28 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 519 and House Joint Resolution No. 522, of the 2004 Regular Session of the General Assembly of Virginia, relating to the deadlines for the first conference on the Budget Bill(s) and the extension of the session.

RESOLVED by the Senate, the House of Delegates concurring, That Rules 25, 27, and 28 of House Joint Resolution No. 1, as amended by House Joint Resolution No. 519 and House Joint Resolution No. 522, of the 2004 Regular Session are amended and reenacted as follows:

Rule 25. The first conference on the Budget Bill(s) shall complete its deliberations no later than noon, ~~Tuesday, March 16~~ *Friday, March 19, 2004*. If there is no conference report at that time, the conference members shall present to the members of their respective bodies a written report explaining the differences between the House and Senate positions. No engrossment of the Budget Bill(s) shall be required in either house, and any conference on the Budget Bill(s) shall consider, as the basis of its deliberations, the Budget Bill(s) as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house.

Rule 27. This session of the General Assembly shall be extended beyond the 60-day period provided in Section 6 of Article IV of the Constitution of Virginia to midnight, ~~Tuesday, March 16,~~ *Friday, March 19, 2004*. Members and legislative assistants shall not receive per diem payment for any day or days that the session is extended. No legislation shall be introduced for consideration during the extension except (i) bills and joint resolutions requested in writing by the Governor, if the member offering such legislation has not exceeded the introduction limits established in Rules and (ii) legislation affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees.

Rule 28. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly shall reconvene Wednesday, April 24 28, 2004, for the purpose of considering bills which may have been returned by the Governor with recommendations for their amendment and bills and items of appropriation bills, including the general appropriation act, which may have been returned by the Governor with his objections.

**S.J.R. 257**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--31. NAYS--5. RULE 36--0.

YEAS--Bell, Blevins, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--31.

NAYS--Bolling, Cuccinelli, Martin, Obenshain, O'Brien--5.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates thereof.

### MORNING HOUR RESUMED

On motion of Senator Puller, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

### INTRODUCTION OF LEGISLATION

Senator Norment, by leave, under Senate Rule 11 (b) presented the following resolution which was ordered to be printed and referred:

**S.R. 17.** Applying to the Governor to call a special session and establishing a schedule for the conduct of business coming before such special session.

Patron--Norment

Referred to Committee on Rules

### IMMEDIATE CONSIDERATION

Senator Norment moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **S.R. 17** (seventeen), the first reading of the title be waived, and the resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

**S.R. 17** was read by title the second time and, on motion of Senator Norment, was ordered to be engrossed and read by title the third time.

Senator Norment moved that the Rules be suspended and the third reading of the title of **S.R. 17** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

#### SENATE RESOLUTION NO. 17

Applying to the Governor to call a special session and establishing a schedule for the conduct of business coming before such special session.

RESOLVED by the Senate, That the Senate does hereby apply to the Governor that, pursuant to Section 6 of Article IV of the Constitution of Virginia, he shall convene the General Assembly in a special session immediately upon adjournment sine die of the 2004 Regular Session for the purpose of considering Budget Bill(s) and revenue bills; and, be it

RESOLVED FURTHER, That except with the unanimous consent of the house in which the bill or joint resolution is offered, no bill or joint resolution other than (i) Budget Bill(s) and revenue bills; (ii) joint resolutions affecting the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees; (iii) joint resolutions regarding the election of judges; (iv) commending and memorial joint resolutions; or (v) joint resolutions confirming appointments subject to the confirmation of the General Assembly shall be offered in either house during the special session; and, be it

RESOLVED FINALLY, That for purposes of this resolution:

“Budget Bill” means the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2002, through June 30, 2004, or July 1, 2004, through June 30, 2006.

“Revenue bill” means any bill, except the Budget Bill(s), that increases the total revenues available for appropriation, including any sales tax exemption bill.

**S.R. 17**, on motion of Senator Norment, was agreed to.

The recorded vote is as follows:

YEAS--31. NAYS--5. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Miller, Mims, Norment, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--31.

NAYS--Cuccinelli, Martin, Newman, Obenshain, O'Brien--5.

RULE 36--0.

### GUEST PRESENTED

On motion of Senator Norment, the Rules were suspended for the purpose of granting the privileges of the floor to a distinguished person.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

Senator Norment presented former Senator Hunter B. Andrews to the Senate.

### INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 1 and Senate Rule 11 (b), Senator Stolle introduced a joint resolution; subsequently, the following was presented, ordered to be printed, and referred:

**S.J.R. 258.** Applying to the Governor to call a special session and establishing a schedule for the conduct of business coming before such special session.

Patron--Stolle

Referred to Committee on Rules

**IMMEDIATE CONSIDERATION**

Senator Stolle moved that the Rules be suspended, the Committee on Rules be discharged from further consideration of **S.J.R. 258** (two hundred fifty-eight), the first reading of the title be waived, and the joint resolution be taken up for immediate consideration.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

**S.J.R. 258** was read by title the second time and, on motion of Senator Stolle, was ordered to be engrossed and read by title the third time.

Senator Stolle moved that the Rules be suspended and the third reading of the title of **S.J.R. 258** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

**RECONSIDERATION**

Senator Stolle moved to reconsider the vote by which **S.J.R. 258** (two hundred fifty-eight) was ordered to be engrossed and read by title the third time.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

Senator Stolle offered the following amendment:

1. Line 12, introduced, after Session  
insert  
without a budget for the 2004-2006 biennium

On motion of Senator Stolle, the reading of the amendment was waived.

On motion of Senator Stolle, the amendment was agreed to.

On motion of Senator Stolle, the joint resolution was ordered to be engrossed and read by title the third time.

Senator Stolle moved that the Rules be suspended and the third reading of the title of **S.J.R. 258** be waived.

The motion was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

#### SENATE JOINT RESOLUTION NO. 258

Applying to the Governor to call a special session and establishing a schedule for the conduct of business coming before such special session.

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly does hereby apply to the Governor that, pursuant to Section 6 of Article IV of the Constitution of Virginia, he shall convene the General Assembly in a special session immediately upon adjournment sine die of the 2004 Regular Session [ without a budget for the 2004-2006 biennium ] for the purpose of considering Budget Bill(s) and revenue bills; and, be it

RESOLVED FURTHER, That except with the unanimous consent of the house in which the bill or joint resolution is offered, no bill or joint resolution other than (i) Budget Bill(s) and revenue bills; (ii) joint resolutions affecting the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees; (iii) joint resolutions regarding the election of judges; (iv) commending and memorial joint resolutions; or (v) joint resolutions confirming appointments subject to the confirmation of the General Assembly shall be offered in either house during the special session; and, be it

RESOLVED FINALLY, That for purposes of this resolution:

“Budget Bill” means the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2002, through June 30, 2004, or July 1, 2004, through June 30, 2006.

“Revenue bill” means any bill, except the Budget Bill(s), that increases the total revenues available for appropriation, including any sales tax exemption bill.

**S.J.R. 258**, on motion of Senator Stolle, was agreed to.

The recorded vote is as follows:

YEAS--36. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wampler, Watkins, Whipple--36.

NAYS--0.

RULE 36--0.

Senator Norment was ordered to inform the House of Delegates thereof.

#### MESSAGE FROM THE HOUSE

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had rejected **S.J.R. 257** (two hundred fifty-seven).

#### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

March 16, 2004

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR THE FOLLOWING HOUSE BILL:

**H.B. 448.** An Act to amend and reenact §§ 55-362 and 55-374 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 55-376.1, relating to the Virginia Real Estate Time-Share Act; possibility of reverter.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson

Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--33. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wampler, Watkins, Whipple--33.

NAYS--0.

RULE 36--0.

HOUSE BILL WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 448** (four hundred forty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

March 16, 2004

TO THE HOUSE OF DELEGATES:  
HOUSE BILL NO. 448

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 121, enrolled  
insert

*“Time-share estate subject to reverter” means a time-share estate (i) entitling the holder thereof to occupy units not more than four weeks in any one year period; and (ii) for which the down payment is not more than 20 percent of the total purchase price of the time-share estate;*

2. Line 304, enrolled, after *deed*  
insert

*for a time-share estate subject to reverter*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 448**, on motion of Senator Stosch, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--33. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wampler, Watkins, Whipple--33.

NAYS--0.

RULE 36--0.

RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate agreed to amend **H.B. 448** (four hundred forty-eight) in accordance with the recommendations of the Governor.

The motion was agreed to.

The recorded vote is as follows:

YEAS--33. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Wampler, Watkins, Whipple--33.

NAYS--0.

RULE 36--0.

**H.B. 448**, on motion of Senator Hawkins, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--31. NAYS--0. RULE 36--2.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Hanger, Hawkins, Houck, Howell, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stosch, Wampler, Watkins, Whipple--31.

NAYS--0.

RULE 36--Norment, Stolle--2.

#### COMMUNICATION

The following communication was received and read:

#### COMMONWEALTH OF VIRGINIA

Office of the Governor

#### PROCLAMATION

In accordance with the provisions of Article IV, Section 6 and Article V, Section 5 of the Constitution of Virginia and the powers it vests in the Governor to call a Special Session of the General Assembly;

I, Mark R. Warner, Governor of Virginia, do hereby summon the members of the Senate and House of Delegates, constituting the General Assembly of Virginia, to meet in special session in their respective chambers in the Capitol at Richmond, at 12:00 noon on Wednesday, the seventeenth day of March, 2004, for the purpose of considering legislation to appropriate the public revenue for the 2004-2006 biennium and to reform the tax code and provide revenue for appropriation.

Given under my hand and under the lesser seal of the Commonwealth, at Richmond, this 16th day of March, two thousand four and the two hundred and twenty-eighth year of the Commonwealth.

/s/ Mark R. Warner  
Governor of Virginia

By the Governor:

/s/ Anita A. Rimler  
Secretary of the Commonwealth

**MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had passed **S.J.R. 258** (two hundred fifty-eight) with amendment; in which amendment it requested the concurrence of the Senate.

**UNFINISHED BUSINESS — SENATE**

**S.J.R. 258** (two hundred fifty-eight) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 19, engrossed, after session;  
insert

except that during the first seven days of the special session, only Budget and revenue bills requested by the Governor may be offered

**PARLIAMENTARY INQUIRY**

Senator Stolle propounded a parliamentary inquiry as to whether the General Assembly had the ability to limit the authority of the Governor and how he convenes a special session pursuant to Article IV, Section 6 of the Constitution of Virginia.

The Chair stated that constitutionally the legislature cannot define the Governor's powers during a special session nor can the Governor define the legislature's powers. The Chair stated further that the legislature can limit its own powers by a procedural resolution.

Senator Stolle moved that the amendment be agreed to.

The question was put on agreeing to the amendment.

The recorded vote is as follows:

YEAS--22. NAYS--11. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Hanger, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wampler, Watkins--22.

NAYS--Deeds, Houck, Howell, Locke, Lucas, Marsh, Miller, Puckett, Puller, Saslaw, Whipple--11.  
RULE 36--0.

**PARLIAMENTARY INQUIRY**

Senator Norment propounded a parliamentary inquiry as to whether the action by the Senate on the amendment proposed by the House of Delegates to **S.J.R. 258** constituted a final passage of the bill and thereby required a two-thirds vote of the members in order to be agreed to.

The Chair stated that the Senator was correct.

The amendment was rejected, having failed to receive the necessary affirmative votes required by Article IV, Section 6, of the Constitution.

Senator Norment was ordered to inform the House of Delegates thereof.

**MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had receded from its amendment to **S.J.R. 258** (two hundred fifty-eight).

**LEGISLATION CONTINUED**

The following report was received from the Clerk:

TO THE MEMBERS OF THE SENATE:

Pursuant to the provisions of Senate Rule 20 (f) and House Joint Resolution No. 1 of the 2004 Session, certain bills and joint resolutions have been continued to the 2005 Session of the General Assembly in the several committees, as follows:

COMMITTEE ON AGRICULTURE, CONSERVATION AND NATURAL RESOURCES

**S.B. 175, S.B. 193, S.B. 198, S.B. 249, S.B. 322, S.B. 588, S.B. 603, S.B. 639.**

COMMITTEE ON COMMERCE AND LABOR

**S.B. 116, S.B. 117, S.B. 239, S.B. 240, S.B. 282, S.B. 309, S.B. 383, S.B. 401, S.B. 564, S.B. 582, S.B. 621, S.B. 641, S.B. 650, S.B. 673.**

**H.B. 935, H.B. 1016, H.B. 1288.**

COMMITTEE FOR COURTS OF JUSTICE

**S.B. 40, S.B. 49, S.B. 141, S.B. 144, S.B. 207, S.B. 218, S.B. 238, S.B. 477, S.B. 481, S.B. 506, S.B. 510, S.B. 610, S.B. 640, S.B. 680.**

**H.B. 134, H.B. 150, H.B. 170, H.B. 326, H.B. 352, H.B. 514, H.B. 614, H.B. 652, H.B. 668, H.B. 669, H.B. 858, H.B. 948, H.B. 1053, H.B. 1054, H.B. 1173.**

COMMITTEE ON EDUCATION AND HEALTH

**S.B. 187, S.B. 272, S.B. 294, S.B. 425, S.B. 456, S.B. 459, S.B. 507, S.B. 611, S.B. 625, S.B. 638, S.B. 666.**

COMMITTEE ON FINANCE

**S.B. 46, S.B. 64, S.B. 65, S.B. 157, S.B. 164, S.B. 195, S.B. 196, S.B. 263, S.B. 332, S.B. 358, S.B. 374, S.B. 375, S.B. 377, S.B. 450, S.B. 482, S.B. 483, S.B. 484, S.B. 500, S.B. 501, S.B. 572, S.B. 636, S.B. 645, S.B. 655, S.B. 686.**

**S.J.R. 123.**

**H.B. 34, H.B. 311, H.B. 510, H.B. 583, H.B. 599, H.B. 950, H.B. 1009, H.B. 1067, H.B. 1454.**

COMMITTEE ON GENERAL LAWS

**S.B. 151, S.B. 182, S.B. 624.**

**H.B. 73, H.B. 487, H.B. 1386.**

COMMITTEE ON LOCAL GOVERNMENT

**S.B. 123, S.B. 133, S.B. 351, S.B. 393, S.B. 478, S.B. 534.**

COMMITTEE ON PRIVILEGES AND ELECTIONS

**S.B. 102, S.B. 137.**

**S.J.R. 17, S.J.R. 84, S.J.R. 85.**

COMMITTEE ON REHABILITATION AND SOCIAL SERVICES

**S.B. 75, S.B. 83, S.B. 89, S.B. 441, S.B. 616, S.B. 622.**

COMMITTEE ON TRANSPORTATION

**S.B. 79, S.B. 88, S.B. 178, S.B. 225, S.B. 296, S.B. 487, S.B. 637.**

**H.B. 905.**

COMMITTEE ON RULES

**S.B. 290.**

**S.J.R. 41, S.J.R. 63.**

**H.J.R. 108, H.J.R. 109, H.J.R. 110, H.J.R. 226.**

Pursuant to the provisions of House Joint Resolution No. 1 of the 2004 Session, certain Senate bills have been continued to the 2005 Session of the General Assembly in the several House committees, as follows:

COMMITTEE ON APPROPRIATIONS

**S.B. 170, S.B. 232, S.B. 284.**

COMMITTEE ON COMMERCE AND LABOR

**S.B. 128, S.B. 460.**

COMMITTEE ON COUNTIES, CITIES AND TOWNS

**S.B. 592.**

COMMITTEE FOR COURTS OF JUSTICE

**S.B. 192, S.B. 301, S.B. 435, S.B. 469.**

COMMITTEE ON FINANCE

**S.B. 221, S.B. 248, S.B. 514, S.B. 537, S.B. 667, S.B. 678.**

COMMITTEE ON GENERAL LAWS

**S.B. 521.**

## COMMITTEE ON MILITIA, POLICE AND PUBLIC SAFETY

**S.B. 82, S.B. 92, S.B. 132, S.B. 176, S.B. 693.**

## COMMITTEE ON PRIVILEGES AND ELECTIONS

**S.B. 268, S.B. 391.**

## COMMITTEE ON SCIENCE AND TECHNOLOGY

**S.B. 275.**

## COMMITTEE ON TRANSPORTATION

**S.B. 235, S.B. 418.**

**LEGISLATION SIGNED BY PRESIDING OFFICER**

The President of the Senate as required by Article IV, Section 11, of the Constitution, on the dates recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 16, 2004

- H.B. 13.** An Act to amend and reenact § 3.1-6.1 of the Code of Virginia and to repeal Chapter 25 (§§ 3.1-666 through 3.1-684) of Title 3.1 of the Code of Virginia, relating to the abolishment of the Virginia Sweet Potato Board, the Virginia Sweet Potato Fund, and the excise tax to support the Board's promotion of sweet potatoes.
- H.B. 25.** An Act to repeal Chapter 420 of the Acts of Assembly of 1958, relating to the spotlighting of deer or elk.
- H.B. 26.** An Act to repeal Chapter 180 of the Acts of Assembly of 1956, relating to authorizing a special permit to hunt and kill antlerless deer.
- H.B. 27.** An Act to repeal Chapter 451 of the Acts of Assembly of 1958, relating to the establishment of a season for hunting wild male turkeys.
- H.B. 28.** An Act to repeal Chapter 354 of the Acts of Assembly of 1952, relating to establishing a squirrel-hunting season in Floyd County.
- H.B. 43.** An Act to amend and reenact § 18.2-271.1 of the Code of Virginia, relating to a person, who is entered into an alcohol safety action program, operating a motor vehicle with a restricted permit.
- H.B. 44.** An Act to amend and reenact § 16.1-94 of the Code of Virginia, relating to orders of judgment in courts not of record.
- H.B. 46.** An Act to amend and reenact § 8.01-129 of the Code of Virginia, relating to appeals from general district court.
- H.B. 54.** An Act to amend and reenact §§ 29.1-517 and 29.1-518 of the Code of Virginia, relating to the killing of beaver.

- H.B. 67.** An Act to amend and reenact § 18.2-433.1 of the Code of Virginia, relating to definition of law-enforcement officer.
- H.B. 70.** An Act to amend and reenact §§ 17.1-302 and 17.1-401 of the Code of Virginia, relating to senior justices and judges.
- H.B. 71.** An Act to amend and reenact § 19.2-152.1 of the Code of Virginia, relating to certification of property bail bondsmen.
- H.B. 76.** An Act to repeal Chapter 303 of the Acts of Assembly of 1954, relating to the establishment of a bird sanctuary.
- H.B. 77.** An Act to repeal Chapter 144 of the Acts of Assembly of 1958, as amended by Chapter 235 of the Acts of Assembly of 1993, relating to hunting in Halifax and Cumberland Counties.
- H.B. 132.** An Act to amend and reenact §§ 29.1-341, 29.1-344 and 29.1-349 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-341.1, relating to stationary duck blinds.
- H.B. 133.** An Act to amend and reenact §§ 29.1-303, 29.1-303.3, and 29.1-305 of the Code of Virginia, relating to establishment of a nonresident youth hunting license.
- H.B. 171.** An Act to amend and reenact §§ 3.1-618, 3.1-626, 3.1-634, 3.1-634.1 and 3.1-635 of the Code of Virginia, and to repeal Article 3 (§§ 3.1-646.01 through 3.1-646.09) of Chapter 23 of Title 3.1 of the Code of Virginia, relating to the Apple Board.
- H.B. 220.** An Act to amend and reenact § 43-32 of the Code of Virginia, relating to mechanic's lien for keeper of garage or marina.
- H.B. 242.** An Act to amend and reenact § 3.1-796.122 of the Code of Virginia, relating to animals attacking companion animals.
- H.B. 275.** An Act to amend and reenact § 55-210.21 of the Code of Virginia, relating to the State Treasurer; interest on property claims.
- H.B. 276.** An Act to amend and reenact § 55-210.12 of the Code of Virginia, relating to electronically filing unclaimed property reports.
- H.B. 301.** An Act to amend and reenact § 29.1-103 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-701.1, relating to setting fees for hunting, trapping, and motorboat registration.
- H.B. 344.** An Act to amend and reenact §§ 16.1-69.48:5 and 16.1-296 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-296.2, relating to fees for custody and visitation proceedings.
- H.B. 440.** An Act to amend and reenact §§ 62.1-44.34:15 and 62.1-44.34:16 of the Code of Virginia, relating to oil contingency plans and financial assurance.
- H.B. 444.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; residency requirement.

- H.B. 445.** An Act to amend and reenact §§ 10.1-561 and 62.1-44.15 of the Code of Virginia, relating to erosion and sediment control and stormwater management inspectors.
- H.B. 489.** An Act to amend and reenact § 28.2-1303 of the Code of Virginia, relating to wetlands boards.
- H.B. 536.** An Act to amend and reenact §§ 29.1-103 and 29.1-113 of the Code of Virginia, relating to the issuance of annual hunting stamp; penalty.
- H.B. 580.** An Act to amend and reenact §§ 16.1-340 and 16.1-341 of the Code of Virginia, relating to involuntary commitment of minors.
- H.B. 594.** An Act to amend and reenact § 19.2-390 of the Code of Virginia, relating to reports to be made by law-enforcement officers to the Central Criminal Records Exchange.
- H.B. 603.** An Act to amend and reenact § 62.1-44.33 of the Code of Virginia, relating to no discharge zones.
- H.B. 605.** An Act to change the name of the York County Circuit Court.
- H.B. 685.** An Act to amend and reenact § 62.1-44.15:5 of the Code of Virginia, relating to the Virginia Water Protection Permit.
- H.B. 713.** An Act to amend and reenact § 10.1-1426 of the Code of Virginia, relating to the collection of small quantities of hazardous waste.
- H.B. 717.** An Act to amend and reenact § 15.2-1718 of the Code of Virginia, relating to missing child reports.
- H.B. 776.** An Act to amend and reenact § 19.2-310.2:1 of the Code of Virginia, relating to DNA sampling for certain attempted felonies.
- H.B. 809.** An Act to amend and reenact § 29.1-529 of the Code of Virginia, relating to urban deer management.
- H.B. 947.** An Act to amend and reenact §§ 10.1-1181.2 and 10.1-1181.3 of the Code of Virginia, relating to silvicultural activities.
- H.B. 955.** An Act to amend and reenact §§ 62.1-44.17:1 and 62.1-44.17:1.1 of the Code of Virginia, relating to confined animal feeding operations.
- H.B. 977.** An Act to amend and reenact § 17.1-276 of the Code of Virginia, relating to remote access fee.
- H.B. 979.** An Act to amend and reenact § 8.01-513 of the Code of Virginia, relating to service of process.
- H.B. 980.** An Act to amend and reenact § 8.01-294 of the Code of Virginia, relating to service of process; return of service; late return.
- H.B. 983.** An Act to amend and reenact § 26-7.2 of the Code of Virginia, relating to mailing of notice, etc., by clerk.
- H.B. 1024.** An Act to amend and reenact § 28.2-201 of the Code of Virginia, relating to authority to increase saltwater license and permit fees.

- H.B. 1044.** An Act to amend and reenact § 29.1-521 of the Code of Virginia, relating to the baiting of wild birds or wild animals.
- H.B. 1069.** An Act to amend and reenact §§ 29.1-352 and 29.1-355 of the Code of Virginia, relating to coverage for damages under the damage stamp program.
- H.B. 1125.** An Act to amend and reenact § 18.2-374.3 of the Code of Virginia, relating to criminal computer use by adults; definition of adult for that purpose.
- H.B. 1230.** An Act to amend and reenact § 3.1-6.1 of the Code of Virginia, to amend the Code of Virginia by adding in Title 3.1 a chapter numbered 42.1, consisting of sections numbered 3.1-1064.1 through 3.1-1064.7, and to repeal Chapter 42 (§§ 3.1-1057 through 3.1-1064) of Title 3.1 of the Code of Virginia, relating to establishment of the Virginia Wine Board and the Virginia Wine Promotion Fund.
- H.B. 1271.** An Act to amend and reenact § 10.1-104.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-546.1, relating to soil and water conservation districts nonpoint source pollution activities.
- H.B. 1278.** An Act to amend and reenact § 28.2-527 of the Code of Virginia, relating to the theft of oysters and clams; penalty.
- H.B. 1283.** An Act to amend and reenact § 10.1-560 of the Code of Virginia, relating to the Erosion and Sediment Control Law.
- H.B. 1338.** An Act to amend and reenact §§ 10.1-2009 and 10.1-2011 of the Code of Virginia, relating to powers and duties of the Board of Trustees for the Virginia Museum of Natural History; salary of director; unrestricted gifts and endowments.
- H.B. 1436.** An Act to authorize the Virginia Marine Resources Commission to grant an easement and right-of-way across and in the bed of the Elizabeth River, including a portion of the Baylor Survey, to Virginia Electric and Power Company (Dominion Virginia Power) for an electric transmission line.
- H.B. 1450.** An Act to amend and reenact § 62.1-44.34:11 of the Code of Virginia, relating to disbursements from the Petroleum Storage Tank Fund.
- H.B. 1452.** An Act to amend and reenact §§ 28.2-302.1 and 29.1-311 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 28.2-302.2:1 and 29.1-310.2, relating to establishment of combined recreational sportfishing licenses.
- H.B. 1460.** An Act to amend and reenact §§ 6.1-330.53, 6.1-330.54 and 8.01-382 of the Code of Virginia, relating to interest rates.
- H.B. 1463.** An Act to amend the Code of Virginia by adding a section numbered 8.01-184.1, relating to declaratory judgment to adjudicate constitutional nexus for imposition of sales and use tax.
- S.B. 62.** An Act to amend and reenact §§ 63.2-903, 63.2-1200, 63.2-1221, 63.2-1222 and 63.2-1817 of the Code of Virginia, relating to child-placing agencies outside the Commonwealth.

- S.B. 139.** An Act to require that any study by the Virginia Department of Transportation of possible improvements to a certain portion of Interstate Route 66 include consideration of High-Occupancy Toll (HOT) lanes.
- S.B. 595.** An Act to amend and reenact § 63.2-219 of the Code of Virginia, relating to grievance procedures of state and local social services employees.
- S.B. 619.** An Act to amend and reenact §§ 8.01-293 and 15.2-1609.3 of the Code of Virginia, relating to sheriffs' fees.

March 16, 2004

- H.B. 237.** An Act to amend and reenact § 63.2-2002 of the Code of Virginia, relating to Neighborhood Assistance Act tax credit.
- H.B. 291.** An Act to amend and reenact § 9.1-903 of the Code of Virginia, relating to sex offender registration procedures.
- H.B. 408.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to use of steel plates in connection with highway repairs.
- H.B. 449.** An Act to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.
- H.B. 749.** An Act to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.
- H.B. 759.** An Act to amend and reenact §§ 9.1-902 and 18.2-374.3 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.
- H.B. 1186.** An Act to amend and reenact §§ 38.2-4123, 38.2-4214, 38.2-4319, and 38.2-4509 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 38.2-1315.1, relating to actuarial statements.
- H.B. 1424.** An Act to amend and reenact §§ 59.1-443 and 59.1-444 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-443.1, relating to date of birth on checks.

March 16, 2004

- H.B. 285.** An Act to amend and reenact § 63.2-2004 of the Code of Virginia, relating to donations of professional services.
- H.B. 320.** An Act to amend and reenact § 16.1-278.16 of the Code of Virginia, relating to capias for nonsupport.
- H.B. 375.** An Act to amend and reenact § 18.2-308.2:2 of the Code of Virginia, relating to criminal history record information check required for the transfer of certain firearms.
- H.B. 382.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permit applications; social security numbers.

- H.B. 441.** An Act to amend and reenact § 20-124.3 of the Code of Virginia, relating to the best interests of the child in visitation and custody.
- H.B. 466.** An Act to amend and reenact § 55-210.18 of the Code of Virginia, relating to the State Treasurer; sale of abandoned property.
- H.B. 515.** An Act to amend and reenact §§ 58.1-3, 58.1-609.10, as it shall become effective, and 58.1-609.11 of the Code of Virginia, relating to sales and use tax exemptions for certain nonprofit entities.
- H.B. 530.** An Act to amend and reenact §§ 15.2-915 and 18.2-308.2:2 of the Code of Virginia, relating to control of firearms by localities.
- H.B. 549.** An Act to amend and reenact § 58.1-812 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 58.1 a section numbered 58.1-817, relating to open-space preservation fees.
- H.B. 615.** An Act to amend and reenact § 58.1-439 of the Code of Virginia, relating to the major business facility job tax credit.
- H.B. 658.** An Act to amend and reenact § 46.2-832 of the Code of Virginia, relating to damaging certain signs.
- H.B. 683.** An Act to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.
- H.B. 755.** An Act to amend and reenact § 19.2-264.5 of the Code of Virginia, relating to sentencing in death penalty cases.
- H.B. 771.** An Act to amend and reenact §§ 17.1-900 and 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; jurisdiction.
- H.B. 820.** An Act to amend the Code of Virginia by adding in Chapter 1 of Title 25.1 a section numbered 25.1-107, relating to condemnation of lands within conservation plans.
- H.B. 942.** An Act to amend and reenact § 19.2-194 of the Code of Virginia, relating to summoning of grand jurors.
- H.B. 1264.** An Act to amend and reenact § 55-59.1 of the Code of Virginia, relating to notice of sale; reference to instrument of appointment.

The President of the Senate, pursuant to § 30-14.2 of the Code of Virginia, on the date recorded below, signed the following bill that had been amended in accordance with the recommendations of the Governor and reenrolled:

March 16, 2004

- H.B. 448.** (Reenrolled.) An Act to amend and reenact §§ 55-362 and 55-374 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 55-376.1, relating to the Virginia Real Estate Time-Share Act; possibility of reverter.

On motion of Senator Bell, a leave of absence for the day was granted Senator Devolites.

On motion of Senator Houck, a leave of absence for the day was granted Senator Lambert.

On motion of Senator Watkins, a leave of absence for the day was granted Senator Wagner.

On motion of Senator Newman, a leave of absence for the day was granted Senator Williams.

**ADJOURNMENT SINE DIE  
MESSAGE FROM THE HOUSE**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 524** (five hundred twenty-four), as follows; in which it requested the concurrence of the Senate:

HOUSE JOINT RESOLUTION NO. 524  
Adjournment Sine Die.

WHEREAS, the House of Delegates and the Senate are ready to adjourn sine die; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a committee of six on the part of the House of Delegates and four on the part of the Senate, be appointed to inform the Governor that the Regular Session of the 2004 General Assembly is ready to adjourn sine die and to inquire if he has any communication to make.

**H.J.R. 524**, being of a purely procedural nature, was taken up for immediate consideration and agreed to.

Senator Norment was ordered to inform the House of Delegates thereof.

The President appointed Senators Chichester, Stosch, Norment, and Marsh, the committee on the part of the Senate to inform the Governor that the General Assembly was ready to adjourn sine die and to inquire if he had any communication to make.

Subsequently, Senator Stosch, from the committee to inform the Governor that the General Assembly was ready to adjourn sine die and to inquire if he had any communication to make, reported that the committee had performed that duty.

Senator Stosch moved that the Senate adjourn sine die.

The motion was agreed to.

The President declared the Senate adjourned sine die.

Senator Stosch was ordered to inform the House of Delegates thereof.

**MESSAGE FROM THE HOUSE  
SUBSEQUENT TO ADJOURNMENT SINE DIE**

Subsequent to adjournment sine die of the 2004 Regular Session, a message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had adjourned sine die.

**LEGISLATION SIGNED BY THE PRESIDING OFFICER  
SUBSEQUENT TO ADJOURNMENT SINE DIE**

Subsequent to adjournment sine die of the 2004 Regular Session, the President of the Senate, as required by Article IV, Section 11, of the Constitution, on the dates recorded below, signed the following bills that had been passed by both houses and duly enrolled:

March 17, 2004

- H.B. 825.** An Act to amend and reenact §§ 36-55.25, 36-55.26, 36-55.30, 36-55.30:2, 36-55.31, 36-55.33:1, 36-55.34:1, 36-55.37, 36-55.38, and 36-55.39 of the Code of Virginia, relating to the Virginia Housing Development Authority; financing of certain mixed-income and mixed-use housing developments.
- H.B. 829.** An Act to amend the Code of Virginia by adding in Chapter 11 of Title 54.1 an article numbered 4, consisting of sections numbered 54.1-1140 through 54.1-1143, relating to the Board for Contractors; certification of elevator mechanics.
- H.B. 831.** An Act to amend and reenact § 54.1-1101 of the Code of Virginia, relating to the Board for Contractors; exemptions from licensure; penalty.
- H.B. 849.** An Act to amend and reenact § 54.1-1103 of the Code of Virginia, relating to the Board for Contractors; necessity for licensure; design-build construction.
- H.B. 851.** An Act to repeal the second enactment clause of Chapter 895 and the second enactment clause of Chapter 1011 of the Acts of Assembly of 1999, relating to the sunseting of the authority of pharmacists to participate with practitioners of medicine, osteopathy, or podiatry in collaborative agreements.
- H.B. 852.** An Act to amend and reenact § 54.1-3435.02 of the Code of Virginia, relating to exemptions from the requirements for being licensed as wholesale distributors when engaging in certain small quantities of wholesale distribution.
- H.B. 854.** An Act to amend and reenact § 54.1-406 of the Code of Virginia, relating to the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; necessity for license; design-build contracts.
- H.B. 855.** An Act to amend and reenact §§ 2.2-2818, 32.1-46, 32.1-50, 32.1-60, 32.1-64.1, 32.1-138, 32.1-325, 32.1-331.15, 45.1-161.35, 45.1-161.70, 45.1-161.292:43, 46.2-208, 46.2-322, 53.1-22, 54.1-3812, 59.1-297, 59.1-298, 59.1-310.4, and 63.2-1808 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 54.1-2957.02, relating to licensed nurse practitioners.
- H.B. 857.** An Act to amend and reenact §§ 54.1-2316 and 54.1-2322 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2313.1, relating to the Cemetery Board; perpetual care trust funds and preneed burial contracts; appointment of receiver.
- H.B. 869.** An Act to amend and reenact § 22.1-279.3:1 of the Code of Virginia, relating to reporting of certain acts by school authorities to law enforcement.
- H.B. 891.** An Act to amend and reenact §§ 32.1-126 and 63.2-1800 of the Code of Virginia, relating to notification to electric utilities of the location of licensed nursing homes and assisted living facilities.
- H.B. 894.** An Act to amend and reenact § 55-510 of the Code of Virginia, relating to the Property Owners' Association Act; access to association records.
- H.B. 932.** An Act to amend and reenact § 23-231.20 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.

- H.B. 933.** An Act to amend and reenact § 23-14 of the Code of Virginia, relating to the Institute for Advanced Learning and Research.
- H.B. 959.** An Act to amend and reenact § 2.2-3006 of the Code of Virginia, relating to the Department of Human Resource Management; state grievance procedure.
- H.B. 974.** An Act to amend and reenact § 55-248.18 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; access by landlord to correct nonemergency condition.
- H.B. 981.** An Act to amend and reenact § 55-248.31 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; noncompliance of rental agreement; award of attorneys' fees.
- H.B. 989.** An Act to amend the Code of Virginia by adding in Chapter 1.1 of Title 23 a section numbered 23-9.14:2, relating to facilitation of transfers to public four-year institutions of higher education.
- H.B. 1012.** An Act to amend and reenact §§ 19.2-120 and 19.2-299 of the Code of Virginia, relating to gang crimes; presumption against bail; presentence report.
- H.B. 1029.** An Act to amend and reenact §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91.35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43, and 23-91.44 of the Code of Virginia, relating to the University of Mary Washington.
- H.B. 1047.** An Act to amend and reenact § 2.2-5211 of the Code of Virginia, relating to financial and legal responsibility for special education services for certain individuals with disabilities placed across jurisdictional lines.
- H.B. 1116.** An Act to amend and reenact §§ 9.1-161 and 9.1-162 of the Code of Virginia, relating to crime prevention specialists.
- H.B. 1176.** An Act to amend and reenact § 11-34.3 of the Code of Virginia, relating to Energy Performance-Based Contract Procedures.
- H.B. 1198.** An Act to amend and reenact § 32.1-170 of the Code of Virginia, relating to the development of emergency plans for the safe handling of public water supplies during any extended power outage.
- H.B. 1207.** An Act to amend and reenact §§ 2.2-614.1 and 15.2-106 of the Code of Virginia, relating to bad check charges.
- H.B. 1257.** An Act to amend and reenact Chapter 577 of the Acts of Assembly of 2002, relating to the award of verified units of credit for standard diplomas by local school boards.
- H.B. 1313.** An Act to name the library at the Virginia Institute of Marine Science the William Jennings Hargis, Jr. Library.
- H.B. 1331.** An Act to amend and reenact §§ 22.1-279.6 and 22.1-279.9 of the Code of Virginia, relating to including hazing in the Board's guidelines and model policies for and school boards' regulations on codes of student conduct.
- H.B. 1336.** An Act to amend and reenact § 22.1-32 of the Code of Virginia, relating to salaries of certain school boards.

**H.B. 1398.** An Act to amend and reenact § 2.2-206 of the Code of Virginia, relating to urban issues.

March 17, 2004

**S.B. 18.** An Act to provide for the submission to the voters of a proposed amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.

**S.B. 35.** An Act to amend and reenact § 63.2-100 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 9 of Title 63.2 a section numbered 63.2-913, relating to subsidized custody for children.

**S.B. 103.** An Act to amend and reenact §§ 16.1-69.48:5 and 16.1-296 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 16.1-296.2, relating to fees for custody and visitation proceedings.

**S.B. 130.** An Act to amend and reenact § 60.2-513 of the Code of Virginia, relating to unemployment compensation; employer penalties.

**S.B. 252.** An Act to amend and reenact §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015, and 46.2-1051 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.

**S.B. 257.** An Act to amend and reenact § 33.1-72.1 of the Code of Virginia, relating to taking subdivision streets into the secondary system of state highways.

**S.B. 266.** An Act to amend and reenact § 32.1-325 of the Code of Virginia, relating to the development of a long-term care partnership program.

**S.B. 421.** An Act to amend and reenact § 46.2-833 of the Code of Virginia, relating to traffic light signals; penalty.

**S.B. 479.** An Act to amend and reenact §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6, and 22.1-292.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-200.01 and 22.1-202.1, relating to the Standards of Quality.

**S.B. 553.** An Act to amend and reenact § 22.1-26 of the Code of Virginia, relating to joint and regional schools.

**S.B. 620.** An Act to amend and reenact §§ 8.01-499 and 17.1-272 of the Code of Virginia, relating to sheriff's fees.

**S.B. 653.** An Act to amend and reenact § 23-4.01 of the Code of Virginia, relating to certain easements by the College of William and Mary.

**S.B. 681.** An Act to amend and reenact §§ 58.1-2628 and 58.1-2674.1 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 58.1-400.3, relating to a minimum tax on certain electric suppliers.

March 17, 2004

- H.B. 52.** An Act to amend and reenact § 15.2-4903 of the Code of Virginia, relating to industrial development authorities.
- H.B. 56.** An Act to amend and reenact §§ 3.1, 4.3, 4.5 and 20.2, as amended, of Chapter 213 of the Acts of Assembly of 1960, which provided a charter for the City of Colonial Heights, relating to the city council and school board.
- H.B. 300.** An Act to amend and reenact § 15.2-953 of the Code of Virginia, relating to donations by localities.
- H.B. 303.** An Act to amend and reenact § 15.2-1716 of the Code of Virginia, relating to reimbursement of certain traffic incident expenses.
- H.B. 316.** An Act to amend and reenact § 24.2-303.2 of the Code of Virginia, relating to composition of certain Senatorial districts.
- H.B. 354.** An Act to amend and reenact §§ 51.5-53 and 51.5-56 of the Code of Virginia, relating to Assistive Technology Loan Fund Authority; powers.
- H.B. 438.** An Act to amend and reenact § 15.2-1115 of the Code of Virginia, relating to abatement of nuisances.
- H.B. 493.** An Act to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-334.1, and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.
- H.B. 559.** An Act to amend and reenact § 3.5 of Chapter 12 of the Acts of Assembly of 1987, which provided a charter for the County of Chesterfield, relating to assessment districts.
- H.B. 679.** An Act to amend and reenact § 15.2-2307 of the Code of Virginia, relating to removal of nonconforming and abandoned signs.
- H.B. 682.** An Act to amend and reenact §§ 24.2-904 and 24.2-908 of the Code of Virginia, relating to information required of candidates, campaign committees, and other persons and committees under the Campaign Finance Disclosure Act.
- H.B. 689.** An Act to amend and reenact §§ 59.1-510, 59.1-511, 59.1-513, and 59.1-514 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-513.1, relating to the Virginia Telephone Privacy Protection Act.
- H.B. 714.** An Act to amend and reenact §§ 15.2-2204, 15.2-2223 and 15.2-2283 of the Code of Virginia, relating to zoning near military bases, military installations, and military airports.
- H.B. 715.** An Act to amend and reenact § 15.2-2241 of the Code of Virginia, relating to provisions of a subdivision ordinance.
- H.B. 819.** An Act to amend and reenact § 15.2-2204 of the Code of Virginia, relating to notice of zoning amendment.

- H.B. 827.** An Act to amend the Code of Virginia by adding a section numbered 15.2-958.2, relating to home-ownership assistance.
- H.B. 874.** An Act to amend and reenact § 15.2-2304 of the Code of Virginia, relating to affordable housing.
- H.B. 911.** An Act to amend and reenact § 15.2-5504 of the Code of Virginia, relating to the Tourism Development Authority.
- H.B. 919.** An Act to amend and reenact § 15.2-5114 of the Code of Virginia, relating to water and sewer authorities; conduits for fiber optic installation.
- H.B. 931.** An Act to amend and reenact § 15.2-1416 of the Code of Virginia, relating to meetings of governing bodies.
- H.B. 934.** An Act to amend and reenact § 15.2-1604 of the Code of Virginia, relating to constitutional offices; employment.
- H.B. 968.** An Act to amend and reenact § 9, as amended, § 10, §§ 22.1 and 22.3, as amended, of Chapter 393 of the Acts of Assembly of 1932, which provided a charter for the City of Williamsburg, relating to utilities, school board, and oaths for board and commissions.
- H.B. 975.** An Act to amend and reenact § 58.1-811 of the Code of Virginia, relating to the state recordation taxes; exemptions.
- H.B. 986.** An Act to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.
- H.B. 994.** An Act to amend and reenact § 3, as amended, of Chapter 186 of the Acts of Assembly of 1938, which provided a charter for the Town of Clifton, relating to town council.
- H.B. 1026.** An Act to amend and reenact §§ 24.2-900, 24.2-901, 24.2-905, 24.2-908, 24.2-921, 24.2-926, 24.2-929, 24.2-943, and 24.2-944 of the Code of Virginia, relating to the Campaign Finance Disclosure Act and disclosure requirements for political campaign advertisements.
- H.B. 1088.** An Act to amend and reenact §§ 1.1, 1.2:1 and 2.9:1, § 2.12, as amended, §§ 2.13, 2.23, 2.27, 2.29, 6.7:1, 6.9 and 6.14, § 11.1, as amended, and § 13.6 of Chapter 209 of the Acts of Assembly of 1968, which provided a charter for the City of Radford, relating to boundaries, appointments, ordinances, city clerk, city attorney, taxation and city officials.
- H.B. 1112.** An Act to amend and reenact § 7 of Chapter 712 of the Acts of Assembly of 1952, which provided a charter for the City of Harrisonburg, relating to the mayor.
- H.B. 1185.** An Act to amend and reenact § 58.1-513 of the Code of Virginia, relating to land preservation income tax credits for individuals and corporations.
- H.B. 1191.** An Act to amend and reenact § 24.2-911 of the Code of Virginia, relating to campaign finance disclosure; reporting requirements; certain exempt political party committees.
- H.B. 1206.** An Act to amend and reenact § 2 of Chapter 486 of the Acts of Assembly of 1892, which provided a charter for the Town of Glasgow, in Rockbridge County, relating to council elections.

- H.B. 1208.** An Act to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to entitlement to certain sales tax revenues.
- H.B. 1248.** An Act to amend Chapter 323 of the Acts of Assembly of 1950, which provided a charter for the City of Falls Church, by adding a section numbered 5.02.1, and to repeal §§ 5.02, 5.04 and 8.02, §§ 8.03 and 8.07, as amended, §§ 8.09, 8.10 and 8.12, §§ 9.01 and 9.02, as amended, §§ 9.03 through 9.06, § 9.07, as amended, §§ 9.08 and 9.09, § 9.11, as amended, §§ 11.01 through 11.05 and § 12.01, § 12.02, as amended, §§ 12.03 through 12.06, § 12.07, as amended, §§ 12.08, 12.09 and 13.01 through 13.04, § 13.05, as amended, §§ 13.10, 14.01 and 14.02, § 14.03, as amended, §§ 14.04, 14.05 and 14.06, §§ 15.01 through 15.05, and §§ 16.01 through 16.04 of Chapter 323 of the Acts of Assembly of 1950, relating to personnel and city departments.
- H.B. 1320.** An Act to amend and reenact § 24.2-304.02 of the Code of Virginia, relating to certain House of Delegates districts.
- H.B. 1340.** An Act to amend and reenact § 24.2-403 of the Code of Virginia, relating to voting by persons under age 18.
- H.B. 1350.** An Act to amend and reenact §§ 10.1-1322, 10.1-1402, 10.1-1402.1, as it shall become effective July 1, 2004, and § 62.1-44.15:6, as it is currently effective until July 1, 2004, of the Code of Virginia, and to amend and reenact the third enactment of Chapter 822 of the Acts of Assembly of 2002 as it applies to § 62.1-44.15:6 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 10.1-1402.1:1, relating to environmental permit fees.
- H.B. 1426.** An Act to amend and reenact § 58.1-3713 of the Code of Virginia, relating to local coal and gas road improvement tax.
- H.B. 1453.** An Act to amend and reenact § 58.1-3967 of the Code of Virginia, relating to procedures for collecting delinquent real estate taxes.
- S.B. 14.** An Act to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.
- S.B. 81.** An Act to amend and reenact § 63.2-2004 of the Code of Virginia, relating to donations of professional services.
- S.B. 226.** An Act to amend and reenact § 2.2-3101 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 2.2-3100.1, and by adding in Chapter 31 of Title 2.2 an article numbered 8, consisting of sections numbered 2.2-3128 through 2.2-3131, relating to the State and Local Government Conflict of Interests Act and orientation programs for public personnel.
- S.B. 283.** An Act to amend and reenact § 23-7.4:2 of the Code of Virginia, relating to reduced tuition for certain students at the University of Virginia's College at Wise.
- S.B. 285.** An Act to direct the Director of the Department of Professional and Occupational Regulation and the Board for Contractors to establish a pilot program for local enforcement of licensure.
- S.B. 328.** An Act to amend and reenact §§ 16.1-69.9:3 and 17.1-511 of the Code of Virginia, relating to notice of retirement.
- S.B. 343.** An Act to amend and reenact § 8.01-216.3 of the Code of Virginia, relating to Virginia Fraud Against Taxpayers Act.

- S.B. 347.** An Act to amend and reenact § 58.1-609.6 of the Code of Virginia, relating to sales tax exemption for textbooks and other educational materials for free distribution.
- S.B. 349.** An Act to amend and reenact § 58.1-3506 of the Code of Virginia, relating to classifications of personal property for taxation; vehicles owned or leased by certain members of volunteer rescue squads, volunteer fire departments, volunteer rescue squad auxiliaries, and volunteer fire department auxiliaries.
- S.B. 354.** An Act to amend and reenact §§ 2.2-3703, 2.2-3705, and 2.2-3711 of the Code of Virginia, relating to the Freedom of Information Act; applicability; sexually violent predator commitment review committee.
- S.B. 362.** An Act to amend and reenact §§ 46.2-604 and 46.2-731 of the Code of Virginia, relating to content of vehicle registration cards; issuance of disabled parking license plates.
- S.B. 365.** An Act to amend and reenact §§ 10.1-1322, 10.1-1402, 10.1-1402.1, as it shall become effective July 1, 2004, and § 62.1-44.15:6, as it is currently effective until July 1, 2004, of the Code of Virginia, and to amend and reenact the third enactment of Chapter 822 of the Acts of Assembly of 2002 as it applies to § 62.1-44.15:6 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 10.1-1402.1:1, relating to environmental permit fees.
- S.B. 404.** An Act to amend and reenact §§ 22.1-254 and 22.1-254.2 of the Code of Virginia, relating to excusals from compulsory school attendance requirements.
- S.B. 408.** An Act to amend and reenact § 46.2-870 of the Code of Virginia, relating to maximum speed limits generally.
- S.B. 409.** An Act to amend and reenact § 63.2-1503 of the Code of Virginia, relating to child protective services; notification of parent.
- S.B. 416.** An Act to amend and reenact § 22.1-253.13:1 of the Code of Virginia, relating to expeditious and efficient reporting of Standards of Learning test results to schools and school divisions.
- S.B. 463.** An Act to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Condominium Act and Property Owners' Association Acts; nonjudicial foreclosure.
- S.B. 468.** An Act to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.
- S.B. 585.** An Act to amend and reenact §§ 58.1-3, 58.1-609.10, as it shall become effective, and § 58.1-609.11 of the Code of Virginia, relating to sales and use tax exemptions for certain nonprofit entities.
- S.B. 598.** An Act to amend and reenact §§ 2.2-4310 and 2.2-4343 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-965.1, relating to participation of small, women- and minority-owned businesses in government procurement.
- S.B. 600.** An Act to amend and reenact §§ 15.2-2110 and 15.2-2118 of the Code of Virginia, relating to local water and sewage systems.

**S.B. 627.** An Act to amend and reenact § 58.1-3812 of the Code of Virginia, relating to local consumer utility tax.

**S.B. 684.** An Act to amend and reenact §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842 of the Code of Virginia, relating to transient occupancy taxes and food and beverage taxes.

March 17, 2004

**H.B. 298.** An Act to amend the Code of Virginia by adding in Article 5 of Chapter 39 of Title 58.1 a section numbered 58.1-3994, relating to the effect of applications for correction of assessment and appeals of local taxes upon applications for local permits and licenses.

**H.B. 318.** An Act to amend the Code of Virginia by adding a section numbered 22.1-289.2, relating to compensation of public school employees called to active duty military service.

**H.B. 322.** An Act to amend and reenact § 38.2-3407.15 of the Code of Virginia, relating to health insurance carriers; fair business practices; retroactive denials.

**H.B. 340.** An Act to amend and reenact § 46.2-1992 of the Code of Virginia, relating to trailer dealers; persons dealing solely in utility/cargo trailers weighing 3,000 pounds or less exempt from licensure requirements; emergency.

**H.B. 342.** An Act to amend and reenact §§ 13.1-616, 13.1-759, 13.1-766.1, 13.1-769.1, 13.1-816, 13.1-921, 13.1-931.1, 13.1-1005, 13.1-1052, 13.1-1060, 13.1-1064, 13.1-1072, 13.1-1204, 13.1-1242, 13.1-1254, 50-73.17, 50-73.48:3, 50-73.54, 50-73.57:2, 50-73.69, 50-73.93, and 50-73.138 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 13.1-766.2 and 13.1-928.2, by adding in Article 10 of Chapter 12 of Title 13.1 a section numbered 13.1-1060.1, by adding in Article 9 of Chapter 14 of Title 13.1 a section numbered 13.1-1250.1, and 50-73.57:3, relating to conversions and mergers of business entities.

**H.B. 363.** An Act to amend and reenact §§ 38.2-1800 and 59.1-200 of the Code of Virginia, to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 34.1, consisting of sections numbered 59.1-441.1 through 59.1-441.6, and to repeal § 38.2-4415 of the Code of Virginia, relating to legal services contracts.

**H.B. 433.** An Act relating to fringe benefits, expenses, and reimbursements for certain school board members.

**H.B. 460.** An Act to amend and reenact §§ 38.2-2416 through 38.2-2419 of the Code of Virginia, relating to powers of attorney for fidelity and surety insurers and surety bail bondsmen.

**H.B. 534.** An Act to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to civil immunity.

**H.B. 553.** An Act to amend and reenact § 38.2-1906 of the Code of Virginia, relating to insurance rates.

**H.B. 564.** An Act to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to devices used to supply nitrous oxide to the engines of motor vehicles.

**H.B. 565.** An Act to amend the Code of Virginia by adding a section numbered 8.01-27.3, relating to civil recoveries involving health care provider professional services.

- H.B. 596.** An Act to amend and reenact § 38.2-1603 of the Code of Virginia, relating to the Virginia Property and Casualty Insurance Guaranty Association; covered claim; insolvent insurer.
- H.B. 625.** An Act to amend and reenact §§ 2.2-507.1 and 17.1-513.01 of the Code of Virginia, relating to charitable assets; standard of conduct for directors of charitable corporations.
- H.B. 643.** An Act authorizing the Department of Conservation and Recreation to accept title to certain real property along abandoned railroad lines in several counties.
- H.B. 687.** An Act to amend and reenact § 40.1-2 of the Code of Virginia, relating to the Department of Labor and Industry; definition of Commissioner.
- H.B. 792.** An Act to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.
- H.B. 805.** An Act to amend and reenact § 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; prohibited acts by mixed beverage licensees; exception.
- H.B. 884.** An Act to amend and reenact § 13.1-857 of the Code of Virginia, relating to nonstock corporations; terms of directors.
- H.B. 907.** An Act to amend and reenact § 63.2-405 of the Code of Virginia, relating to medical assistance services; application.
- H.B. 924.** An Act to amend and reenact § 58.1-1803 of the Code of Virginia, relating to collectors of delinquent state taxes.
- H.B. 926.** An Act to amend and reenact § 58.1-3528 of the Code of Virginia, relating to the Personal Property Tax Relief Act of 1998.
- H.B. 949.** An Act to authorize the Governor to convey certain subaqueous lands in the Elizabeth River at Norfolk to the City of Norfolk.
- H.B. 984.** An Act to amend and reenact § 37.1-134.6 of the Code of Virginia, relating to guardians and conservators.
- H.B. 1038.** An Act to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.
- H.B. 1080.** An Act to amend and reenact § 16.1-260 of the Code of Virginia, relating to notification of superintendent of certain crimes committed by juvenile.
- H.B. 1108.** An Act to amend and reenact §§ 22.1-340, 22.1-342, and 22.1-343 of the Code of Virginia, relating to the Department of Correctional Education.
- H.B. 1120.** An Act to amend and reenact § 46.2-914 of the Code of Virginia, relating to mopeds; drivers to have identification.
- H.B. 1123.** An Act to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

- H.B. 1132.** An Act to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.
- H.B. 1179.** An Act to amend the Code of Virginia by adding in Chapter 12 of Title 2.2 a section numbered 2.2-1208 relating to long-term care insurance.
- H.B. 1181.** An Act to amend and reenact §§ 38.2-3220, 38.2-3221, 38.2-3222, and 38.2-3229 of the Code of Virginia, relating to annuity nonforfeiture provisions.
- H.B. 1183.** An Act to amend and reenact §§ 13.1-1011 and 13.1-1015 of the Code of Virginia, relating to limited liability companies; registered agents.
- H.B. 1187.** An Act to amend and reenact §§ 13.1-1065, 13.1-1255, 50-73.70 and 50-73.83 of the Code of Virginia, relating to State Corporation Commission refunds.
- H.B. 1202.** An Act to amend and reenact § 32.1-23.1 of the Code of Virginia, relating to the promotion of pharmaceutical assistance programs and pharmaceutical discount purchasing cards.
- H.B. 1238.** An Act to amend and reenact § 38.2-1867 of the Code of Virginia, relating to the Virginia Insurance Continuing Education Board; Virginia Association of Health Underwriters.
- H.B. 1241.** An Act to amend and reenact § 58.1-615 of the Code of Virginia, relating to filing sales and use tax returns of dealers.
- H.B. 1256.** An Act to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid.
- H.B. 1267.** An Act to amend and reenact § 65.2-101 of the Code of Virginia, relating to workers' compensation; electoral board members eligible.
- H.B. 1269.** An Act to amend and reenact § 6.1-62 of the Code of Virginia, relating to bank board of directors' approval of loans to executive officers or directors.
- H.B. 1305.** An Act to amend and reenact § 46.2-703 of the Code of Virginia, relating to the International Fuels Tax Agreement; violation; vehicle seizures; penalties.
- H.B. 1309.** An Act to amend and reenact § 4.1-305 of the Code of Virginia, relating to community-based probation for underage alcohol offenders.
- H.B. 1316.** An Act to amend and reenact § 4.1-201 of the Code of Virginia, relating to alcoholic beverage control; conduct not prohibited by licensed wineries and farm wineries.
- H.B. 1327.** An Act to amend and reenact § 38.2-3420 of the Code of Virginia, relating to jurisdiction of the State Corporation Commission over multiple employer welfare arrangements.
- H.B. 1337.** An Act to amend and reenact § 11-9.1 of the Code of Virginia, relating to power of attorney; revocation, suspension, limitation.
- H.B. 1445.** An Act to amend and reenact § 46.2-834 of the Code of Virginia, relating to school crossing guard; use of hand-held stop signs to control traffic.

March 21, 2004

- H.B. 123.** An Act to amend and reenact § 36-135 of the Code of Virginia, relating to the Board of Housing and Community Development; membership.
- H.B. 124.** An Act to amend and reenact § 54.1-702 of the Code of Virginia, relating to Board for Barbers and Cosmetologists; membership.
- H.B. 151.** An Act to amend the Code of Virginia by adding in Chapter 1 of Title 33.1 an article numbered 3.1, consisting of sections numbered 33.1-56.1 through 33.1-56.5, relating to High-Occupancy Toll Lanes.
- H.B. 152.** An Act to amend and reenact § 18.2-340.20 of the Code of Virginia, relating to the Department of Charitable Gaming; permits.
- H.B. 162.** An Act to amend and reenact § 57-27.1 of the Code of Virginia, relating to access to cemeteries located on private property; injunctive relief.
- H.B. 167.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying concealed weapons; penalty.
- H.B. 214.** An Act to amend and reenact § 52-34.3 of the Code of Virginia, relating to use of the Amber Alert system.
- H.B. 217.** An Act to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.
- H.B. 238.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to validity of out-of-state concealed weapon permits.
- H.B. 409.** An Act to amend and reenact § 54.1-2900 of the Code of Virginia, relating to practice of podiatry; surgery.
- H.B. 451.** An Act to amend and reenact § 27-98 of the Code of Virginia, relating to Statewide Fire Prevention Code; enforcement.
- H.B. 465.** An Act to amend and reenact § 58.1-3172.1 of the Code of Virginia, relating to remote access fees; treasurers.
- H.B. 485.** An Act to amend and reenact § 33.1-23.4 of the Code of Virginia, relating to allocation of funds for secondary system highway construction.
- H.B. 502.** An Act to amend and reenact §§ 33.1-430, 33.1-431, 33.1-433, and 33.1-435 of the Code of Virginia, relating to local transportation improvement districts in counties having populations greater than 500,000.
- H.B. 508.** An Act to amend and reenact § 2.2-2012 of the Code of Virginia, relating to VITA; contracts for personal computers.
- H.B. 509.** An Act to amend and reenact § 17.1-213 of the Code of Virginia, relating to the circuit court clerk's disposition of papers in ended cases.

- H.B. 513.** An Act to amend and reenact § 22.1-279.6 of the Code of Virginia, relating to model student conduct policies.
- H.B. 525.** An Act to amend and reenact § 2.2-2818 of the Code of Virginia, relating to health insurance for part-time state employees.
- H.B. 527.** An Act to amend and reenact §§ 2.2-2648 and 2.2-5201 of the Code of Virginia, relating to Comprehensive Services for At-Risk Youth and Families.
- H.B. 537.** An Act to amend and reenact § 11-33.2 of the Code of Virginia, relating to improper use of payment device numbers.
- H.B. 543.** An Act to amend the Code of Virginia by adding a section numbered 2.2-3808.3, relating to use of unique identifying numbers on public records.
- H.B. 546.** An Act to amend and reenact §§ 2.2-205, 2.2-225, 2.2-2651, 2.2-2669, 23-231.9, and 30-198 of the Code of Virginia, relating to duties of the Secretary of Technology.
- H.B. 548.** An Act to amend and reenact §§ 59.1-501.2, 59.1-501.3, 59.1-501.5, 59.1-501.6, 59.1-501.12, 59.1-502.7, 59.1-502.9, 59.1-503.7, 59.1-504.1, 59.1-504.4 and 59.1-504.5 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 59.1-501.4:1, 59.1-501.13:1, 59.1-501.14:1, 59.1-501.15, 59.1-501.16, 59.1-501.17 and 59.1-504.10, and to repeal §§ 59.1-501.4, 59.1-501.13, 59.1-501.14, 59.1-502.11, and 59.1-503.8 of the Code of Virginia, relating to the Uniform Computer Information Transactions Act.
- H.B. 555.** An Act to amend and reenact § 55-79.81 of the Code of Virginia, relating to the Condominium Act; insurance.
- H.B. 598.** An Act to amend and reenact § 2.2-5211 of the Code of Virginia, relating to financing costs of juvenile treatment programs.
- H.B. 608.** An Act to amend and reenact §§ 46.2-100, 46.2-730, and 46.2-1157 of the Code of Virginia, relating to antique motor vehicles and antique trailers; fees.
- H.B. 644.** An Act to amend the Code of Virginia by adding a section numbered 33.1-221.1:1.1, relating to the Railway Preservation and Development Fund.
- H.B. 675.** An Act to amend and reenact § 22.1-254.1 of the Code of Virginia, relating to qualifications to provide home instruction.
- H.B. 677.** An Act to amend and reenact § 46.2-1222 of the Code of Virginia, relating to regulation of parking on secondary highways in certain counties; approval by Commonwealth Transportation Board not required.
- H.B. 716.** An Act to amend and reenact § 54.1-307.1 of the Code of Virginia, relating to the Department of Professional and Occupational Regulation; complaint information; time for filing complaints.
- H.B. 760.** An Act to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 a section numbered 18.2-46.3:1 relating to criminal street gang crimes.
- H.B. 777.** An Act to amend and reenact § 46.2-833 of the Code of Virginia, relating to traffic lights.

- H.B. 784.** An Act to amend and reenact §§ 2.2-4002, 3.1-398 and 35.1-14 of the Code of Virginia, relating to adopting of regulations for restaurant and retail food establishments.
- H.B. 828.** An Act to amend and reenact § 36-105 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 36-105.1:1, relating to the Uniform Statewide Building Code; enforcement; rental inspections.
- H.B. 837.** An Act to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.
- H.B. 864.** An Act to amend and reenact §§ 65.2-309 through 65.2-311 of the Code of Virginia, relating to perfection of employer's subrogation rights.
- H.B. 883.** An Act to amend and reenact § 10.1-1010 of the Code of Virginia, relating to conservation easements.
- H.B. 908.** An Act to amend and reenact §§ 24.2-303.2 and 24.2-304.02 of the Code of Virginia, relating to certain Senate and House of Delegates districts respectively.
- H.B. 930.** An Act to amend and reenact § 32.1-164.1:1 of the Code of Virginia, relating to the validity of certain septic tank permits.
- H.B. 963.** An Act to allow lighting level regulation in James City County.
- H.B. 978.** An Act to amend and reenact § 22.1-25 of the Code of Virginia, relating to consolidation of school divisions.
- H.B. 997.** An Act to designate the entire length of Fairfax Station Road in Fairfax County a Virginia byway.
- H.B. 998.** An Act to designate Virginia Route 609 (Pleasant Valley Road between U.S. Route 29 (Lee Highway)) and Blue Spring Drive in Fairfax County a Virginia byway.
- H.B. 1027.** An Act to amend and reenact §§ 58.1-4004, 58.1-4006, 58.1-4007, 58.1-4010, 58.1-4014, and 58.1-4020.1 of the Code of Virginia, relating to the State Lottery Law; penalty.
- H.B. 1028.** An Act to amend and reenact §§ 58.1-4008 and 58.1-4009 of the Code of Virginia, relating to background investigations of lottery vendors and sales agents.
- H.B. 1048.** An Act to amend and reenact § 22.1-299.3 of the Code of Virginia, relating to local eligibility licenses for public school teachers.
- H.B. 1049.** An Act to amend and reenact § 54.1-2712 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-2711.1, relating to the practice of dentistry or dental hygiene by students; temporary licenses to persons enrolled in advanced dental education programs; emergency.
- H.B. 1062.** An Act to amend and reenact § 16.1-260 of the Code of Virginia, relating to intake of juveniles.

- H.B. 1083.** An Act to amend and reenact § 19.2-295.3 of the Code of Virginia, relating to admission of victim impact testimony.
- H.B. 1085.** An Act to amend and reenact § 42.1-15.1 of the Code of Virginia, relating to the State Library Board; use of state funds.
- H.B. 1095.** An Act to amend and reenact § 19.2-265.1 of the Code of Virginia, relating to exclusion of witnesses in criminal trials.
- H.B. 1096.** An Act to amend and reenact § 16.1-299 of the Code of Virginia, relating to juvenile fingerprints and photographs.
- H.B. 1103.** An Act to amend and reenact § 37.1-137.4 of the Code of Virginia, relating to powers of a conservator.
- H.B. 1117.** An Act to amend the Code of Virginia by adding a section numbered 22.1-277.07:1, relating to certain school board policies.
- H.B. 1133.** An Act to amend and reenact § 32.1-65, as it is currently effective and as it may become effective, of the Code of Virginia, relating to screening tests for infants.
- H.B. 1145.** An Act to amend and reenact §§ 2.2-4310 and 2.2-4343 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-965.1, relating to participation of small, women- and minority-owned businesses in government procurement.
- H.B. 1178.** An Act to amend and reenact § 32.1-127 of the Code of Virginia, relating to the offering of vaccines in certified nursing facilities and nursing homes.
- H.B. 1189.** An Act to amend the Code of Virginia by adding a section numbered 11-33.3, relating to place of contract formation; federal Fair Credit Billing Act.
- H.B. 1193.** An Act to amend and reenact §§ 9.1-138 and 9.1-139 of the Code of Virginia, relating to private security services and detector canine handlers.
- H.B. 1194.** An Act to amend and reenact § 2.2-1151.1 of the Code of Virginia, relating to the Virginia Department of Transportation; right-of-way easements; damage to adjacent property.
- H.B. 1243.** An Act to amend and reenact § 58.1-608.3 of the Code of Virginia, relating to entitlement to certain sales tax revenues.
- H.B. 1254.** An Act to amend and reenact § 22.1-253.13:3 of the Code of Virginia, relating to school performance report cards.
- H.B. 1263.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to landfill gas pipelines; notice to certain counties by Virginia Department of Transportation.
- H.B. 1274.** An Act to amend and reenact § 16.1-275 of the Code of Virginia, relating to temporary custody of juveniles.
- H.B. 1302.** An Act to repeal §§ 59.1-148.1 and 59.1-148.2 of the Code of Virginia, relating to sales and purchases of firearms in contiguous states.

- H.B. 1321.** An Act to amend and reenact §§ 24.2-904, 24.2-928, and 24.2-929 of the Code of Virginia, relating to the Campaign Finance Disclosure Act; required filings and penalties.
- H.B. 1326.** An Act to amend and reenact §§ 16.1-241.2, 16.1-263, 22.1-263, and 22.1-279.3 of the Code of Virginia and to amend the Code of Virginia by adding in Article 9 of Chapter 11 of Title 16.1 a section numbered 16.1-290.1, relating to compulsory school attendance enforcement; parental responsibility; use of contempt power summons; penalty.
- H.B. 1355.** An Act to amend and reenact § 16.1-278.8 of the Code of Virginia, relating to delinquent juveniles; disposition.
- H.B. 1360.** An Act to amend and reenact § 2.2-2012 of the Code of Virginia, relating to accessibility standards for information technology and telecommunications procurements.
- H.B. 1423.** An Act to amend and reenact § 46.2-1530.2 of the Code of Virginia, relating to dealer's transaction fee; emergency.
- H.B. 1435.** An Act to amend and reenact §§ 55-429, 55-460, 55-462, 55-467, 55-478, 55-479, 55-484, and 55-486 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 55-473.1, relating to the Virginia Real Estate Cooperative Act.
- H.B. 1441.** An Act to amend and reenact § 2.2-1120 of the Code of Virginia, relating to the Department of General Services; Division of Purchases and Supply; direct purchase by charitable corporations.
- H.B. 1444.** An Act to designate Virginia Route 199 the "Humelsine Parkway."
- H.B. 1474.** An Act to designate a certain bridge "The Stuart Finley Bridge."
- H.B. 1486.** An Act to amend the Code of Virginia by adding sections numbered 30-19.1:10 and 58.1-344.3, relating to procedures for evaluating and granting voluntary contributions of refunds legislation.
- S.B. 244.** An Act to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.
- S.B. 399.** An Act to amend and reenact § 58.1-807 of the Code of Virginia, relating to recordation taxes on leases.

March 22, 2004

- S.B. 4.** An Act to amend and reenact §§ 15.2-2418, 36-155, 36-156, and 36-169 of the Code of Virginia, relating to the Urban Public-Private Partnership Redevelopment Fund, the Virginia Removal or Rehabilitation of Derelict Structures Fund, and the Housing Revitalization Zone Act.
- S.B. 94.** An Act to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.
- S.B. 184.** An Act to amend and reenact § 24.2-303.2 of the Code of Virginia, relating to composition of certain Senatorial districts.

- S.B. 190.** An Act to amend and reenact § 15.2-2110 of the Code of Virginia, relating to mandatory water and sewage connections.
- S.B. 206.** An Act to amend and reenact § 15.2-3201 of the Code of Virginia, relating to restrictions on the granting of city charters, the filing of annexation and immunity notices, and the institution of annexation and immunity proceedings.
- S.B. 298.** An Act to amend and reenact § 19.2-12 of the Code of Virginia, relating to conservators of the peace.
- S.B. 317.** An Act to amend and reenact §§ 15.2-1718 and 52-32 of the Code of Virginia, relating to missing child reports.
- S.B. 319.** An Act to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.
- S.B. 327.** An Act to amend and reenact § 16.1-69.33 of the Code of Virginia, relating to Committee on District Courts.
- S.B. 359.** An Act to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.
- S.B. 369.** An Act to amend the Code of Virginia by adding a section numbered 15.2-2109.2, relating to utility mutual aid agreements.
- S.B. 400.** An Act to amend and reenact § 15.2-923 of the Code of Virginia, relating to local water-saving ordinances.
- S.B. 448.** An Act to amend and reenact §§ 53.1-172 and 53.1-174 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 4 of Title 53.1 an article numbered 6, consisting of sections numbered 53.1-176.1, 53.1-176.2, and 53.1-176.3, relating to the Interstate Compact for the Supervision of Adult Offenders.
- S.B. 457.** An Act to amend and reenact § 24.2-629 of the Code of Virginia, relating to electronic voting systems.
- S.B. 522.** An Act to amend and reenact § 7 of Chapter 662 of the Acts of Assembly of 1966, which provided a charter for the City of Lexington, relating to council vacancies.
- S.B. 528.** An Act to amend and reenact § 24.2-603.1 of the Code of Virginia, relating to postponement of certain elections; emergency situations.
- S.B. 529.** An Act to amend and reenact § 15.2-904 of the Code of Virginia, relating to inoperable motor vehicles.
- S.B. 574.** An Act to amend the Code of Virginia by adding a section numbered 15.2-1213.1, relating to election of the county chairman; Page County.
- S.B. 608.** An Act to grant the Secretary of Public Safety the authority to implement the Statewide Agencies Radio System.

**S.B. 615.** An Act to amend and reenact § 53.1-27 of the Code of Virginia, relating to establishment of stores in state correctional facilities; use of profits.

**S.B. 623.** An Act to award a service handgun to the widow of Trooper Anthony Daryl Campbell.

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**H.B. 64.** An Act to amend the Code of Virginia by adding a section numbered 23-9.2:4.1, relating to faculty representatives to the State Board for Community Colleges, local community college boards, and boards of visitors.

**H.B. 168.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain park and recreation records.

**H.B. 182.** An Act to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.

**H.B. 184.** An Act to amend and reenact § 18.2-52.1 of the Code of Virginia, relating to malicious bodily injury; penalty.

**H.B. 215.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to carrying a concealed weapon; reciprocity.

**H.B. 347.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; citizen emergency response teams.

**H.B. 358.** An Act to amend and reenact §§ 2.2-3707 and 30-179 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-3704.1, relating to the Freedom of Information Act; posting by certain state public bodies; minutes.

**H.B. 417.** An Act to amend and reenact § 15.2-2300 of the Code of Virginia, relating to access to proffer cash payments and expenditures reports.

**H.B. 464.** An Act to amend and reenact §§ 58.1-3103 and 58.1-3983.1 of the Code of Virginia, relating to local taxes; appeals.

**H.B. 600.** An Act to amend and reenact §§ 16.1-250, 16.1-266, and 16.1-267 and to repeal § 16.1-250.1 of the Code of Virginia, relating to detention hearings.

**H.B. 632.** An Act to amend the Code of Virginia by adding a section numbered 18.2-258.2, relating to unlawful procurement of prescription drugs for others; penalty.

**H.B. 676.** An Act to amend and reenact § 46.2-391 of the Code of Virginia, relating to revocation of license for multiple convictions of driving while intoxicated.

**H.B. 774.** An Act to amend and reenact § 46.2-301 of the Code of Virginia, relating to driving while license, permit, or privilege to drive suspended or revoked.

**H.B. 812.** An Act to amend the Code of Virginia by adding in Article 3 of Chapter 12 of Title 18.2 a section numbered 18.2-511, relating to sale of military grave markers.

- H.B. 856.** An Act to amend and reenact §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303 of the Code of Virginia, relating to the practice of optometry.
- H.B. 871.** An Act to amend and reenact § 18.2-67.4:1 of the Code of Virginia, relating to infected sexual battery; penalty.
- H.B. 918.** An Act to amend and reenact § 35.1-25 of the Code of Virginia, relating to regulation of restaurants; exemption.
- H.B. 985.** An Act to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.
- H.B. 988.** An Act to amend and reenact § 15.2-852 of the Code of Virginia, relating to disclosures in land use proceedings.
- H.B. 1005.** An Act to amend and reenact §§ 33.1-268, 33.1-269, and 33.1-277 of the Code of Virginia, relating to the State Revenue Bond Act; issuance of Commonwealth of Virginia transportation credit assistance revenue bonds for the purpose of funding a portion of the Dulles Corridor mass transit project.
- H.B. 1037.** An Act to amend and reenact §§ 2.2-518 and 2.2-4806 of the Code of Virginia, relating to the Office of the Attorney General; debt collection.
- H.B. 1039.** An Act to amend and reenact § 2.2-4301 of the Code of Virginia, relating to the Virginia Public Procurement Act; contracts for professional services.
- H.B. 1058.** An Act to amend and reenact §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5, and 59.1-148.4 of the Code of Virginia, to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 22.2, consisting of sections numbered 19.2-386.15 through 19.2-386.31, and to repeal §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336, and 18.2-374.2 of the Code of Virginia, relating to transfer of forfeiture statutes to the criminal procedure code.
- H.B. 1059.** An Act to amend and reenact §§ 4.1-305, 18.2-36.1, 18.2-51.1, 18.2-53.1, 18.2-57, 18.2-121, 18.2-154, 18.2-248, 18.2-248.01, 18.2-248.1, 18.2-248.5, 18.2-255, 18.2-255.2, 18.2-270, 18.2-308.1, 18.2-308.2, 18.2-308.2:2, 18.2-308.4, 19.2-120, 30-19.1:4, 46.2-301, 46.2-341.28, 46.2-357, 46.2-391, 53.1-116, and 53.1-203 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-12.1, relating to definition of mandatory minimum punishment.
- H.B. 1060.** An Act to amend and reenact §§ 15.2-926, 16.1-278.8, 18.2-46.1, 18.2-258, 18.2-308 and 29.1-338 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 8.01-27.3, 8.01-226.8, 8.01-226.9, 15.2-912.2, 15.2-912.3, 15.2-915.2 and 15.2-915.3, by adding in Article 1 of Chapter 9 of Title 15.2 a section numbered 15.2-926.2, by adding sections numbered 15.2-1209.1 and 15.2-1812.2, and by adding in Chapter 2 of Title 48 sections numbered 48-16 and 48-17, and to repeal §§ 18.2-105, 18.2-138.1, 18.2-287, 18.2-287.1, 18.2-340.32, 18.2-389, 18.2-432 and 18.2-433 of the Code of Virginia, relating to relocating certain statutes currently in Title 18.2.

- H.B. 1076.** An Act to amend and reenact §§ 58.1-3400 and 58.1-3651 of the Code of Virginia, relating to property tax exemptions.
- H.B. 1094.** An Act to amend and reenact §§ 2.2-203.1 and 2.2-2817.1 of the Code of Virginia, relating to state employee work schedules; establishment of alternative work schedule and telecommuting policy.
- H.B. 1138.** An Act to amend and reenact § 18.2-270.1 of the Code of Virginia, relating to mandatory ignition interlock for DUI conviction.
- H.B. 1139.** An Act to amend and reenact §§ 19.2-35, 19.2-36 and 19.2-38 of the Code of Virginia, relating to appointment of magistrates.
- H.B. 1141.** An Act to amend and reenact § 16.1-69.48:1 of the Code of Virginia, relating to fixed fee for misdemeanors, etc.
- H.B. 1142.** An Act to amend and reenact § 29.1-573 of the Code of Virginia, relating to nonindigenous aquatic nuisance species.
- H.B. 1143.** An Act to amend the Code of Virginia by adding a section numbered 18.2-270.01, relating to DUI offenders; payment to Trauma Center Fund.
- H.B. 1144.** An Act to amend and reenact §18.2-308.2:2 of the Code of Virginia, relating to firearms purchases by residents of another state and by residents of Virginia in another state.
- H.B. 1149.** An Act to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by criminal street gangs; penalty.
- H.B. 1150.** An Act to amend and reenact § 15.2-915 of the Code of Virginia, relating to local control of firearms and ammunition.
- H.B. 1158.** An Act to amend and reenact § 15.2-858 of the Code of Virginia, relating to urban county executive form of government; sanitary districts.
- H.B. 1190.** An Act to amend and reenact § 15.2-2903 of the Code of Virginia, relating to duties of the Commission on Local Government.
- H.B. 1201.** An Act to amend and reenact § 2.2-1111 of the Code of Virginia, relating to regulations of the Division of Purchases and Supply; outsourcing.
- H.B. 1209.** An Act to amend and reenact § 16.1-248.1 of the Code of Virginia, relating to criteria for detention or shelter care.
- H.B. 1211.** An Act to amend and reenact § 15.2-5158 of the Code of Virginia, relating to community development authorities.
- H.B. 1246.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain records of the Department of Criminal Justice Services.
- H.B. 1255.** An Act to amend the Code of Virginia by adding in Chapter 9 of Title 15.2 a section numbered 15.2-975, relating to use of cash proffers.

- H.B. 1258.** An Act to amend and reenact § 15.2-1414.5 of the Code of Virginia, relating to city council salaries.
- H.B. 1299.** An Act to amend and reenact § 15.2-1706 of the Code of Virginia, relating to law-enforcement officer certification.
- H.B. 1307.** An Act to amend and reenact § 18.2-57.3 of the Code of Virginia, relating to persons charged with first offense of assault and battery against a family or household member.
- H.B. 1308.** An Act to amend and reenact §§ 19.2-152.2, 53.1-95.8 and 53.1-109 of the Code of Virginia, relating to pretrial programs.
- H.B. 1364.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain emergency service records.
- H.B. 1373.** An Act to amend and reenact § 15.2-2403 of the Code of Virginia, relating to service districts; road construction.
- H.B. 1392.** An Act to amend and reenact § 15.2-1727 of the Code of Virginia, relating to reciprocal agreements.
- H.B. 1396.** An Act to amend and reenact §§ 2.2-3705 and 2.2-3711 of the Code of Virginia, relating to the Freedom of Information Act; record and meeting exemptions for the Virginia Commission on Military Bases.
- H.B. 1410.** An Act to amend and reenact § 43-3 of the Code of Virginia, relating to mechanic's lien; easements.
- H.B. 1427.** An Act to amend and reenact §§ 24.2-303.2 and 24.2-304.02 of the Code of Virginia, relating to certain Senatorial and House of Delegates districts respectively.
- H.B. 1432.** An Act to amend and reenact §§ 2, 9 and 10 of Chapter 1 of the Acts of Assembly of 1879, relating to the Lovettsville Union Cemetery Company.
- H.B. 1456.** An Act to amend and reenact §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1 of the Code of Virginia, relating to nuisance abatement; tax delinquent properties.
- H.B. 1461.** An Act to amend and reenact § 58.1-3274 of the Code of Virginia, relating to permitting Powhatan County to establish its own real estate assessment department, or a joint department with a contiguous jurisdiction, and to have that department conduct annual or biennial assessments of real estate.
- H.B. 1485.** An Act to amend and reenact § 15.2-1518 of the Code of Virginia, relating to liability insurance for localities.
- S.B. 21.** An Act to amend the Code of Virginia by adding a section numbered 46.2-749.43:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal § 46.2-749.43 of the Code of Virginia, relating to special license plates; the 200th anniversary of the Town of Occoquan; the POW/MIA logo; supporters of Virginia agriculture; the 275th anniversary of the County of Prince William; supporters of the Blue Ridge Parkway Foundation; organ donor programs; barbershop quartet singing enthusiasts; supporters of the Washington D.C. United soccer team; supporters of the Canine Health Foundation; supporters of children with special needs; fees.

- S.B. 110.** An Act to amend and reenact the second enactment of Chapter 227 of the Acts of Assembly of 2003, relating to effective date of water supply plan regulations.
- S.B. 181.** An Act to amend and reenact § 63.2-1732 of the Code of Virginia, relating to emergency electrical systems.
- S.B. 313.** An Act to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.
- S.B. 315.** An Act to amend the Code of Virginia by adding a section numbered 22.1-212.1:2, relating to education programs to promote waste reduction and resource efficiency; green schools program.
- S.B. 344.** An Act to amend and reenact §§ 59.1-510, 59.1-511, 59.1-513, and 59.1-514 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 59.1-513.1, relating to the Virginia Telephone Privacy Protection Act.
- S.B. 434.** An Act to amend and reenact § 30-73.4 of the Code of Virginia and to repeal the second enactment clause of Chapter 677 of the Acts of Assembly of 2002, relating to the Joint Commission on Administrative Rules, the continuation of the Commission, and staffing and assistance for the Commission.
- S.B. 508.** An Act to amend and reenact § 33.1-46.2, as it is currently effective and as it may become effective, of the Code of Virginia, relating to high-occupancy vehicle lanes; penalties.
- S.B. 517.** An Act to amend the Code of Virginia by adding in Article 6 of Chapter 38 of Title 58.1 a section numbered 58.1-3824, relating to authorizing an additional transient occupancy tax in Rockbridge County and the Cities of Lexington and Buena Vista with the revenues from such tax dedicated for certain promissory notes signed or executed by the Virginia Horse Center Foundation or the Virginia Equine Center Foundation.
- S.B. 642.** An Act to amend and reenact §§ 58.1-3713 and 58.1-3713.01 of the Code of Virginia, relating to distribution of local coal and gas road improvement tax revenues for certain projects.

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- S.B. 3.** An Act to amend and reenact §§ 2.2-2238, 2.2-2670, 10.1-1413.2, 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-291.2, 22.1-343, 23-38.19:4, 23-38.53:12, 23-38.53:16, 23-38.53:18, 23-38.53:19, 59.1-284.16, 59.1-284.17, and 59.1-284.18 of the Code of Virginia and to repeal §§ 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-209.1:9, 22.1-209.1:10, and 22.1-291.2, Article 3 (§§ 23-38.19:3, 23-38.19:4, and 23-38.19:5) of Chapter 4.1 of Title 23, §§ 23-38.53:8, 23-38.53:9, and 23-38.53:10, Chapter 4.4:4 (§§ 23-38.53:12 through 23-38.53:20) of Title 23, § 36-139.8, Chapter 22.2 (§§ 59.1-284.7 through 59.1-284.12) and Chapter 22.4 (§§ 59.1-284.16 through 59.1-284.19) of Title 59.1, and Article 4 (§§ 60.2-318 through 60.2-322) of Chapter 3 of Title 60.2 of the Code of Virginia, relating to certain dormant special funds and their associated programs.
- S.B. 6.** An Act to amend and reenact §§ 2.2-608, 2.2-2213, 2.2-2238, 2.2-2242, 2.2-2263, 2.2-2400, 2.2-2407, 2.2-2432, 2.2-2506, 3.1-22.4, 4.1-115, 10.1-1307, 10.1-1802, 10.1-2012, 22.1-171, 23-1.01, 23-30.36, 23-227, 23-253, 23-253.7, 30-34.4:1, 30-34.15, 32.1-14, 40.1-4.1, 46.2-1503.5, 54.1-114, 54.1-4421, 62.1-44.40, and 62.1-139 of the Code of Virginia and to repeal §§ 2.2-1126 and 2.2-1127 of the Code of Virginia, relating to the distribution of state reports.

- S.B. 12.** An Act to amend and reenact §§ 2.2-2667 and 2.2-2668 of the Code of Virginia, relating to the Virginia Recycling Markets Development Council.
- S.B. 19.** An Act to amend and reenact § 37.1-137.4 of the Code of Virginia, relating to powers of a conservator.
- S.B. 51.** An Act to amend and reenact § 20-107.3 of the Code of Virginia, relating to divorce; property distribution.
- S.B. 115.** An Act to amend and reenact § 15.2-903 of the Code of Virginia, relating to automobile graveyards and junkyards.
- S.B. 159.** An Act to amend and reenact §§ 54.1-2957.4, 54.1-2957.5, and 54.1-2957.6 of the Code of Virginia, relating to regulation of athletic trainers.
- S.B. 214.** An Act to amend and reenact § 53.1-120 of the Code of Virginia, relating to assessment for courthouse and courtroom security.
- S.B. 228.** An Act to amend and reenact § 15.2-852 of the Code of Virginia, relating to disclosures in land use proceedings; penalty.
- S.B. 303.** An Act to amend and reenact §§ 54.1-2313, 54.1-2324 and 54.1-2333 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 57 a section numbered 57-27.3, relating to the Cemetery Board; reports; authorization for interment.
- S.B. 308.** An Act to amend and reenact § 9.1-178 of the Code of Virginia, relating to community criminal justice boards.
- S.B. 311.** An Act to amend and reenact § 51.1-206, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to classifying certain service as service rendered in a hazardous position.
- S.B. 336.** An Act to amend and reenact § 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; confidentiality.
- S.B. 348.** An Act to amend and reenact § 55-510.1 of the Code of Virginia, relating to Property Owners' Association Act; board of directors; access to committee and subcommittee meetings.
- S.B. 353.** An Act to amend and reenact § 15.2-2223 of the Code of Virginia, relating to the comprehensive plan.
- S.B. 382.** An Act to amend and reenact §§ 2.2-700 and 2.2-703 of the Code of Virginia, relating to the Department for the Aging; powers and duties of the Commissioner and the Department.
- S.B. 389.** An Act to amend and reenact § 53.1-116 of the Code of Virginia, relating to good conduct credits in jails.
- S.B. 390.** An Act to amend and reenact § 19.2-13 of the Code of Virginia, relating to special conservators of the peace.

- S.B. 407.** An Act to amend the Code of Virginia by adding in Chapter 27 of Title 2.2 an article numbered 7, consisting of sections numbered 2.2-2720 through 2.2-2724, relating to the Center for Rural Virginia.
- S.B. 412.** An Act to amend and reenact §§ 2.2-2000, 2.2-2452, 2.2-2681 and 2.2-2715 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 20 of Title 2.2 a section numbered 2.2-2004.1, relating to veterans services.
- S.B. 426.** An Act to amend and reenact § 15.2-2114 of the Code of Virginia, relating to regulation of stormwater.
- S.B. 437.** An Act to amend and reenact § 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.
- S.B. 462.** An Act to amend and reenact §§ 24.2-405, 24.2-406, 24.2-419, 24.2-441, 24.2-442, 24.2-443.2, 24.2-443.3, 24.2-643, 24.2-653, 24.2-668, 24.2-701, 24.2-703, 24.2-706, and 24.2-802 of the Code of Virginia, relating to changes in election laws and procedures for implementation of the Help America Vote Act; voter registration, identification and provisional voting; absentee voting for military and overseas voters; and recounts.
- S.B. 470.** An Act to amend the Code of Virginia by adding a section numbered 24.2-919.1, relating to campaign finance disclosure; reports of large contributions received by members of county boards of supervisors and city and town councils.
- S.B. 472.** An Act to amend and reenact §§ 2.04:2, 9.12, 9.12.1 and 9.23, as amended, of Chapter 536 of the Acts of Assembly of 1950, which provided a charter for the City of Alexandria, relating to employee housing, enforcement of ordinances, compensation of the council, and zoning procedures.
- S.B. 497.** An Act to amend and reenact §§ 16.1-278.18, 20-74, 20-108, 20-108.1, 20-112 and 63.2-1916 of the Code of Virginia, relating to child support petitions.
- S.B. 516.** An Act to authorize the Governor to sell and convey former Staunton Correctional Center.
- S.B. 539.** An Act to amend and reenact §§ 54.1-4400, 54.1-4402, 54.1-4403, 54.1-4407, 54.1-4409, 54.1-4410, 54.1-4412, 54.1-4413, and 54.1-4414 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 54.1-4405.1 and 54.1-4413.1, relating to the Board of Accountancy.
- S.B. 540.** An Act to amend and reenact § 51.1-126.5 of the Code of Virginia, relating to the Virginia Retirement System; defined contribution plan.
- S.B. 541.** An Act to amend and reenact § 51.1-139 of the Code of Virginia, relating to the Virginia Retirement System; employer in default.
- S.B. 551.** An Act to amend and reenact § 16.1-260 of the Code of Virginia, relating to duties of intake officer; distribution of information on protective orders.
- S.B. 583.** An Act to amend and reenact § 23-30.28 of the Code of Virginia, relating to the Virginia College Building Authority.
- S.B. 591.** An Act to amend and reenact § 2.2-2235 of the Code of Virginia, relating to the Virginia Economic Development Partnership Authority; membership of the board of directors.

- S.B. 599.** An Act to amend and reenact §§ 51.1-1000 through 51.1-1003 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 10 of Title 51.1 a section numbered 51.1-1004, relating to the Virginia Retirement System and local retirement systems; communication to members through electronic media.
- S.B. 634.** An Act to amend the Code of Virginia by adding in Chapter 10 of Title 52 a section numbered 52-46, relating to applicant fingerprint database; maintenance; dissemination; penalty.
- S.B. 661.** An Act to clarify municipal or recreational purpose restrictions on real property acquired by the Commonwealth or any locality.

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- S.B. 7.** An Act to amend the Code of Virginia by adding a section numbered 1-13.4:1, relating to the definition of a collegial body.
- S.B. 24.** An Act to amend the Code of Virginia by adding a section numbered 37.1-67.5:01, relating to interpreters in mental commitment proceedings.
- S.B. 57.** An Act to amend and reenact § 33.1-252 of the Code of Virginia, relating to toll-free use of the Richmond Metropolitan Authority's toll facilities by quadriplegic drivers.
- S.B. 72.** An Act to amend the Code of Virginia by adding a section numbered 8.01-226.8, relating to civil immunity for certain officials.
- S.B. 76.** An Act to amend the Code of Virginia by adding in Chapter 1 of Subtitle I of Title 15.2 a section numbered 15.2-109, relating to regulations on political campaign signs.
- S.B. 114.** An Act to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abuse and neglect of infants; affirmative defense.
- S.B. 183.** An Act to amend and reenact § 36-99.5:1 of the Code of Virginia, relating to the Uniform Statewide Building Code; certain housing facilities.
- S.B. 201.** An Act to amend and reenact §§ 2.2-3000, 2.2-3003, and 2.2-3005 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 30 of Title 2.2 a section numbered 2.2-3005.1, relating to the state grievance procedure.
- S.B. 302.** An Act to amend and reenact § 2.2-4304 of the Code of Virginia, relating to the Public Procurement Act; cooperative procurement.
- S.B. 304.** An Act to amend and reenact § 2.2-2670 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 4.1, consisting of sections numbered 2.2-435.1 through 2.2-435.5, by adding a section numbered 37.1-207.1, relating to the special advisor for workforce development; review of job training and drug and alcohol treatment programs; performance-based budgeting.
- S.B. 320.** An Act to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

- S.B. 321.** An Act to amend and reenact §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; multijurisdictional grand juries; penalties.
- S.B. 335.** An Act to amend and reenact §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272 of the Code of Virginia, relating to service of process on teacher or other school personnel; restrictions; fees.
- S.B. 363.** An Act to amend and reenact §§ 2.2-2407, 40.1-6 and 60.2-113 of the Code of Virginia, relating to the Migrant and Seasonal Farmworkers Board and the Interagency Migrant Worker Policy Committee.
- S.B. 385.** An Act to amend and reenact § 8.01-581.17 of the Code of Virginia, relating to peer review entities; privileged communications.
- S.B. 397.** An Act to amend and reenact § 23-41 of the Code of Virginia, relating to the board of visitors of the College of William and Mary.
- S.B. 492.** An Act to amend and reenact §§ 19.2-120 and 19.2-299 of the Code of Virginia, relating to gang crimes; presumption against bail; presentence report.
- S.B. 503.** An Act to amend and reenact §§ 55-79.84 and 55-516 of the Code of Virginia, relating to the Virginia Condominium Act and the Virginia Property Owners' Association Act; foreclosure on liens.
- S.B. 504.** An Act to amend and reenact § 55-60 of the Code of Virginia, relating to purchase money trusts.
- S.B. 577.** An Act to amend and reenact §§ 16.1-247 and 16.1-249 of the Code of Virginia, relating to custody and confinement for juvenile offenses.
- S.B. 587.** An Act to amend and reenact §§ 6.1-2.25 and 17.1-223 of the Code of Virginia, relating to duty of clerk to record writings; title insurance.
- S.B. 609.** An Act to repeal Chapter 1017 of the Acts of Assembly of 2003, relating to final judgments in circuit court; modification and appeal.
- S.B. 633.** An Act to amend and reenact §§ 16.1-260, 19.2-83.1, and 22.1-279.3:1 of the Code of Virginia, relating to report of arrest of school students to school superintendent or principals for certain offenses.
- S.B. 669.** An Act to amend and reenact § 19.2-37 of the Code of Virginia, relating to who may be appointed as a magistrate.

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- H.B. 535.** An Act to amend and reenact § 62.1-194.3 of the Code of Virginia, relating to the Big Sandy River watershed.

- H.B. 552.** An Act to amend and reenact §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015, and 46.2-1051 of the Code of Virginia, relating to motor vehicles overtaking and passing other vehicles; operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds; and over-the-road operation of bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, roller skates, skateboards, or toys for transportation purposes.
- H.B. 589.** An Act to amend and reenact §§ 37.1-67.01, 37.1-67.1 and 37.1-71 of the Code of Virginia, relating to transportation under emergency custody and temporary detention orders.
- H.B. 982.** An Act to amend and reenact §§ 16.1-69.48:5, 16.1-107 and 16.1-112 of the Code of Virginia, relating to fees for services of district courts.
- H.B. 1177.** An Act to amend and reenact §§ 10.1-603.2 through 10.1-603.9, 10.1-603.11 through 10.1-603.15, and 62.1-44.5 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 10.1-603.2:1, 10.1-603.2:2, 10.1-603.4:1, 10.1-603.12:1 through 10.1-603.12:7, and 10.1-603.13:1, and to repeal § 10.1-603.10 of the Code of Virginia, relating to the reorganization of stormwater management programs; penalty.
- H.B. 1234.** An Act to amend and reenact §§ 16.1-69.48:1 and 20-15 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 9.1 a section numbered 9.1-116.1, relating to domestic violence; fund for prosecutions.
- S.B. 11.** An Act to amend and reenact § 2.2-603 of the Code of Virginia, relating to the elimination of agency reports on the cost of federal mandates.
- S.B. 13.** An Act to designate a portion of U.S. Route 220 the “Sam Snead Memorial Highway.”
- S.B. 34.** An Act to designate the U.S. Route 340 bridge over the Norfolk Southern right-of-way north of the Town of Berryville in Clarke County the “Jack and Carter Hardesty Bridge.”
- S.B. 95.** An Act to amend and reenact §§ 2.2-4303 and 2.2-4304 of the Code of Virginia, relating to procurement; online auctions and the General Services Administration.
- S.B. 98.** An Act to amend the Code of Virginia by adding in Chapter 18 of Title 22.1 a section numbered 22.1-345.1, relating to parenting programs; Department of Correctional Education.
- S.B. 101.** An Act to amend and reenact § 46.2-924 of the Code of Virginia, relating to installation and maintenance of certain signs requiring motorists to yield the right-of-way to pedestrians.
- S.B. 107.** An Act to authorize the release of personal data by the Department of Motor Vehicles to toll facility operators and toll technology entities.
- S.B. 119.** An Act to amend and reenact §§ 8.1A-201, 8.2-103, 8.2-104, 8.2-310, 8.2-323, 8.2-401, 8.2-503, 8.2-505, 8.2-506, 8.2-509, 8.2-605, 8.2-705, 8.2A-103, 8.2A-514, 8.2A-526, 8.4-104, 8.4-208, 8.7-102, 8.7-103, 8.7-104, 8.7-202, 8.7-203, 8.7-204, 8.7-205, 8.7-206, 8.7-208, 8.7-209, 8.7-210, 8.7-301, 8.7-302, 8.7-303, 8.7-305, 8.7-307, 8.7-309, 8.7-401, 8.7-402, 8.7-403, 8.7-404, 8.7-501, 8.7-502, 8.7-503, 8.7-504, 8.7-505, 8.7-506, 8.7-507, 8.7-509, 8.7-601, 8.7-602, 8.7-603, 8.8A-103, 8.9A-102, 8.9A-203, 8.9A-207, 8.9A-208, 8.9A-301, 8.9A-310, 8.9A-312, 8.9A-313, 8.9A-314, 8.9A-317, 8.9A-338, and 8.9A-601 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 8.7-105.1 and 8.7-106, and to repeal § 8.7-105 of the Code of Virginia, relating to Article 7 of the Uniform Commercial Code - Documents of Title.

- S.B. 126.** An Act to establish the Virginia-North Carolina Interstate High-Speed Rail Compact.
- S.B. 127.** An Act to amend and reenact § 46.2-698 of the Code of Virginia, relating to fees for registration of certain farm vehicles; vehicles used by plant nurseries or Christmas tree farms.
- S.B. 148.** An Act to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 33.1 a section numbered 33.1-252.2, relating to disclosure of certain information relating to use of toll facilities.
- S.B. 149.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; certain client lists.
- S.B. 155.** An Act to designate the Interstate Route 66 bridges over U.S. Route 29 in Fairfax County the "George Fortune, Jr., Memorial Bridges."
- S.B. 160.** An Act to amend the Code of Virginia by adding a section numbered 54.1-2962.2, relating to physician-patient relationships; effect of certain emergency room evaluations.
- S.B. 162.** An Act to repeal § 19.2-42 of the Code of Virginia, relating to duties of the attorney for the Commonwealth; magistrates.
- S.B. 167.** An Act to amend and reenact § 59.1-369 of the Code of Virginia, relating to the Virginia Racing Commission; satellite facilities.
- S.B. 177.** An Act to amend and reenact § 19.2-163.7 of the Code of Virginia, relating to counsel in capital cases.
- S.B. 179.** An Act to amend and reenact § 60.2-528 of the Code of Virginia, relating to benefit charges.
- S.B. 186.** An Act to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.
- S.B. 194.** An Act to amend and reenact § 60.2-612 of the Code of Virginia, relating to eligibility for unemployment compensation benefits.
- S.B. 242.** An Act to amend and reenact § 59.1-200 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 46, consisting of sections numbered 59.1-525 through 59.1-529, relating to price gouging.
- S.B. 259.** An Act to amend and reenact § 46.2-734 of the Code of Virginia, relating to license plates of reconstructed vehicles.
- S.B. 260.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to establishment of a statewide comprehensive volunteer roadside management program within the Virginia Department of Transportation authorizing individuals, communities, and local governments to provide landscape materials, services, funding, and appropriate signing.
- S.B. 267.** An Act to amend the Code of Virginia by adding in Title 62.1 a chapter numbered 5.6, consisting of sections numbered 62.1-69.45 through 62.1-69.52, relating to the Rivanna River Basin Commission.

- S.B. 270.** An Act to amend and reenact §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270, and 22.1-271.2 of the Code of Virginia, relating to enrollment of certain children in public schools.
- S.B. 274.** An Act to amend and reenact § 20-25 of the Code of Virginia, relating to persons authorized to perform marriage rites.
- S.B. 277.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to maintenance of property acquired by Virginia Department of Transportation for construction of transportation projects.
- S.B. 278.** An Act to repeal § 32.1-19.1 of the Code of Virginia, relating to reporting of telemedicine initiatives.
- S.B. 280.** An Act to amend and reenact § 15.2-2108.11 of the Code of Virginia, relating to provision of cable television services by certain localities.
- S.B. 288.** An Act to amend and reenact §§ 46.2-1700, 46.2-1701, 46.2-1702, 46.2-1703, 46.2-1705, and 46.2-1707 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 46.2-1701.2 and 46.2-1701.3, relating to driver training schools.
- S.B. 289.** An Act to amend the Code of Virginia by adding a section numbered 2.2-1131.1, relating to the Department of General Services; State Asset Management Review Act; report.
- S.B. 334.** An Act to amend and reenact § 9.1-102 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 11, consisting of sections numbered 9.1-185 through 9.1-199, relating to regulation of bail enforcement agents; penalties.
- S.B. 350.** An Act to amend and reenact § 46.2-752, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to local motor vehicle taxes and fees.
- S.B. 352.** An Act to amend and reenact §§ 2.2-3703, 2.2-3711, 2.2-3714, 2.2-3806, 22.1-279.8, 23-50.16:32, 32.1-283.1, 32.1-283.2, 44-146.18, 44-146.22, 52-8.3, 54.1-2517, 54.1-2523, and 56-575.4, of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 2.2-3705.1, 2.2-3705.2, 2.2-3705.3, 2.2-3705.4, 2.2-3705.5, 2.2-3705.6, 2.2-3705.7, and 2.2-3705.8, and to repeal § 2.2-3705 of the Code of Virginia, relating to the Virginia Freedom of Information Act; reorganization of current record exemptions.
- S.B. 406.** An Act to amend and reenact § 62.1-69.34 of the Code of Virginia, relating to membership of the Virginia Roanoke River Basin Advisory Committee.
- S.B. 419.** An Act to repeal the second enactment of Chapter 326 of the Acts of Assembly of 2003, relating to motor vehicle taxes and license fees imposed by counties, cities, and towns; delinquent parking citations.
- S.B. 432.** An Act to amend and reenact § 28.2-1205 of the Code of Virginia, relating to applications for state-owned bottomlands permits.
- S.B. 436.** An Act to amend and reenact § 63.2-2002 of the Code of Virginia, relating to Neighborhood Assistance Act tax credit.

- S.B. 444.** An Act to amend the Code of Virginia by adding in Article 10 of Chapter 6 of Title 46.2 a section numbered 46.2-749.101, relating to special license plates; supporters of the Virginia Sheriffs' Institute; fees.
- S.B. 452.** An Act to amend and reenact § 22.1-98 of the Code of Virginia, relating to school closings and reduction of state aid; emergency.
- S.B. 471.** An Act to amend and reenact § 46.2-1222.1 of the Code of Virginia, relating to parking in certain counties.
- S.B. 494.** An Act to amend and reenact § 18.2-127 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 3 of Title 8.01 a section numbered 8.01-44.6, relating to trespass to cemeteries; injury to cemetery property.
- S.B. 495.** An Act to amend and reenact §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265 of the Code of Virginia, relating to attorney-issued summons.
- S.B. 498.** An Act to amend and reenact § 54.1-2910.1 of the Code of Virginia, relating to podiatric specialty board certification.
- S.B. 511.** An Act to amend and reenact § 46.2-2000 of the Code of Virginia, relating to the definition of "minibus."
- S.B. 525.** An Act to amend and reenact §§ 2.2-4303 and 2.2-4308 of the Code of Virginia, relating to the Virginia Public Procurement Act; design-build construction management contracts.
- S.B. 535.** An Act to amend the Code of Virginia by adding a section numbered 38.2-3100.2, relating to insurance; funding agreements.
- S.B. 538.** An Act to amend and reenact §§ 13.1-754, 13.1-916, 13.1-1008, 13.1-1009, 13.1-1019, 13.1-1022, 13.1-1023.1, 13.1-1024, 13.1-1048, 13.1-1050.1, 13.1-1059, 13.1-1064, 13.1-1070, 13.1-1239, 13.1-1254, 50-73.69, 50-73.83, 50-73.132, 50-73.134 and 50-73.137:1 of the Code of Virginia; to amend the Code of Virginia by adding in Article 7 of Chapter 12 of Title 13.1 a section numbered 13.1-1041.1, by adding sections numbered 13.1-1049.1 and 50-73.46:1, by adding in Article 8 of Chapter 2.1 of Title 50 a section numbered 50-73.52:1, and by adding a section numbered 50-73.137:2; and to repeal §§ 13.1-1041 and 50-73.46 of the Code of Virginia, relating to business entities.
- S.B. 542.** An Act to amend and reenact §§ 6.1-32.3, 6.1-32.11, 6.1-32.19, and 6.1-32.20 of the Code of Virginia, relating to subsidiary trust companies and trust company holding companies.
- S.B. 562.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; investigations of local auditors.
- S.B. 565.** An Act to develop a reference database of statewide health-related data; Secretary of Health and Human Resources.
- S.B. 576.** An Act to amend the Code of Virginia by adding a section numbered 22.1-291.3, relating to notice of duty to report child abuse or neglect.
- S.B. 618.** An Act to amend and reenact §§ 38.2-3407.10 and 38.2-5803 of the Code of Virginia, relating to health insurance provider panels.

**S.B. 652.** An Act to amend and reenact § 58.1-3823 of the Code of Virginia, relating to transient occupancy tax.

**S.B. 685.** An Act to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation; emergency.

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**H.B. 3.** An Act to amend and reenact § 30-19.3 of the Code of Virginia, relating to the prefilings of legislation.

**H.B. 120.** An Act to amend and reenact § 19.2-265.4 of the Code of Virginia, relating to discovery in misdemeanor cases in circuit court.

**H.B. 158.** An Act to amend and reenact § 35.1-18 of the Code of Virginia, relating to nudist camps for juveniles.

**H.B. 272.** An Act to amend and reenact § 46.2-322 of the Code of Virginia, relating to examination of licensees; confidential sources of information.

**H.B. 529.** An Act to amend and reenact §§ 60.2-219, 60.2-528, and 60.2-618 of the Code of Virginia, relating to definition of employment.

**H.B. 547.** An Act to direct the State Council of Higher Education for Virginia to develop policies and strategies to eliminate the barriers between the Commonwealth's institutions of higher education and industry and enhance the development of human capital in the Commonwealth.

**H.B. 592.** An Act to amend and reenact § 46.2-819.2 of the Code of Virginia, relating to failing to pay for motor fuel; penalty.

**H.B. 686.** An Act to amend and reenact § 59.1-200 of the Code of Virginia and to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 46, consisting of sections numbered 59.1-525 through 59.1-529, relating to price gouging.

**H.B. 688.** An Act to amend and reenact §§ 6.1-453, 6.1-459, and 6.1-461 of the Code of Virginia, relating to the Payday Loan Act.

**H.B. 692.** An Act to amend the Code of Virginia by adding in Chapter 18 of Title 30 a section numbered 30-170.1, relating to the Joint Commission on Health Care.

**H.B. 710.** An Act to amend and reenact § 23-31 of the Code of Virginia, relating to unfunded scholarships.

**H.B. 712.** An Act to amend and reenact § 23-9.6:2 of the Code of Virginia, relating to the required reinstatement of military students in public institutions of higher education.

**H.B. 733.** An Act to amend and reenact § 8.01-413 of the Code of Virginia, relating to patient health records.

**H.B. 909.** An Act to designate portions of certain highways “Virginia’s Heritage Music Trail: The Crooked Road.”

**H.B. 910.** An Act to designate a portion of U.S. Route 23 the “Country Music Highway.”

**H.B. 916.** An Act to amend and reenact §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35 of the Code of Virginia, relating to criminal history records search; justices; judges and substitute judges; magistrates.

**H.B. 1013.** An Act to amend the Code of Virginia by adding a section numbered 22.1-199.4, relating to the At-Risk Student Academic Achievement Program and Fund.

**H.B. 1014.** An Act to amend and reenact §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6, and 22.1-292.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 22.1-200.01 and 22.1-202.1, relating to the Standards of Quality.

**H.B. 1018.** An Act to amend the Code of Virginia by adding a section numbered 22.1-200.01, relating to alternatives to animal dissection in public school courses and curriculum.

**H.B. 1127.** An Act to amend and reenact § 8.01-262 of the Code of Virginia, relating to venue.

**H.B. 1154.** An Act to designate a portion of U.S. Route 17 a Virginia byway.

**H.B. 1171.** An Act to amend and reenact §§ 22.1-79 and 51.1-155 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 6 of Title 22.1 a section numbered 22.1-70.3, relating to rehiring of retired teachers.

**H.B. 1213.** An Act to amend the Code of Virginia by adding in Chapter 27 of Title 2.2 an article numbered 7, consisting of sections numbered 2.2-2720 through 2.2-2724, relating to the Center for Rural Virginia.

**H.B. 1227.** An Act to amend and reenact §§ 62.1-69.26, 62.1-69.29, and 62.1-69.30 of the Code of Virginia, and to amend the Code of Virginia by adding in Chapter 5.3 of Title 62.1 sections numbered 62.1-69.33:1 and 62.1-69.33:2, relating to the Rappahannock River Basin Commission; report.

**H.B. 1291.** An Act to require the Virginia Department of Transportation to assert the property rights of the Commonwealth with respect to Woodlawn Road in Fairfax County and Fort Belvoir.

**H.B. 1294.** An Act to amend and reenact §§ 2.2-4018, 22.1-253.13:3, 22.1-253.13:6, and 22.1-253.13:8 of the Code of Virginia, relating to school corrective action plans.

**H.B. 1376.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to imposition and collection of tolls adjusted to encourage travel during off-peak hours.

**H.B. 1383.** An Act to amend and reenact § 46.2-208 of the Code of Virginia, relating to release of information by the Department of Motor Vehicles to persons who conduct insurance claims investigations or perform rating and underwriting activities.

**H.B. 1388.** An Act to amend the Code of Virginia by adding in Article 1 of Chapter 15.1 of Title 55 a section numbered 55-277.4:1, relating to trusts; total return investing.

**H.B. 1413.** An Act to designate Interstate Route 64 in Virginia the “Korean War Veterans Memorial Highway,” Interstate Route 81 in Virginia the “World War II Veterans Memorial Highway,” and Interstate Route 95 in Virginia the “Vietnam Veterans Memorial Highway.”

**H.B. 1475.** An Act to amend the Code of Virginia by adding a section numbered 2.2-3310.2, relating to the Vietnamese-American Heritage Flag.

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**H.B. 38.** An Act to amend and reenact §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59, and 46.2-749.69 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, and 46.2-749.98:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, and 46.2-749.98 of the Code of Virginia, relating to special license plates; supporters of adoption programs offered by the Virginia Department of Social Services and licensed Virginia nonprofit child-placing services, Mothers Against Drunk Driving, Project Lifesaver, the Interdenominational Children’s Foundation of Virginia, the Boy Scouts of America, and the Juvenile Diabetes Research Foundation; members and associates of court-appointed special advocate programs; members of the American Legion; commemorating the 200th anniversary of the Town of Occoquan, the 350th anniversary of the County of New Kent, the 150th anniversary of Burke’s Station, and the 275th anniversary of the County of Prince William; retired law-enforcement officers; U.S. Navy chief petty officers; bicycle enthusiasts; Langley Air Force Base; professional stock car drivers; paratroopers; persons awarded the Combat Infantryman Badge; and general registrars; fees.

**H.B. 47.** An Act to amend and reenact § 16.1-77 of the Code of Virginia, relating to actions of unlawful entry or detainer in general district courts.

**H.B. 59.** An Act to amend and reenact § 56-580 of the Code of Virginia, relating to electrical generating facility certificates.

**H.B. 79.** An Act to amend and reenact § 18.2-308.2:01 of the Code of Virginia, relating to possession or transportation of firearms by certain noncitizens.

**H.B. 106.** An Act to amend and reenact §§ 58.1-2402 and 58.1-2425 of the Code of Virginia, relating to authorizing the Virginia Public Building Authority to finance the undertaking, development, acquisition and construction of the Statewide Agencies Radio System (STARS), Phase I and to impose a vehicle rental fee to fund the related debt service.

**H.B. 148.** An Act to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.

**H.B. 282.** An Act to amend and reenact § 58.1-339.4 of the Code of Virginia, relating to qualified equity and subordinated debt investments tax credit.

**H.B. 321.** An Act to amend the Code of Virginia by adding in Article 1 of Chapter 7 of Title 17.1 a section numbered 17.1-705.1, relating to civil immunity for investigation of commissioners of accounts.

- H.B. 332.** An Act to amend and reenact § 17.1-227 of the Code of Virginia, relating to recordation of powers of attorney.
- H.B. 346.** An Act to amend and reenact § 46.2-1208 of the Code of Virginia, relating to certain vehicles abandoned on private property; notice to owners and persons having security interests.
- H.B. 350.** An Act to amend and reenact § 2.2-1839 of the Code of Virginia, relating to the Department of the Treasury; risk management plans; inclusion of guardians.
- H.B. 404.** An Act to amend and reenact § 18.2-308.2:2 of the Code of Virginia, relating to purchase of one handgun a month.
- H.B. 410.** An Act to amend and reenact §§ 24.2-659 and 24.2-668 of the Code of Virginia, relating to post-election procedures and securing of election equipment and materials.
- H.B. 411.** An Act to amend and reenact § 24.2-404 of the Code of Virginia, relating to duties of the State Board of Elections including duties with respect to electronic pollbooks and registration inquiry devices.
- H.B. 414.** An Act to amend and reenact § 18.2-308.2 of the Code of Virginia, relating to possession or transportation of explosives by convicted felons; penalty.
- H.B. 415.** An Act to amend the Code of Virginia by adding a section numbered 44-146.17:2, relating to the Emergency Services and Disaster Law; annual statewide drill.
- H.B. 429.** An Act to amend the Code of Virginia by adding in Article 10 of Chapter 10 of Title 46.2 a section numbered 46.2-1088.4, relating to reflectors or reflective material on the rear end of certain trailers.
- H.B. 430.** An Act to amend and reenact § 8.01-676.1 of the Code of Virginia, relating to security for appeals.
- H.B. 437.** An Act to amend and reenact § 18.2-340.33 of the Code of Virginia, relating to charitable gaming; prohibited practices; exceptions.
- H.B. 447.** An Act to amend and reenact §§ 16.1-278.15 and 20-103 of the Code of Virginia, relating to mandatory parenting classes; exception.
- H.B. 472.** An Act to amend and reenact § 40.1-29 of the Code of Virginia, relating to payment of wages or salaries; deposit to account.
- H.B. 593.** An Act to amend and reenact § 46.2-392 of the Code of Virginia, relating to penalties for aggressive driving.
- H.B. 609.** An Act to amend and reenact § 38.2-2125 of the Code of Virginia, relating to fire insurance; notices required involving flood coverage.
- H.B. 639.** An Act to amend and reenact §§ 10.1-1408.4 and 10.1-1408.5 of the Code of Virginia, relating to siting of landfills.
- H.B. 653.** An Act to amend and reenact §§ 16.1-247 and 16.1-249 of the Code of Virginia, relating to custody and confinement for juvenile offenses.

- H.B. 654.** An Act to amend and reenact §§ 18.2-268.5, 19.2-310.3 and 46.2-341.26:5 of the Code of Virginia, relating to the qualifications of persons authorized to take blood samples.
- H.B. 664.** An Act to amend and reenact § 19.2-81 of the Code of Virginia, relating to arrest without warrant for drunk driving.
- H.B. 667.** An Act to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; blood alcohol levels.
- H.B. 754.** An Act to amend and reenact §§ 56-1, 56-49, and 56-265.1 of the Code of Virginia, relating to public service corporations; limited liability companies.
- H.B. 758.** An Act to amend and reenact § 29.1-301 of the Code of Virginia, relating to exemptions from obtaining hunting, trapping, and fishing licenses.
- H.B. 787.** An Act to amend and reenact § 16.1-305 of the Code of Virginia, relating to confidentiality of court records.
- H.B. 801.** An Act to amend the Code of Virginia by adding a section numbered 18.2-55.1, relating to hazing of youth gang members.
- H.B. 818.** An Act to amend and reenact § 38.2-2114 of the Code of Virginia, relating to homeowners insurance; grounds for nonrenewal.
- H.B. 862.** An Act to amend and reenact §§ 3.1-336.2, 3.1-336.3, 58.1-1000, 58.1-1003, 58.1-1009, 58.1-1010, 58.1-1011, and 58.1-1013 of the Code of Virginia and to repeal §§ 58.1-1004, 58.1-1005, and 58.1-1014 of the Code of Virginia, relating to tax stamping of cigarettes and enforcement of cigarette sales reporting requirements.
- H.B. 863.** An Act to amend and reenact § 18.2-57.2 of the Code of Virginia, relating to third offense of assault and battery against a family or household member; penalty.
- H.B. 872.** An Act to amend and reenact §§ 2.2-511, 18.2-186.3, 18.2-186.5 and 63.2-1809 of the Code of Virginia, relating to identity theft; fictitious name; DMV identity passport; authority of the Attorney General to institute or conduct criminal prosecutions in the circuit courts; penalties.
- H.B. 889.** An Act to amend and reenact § 19.2-120 of the Code of Virginia, relating to bail on charge of third DUI.
- H.B. 1022.** An Act to amend the Code of Virginia by adding a section numbered 54.1-603.1, relating to the Department of Professional and Occupational Regulation; Auctioneers Board; continuing education.
- H.B. 1043.** An Act to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to the creation of the Competitive Government Act.
- H.B. 1063.** An Act to amend and reenact § 64.1-145 of the Code of Virginia, relating to damages resulting from legal malpractice concerning irrevocable trusts.
- H.B. 1111.** An Act to amend and reenact § 20-107.3 of the Code of Virginia, relating to divorce; property distribution.

- H.B. 1124.** An Act to amend and reenact §§ 2.2-1153 and 2.2-1156 of the Code of Virginia, relating to the Division of Engineering and Buildings; surplus real property.
- H.B. 1130.** An Act to amend and reenact § 18.2-270 of the Code of Virginia, relating to forfeiture of vehicle for third DUI offense.
- H.B. 1233.** An Act to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault, and violation of provisions of protective orders; penalty.
- H.B. 1261.** An Act authorizing the Virginia Employment Commission to convey certain real property to the City of Petersburg.
- H.B. 1303.** An Act to amend and reenact §§ 15.2-1209, 18.2-299 and 22.1-277.07 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 15.2-915.2, relating to use of pneumatic guns.
- H.B. 1312.** An Act to amend and reenact § 46.2-700 of the Code of Virginia, relating to specialized mobile safety equipment.
- H.B. 1330.** An Act to amend and reenact §§ 2.2-603 and 2.2-2009 of the Code of Virginia, relating to the security of state government databases and data communications.
- H.B. 1357.** An Act to amend and reenact § 2.2-3707 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-3707.01, relating to the Freedom of Information Act; application to meetings of the General Assembly.
- H.B. 1393.** An Act to amend and reenact §§ 15.2-6400 and 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.
- H.B. 1407.** An Act to amend and reenact §§ 38.2-5001, 38.2-5009 and 38.2-5020 of the Code of Virginia, relating to the Virginia Birth-Related Neurological Injury Compensation Act; assessment of participating hospitals and participating physicians.
- H.B. 1430.** An Act to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8, and 18.2-251.02 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.
- H.B. 1443.** An Act to amend and reenact §§ 22.1-3, 22.1-5, and 22.1-270 of the Code of Virginia, relating to the admission of certain persons to the public schools of the Commonwealth.
- H.B. 1447.** An Act to amend the Code of Virginia by adding a section numbered 2.2-1822.1, relating to the Department of Accounts; recovery audits of state contracts.
- H.B. 1480.** An Act to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.
- H.B. 1489.** An Act to amend and reenact §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231, and 4.1-233 of the Code of Virginia, relating to alcoholic beverage control; annual banquet and annual mixed beverage banquet licenses.

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- H.B. 250.** An Act to amend and reenact § 46.2-868 of the Code of Virginia, relating to reckless driving; penalties.
- H.B. 253.** An Act to amend and reenact §§ 16.1-69.40:1 and 46.2-878.2 of the Code of Virginia, relating to prepayable fines for local speeding offenses.
- H.B. 360.** An Act to amend the Code of Virginia by adding in Chapter 1 of Title 52 sections numbered 52-11.4 and 52-11.5, relating to disposal of unclaimed property in the possession of State Police.
- H.B. 380.** An Act to amend and reenact §§ 2.2-3109, 22.1-212.5, 22.1-212.6, 22.1-212.8, 22.1-212.9, 22.1-212.11, and 22.1-212.12 of the Code of Virginia, relating to the Charter School Excellence and Accountability Act.
- H.B. 402.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to issuance of concealed handgun permits.
- H.B. 453.** An Act to amend and reenact §§ 46.2-733 and 46.2-1500 of the Code of Virginia, relating to motor vehicle dealers; persons dealing solely in fire-fighting equipment, ambulances, and funeral vehicles.
- H.B. 471.** An Act to amend and reenact §§ 54.1-3905, 57-60, and 59.1-200 of the Code of Virginia, to amend the Code of Virginia by adding in Title 6.1 a chapter numbered 10.2, consisting of sections numbered 6.1-363.2 through 6.1-363.26, and to repeal Chapter 10.1 (§ 6.1-363.1) of Title 6.1, relating to nonprofit credit counseling; nonprofit debt counseling; penalty.
- H.B. 504.** An Act to amend and reenact § 53.1-120 of the Code of Virginia, relating to courthouse security fee.
- H.B. 538.** An Act to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; cell phone number of law-enforcement personnel.
- H.B. 734.** An Act to amend and reenact § 18.2-465.1 of the Code of Virginia, relating to penalizing an employee for service on a jury panel.
- H.B. 993.** An Act to amend and reenact § 46.2-867 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-865.1, relating to certain racing conduct punishable as involuntary manslaughter.
- H.B. 1129.** An Act to amend the Code of Virginia by adding a section numbered 18.2-187.2, relating to the audiovisual recording of motion pictures.
- H.B. 1137.** An Act to amend and reenact § 46.2-417 of the Code of Virginia, relating to driver's license suspension for nonpayment of certain judgments.
- H.B. 1146.** An Act to amend and reenact §§ 16.1-269.6 and 16.1-296 of the Code of Virginia, relating to appeals of cases involving juveniles.
- H.B. 1182.** An Act to designate the Lynchburg bypass bridge across the James River between Amherst County and the City of Lynchburg the "Monacan Bridge."

**H.B. 1237.** An Act to amend and reenact §§ 37.1-70.5 through 37.1-70.9 of the Code of Virginia, relating to civil commitment of sexually violent predators.

**H.B. 1293.** An Act to amend and reenact § 18.2-359 of the Code of Virginia, relating to venue for criminal sexual assault.

**H.B. 1346.** An Act to amend and reenact § 46.2-803.1 of the Code of Virginia, relating to lane restrictions for certain commercial motor vehicles on certain highways.

**H.B. 1379.** An Act to amend the Code of Virginia by adding a section numbered 8.01-15.2, relating to the Servicemembers Civil Relief Act.

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**H.B. 545.** An Act to require the Virginia Research and Technology Advisory Commission (VRTAC) to continue its examination of establishing integrated research and academic campuses in the Commonwealth.

**H.B. 569.** An Act to amend and reenact §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2.1 of Chapter 4 of Title 18.2 sections numbered 18.2-46.3:1 and 18.2-46.3:2, relating to crimes by gangs; definitions; recruitment; three strikes; forfeiture; obstruction of justice; multijurisdictional grand juries; penalties.

**S.B. 39.** An Act to authorize the Virginia Public Building Authority to finance the undertaking, development, acquisition and construction of the Statewide Agencies Radio System (STARS), Phase I.

**S.B. 58.** An Act to amend the Code of Virginia by adding a section numbered 33.1-370.2, relating to maintenance and repair of nonconforming signs.

**S.B. 118.** An Act to amend and reenact § 8.01-6 of the Code of Virginia, relating to amending pleadings; notice to agent.

**S.B. 124.** An Act to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.

**S.B. 172.** An Act to amend and reenact § 8.01-676.1 of the Code of Virginia, relating to security for appeals.

**S.B. 202.** An Act to amend and reenact § 18.2-268.3 of the Code of Virginia, relating to refusal of DUI breath or blood tests; procedures.

**S.B. 204.** An Act to amend and reenact §§ 15.2-904 and 15.2-905 of the Code of Virginia, relating to inoperable motor vehicles.

- S.B. 224.** An Act to amend and reenact § 38.2-3405 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 54.1-2963.1 relating to physician disclosure of medical treatment options.
- S.B. 233.** An Act to amend the Code of Virginia by adding a section numbered 36-22.1, relating to housing authorities; no trespass policy.
- S.B. 234.** An Act for the relief of Julius Earl Ruffin.
- S.B. 236.** An Act to amend and reenact §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4, and 63.2-1502 of the Code of Virginia, relating to family abuse and sexual assault, and violation of provisions of protective orders; penalty.
- S.B. 276.** An Act to amend the Code of Virginia by adding in Article 4 of Chapter 4 of Title 18.2 a section numbered 18.2-57.4 relating to spousal abuse by active members of the Armed Forces.
- S.B. 286.** An Act to amend and reenact §§ 24.2-504 and 24.2-525 of the Code of Virginia, relating to persons entitled to have name printed on ballot.
- S.B. 318.** An Act to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.
- S.B. 325.** An Act to amend and reenact § 18.2-247 of the Code of Virginia, relating to counterfeit drugs; penalty.
- S.B. 326.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.
- S.B. 333.** An Act to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 19.3, consisting of sections numbered 19.2-327.10 through 19.2-327.14, relating to post-conviction relief.
- S.B. 338.** An Act to amend and reenact § 23-9.6:1 of the Code of Virginia, relating to responsibilities of the State Council of Higher Education.
- S.B. 381.** An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.
- S.B. 447.** An Act to amend and reenact § 57-3 of the Code of Virginia, relating to appropriation of glebe lands and church property.
- S.B. 454.** An Act to amend and reenact § 10.1-1300 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-1316.1, relating to enforcement for severe ozone nonattainment areas.
- S.B. 493.** An Act to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens.
- S.B. 505.** An Act to amend and reenact § 55-66.3 of the Code of Virginia, relating to release of deed of trust or other lien.

- S.B. 509.** An Act to amend and reenact §§ 6.1-2.25 and 6.1-2.27 of the Code of Virginia, relating to summonses and subpoenas; orders have force and effect of circuit court decrees.
- S.B. 518.** An Act to amend the Code of Virginia by adding a section numbered 22.1-98.2, relating to certain school board agreements.
- S.B. 543.** An Act to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.
- S.B. 601.** An Act to amend and reenact § 2.2-1839 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 2.2-1839.1, relating to risk management plans; physicians and community hospitals.
- S.B. 605.** An Act to amend the Code of Virginia by adding in Title 28.2 a chapter numbered 16, consisting of articles numbered 1, 2 and 3, containing sections numbered 28.2-1600 through 28.2-1623, relating to water column leases for aquaculture.
- S.B. 612.** An Act to amend and reenact § 63.2-1721 of the Code of Virginia, relating to criminal background checks; foster parents.
- S.B. 628.** An Act to amend and reenact § 51.1-1110 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.
- S.B. 630.** An Act to amend and reenact §§ 16.1-88.03 and 55-246.1 of the Code of Virginia, relating to pleadings and other papers and recovery of rent or possession by parties not represented by attorneys.
- S.B. 646.** An Act to amend the Code of Virginia by adding in Article 3 of Chapter 22 of Title 2.2 a section numbered 2.2-2233.2, relating to the Biotechnology Commercialization Loan Fund.
- S.B. 651.** An Act to amend and reenact §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-585, 56-589, and 56-594 of the Code of Virginia, relating to the Electric Utility Restructuring Act.
- S.B. 660.** An Act to amend the Code of Virginia by adding a section numbered 18.2-287.01, relating to weapons in airports.
- S.B. 668.** An Act to amend the Code of Virginia by adding a section numbered 8.01-184.1, relating to declaratory judgment to adjudicate constitutional nexus for imposition of sales and use tax.
- S.B. 677.** An Act to amend and reenact § 18.2-57 of the Code of Virginia, relating to assault and battery of volunteer firefighters; penalty.

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- H.B. 17.** An Act to amend and reenact §§ 58.1-2201, 58.1-2204, 58.1-2216, 58.1-2237, 58.1-2266, 58.1-2271, and 58.1-2283 of the Code of Virginia, relating to fuels tax.
- H.B. 104.** An Act to amend and reenact § 58.1-306 of the Code of Virginia, relating to filing tax returns.
- H.B. 640.** An Act to amend and reenact § 18.2-51.1 of the Code of Virginia, relating to malicious bodily injury to law-enforcement officers; penalty.

- H.B. 645.** An Act to amend and reenact § 18.2-90 of the Code of Virginia, relating to which buildings can be burglarized; penalty.
- H.B. 656.** An Act to amend and reenact § 18.2-57.2 of the Code of Virginia, relating to assault and battery against a family or household member.
- H.B. 660.** An Act to amend and reenact § 18.2-67.3 of the Code of Virginia, relating to aggravated sexual battery.
- H.B. 663.** An Act to amend and reenact § 18.2-386.1 of the Code of Virginia, relating to unlawful filming, videotaping or photographing of another; penalty.
- H.B. 718.** An Act to amend and reenact § 18.2-67.10 of the Code of Virginia, relating to definition of sexual abuse.
- H.B. 898.** An Act to amend the Code of Virginia by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2127, relating to homeowners insurance policy deductibles.
- H.B. 902.** An Act to amend and reenact §§ 58.1-305 and 58.1-306 of the Code of Virginia, relating to filing income tax returns.
- H.B. 920.** An Act to amend and reenact § 56-265.1 of the Code of Virginia, relating to direct sales of natural gas to certain public schools.
- H.B. 952.** An Act to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.
- H.B. 1057.** An Act to amend and reenact §§ 9.1-102, 9.1-143, 16.1-77, 19.2-149, 38.2-1800, 38.2-1824, 38.2-2411, 38.2-2412 and 58.1-3724 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 11, consisting of sections numbered 9.1-185 through 9.1-199.4, and by adding sections numbered 38.2-2412.1 and 38.2-2412.2, and to repeal Article 4 (§§ 19.2-152.1 through 19.2-152.1:7) of Chapter 9 of Title 19.2 and Article 6.2 (§§ 38.2-1865.6 through 38.2-1865.13) of Chapter 18 of Title 38.2, relating to regulation of bail bondsmen; penalty.
- H.B. 1093.** An Act to amend and reenact § 18.2-369 of the Code of Virginia, relating to abuse and neglect of incapacitated adults; penalty.
- H.B. 1174.** An Act to establish a schedule for, and initiate Virginia's transition to, a new system for taxing telecommunications services in the Commonwealth.
- H.B. 1342.** An Act to amend and reenact § 38.2-517 of the Code of Virginia, relating to unfair insurance settlement practices.
- H.B. 1404.** An Act to amend and reenact § 38.2-3525 of the Code of Virginia, relating to group accident and sickness insurance coverage for children.
- H.B. 1408.** An Act to amend and reenact §§ 38.2-3540.1 and 38.2-4319 of the Code of Virginia relating to accident and sickness insurance; claims experience.

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- S.B. 32.** An Act to authorize the issuance of bonds, in an amount up to \$5,700,000 plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring a revenue-producing capital project to be administered by the Department of General Services, to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital project and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.
- S.B. 99.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; retired law-enforcement officers.
- S.B. 145.** An Act to amend and reenact § 22.1-298 of the Code of Virginia, relating to teacher licensure and dismissal.
- S.B. 156.** An Act to amend and reenact §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800, and 58.1-2501 of the Code of Virginia and to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 through 38.2-6113, relating to dental plan organizations.
- S.B. 161.** An Act to amend and reenact § 2.2-1124 of the Code of Virginia, relating to the Department of General Services; disposition of surplus computer equipment.
- S.B. 215.** An Act to amend and reenact §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230, and 24.2-234 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3 of Chapter 1 of Title 24.2 a section numbered 24.2-109.1, relating to powers and duties of the State Board of Elections and local electoral boards; appointments, terms, and removal of certain public officials, including general registrars.
- S.B. 227.** An Act to amend and reenact § 15.2-1208 of the Code of Virginia and to repeal Chapter 297 of the Acts of Assembly of 1944, relating to permits to sell or purchase pistols or revolvers in counties.
- S.B. 230.** An Act to amend the Code of Virginia by adding in Title 23 a chapter numbered 4.4:5, consisting of sections numbered 23-38.53:21 through 23-38.53:24, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-231, relating to the Brown v. Board of Education Scholarship Program and Fund.
- S.B. 241.** An Act to amend and reenact §§ 2.2-3808.2 and 17.1-279 of the Code of Virginia, relating to Technology Trust Fund Fee.
- S.B. 246.** An Act to amend the Code of Virginia by adding a section numbered 46.2-881.1, relating to placement of certain signs.
- S.B. 341.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits; reciprocity for law-enforcement officers.
- S.B. 394.** An Act to amend and reenact § 2.2-3705 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; economic development.

- S.B. 523.** An Act to amend and reenact § 10.1-2124 of the Code of Virginia, relating to the cooperative nonpoint source pollution program.
- S.B. 558.** An Act to amend and reenact §§ 65.2-309 through 65.2-311 of the Code of Virginia, relating to perfection of employer's subrogation rights.
- S.B. 566.** An Act to amend the Code of Virginia by adding sections numbered 1-13.13:1 and 1-13.25:1, relating to the meaning of terms used in the appointment process.
- S.B. 606.** An Act to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.

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- H.B. 35.** An Act to amend and reenact § 46.2-873.1 of the Code of Virginia, relating to maximum speed limits on nonsurface treated highways in certain counties.
- H.B. 105.** An Act to amend and reenact the first and second enactments of Chapter 955 of the Acts of Assembly of 2003, and to amend Chapter 955 of the Acts of Assembly of 2003 by adding a third and fourth enactment, relating to the Capitol Square Preservation Act of 2003.
- H.B. 390.** An Act to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.
- H.B. 557.** An Act to amend and reenact §§ 18.2-272, 46.2-301 and 46.2-329 of the Code of Virginia, relating to driving after forfeiture of license for DUI conviction.
- H.B. 638.** An Act to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.
- H.B. 817.** An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.
- H.B. 928.** An Act to amend the Code of Virginia by adding a section numbered 58.1-3916.02, relating to real estate taxes; alternative payment schedules.
- H.B. 1041.** An Act to amend and reenact §§ 16.1-228 and 63.2-100 of the Code of Virginia, relating to abused or neglected children.
- H.B. 1042.** An Act relating to state correctional facilities; private contracts.
- H.B. 1055.** An Act to amend and reenact §§ 17.1-805, 18.2-124, 18.2-374.3, and 19.2-299 of the Code of Virginia and to repeal §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358, and 18.2-367 of the Code of Virginia, relating to the revision of Title 18.2; repeal of certain statutes.
- H.B. 1056.** An Act to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01 through 19.2-163.04, and 19.2-163.4:1, and to repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.

- H.B. 1107.** An Act to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense.
- H.B. 1147.** An Act to amend and reenact § 18.2-270 of the Code of Virginia, relating to penalty for driving while intoxicated; subsequent offense; penalties.
- H.B. 1155.** An Act to amend the Code of Virginia by adding in Title 38.2 a chapter numbered 61, consisting of sections numbered 38.2-6100 and 38.2-6101, relating to the Interstate Insurance Product Regulation Compact.
- H.B. 1159.** An Act to amend and reenact § 58.1-9 of the Code of Virginia, relating to electronic filing requirements for tax preparers; penalty.
- H.B. 1172.** An Act to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain courts; use by the Virginia State Bar.
- H.B. 1212.** An Act to amend and reenact §§ 2.2-200 and 2.2-204 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 2.2 an article numbered 2.1, consisting of a section numbered 2.2-203.3, relating to establishment of a Secretary of Agriculture and Forestry.

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- H.B. 576.** An Act to amend and reenact § 22.1-199.1 of the Code of Virginia and to amend the Code of Virginia by adding in Title 51.1 a chapter numbered 6.2, consisting of sections numbered 51.1-617 and 51.1-618, relating to employment and retirement benefits for certain employees of local public school boards.
- H.B. 637.** An Act to amend and reenact §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11, and 54.1-3029 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 21.1 of Title 23 sections numbered 23-276.13, 23-276.14, and 23-276.15, and to repeal §§ 22.1-326.1, 22.1-333, 22.1-334, and 22.1-335 of the Code of Virginia, relating to regulation of certain private, for-profit career-training schools by the State Council of Higher Education.
- H.B. 766.** An Act to amend and reenact § 3.1-398.1 of the Code of Virginia, relating to inspections of food stores.
- H.B. 1007.** An Act to amend the Code of Virginia by adding in Chapter 21 of Title 38.2 a section numbered 38.2-2127, relating to insurance; permitted exclusions.
- H.B. 1148.** An Act to amend and reenact § 17.1-805 of the Code of Virginia, relating to sentencing guidelines.
- H.B. 1205.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed weapons.
- H.B. 1231.** An Act to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8,

30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the Acts of Assembly of 2003; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the Acts of Assembly of 1964, Chapter 449 of the Acts of Assembly of 1968, Chapters 295 and 422 of the Acts of Assembly of 1972, Chapters 251 and 520 of the Acts of Assembly of 1974, Chapter 141 of the Acts of Assembly of 1976, Chapter 144 of the Acts of Assembly of 1980, Chapter 227 of the Acts of Assembly of 1981, and Chapter 149 of the Acts of Assembly of 1989, relating to requirements of collegial bodies; reports.

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- S.B. 31.** An Act to authorize the issuance of bonds to finance \$137,700,600 in previously authorized projects and \$117,616,000 in new projects for a total of up to \$255,316,600, plus financing costs, pursuant to Article X, Section 9 (c) of the Constitution of Virginia, for paying costs of acquiring, constructing and equipping revenue-producing capital projects at institutions of higher learning of the Commonwealth; to authorize the Treasury Board, by and with the consent of the Governor, to fix the details of such bonds, to provide for the sale of such bonds, and to issue notes to borrow money in anticipation of the issuance of the bonds; to provide for the pledge of the net revenues of such capital projects and the full faith, credit and taxing power of the Commonwealth for the payment of such bonds; to provide that the interest income on such bonds and notes shall be exempt from all taxation by the Commonwealth and any political subdivision thereof.
- S.B. 61.** An Act to amend and reenact § 57-60 of the Code of Virginia, relating to exemption from registration requirements for certain charitable organizations.
- S.B. 174.** An Act to amend and reenact § 51.1-303 of the Code of Virginia, relating to the Judicial Retirement System; technical correction.
- S.B. 271.** An Act to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article numbered 18.2, consisting of sections numbered 8.01-195.10, 8.01-195.11, and 8.01-195.12, relating to compensation for wrongful incarceration for a felony conviction.
- S.B. 297.** An Act to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Freedom of Information Act; record exemption; cell phone number of law-enforcement personnel.
- S.B. 330.** An Act to amend and reenact §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 10 of Title 19.2 an article numbered 3.1, consisting of sections numbered 19.2-163.01 through 19.2-163.04, and 19.2-163.4:1 and to repeal §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6 of the Code of Virginia, relating to public defenders.

- S.B. 337.** An Act to amend and reenact §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; access to health records; compliance with federal Health Insurance Portability and Accountability Act regulations.
- S.B. 386.** An Act to amend and reenact § 10.1-1322.3 of the Code of Virginia, relating to the air emissions trading program.
- S.B. 438.** An Act to amend and reenact § 22.1-253.13:4 of the Code of Virginia, relating to notification of parents of certain students.
- S.B. 442.** An Act to amend and reenact §§ 19.2-120 and 19.2-390 of the Code of Virginia, relating to DUI; admission to bail; criminal history record information.
- S.B. 536.** An Act to amend the Code of Virginia by adding in Title 6.1 a chapter numbered 19, consisting of sections numbered 6.1-472 and 6.1-473, relating to Asset-Backed Securities Facilitation Act.
- S.B. 550.** An Act to amend and reenact §§ 9.1-102, 19.2-81.3 and 19.2-81.4 of the Code of Virginia, relating to arrest without warrant for family abuse, etc.
- S.B. 561.** An Act to amend and reenact §§ 3.01, 4.14, 5.03, 6.18, 6.20, and 13.11, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, relating to elections, appointments, appropriations and stormwater utility.
- S.B. 573.** An Act to amend and reenact the third enactment of Chapter 998 of the Acts of Assembly of 2003, relating to the Department of Professional and Occupational Regulation and the Department of Health Professions; continuing education for certain professional licensees.
- S.B. 575.** An Act to amend and reenact §§ 9.1-902 and 18.2-374.3 of the Code of Virginia, relating to offenses requiring registration under the Sex Offender and Crimes Against Minors Registry Act.
- S.B. 593.** An Act to amend and reenact § 16.1-260 of the Code of Virginia, relating to juvenile intake; notification of school superintendent.
- S.B. 602.** An Act to amend and reenact § 1 of Chapter 809 of the Acts of Assembly of 1998, relating to the extension of the lease and use provisions of a facility located at Fort Monroe.
- S.B. 617.** An Act to amend and reenact § 16.1-330.1 of the Code of Virginia, relating to qualification for Serious or Habitual Offender Comprehensive Action Program.
- S.B. 670.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to construction of a U.S. Route 29 bypass around cities in certain counties.

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- H.B. 20.** An Act to amend and reenact § 20-25 of the Code of Virginia, relating to persons other than ministers who may perform rites.
- H.B. 127.** An Act to amend and reenact §§ 18.2-268.3 and 18.2-268.4 of the Code of Virginia, relating to refusal of breath or blood test; penalties.

- H.B. 176.** An Act to amend and reenact §§ 3.01, 3.04, 4.03, 4.05, 4.06, 4.10, 4.14, 4.15, 4.16, 4.17, 5.01, 5.02, 5.03, 5.04, 5.05, 5.06, 5.07, 5A.01, 5A.02, 5A.03, 6.02, 6.03, 6.04, 6.06, 6.07, 6.08, 6.11, 6.13, 6.14, 6.16, 6.19, 8.03, 17.02 and 18.03, as amended, of Chapter 116 of the Acts of Assembly of 1948, which provided a charter for the City of Richmond, and to amend Chapter 116 by adding sections numbered 3.01.1, 3.04.1, 5.01.1 and 5.05.1, relating to council terms, election and duties of mayor, reorganization of powers and responsibilities.
- H.B. 511.** An Act to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.
- H.B. 570.** An Act to amend and reenact §§ 19.2-82 and 19.2-120 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-81.6, relating to detention and arrest of illegal aliens.
- H.B. 601.** An Act to amend and reenact § 15.2-2144 of the Code of Virginia, relating to inspection of water supplies.
- H.B. 624.** An Act to amend and reenact § 8.01-380 of the Code of Virginia, relating to nonsuits.
- H.B. 745.** An Act to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the treatment of persons with opiate addiction.
- H.B. 751.** An Act to amend the Code of Virginia by adding a section numbered 20-45.3, relating to the Affirmation of Marriage Act for the Commonwealth of Virginia.
- H.B. 798.** An Act to amend the Code of Virginia by adding in Chapter 15 of Title 56 an article numbered 5.2, consisting of sections numbered 56-484.7:5 and 56-484.7:6, relating to telephonic reading services.
- H.B. 848.** An Act for the relief of Julius Earl Ruffin.
- H.B. 1015.** An Act to amend and reenact § 22.1-207.1 of the Code of Virginia, relating to family life education.
- H.B. 1136.** An Act to amend and reenact § 46.2-391.2 of the Code of Virginia, relating to DUI; administrative license suspension.
- H.B. 1419.** An Act to amend the Code of Virginia by adding in Title 33.1 a chapter numbered 16, consisting of sections numbered 33.1-447 through 33.1-463, relating to creation of a local transportation district within the City of Charlottesville and Albemarle County.
- H.B. 1425.** An Act to amend and reenact § 46.2-1166 of the Code of Virginia, relating to garage liability insurance covering motor vehicle safety inspection stations.
- S.B. 208.** An Act to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.
- S.B. 329.** An Act to amend and reenact §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272 of the Code of Virginia, relating to driving on a suspended license after consuming alcohol.

- S.B. 384.** An Act to amend and reenact §§ 18.2-270, 19.2-294.1, 46.2-391 and 46.2-391.2 of the Code of Virginia, relating to punishment for DUI; joint prosecution of DUI and reckless driving; consecutive sentences and administrative license suspension; penalties.
- S.B. 546.** An Act to amend and reenact §§ 15.2-6400 and 15.2-6406 of the Code of Virginia, relating to the Regional Industrial Facility Authority.
- S.B. 547.** An Act to amend and reenact §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512 of the Code of Virginia, relating to eligibility for workers' compensation.
- S.B. 548.** An Act to amend and reenact §§ 55-331, 55-332 and 55-334 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 55-334.1 and to repeal § 55-333 of the Code of Virginia, relating to theft of timber; penalty.
- S.B. 556.** An Act to amend and reenact § 37.1-70.10 of the Code of Virginia, relating to notice of certain facility for civil commitment of persons convicted of sexually violent offenses.
- S.B. 607.** An Act to amend the Code of Virginia by adding a section numbered 37.1-179.2, relating to licensure conditions for certain methadone clinics designed for the treatment of persons with opiate addiction.
- S.B. 614.** An Act to amend and reenact § 6 of Chapter 809 of the Acts of Assembly of 2002, relating to authorizing the Department of Conservation and Recreation to amend a lease by and between the Secretary of the Army, Lessor, and the Commonwealth of Virginia, Department of Conservation and Recreation, Lessee, for Occoneechee State Park in Mecklenburg County.
- S.B. 648.** An Act to amend the Code of Virginia by adding in Title 9.1 a chapter numbered 10, consisting of a section numbered 9.1-1000, relating to retired law-enforcement officers.
- S.B. 663.** An Act to amend the Code of Virginia by adding a section numbered 56-49.01, relating to natural gas companies' right of entry upon property.
- S.B. 664.** An Act to amend the Code of Virginia by adding a section numbered 30-19.03:1.2, relating to unemployment compensation; legislation affecting revenues.
- S.B. 687.** An Act to amend and reenact §§ 38.2-5001, 38.2-5009 and 38.2-5020 of the Code of Virginia, relating to the Virginia Birth-Related Neurological Injury Compensation Act; assessment of participating hospitals and participating physicians.

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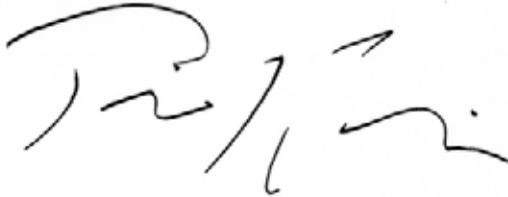
- H.B. 29.** A BILL to amend and reenact Chapter 1042 of the Acts of Assembly of 2003, which appropriated the public revenue and provided a portion of such revenue for the two years ending, respectively, on the thirtieth day of June, 2003, and the thirtieth day of June, 2004.

The President of the Senate, pursuant to § 30.14 of the Code of Virginia, on the date recorded below, signed the following joint resolutions proposing amendments to the Constitution that had been agreed to by both houses and duly enrolled:

March 26, 2004

**H.J.R. 9.** Proposing an amendment to Section 16 of Article V of the Constitution of Virginia, relating to succession to the office of Governor.

**S.J.R. 6.** Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment and the redrawing of state legislative and congressional district boundaries.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is cursive and elegant, with a large initial "S".

Susan Clarke Schaar  
Clerk of the Senate

## WEDNESDAY, APRIL 21, 2004

The Senate met at 12 m. in Reconvened Session of the 2004 Regular Session and was called to order by Lieutenant Governor Timothy M. Kaine.

The Reverend William M. Plonk, Chatham Presbyterian Church, Chatham, Virginia, offered the following prayer:

Almighty God, we commend our beloved Virginia to Your merciful care, that we may live securely in peace and may be guided by Your providence. Give all in authority, especially those gathered here, the wisdom and strength to know Your will and to do it.

Forgive, we pray, our shortcomings as the Commonwealth of Virginia. Purify our hearts to see and love truth; give wisdom to our leaders and steadfastness to our people.

Show us ways to solve our differences. Do not let threats multiply or power be used without compassion. Hold back those who are impulsive, lest desire for vengeance overwhelm our common welfare.

Work with those who work for peace. Bring reconciliation and goodwill to Iraq, Palestine, Israel, and Afghanistan.

Guard brave men and women who risk themselves for their country. Though they must be at war, let them live for peace, as eager for agreement as for victory. Encourage them as they encourage one another.

God of life, there are days when the burdens we carry are heavy on our shoulders and weigh us down, when the road seems dreary and endless, the skies gray and threatening, when our lives have no music in them. Flood the path with light, turn our eyes to where the skies are full of promise. Give us the sense of comradeship with heroes and saints of every age and so quicken our spirits that we may be able to encourage the souls of all who are gathered here this day. Amen.

The roll was called and the following Senators answered to their names:

Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams.

A quorum was present.

On motion of Senator Locke, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

The Senate proceeded to consider the bills and related communications having been received from the Governor pending the Reconvened Session.

## CALENDAR

## SENATE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**S.B. 94** (ninety-four) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: THE SENATE OF VIRGINIA  
SENATE BILL NO. 94

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 18, enrolled, after *primary*  
strike

remainder of line 18 and all of lines 19 through 21

insert

*, provided that if the use of two officers for this purpose would result in too few officers remaining in the polling place to meet legal requirements, the equipment shall remain in plain view of one officer who shall be either the chief officer or the assistant chief officer; and (ii) the voter casts his ballot in a secret manner unless the voter requests assistance pursuant to this section. After the voter has completed voting his ballot, the officer or officers shall immediately return the voting device to its assigned location inside the polling place. The machine number, the time that the machine was removed and the time that it was returned, the number on the machine's public counter before the machine was removed and the number on the same counter when it was returned, and the name or names of the officer or officers who accompanied the machine shall be recorded on the statement of results.*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 94**, on motion of Senator Devolites, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 145** (one hundred forty-five) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 145

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 2, enrolled, Title, after §  
insert  
§
2. Line 2, enrolled, Title, after 22.1-298  
insert  
, 22.1-311 and 22.1-312
3. Line 7, enrolled, after §  
insert  
§
4. Line 7, enrolled, after 22.1-298  
insert  
, 22.1-311 and 22.1-312
5. Line 83, enrolled  
strike  
all of lines 83 through 90
6. Line 91, enrolled, after line 90  
insert  
§ 22.1-311 Hearing before school board  
The hearing before the school board, which shall be private unless the teacher requests a public one, must be set within thirty days of the request, and the teacher must be given at least fifteen days' written notice of the time and place. At the hearing the teacher may appear with or without a representative and be heard, presenting testimony of witnesses and other evidence. *The school board may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.*  
§ 22.1-312 Hearing before fact-finding panel  
A. In the event that a hearing before a fact-finding panel is requested, a three-member panel shall be selected by the following method. The teacher shall select one panel member from among other employees of the school division. The division superintendent shall select one panel member from among employees of the school division. The teacher and the division superintendent shall select their respective panel members within five business days of any

request for a hearing before a fact-finding panel. The two panel members so selected shall select the third impartial panel member.

If within five business days after both panel members have been selected they are unable to agree upon a third panel member, the chief judge of the circuit court shall be requested by the two members of the panel to furnish a list of five qualified and impartial fact finders, one of whom shall then be selected by the two members of the panel as the third member. The persons comprising the list may reside within or without the jurisdiction of the circuit court, be residents of the Commonwealth of Virginia and, in all cases, shall possess some knowledge and expertise in public education and education law and shall be deemed by the judge capable of presiding over an administrative hearing. Selection shall be made by the panel members alternately deleting any name from the list until only one remains. The panel member selected by the teacher shall make the first deletion. This selection process shall be completed within five business days after receipt of the list of fact finders from the chief judge. The third impartial panel member shall chair the panel. No elected official shall serve as a panel member. Panel members shall not be parties to, or witnesses to, the matter grieved.

With the agreement of the teacher's and division superintendent's panel members, the impartial panel member shall have the authority to conduct the hearing and make recommendations as set forth herein while acting as a hearing officer.

The Attorney General shall represent personally or through one of his assistants any third impartial panel member who shall be made a defendant in any civil action arising out of any matter connected with his duties as a panel member. If, in the opinion of the Attorney General, it is impracticable or uneconomical for such legal representation to be rendered by him or one of his assistants, he may employ special counsel for this purpose, whose compensation shall be fixed by the Attorney General and be paid out of the funds appropriated for the administration of the Department of Education.

B. The panel shall set the time for a hearing, which shall be held within 30 business days, and shall so notify the division superintendent and the teacher. The teacher and the division superintendent each may have present at the hearing and be represented at all stages by a representative or legal counsel. *The panel may hear a recommendation for dismissal and make a determination whether to make a recommendation to the Board of Education regarding the teacher's license at the same hearing or hold a separate hearing for each action.*

C. The panel shall determine the propriety of attendance at the hearing of persons not having a direct interest in the hearing; however, at the request of the teacher, the hearing shall be private.

D. The panel may ask, at the beginning of the hearing, for statements from the division superintendent and the teacher clarifying the issues involved.

The parties shall then present their claims and evidence. Witnesses may be questioned by the panel members, the teacher and the division superintendent. The panel may, at its discretion, vary this procedure but shall afford full and equal opportunity to all parties for presentation of any material or relevant evidence and shall afford the parties the right of cross-examination.

The parties shall produce such additional evidence as the panel may deem necessary to an understanding and determination of the dispute. The panel shall be the judge of relevancy and materiality of the evidence offered. All evidence shall be taken in the presence of the panel and of the parties.

E. Exhibits offered by the teacher or the division superintendent may be received in evidence by the panel and, when so received, shall be marked and made a part of the record.

F. The facts found and recommendations made by the panel shall be arrived at by a majority vote of the panel members.

G. The hearing may be reopened by the panel on its own motion or upon application of the teacher or the division superintendent for good cause shown to hear after-discovered evidence at any time before the panel's report is made.

H. The panel shall make a written report which shall include its findings of fact and recommendations and shall file it with the members of the school board, the division superintendent and the teacher, not later than 30 business days after the completion of the hearing.

I. A stenographic record or tape recording of the proceedings shall be taken. However, in proceedings concerning grievances not related to dismissal or probation, the recording may be dispensed with entirely by mutual consent of the parties. In such proceedings, if the recording is not dispensed with, the two parties shall share the cost of the recording equally; if either party requests a transcript, that party shall bear the expense of its preparation.

In cases of dismissal or probation, a record or recording of the proceedings shall be made and preserved for a period of six months. If either the teacher or the school board requests that a transcript of the record or recording be made at any time prior to expiration of the six-month period, it shall be made and copies shall be furnished to both parties. The school board shall bear the expense of the recording and the transcription.

J. The teacher shall bear his or her own expenses. The school board shall bear the expenses of the division superintendent. The expenses of the panel shall be borne one-half by the school board and one-half by the teacher.

K. The parties shall set the per diem rate of the panel. If the parties are unable to agree on the per diem, it shall be fixed by the judge of the circuit court. No employee of the school division shall receive such per diem for service on a panel during his normal work hours if he receives his normal salary for the period of such service.

L. The recommendations and findings of fact of the panel submitted to the school board shall be based exclusively upon the evidence presented to the panel at the hearing. No panel member shall conduct an independent investigation involving the matter grieved.

M. Witnesses who are employees of the school board shall be granted release time if the hearing is held during the school day. The hearing shall be held at the school in which most witnesses work, if feasible.

N. For the purposes of this section, "business day" means any day that the relevant school board office is open.

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**S.B. 145**, on motion of Senator Cuccinelli, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 202** (two hundred two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA

SENATE BILL NO. 202

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 16, enrolled, after Commonwealth  
strike

, refuses to permit blood or breath or both blood and breath samples to be taken for such tests

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

Senator Reynolds moved that the Senate refuse to amend **S.B. 202** in accordance with the recommendation of the Governor.

The question was put on agreeing to amend **S.B. 202** in accordance with the recommendation of the Governor.

The Senate refused to so amend **S.B. 202**.

The recorded vote is as follows:

YEAS--0. NAYS--40. RULE 36--0.

YEAS--0.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

RULE 36--0.

**S.B. 208** (two hundred eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 208

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following Amendment in the Nature of a Substitute be accepted.

/s/ Mark R. Warner  
Governor

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 208

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 20-60.3, 20-108.1, and 20-108.2 of the Code of Virginia, relating to child support.

The reading of the communication was waived.

**S.B. 208**, on motion of Senator Quayle, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 298** (two hundred ninety-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 298

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 22, enrolled, after line 21  
insert

2. That an emergency exists and this act is in force from its passage.

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 298**, on motion of Senator O'Brien, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 313** (three hundred thirteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: THE SENATE OF VIRGINIA  
SENATE BILL NO. 313

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 245, enrolled, after *primary*  
strike

remainder of line 245 and all of lines 246 through 248

insert

*, provided that if the use of two officers for this purpose would result in too few officers remaining in the polling place to meet legal requirements, the equipment shall remain in plain view of one officer who shall be either the chief officer or the assistant chief officer; and (ii) the voter casts his ballot in a secret manner unless the voter requests assistance pursuant to this section. After the voter has completed voting his ballot, the officer or officers shall immediately return the voting device to its assigned location inside the polling place. The machine number, the time that the machine was removed and the time that it was returned, the number on the machine's public counter before the machine was removed and the number on the same counter when it was returned, and the name or names of the officer or officers who accompanied the machine shall be recorded on the statement of results.*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 313**, on motion of Senator Howell, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 318** (three hundred eighteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 318

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 97, enrolled, after §  
strike

*1846*

insert

*1864*

2. Line 139, enrolled, after law.  
insert

*Criminal investigative reports received from law-enforcement agencies shall not be further disseminated by the investigating agency nor shall they be subject to public disclosure.*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 318**, on motion of Senator Howell, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 319** (three hundred nineteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA:

SENATE BILL NO. 319

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 14, enrolled, after line 13

insert

*C. Nothing in this section is intended nor shall be construed to limit a woman's rights as recognized by the Supreme Court of the United States in Roe v. Wade, 410 U.S. 113 (1973).*

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

Senator Stolle moved that the Senate refuse to amend **S.B. 319** in accordance with the recommendation of the Governor.

The question was put on agreeing to amend **S.B. 319** in accordance with the recommendation of the Governor.

The Senate refused to so amend **S.B. 319**.

The recorded vote is as follows:

YEAS--15. NAYS--25. RULE 36--0.

YEAS--Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Reynolds, Saslaw, Ticer, Watkins, Whipple--15.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Williams--25.

RULE 36--0.

**S.B. 326** (three hundred twenty-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA  
SENATE BILL NO. 326

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 52, enrolled, after *Virginia Marine Resources Commission*  
insert  
*, other than an officer or agent terminated for cause,*
2. Line 55, enrolled, after *years of age,*  
strike  
*other than an officer or agent terminated by cause,*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 326**, on motion of Senator Stolle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 329** (three hundred twenty-nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA  
SENATE BILL NO. 329

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 94, enrolled, after Commonwealth  
strike

remainder of line 94, all of lines 95 through 97, and through *misdemeanor* on line 98

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 329**, on motion of Senator Stolle, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 333** (three hundred thirty-three) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 333

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 14, enrolled, after *chapter*:  
strike

*Only one such writ based upon such conviction may be filed by a petitioner.*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 333**, on motion of Senator Stolle, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 337** (three hundred thirty-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA

SENATE BILL NO. 337

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

- 1. Line 589, enrolled, after made  
strike

*by the hospital, nursing facility, physician or other health care provider maintaining the records for the service of maintaining, retrieving, reviewing and preparing such copies cost of supplies and labor for copying the records.*

insert

*for the service of maintaining, retrieving, reviewing and preparing such copies services relating to the maintenance, retrieval, review, and preparation of the copies of the records.*

- 2. Line 596, enrolled, after process,  
strike

*plus all postage and shipping costs and a search and handling fee not to exceed ten dollars.*

insert

*a fee for search and handling, not to exceed \$10, and all postage and shipping costs.*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 337**, on motion of Senator Stolle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 381** (three hundred eighty-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA

SENATE BILL NO. 381

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 15, enrolled, after *with*

insert

*physical and sensory*

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**S.B. 381**, on motion of Senator Puller, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 550** (five hundred fifty) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA  
SENATE BILL NO. 550

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 199, enrolled  
strike

*and*

2. Line 199, enrolled, after *defense*  
insert

, *(vi) witness statements, and (vii) other observations*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 550**, on motion of Senator Howell, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 573** (five hundred seventy-three) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 573

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 10, enrolled, after law,

strike

remainder of line 10 and all of lines 11 through 17

insert

no license, permit, certificate, or other document, however styled or denominated, that is related to the practice of any business, profession, or calling and issued under Title 54.1 to any citizen of the Commonwealth shall be held to have expired, and no requirements pertaining to the renewal or maintenance of such license, permit, certificate, or other document shall have to be met, during the period of such person's service outside of the United States in the armed services of the United States and 60 days thereafter. No extension granted under this section, however, shall exceed five years from the date of expiration of the document.

For the purposes of this enactment "service in the armed services of the United States" includes active duty service with the regular armed forces of the United States or the National Guard or other reserve component.

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 573**, on motion of Senator Bolling, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 591** (five hundred ninety-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA  
RE: SENATE BILL NO. 591

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

- 1. Line 11, enrolled, after Commonwealth  
insert

*, three citizens who have served as chief executive officer, chief financial officer or senior executive officer of companies employing at least 50 Virginians,*

2. Line 12, enrolled, after General Assembly

strike

remainder of line 12, all of lines 13 through 16, and through *employment* on line 17

insert

*and (ii) one citizen who resides in the Southside region of the Commonwealth and one citizen who resides in the Southwest region of the Commonwealth appointed by the Chairman of the Tobacco Indemnification and Community Revitalization Commission after consultation with the Vice Chairman of the Tobacco Indemnification and Community Revitalization Commission*

3. Line 38, enrolled, after appointed by the

strike

Speaker of the House of Delegates and the Senate Committee on Rules

insert

Governor

4. Line 39, enrolled, after (ii)

strike

one member appointed by the Speaker of the House of Delegates and the Senate Committee on Rules

insert

one member appointed by the Governor and one member appointed by the Chairman of the Tobacco Indemnification and Community Revitalization Commission

5. Line 41, enrolled, after (iii)

strike

one member appointed by the Speaker of the House of Delegates

insert

one member appointed by the Governor and one member appointed by the Chairman of the Tobacco Indemnification and Community Revitalization Commission

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

Senator Wampler moved that the Senate refuse to amend **S.B. 591** in accordance with the recommendations of the Governor.

The question was put on agreeing to amend **S.B. 591** in accordance with the recommendations of the Governor.

The Senate refused to so amend **S.B. 591**.

The recorded vote is as follows:

YEAS--14. NAYS--24. RULE 36--1.

YEAS--Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Marsh, Miller, Puckett, Puller, Reynolds, Ticer, Whipple--14.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Lucas, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--24.

RULE 36--Hawkins--1.

**S.B. 606** (six hundred six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA  
SENATE BILL NO. 606

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 46, enrolled, after §  
strike  
*28.2-1203*  
insert  
*28.2-1204*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 606**, on motion of Senator Bolling, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 628** (six hundred twenty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 628

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 42, enrolled, after *absences*  
strike  
remainder of line 42 and all of line 43  
insert  
. (period)

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 628**, on motion of Senator Devolites, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 661** (six hundred sixty-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 661

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 7, enrolled, after *placed on*  
insert  
*the*

2. Line 11, enrolled, after *approximately*  
strike  
1.068  
insert  
18

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 661**, on motion of Senator Blevins, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**S.B. 670** (six hundred seventy) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 670

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 22, enrolled, after line 21  
insert

2. That the provisions of this Act shall expire upon (i) the development and approval of an alternative long range plan pursuant to 23 CFR Section 450.322 that provides a level of service on Rt. 29 that exceeds the level of service achieved by the long range plan that included a Rt. 29 bypass and (ii) a unanimous vote of the Commonwealth Transportation Board to allocate funds, through the Six Year Improvement program, for preliminary engineering, rights-of-way, or construction of those improvements that provide a level of service on Rt. 29 that exceeds the level of service achieved by a Rt. 29 bypass.

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

Senator Newman moved that the Senate refuse to amend **S.B. 670** in accordance with the recommendation of the Governor.

The question was put on agreeing to amend **S.B. 670** in accordance with the recommendation of the Governor.

The Senate refused to so amend **S.B. 670**.

The recorded vote is as follows:

YEAS--15. NAYS--25. RULE 36--0.

YEAS--Colgan, Deeds, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puckett, Reynolds, Saslaw, Ticer, Whipple--15.

NAYS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Devolites, Hanger, Hawkins, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puller, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--25.

RULE 36--0.

**S.B. 685** (six hundred eighty-five) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: SENATE OF VIRGINIA  
SENATE BILL NO. 685

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 1097, enrolled  
strike  
*quarantine*  
insert  
*isolation*

2. Line 1106, enrolled, after *issued*  
strike  
*or prepared*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**S.B. 685**, on motion of Senator Howell, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

April 21, 2004

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

**H.B. 38.** An Act to amend and reenact §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59, and 46.2-749.69 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, and 46.2-749.98:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, and 46.2-749.98 of the Code of Virginia, relating to special license plates; supporters of adoption programs offered by the Virginia Department of Social Services and licensed Virginia nonprofit child-placing services, Mothers Against Drunk Driving, Project Lifesaver, the Interdenominational Children's Foundation of Virginia, the Boy Scouts of America, and the Juvenile Diabetes Research Foundation; members and associates of court-appointed special advocate programs; members of the American Legion; commemorating the 200th anniversary of the Town of Occoquan, the 350th anniversary of the County of New Kent, the 150th anniversary of Burke's Station, and the 275th anniversary of the County of Prince William; retired law-enforcement officers; U.S. Navy chief petty officers; bicycle enthusiasts; Langley Air Force Base; professional stock car drivers; paratroopers; persons awarded the Combat Infantryman Badge; and general registrars; fees.

**H.B. 127.** An Act to amend and reenact §§ 18.2-268.3 and 18.2-268.4 of the Code of Virginia, relating to refusal of breath or blood test; penalties.

**H.B. 148.** An Act to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.

**H.B. 158.** An Act to amend and reenact § 35.1-18 of the Code of Virginia, relating to nudist camps for juveniles.

**H.B. 390.** An Act to amend and reenact § 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

**H.B. 546.** An Act to amend and reenact §§ 2.2-205, 2.2-225, 2.2-2651, 2.2-2669, 23-231.9, and 30-198 of the Code of Virginia, relating to duties of the Secretary of Technology.

**H.B. 549.** An Act to amend and reenact § 58.1-812 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 58.1 a section numbered 58.1-817, relating to open-space preservation fees.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 38** (thirty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 38

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 2, enrolled, title, after *46.2-749.59*, and  
strike  
*46.2-749.69*  
insert  
*46.2-749.62*
2. Line 4, enrolled, title, after *46.2-749.30:2*,  
insert  
*46.2-749.69:1*,
3. Line 6, enrolled, title, after *46.2-749.28:1*,  
insert  
*46.2-749.69*,
4. Line 9, enrolled, title

insert

*the Virginia Motor Sports Initiative,*

5. Line 10, enrolled, title, after *Foundation*;

strike

*members and associates*

insert

*supporters*

6. Line 12, enrolled, title

insert

*special license plates whose design incorporates the flag of the United States  
and the legend: FIGHT TERRORISM;*

7. Line 15, enrolled, title, after *Air Force Base*;

strike

*professional stock car drivers;*

8. Line 20, enrolled, after 46.2-749.59, and

strike

46.2-749.69

insert

46.2-749.62

9. Line 22, enrolled, after 46.2-749.30:2,

insert

46.2-749.69:1,

10. Line 65, enrolled, after plates;

strike

*members and associates*

insert

*supporters*

11. Line 67, enrolled, after application

strike

, (the comma)

insert

*and*

12. Line 67, enrolled, after section,

strike

the remainder of line 67, all of line 68, and line 69 through *advocate program*,

13. Line 70, enrolled, after plates to

strike

*members and associates*

insert

*supporters*

14. Line 78, enrolled

insert

§ 46.2-749.62. Special license plates whose design incorporates the flag of the United States.

A. On receipt of an application therefor, the Commissioner shall issue special license plates whose design incorporates the flag of the United States and the legend: FIGHT TERRORISM.

B. *On receipt of an application therefor from a member of the Senate or House of Delegates, the Commissioner shall issue to the applicant special license plates combining the designs of special license plates issued under subsection A of this section and special license plates issued to members of the Senate or House of Delegates, as the case may be, under § 46.2-736.1.*

15. Line 78, enrolled

strike

all of lines 78 through 98

16. Line 99, enrolled

insert

§ 46.2-749.69:1. *Special license plates for supporters of the Virginia Motor Sports Initiative; special license plates bearing the names, numbers, and color schemes used by professional stock car drivers; fees.*

A. *On receipt of an application and payment of the fee prescribed by this section, the Commissioner shall issue special license plates to supporters of the Virginia Motor Sports Initiative.*

*The provisions of subdivisions 1 and 2 of subsection B of § 46.2-725 shall apply to license plates issued under this subsection.*

B. *On receipt of a minimum of 350 prepaid applications and a design therefor, together with signed releases from the driver, his team, and sponsors permitting the use of such design and all elements thereof without cost, including the payment of royalties, to the Commonwealth, the Commissioner may develop and issue one or more series of special license plates bearing the name of a specific professional stock car driver and the race car number and color scheme used by that driver. Each driver-specific series developed and issued under this subsection shall be subject to the requirements of this subsection. In the event that a race car number, color scheme, or both, change for a driver with a currently issued series, a new series for that driver may be issued subject to the requirements of this subsection.*

*The provisions of subdivision 1 of subsection B of § 46.2-725 shall not apply to license plates issued under this subsection.*

C. *The annual fee for plates issued pursuant to this section shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this section, \$15 shall be paid into the state treasury and credited to the special nonreverting fund known as the Virginia Motor Sports Initiative Fund established within the Department of Accounts and paid annually in equal amounts to the Virginia Economic Development Partnership Authority and the Virginia Department of Business Assistance and used to support their programs related to the Virginia Motor Sports Initiative.*

17. Line 164, enrolled, after 46.2-749.28:1,  
insert  
46.2-749.69,

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 38**, on motion of Senator Williams, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:  
YEAS--38. NAYS--1. RULE 36--0.

YEAS--Bell, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Whipple, Williams--38.

NAYS--Watkins--1.  
RULE 36--0.

**H.B. 127** (one hundred twenty-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 127

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 41, enrolled, after Commonwealth  
strike  
the remainder of line 41 and through *misdemeanor* on line 45

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 127**, on motion of Senator Stolle, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 148** (one hundred forty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:

HOUSE BILL NO. 148

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 118, enrolled, after and  
strike  
, in the case of a state agency,

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**H.B. 148**, on motion of Senator Stosch, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 158** (one hundred fifty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRIGNIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 158

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

- 1. Line 15, enrolled, after *for*  
strike  
*or otherwise accompanying*  
insert  
*and present with*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 158**, on motion of Senator Potts, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:  
YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.  
NAYS--0.  
RULE 36--0.

**H.B. 390** (three hundred ninety) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 390

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following Amendment in the Nature of a Substitute be accepted.

/s/ Mark R. Warner  
Governor

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 390

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 59.1-296.2:1 and 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

The reading of the communication was waived.

**H.B. 390**, on motion of Senator Wampler, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 546** (five hundred forty-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 546

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 2, enrolled, title, after 2.2-2651,  
strike  
2.2-2669,
2. Line 7, enrolled, after 2.2-2651,  
strike  
2.2-2669,
3. Line 84, enrolled  
strike  
all of lines 84 through 124

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 546**, on motion of Senator Stosch, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 549** (five hundred forty-nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:

HOUSE BILL NO. 549

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 33, enrolled, after *shall*

strike

*return*

insert

*deposit*

2. Line 33, enrolled, after *into*

insert

*a special fund within*

3. Line 33, enrolled, after *treasury*

insert

*which shall be created on the books of the Comptroller for this revenue*

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**H.B. 549**, on motion of Senator Chichester, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--1. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--Ruff--1.

RULE 36--0.

At 1:00 p.m., Senator Norment moved that the Senate recess until 1:30 p.m.

The motion was agreed to.

The hour of 1:30 p.m. having arrived, the Chair was resumed.

At 1:35 p.m., Senator Norment moved that the Senate recess until 2:00 p.m.

The motion was agreed to.

The hour of 2:00 p.m. having arrived, the Chair was resumed.

### HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates  
April 21, 2004

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

**H.B. 637.** An Act to amend and reenact §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11, and 54.1-3029 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 21.1 of Title 23 sections numbered 23-276.13, 23-276.14, and 23-276.15, and to repeal §§ 22.1-326.1, 22.1-333, 22.1-334, and 22.1-335 of the Code of Virginia, relating to regulation of certain private, for-profit career-training schools by the State Council of Higher Education.

**H.B. 817.** An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.

**H.B. 837.** An Act to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.

**H.B. 1043.** An Act to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to the creation of the Competitive Government Act.

THE HOUSE OF DELEGATES HAS REFUSED TO AMEND IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR AND HAS PASSED IN THE FORM ORIGINALLY SENT TO THE GOVERNOR THE FOLLOWING HOUSE BILL:

**H.B. 751.** An Act to amend the Code of Virginia by adding a section numbered 20-45.3, relating to the Affirmation of Marriage Act for the Commonwealth of Virginia.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

In the House of Delegates  
April 21, 2004

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

**H.B. 1058.** An Act to amend and reenact §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5, and 59.1-148.4 of the Code of Virginia, to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 22.2, consisting of sections numbered 19.2-386.15 through 19.2-386.31, and to repeal §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336, and 18.2-374.2 of the Code of Virginia, relating to transfer of forfeiture statutes to the criminal procedure code.

**H.B. 1123.** An Act to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.

**H.B. 1124.** An Act to amend and reenact §§ 2.2-1153 and 2.2-1156 of the Code of Virginia, relating to the Division of Engineering and Buildings; surplus real property.

**H.B. 1137.** An Act to amend and reenact § 46.2-417 of the Code of Virginia, relating to driver's license suspension for nonpayment of certain judgments.

**H.B. 1143.** An Act to amend the Code of Virginia by adding a section numbered 18.2-270.01, relating to DUI offenders; payment to Trauma Center Fund.

**H.B. 1231.** An Act to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the Acts of Assembly of 2003; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title

22.1 a chapter numbered 23, consisting of sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the Acts of Assembly of 1964, Chapter 449 of the Acts of Assembly of 1968, Chapters 295 and 422 of the Acts of Assembly of 1972, Chapters 251 and 520 of the Acts of Assembly of 1974, Chapter 141 of the Acts of Assembly of 1976, Chapter 144 of the Acts of Assembly of 1980, Chapter 227 of the Acts of Assembly of 1981, and Chapter 149 of the Acts of Assembly of 1989, relating to requirements of collegial bodies; reports.

**H.B. 1264.** An Act to amend and reenact § 55-59.1 of the Code of Virginia, relating to notice of sale; reference to instrument of appointment.

**H.B. 1314.** An Act to amend and reenact § 4.1-120 of the Code of Virginia, relating to alcoholic beverage control; operation of government stores.

**H.B. 1376.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to imposition and collection of tolls adjusted to encourage travel during off-peak hours.

**H.B. 1430.** An Act to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8, and 18.2-251.02 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.

**H.B. 1480.** An Act to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson

Clerk, House of Delegates

On motion of Senator Norment, the Rules were suspended and the reading of the communications from the House of Delegates was waived.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

## MESSAGES FROM THE HOUSE

A message was received from the House of Delegates by Delegate Ware, R.L., who informed the Senate that the House had ruled as not germane amendments Nos. 1, 2, and 3 and had agreed to amendment No. 4 of the Governor's recommendation to **H.B. 862** (eight hundred sixty-two); in which it requested the concurrence of the Senate.

A message was received from the House of Delegates by Delegate Dillard, who informed the Senate that the House had agreed to amendment No. 2 and had rejected amendment No. 1 of the Governor's recommendation to **H.B. 1015** (one thousand fifteen); in which it requested the concurrence of the Senate.

## HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 637** (six hundred thirty-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 637

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 15, enrolled  
insert

## CHAPTER 16.

~~PRIVATE TRADE, TECHNICAL, BUSINESS AND CORRESPONDENCE  
SCHOOLS; SCHOOLS FOR STUDENTS WITH DISABILITIES.~~

2. Line 612, enrolled  
insert

3. That the Board of Education's regulations in effect on June 30, 2004, that were promulgated pursuant to Chapter 16 (§ 22.1-319 et seq.) of Title 22.1 concerning the private trade, technical, business and correspondence schools (commonly referred to as "proprietary schools") for which the regulatory authority is transferred by this act from the Board to the State Council of Higher Education shall remain in force and shall be deemed to be regulations of the State Council of Higher Education until such time as the Council shall promulgate regulations pursuant to this act.

4. That whenever any condition, requirement, provision or contents or portions of any section of Title 22.1 relating to the regulation of proprietary schools, as such sections existed on June 30, 2004, are repealed or transferred in the same or modified form to a section in Title 23 pursuant to this act, all references to such section of Title 22.1 relating to the regulation of proprietary schools as such section was in effect on June 30, 2004, shall be construed, on and after July 1, 2004, to apply to the amended or new section in Title 23 containing such conditions, requirements, provisions, contents or portions thereof.

5. That, on and after July 1, 2004, the State Council of Higher Education shall be the successor in interest to the Board of Education on matters relating to the regulation of proprietary schools that were previously regulated by the Board of Education pursuant to Chapter 16 (§ 22.1-319 et seq.) of Title 22.1, with the exception of schools for students with disabilities. Further, whenever the Code of Virginia refers to the Board of Education in the context of any authority, duty, or responsibility relating to proprietary schools, except for schools for students with disabilities, such authority, duty, or responsibility shall be construed to mean the State Council of Higher Education.

6. That, on and after July 1, 2004, all rightful title and interest in or to any tangible personal property or records that were previously vested in the Board of Education or the Department of Education relating to proprietary schools, except for schools for students with disabilities, shall be transferred to and vested in the name of the State Council of Higher Education to the extent that this act transfers the regulatory authority over such schools from the Board to the Council.

7. That the State Council of Higher Education shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 637**, on motion of Senator Potts, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--38.

NAYS--0.

RULE 36--0.

**H.B. 817** (eight hundred seventeen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 817

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 15, enrolled, after *with*  
insert  
*physical and sensory*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 817**, on motion of Senator Norment, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.  
RULE 36--0.

**H.B. 837** (eight hundred thirty-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO: THE HOUSE OF DELEGATES  
HOUSE BILL NO. 837

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 249, enrolled, after *primary*  
strike  
remainder of line 249 and all of lines 250 through 252  
insert

*, provided that if the use of two officers for this purpose would result in too few officers remaining in the polling place to meet legal requirements, the equipment shall remain in plain view of one officer who shall be either the chief officer or the assistant chief officer; and (ii) the voter casts his ballot in a secret manner unless the voter requests assistance pursuant to this section. After the voter has completed voting his ballot, the officer or officers shall immediately return the voting device to its assigned location inside the polling place. The machine number, the time that the machine was removed and the time that it was returned, the number on the machine's public counter before the machine was removed and the number on the same counter when it was returned, and the name or names of the officer or officers who accompanied the machine shall be recorded on the statement of results.*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 837**, on motion of Senator Martin, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 862** (eight hundred sixty-two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRIGNIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 862

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 38, enrolled, after escrow  
insert

*on account of units sold in this Commonwealth*

2. Line 38, enrolled, after the  
strike

Commonwealth's allocable share of the total payments that such manufacturer would have been required to make in that year under the Master Settlement Agreement (as determined pursuant to section IX (i) (2) of the Master Settlement Agreement, and before any of the adjustments or offsets described in section IX (i) (3) of that Agreement other than the Inflation Adjustment)

insert

*Master Settlement Agreement payments, as determined pursuant to section IX (i) of that Agreement, including, after final determination of all adjustments, that such manufacturer would have been required to make on account of such units sold*

3. Line 249, enrolled

insert

3. That, if any portion of the amendments to subdivision B 2 of § 3.1-336.2 pursuant to this act, are held by a court of last resort to be unconstitutional, then such amendments to subdivision B 2 shall be deemed repealed in their entirety, and subdivision B 2 of § 3.1-336.2 shall be in effect as such subdivision existed on January 1, 2004. Neither any holding of unconstitutionality nor any repeal of subdivision B 2 of § 3.1-336.2 pursuant to this enactment clause shall affect, impair, or invalidate any other portion of § 3.1-336.2, or the application of such section to any other person or circumstance, and such remaining portions of § 3.1-336.2 shall at all times continue in full force and effect.

4. Line 249, enrolled

insert

4. That an emergency exists and this act is in force from its passage.

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

Senator Watkins moved that the Senate refuse to amend **H.B. 862** in accordance with recommendation No. 4 of the Governor.

The question was put on agreeing to amend **H.B. 862** in accordance with recommendation No. 4 of the Governor.

The Senate refused to so amend **H.B. 862** in accordance with recommendation No. 4 of the Governor.

The recorded vote is as follows:  
YEAS--1. NAYS--38. RULE 36--0.

YEAS--Ticer--1.

NAYS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Wagner, Wampler, Watkins, Whipple, Williams--38.

RULE 36--0.

**H.B. 1015** (one thousand fifteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 1015

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 13, enrolled, after reproduction,  
strike  
the remainder of line 13, all of line 14 and line 15 through *law*  
insert  
*the prevention of and responses to sexual assault, including the need for immediate medical attention and the availability of counseling and legal resources*
  
2. Line 22, enrolled  
strike  
all of lines 22 through 25

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1015**, on motion of Senator Potts, was amended in accordance with recommendation No. 2 of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1043** (one thousand forty-three) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 14, 2004

TO: THE HOUSE OF DELEGATES  
HOUSE BILL 1043

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 24, enrolled, after A.  
strike  
*Consistent with the preparation of the biennial budget as provided in § 2.2-1508, the*  
insert  
*The*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1043**, on motion of Senator Hanger, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 751** (seven hundred fifty-one) was taken up and, on motion of Senator Cuccinelli, was passed in the enrolled form.

The recorded vote is as follows:

YEAS--27. NAYS--13. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Martin, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--27.

NAYS--Deeds, Edwards, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Reynolds, Saslaw, Ticer, Whipple--13.

RULE 36--0.

**H.B. 1058** (one thousand fifty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 1058

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 659, enrolled, after *violation of*  
strike  
*this*  
insert  
*such*

2. Line 660, enrolled, after *of*

strike

*this*

insert

*such*

3. Line 670, enrolled, after *provisions of*

strike

*this article*

insert

*Article 9 (§ 18.2-246.1 et seq.) of Chapter 6 of Title 18.2*

4. Line 678, enrolled, after *violation*

strike

*under this article*

5. Line 686, enrolled, after *violation of*

strike

*this*

insert

*such*

6. Line 691, enrolled, after *by the*

insert

*Virginia Alcoholic Beverage Control*

7. Line 698, enrolled, after *provisions of*

strike

*this article*

insert

*Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2*

8. Line 739, enrolled, after *under*

strike

*this chapter*

insert

*Chapter 7 (§ 18.2-247 et seq.) of Title 18.2*

9. Line 741, enrolled, after *provided in*

strike

*§ 18.2-253.1*

insert

*§ 19.2-386.24*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1058**, on motion of Senator Stolle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1123** (one thousand one hundred twenty-three) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:

HOUSE BILL NO. 1123

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 97, enrolled, after *property*

insert

*identified in § 18.2-513*

2. Line 97, enrolled, after *of*

strike

*any business*

insert

*such enterprise*

3. Line 98, enrolled, after *granted to*

strike

*any business*

insert

*such enterprise or person*

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**H.B. 1123**, on motion of Senator Stolle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

#### MESSAGE FROM THE HOUSE

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had adjourned sine die.

#### HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 1124** (one thousand one hundred twenty-four) was taken up together with the following communication from the Governor:

#### COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES  
HOUSE BILL NO. 1124

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following Amendment in the Nature of a Substitute be accepted.

/s/ Mark R. Warner  
Governor

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 1124

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 2.2-1153 and 2.2-1156 of the Code of Virginia, relating to the Department of General Services; Division of Engineering and Buildings; surplus real property.

The reading of the communication was waived.

**H.B. 1124**, on motion of Senator Stosch, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1137** (one thousand one hundred thirty-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 1137

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 13, enrolled, after subsection

strike

*and*

insert

*or*2. Line 13, enrolled, after *15.2-1716*

strike

*and*

insert

*or*3. Line 15, enrolled, after *15.2-1716*

strike

*and*

insert

*or*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1137**, on motion of Senator Stolle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--40. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--40.

NAYS--0.

RULE 36--0.

**H.B. 1143** (one thousand one hundred forty-three) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 1143

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 12, enrolled, after *pay*  
strike  
    \$25  
insert  
    \$50
  
2. Line 20, enrolled, after *of*  
strike  
    *Rehabilitative Services*  
insert  
    *Health*
  
3. Line 23, enrolled  
strike  
    *Rehabilitative Services*  
insert  
    *Health*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

Senator Stolle moved that the Senate refuse to amend **H.B. 1143** in accordance with the recommendations of the Governor.

The question was put on agreeing to amend **H.B. 1143** in accordance with the recommendations of the Governor.

**H.B. 1143** was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:  
YEAS--29. NAYS--11. RULE 36--0.

YEAS--Bell, Bolling, Colgan, Deeds, Devolites, Edwards, Houck, Howell, Lambert, Locke, Lucas, Marsh, Martin, Miller, Mims, Newman, O'Brien, Potts, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stosch, Ticer, Wampler, Whipple, Williams--29.

NAYS--Blevins, Chichester, Cuccinelli, Hanger, Hawkins, Norment, Obenshain, Rerras, Stolle, Wagner, Watkins--11.

RULE 36--0.

At 2:50 p.m., Senator Stosch moved that the Senate recess until 3:50 p.m.

The motion was agreed to.

The hour of 3:50 p.m. having arrived, the Chair was resumed.

#### RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate passed **H.B. 751** (seven hundred fifty-one) in the enrolled form.

Senator Norment withdrew the motion.

#### RECONSIDERATION

Senator Puckett moved to reconsider the vote by which the Senate passed **H.B. 751** (seven hundred fifty-one) in the enrolled form.

#### PARLIAMENTARY INQUIRY

Senator Cuccinelli propounded a parliamentary inquiry as to the posture of the House bills that the Senate had not acted upon when the House of Delegates adjourned sine die.

The Chair stated that the action of the House of Delegates in adjourning sine die from the Reconvened Session without the agreement of the Senate would not affect the actions taken by the Senate on House bills.

The question was put on reconsidering the vote by which the Senate passed **H.B. 751** in the enrolled form.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 751**, on motion of Senator Puckett, was passed in the enrolled form.

The recorded vote is as follows:

YEAS--27. NAYS--12. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Hanger, Hawkins, Houck, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Quayle, Rerras, Reynolds, Ruff, Stolle, Stosch, Wagner, Wampler, Watkins, Williams--27.

NAYS--Deeds, Edwards, Howell, Lambert, Locke, Lucas, Marsh, Miller, Puller, Saslaw, Ticer, Whipple--12.

RULE 36--0.

HOUSE BILLS WITH GOVERNOR'S RECOMMENDATIONS

**H.B. 1231** (one thousand two hundred thirty-one), on motion of Senator Norment, was passed by temporarily.

**H.B. 1264** (one thousand two hundred sixty-four) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:

HOUSE BILL NO. 1264

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 11, enrolled, after *include*

insert

*either (i)*

2. Line 12, enrolled, after *55-59*,

insert

*or (ii) said notice shall include a copy of the executed and notarized appointment of substitute trustee*

/s/ Mark R. Warner

Governor

The reading of the communication was waived.

**H.B. 1264**, on motion of Senator Stolle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1314** (one thousand three hundred fourteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 1314

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 18, enrolled, after *p.m.*  
strike  
the remainder of line 18 and all of line 19

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1314**, on motion of Senator Williams, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:  
YEAS--32. NAYS--7. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Saslaw, Stolle, Stosch, Ticer, Wagner, Watkins, Whipple, Williams--32.

NAYS--Hanger, Mims, Obenshain, Rerras, Reynolds, Ruff, Wampler--7.  
RULE 36--0.

**H.B. 1376** (one thousand three hundred seventy-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 1376

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 12, enrolled, after *collected*  
strike  
*for the use of any highway controlled*

2. Line 12, enrolled, after *Department*  
insert  
*or such other entity as may be responsible for imposing or collecting such toll*
  
3. Line 13, enrolled, after *volume*,  
insert  
*vehicle speed, vehicle type,*
  
4. Line 15, enrolled, after *Board*  
insert  
*or such other entity as may be responsible for fixing or revising the amount of such toll*
  
5. Line 16, enrolled, after *the*  
strike  
*impact on*  
insert  
*reduction in*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1376**, on motion of Senator Williams, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--36.

NAYS--Devolites, Mims, Reynolds--3.

RULE 36--0.

**H.B. 1430** (one thousand four hundred thirty) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES:  
HOUSE BILL NO. 1430

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendment be made:

1. Line 351, enrolled

strike

All of lines 351 through 354

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1430**, on motion of Senator Stolle, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1480** (one thousand four hundred eighty) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

April 15, 2004

TO THE VIRGINIA HOUSE OF DELEGATES  
HOUSE BILL NO. 1480

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 12, enrolled, after education,  
strike

~~and~~

insert

and

2. Line 13, enrolled, after *and*  
insert

*on*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1480**, on motion of Senator Hanger, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### RECONSIDERATION

Senator Watkins moved to reconsider the vote by which the Senate agreed to amend **H.B. 1314** (one thousand three hundred fourteen) in accordance with the recommendation of the Governor.

The motion was agreed to.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

**H.B. 1314**, on motion of Senator Watkins, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--30. NAYS--9. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Norment, O'Brien, Potts, Puckett, Puller, Quayle, Saslaw, Stolle, Stosch, Ticer, Wagner, Whipple, Williams--30.

NAYS--Hanger, Mims, Newman, Obenshain, Rerras, Reynolds, Ruff, Wampler, Watkins--9.

RULE 36--0.

**H.B. 1231** (one thousand two hundred thirty-one) was taken up together with the following communication from the Governor:

### COMMONWEALTH OF VIRGINIA

Office of the Governor

April 15, 2004

TO: HOUSE OF DELEGATES

HOUSE BILL NO. 1231

I approve the general purpose of this bill, but I am returning it without my signature with the request that the following amendments be made:

1. Line 61, enrolled, after ~~15~~  
strike  
*11*  
insert  
*15*
2. Line 68, enrolled, after *staff support*.  
strike  
*The Board shall elect a chairman and a vice chairman from among its membership.*
3. Line 75, enrolled, after ~~include~~  
strike  
*consist of 25 members as follows:*  
insert  
*include*
4. Line 78, enrolled, after designees, *and*  
strike  
*18*
5. Line 86, enrolled, after *staff support*.  
strike  
*The Council shall elect a chairman and a vice chairman from among its membership.*
6. Line 1372, enrolled, after *for the recommendation*  
insert  
*to fail*
7. Line 2007, enrolled, after *members*  
strike  
*and*  
insert  
*or*
8. Line 2270, enrolled, after *members*  
strike  
*and*  
insert  
*or*
9. Line 2680, enrolled, after 1968,  
strike  
*Chapters 295 and*  
insert  
*Chapter 295 of the Acts of Assembly of 1970, Chapter*

/s/ Mark R. Warner  
Governor

The reading of the communication was waived.

**H.B. 1231**, on motion of Senator Norment, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--39. NAYS--0. RULE 36--0.

YEAS--Bell, Blevins, Bolling, Chichester, Colgan, Cuccinelli, Deeds, Devolites, Edwards, Hanger, Hawkins, Houck, Howell, Lambert, Locke, Lucas, Marsh, Miller, Mims, Newman, Norment, Obenshain, O'Brien, Potts, Puckett, Puller, Quayle, Rerras, Reynolds, Ruff, Saslaw, Stolle, Stosch, Ticer, Wagner, Wampler, Watkins, Whipple, Williams--39.

NAYS--0.

RULE 36--0.

### HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates

April 21, 2004

THE HOUSE OF DELEGATES HAS REFUSED TO AMEND IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR THE FOLLOWING SENATE BILL:

**S.B. 333.** An Act to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 19.3, consisting of sections numbered 19.2-327.10 through 19.2-327.14, relating to post-conviction relief.

THE HOUSE OF DELEGATES HAS REFUSED TO AMEND IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

**H.B. 1.** An Act to amend the Code of Virginia by adding a section numbered 18.2-32.2, relating to killing a fetus; penalty.

**H.B. 408.** An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to use of steel plates in connection with highway repairs.

**H.B. 639.** An Act to amend and reenact §§ 10.1-1408.4 and 10.1-1408.5 of the Code of Virginia, relating to siting of landfills.

**H.B. 675.** An Act to amend and reenact § 22.1-254.1 of the Code of Virginia, relating to qualifications to provide home instruction.

**H.B. 754.** An Act to amend and reenact §§ 56-1, 56-49, and 56-265.1 of the Code of Virginia, relating to public service corporations; limited liability companies.

THE HOUSE OF DELEGATES HAS RULED AS NOT GERMANE THE RECOMMENDATION OF THE GOVERNOR TO THE FOLLOWING HOUSE BILL:

**H.B. 301.** An Act to amend and reenact § 29.1-103 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 29.1-701.1, relating to setting fees for hunting, trapping, and motorboat registration.

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING SENATE BILLS:

- S.B. 94.** An Act to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.
- S.B. 145.** An Act to amend and reenact § 22.1-298 of the Code of Virginia, relating to teacher licensure and dismissal.
- S.B. 208.** An Act to amend and reenact § 20-108.2 of the Code of Virginia, relating to child support.
- S.B. 298.** An Act to amend and reenact § 19.2-12 of the Code of Virginia, relating to conservators of the peace.
- S.B. 313.** An Act to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.
- S.B. 318.** An Act to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.
- S.B. 326.** An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.
- S.B. 329.** An Act to amend and reenact §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272 of the Code of Virginia, relating to driving on a suspended license after consuming alcohol.
- S.B. 337.** An Act to amend and reenact §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; access to health records; compliance with federal Health Insurance Portability and Accountability Act regulations.
- S.B. 381.** An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.
- S.B. 550.** An Act to amend and reenact §§ 9.1-102, 19.2-81.3 and 19.2-81.4 of the Code of Virginia, relating to arrest without warrant for family abuse, etc.
- S.B. 573.** An Act to amend and reenact the third enactment of Chapter 998 of the Acts of Assembly of 2003, relating to the Department of Professional and Occupational Regulation and the Department of Health Professions; continuing education for certain professional licensees.
- S.B. 606.** An Act to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.
- S.B. 628.** An Act to amend and reenact § 51.1-1110 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.

**S.B. 661.** An Act to clarify municipal or recreational purpose restrictions on real property acquired by the Commonwealth or any locality.

**S.B. 685.** An Act to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation; emergency.

/s/ Bruce F. Jamerson  
Clerk, House of Delegates

### LEGISLATION SIGNED BY PRESIDING OFFICER

The President of the Senate, pursuant to § 30-14.2 of the Code of Virginia, on the dates recorded below, signed the following bills that had been amended in accordance with the recommendations of the Governor and reenrolled:

April 21, 2004

**H.B. 38.** (Reenrolled.) An Act to amend and reenact §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59, and 46.2-749.62 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, 46.2-749.69:1, and 46.2-749.98:1 and by adding in Article 10 of Chapter 6 of Title 46.2 sections numbered 46.2-749.101 through 46.2-749.109, and to repeal §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, 46.2-749.69, and 46.2-749.98 of the Code of Virginia, relating to special license plates; supporters of adoption programs offered by the Virginia Department of Social Services and licensed Virginia nonprofit child-placing services, the Virginia Motor Sports Initiative, Mothers Against Drunk Driving, Project Lifesaver, the Interdenominational Children's Foundation of Virginia, the Boy Scouts of America, and the Juvenile Diabetes Research Foundation; supporters of court-appointed special advocate programs; members of the American Legion; special license plates whose design incorporates the flag of the United States and the legend: FIGHT TERRORISM; commemorating the 200th anniversary of the Town of Occoquan, the 350th anniversary of the County of New Kent, the 150th anniversary of Burke's Station, and the 275th anniversary of the County of Prince William; retired law-enforcement officers; U.S. Navy chief petty officers; bicycle enthusiasts; Langley Air Force Base; paratroopers; persons awarded the Combat Infantryman Badge; and general registrars; fees.

**H.B. 127.** (Reenrolled.) An Act to amend and reenact §§ 18.2-268.3 and 18.2-268.4 of the Code of Virginia, relating to refusal of breath or blood test; penalties.

**H.B. 148.** (Reenrolled.) An Act to amend and reenact §§ 56-575.9 and 56-575.16 of the Code of Virginia, relating to the Public-Private Education Facilities and Infrastructure Act of 2002.

**H.B. 158.** (Reenrolled.) An Act to amend and reenact § 35.1-18 of the Code of Virginia, relating to nudist camps for juveniles.

**H.B. 390.** (Reenrolled.) An Act to amend and reenact §§ 59.1-296.2:1 and 59.1-306 of the Code of Virginia, relating to the Virginia Health Spa Act; requirement for bond or letter of credit.

**H.B. 546.** (Reenrolled.) An Act to amend and reenact §§ 2.2-205, 2.2-225, 2.2-2651, 23-231.9, and 30-198 of the Code of Virginia, relating to duties of the Secretary of Technology.

- H.B. 549.** (Reenrolled.) An Act to amend and reenact § 58.1-812 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 8 of Title 58.1 a section numbered 58.1-817, relating to open-space preservation fees.
- H.B. 637.** (Reenrolled.) An Act to amend and reenact §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11, and 54.1-3029 of the Code of Virginia, to amend the Code of Virginia by adding in Chapter 21.1 of Title 23 sections numbered 23-276.13, 23-276.14, and 23-276.15, and to repeal §§ 22.1-326.1, 22.1-333, 22.1-334, and 22.1-335 of the Code of Virginia, relating to regulation of certain private, for-profit career-training schools by the State Council of Higher Education.
- H.B. 817.** (Reenrolled.) An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.
- H.B. 837.** (Reenrolled.) An Act to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.
- H.B. 1043.** (Reenrolled.) An Act to amend the Code of Virginia by adding in Title 2.2 a chapter numbered 55.2, consisting of sections numbered 2.2-5512 and 2.2-5513, relating to the creation of the Competitive Government Act.
- H.B. 1058.** (Reenrolled.) An Act to amend and reenact §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5, and 59.1-148.4 of the Code of Virginia, to amend the Code of Virginia by adding in Title 19.2 a chapter numbered 22.2, consisting of sections numbered 19.2-386.15 through 19.2-386.31, and to repeal §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336, and 18.2-374.2 of the Code of Virginia, relating to transfer of forfeiture statutes to the criminal procedure code.
- H.B. 1123.** (Reenrolled.) An Act to amend and reenact §§ 2.2-511, 19.2-10.1, and 58.1-1017 of the Code of Virginia and to amend the Code of Virginia by adding in Title 18.2 a chapter numbered 13, consisting of sections numbered 18.2-511 through 18.2-516, relating to the Virginia Racketeer Influenced and Corrupt Organization Act; penalties.
- H.B. 1124.** (Reenrolled.) An Act to amend and reenact §§ 2.2-1153 and 2.2-1156 of the Code of Virginia, relating to the Department of General Services; Division of Engineering and Buildings; surplus real property.
- H.B. 1137.** (Reenrolled.) An Act to amend and reenact § 46.2-417 of the Code of Virginia, relating to driver's license suspension for nonpayment of certain judgments.
- H.B. 1143.** (Reenrolled.) An Act to amend the Code of Virginia by adding a section numbered 18.2-270.01, relating to DUI offenders; payment to Trauma Center Fund.
- H.B. 1231.** (Reenrolled.) An Act to amend and reenact §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3,

23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, and 65.2-1303 of the Code of Virginia; to amend and reenact the third enactment clauses of Chapters 749 and 766 of the Acts of Assembly of 2003; to amend the Code of Virginia by adding in Title 2.2 a section numbered 2.2-5700.1, by adding in Article 2 of Chapter 45 of Title 15.2 a section numbered 15.2-4503.1, by adding in Title 22.1 a chapter numbered 23, consisting of sections numbered 22.1-358 and 22.1-359, and by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-240, a chapter numbered 35, consisting of a section numbered 30-241, a chapter numbered 36, consisting of sections numbered 30-242 through 30-247, and a chapter numbered 37, consisting of sections numbered 30-248, 30-249, and 30-250; and to repeal § 10.1-2116, Article 1 (§§ 24.2-300, 24.2-301, and 24.2-301.1) of Chapter 3 of Title 24.2 and Chapter 5.2 (§§ 62.1-69.5 through 62.1-69.20) of Title 62.1 of the Code of Virginia, Chapter 630 of the Acts of Assembly of 1964, Chapter 449 of the Acts of Assembly of 1968, Chapters 295 and 422 of the Acts of Assembly of 1972, Chapters 251 and 520 of the Acts of Assembly of 1974, Chapter 141 of the Acts of Assembly of 1976, Chapter 144 of the Acts of Assembly of 1980, Chapter 227 of the Acts of Assembly of 1981, and Chapter 149 of the Acts of Assembly of 1989, relating to requirements of collegial bodies; reports.

**H.B. 1264.** (Reenrolled.) An Act to amend and reenact § 55-59.1 of the Code of Virginia, relating to notice of sale; reference to instrument of appointment.

**H.B. 1314.** (Reenrolled.) An Act to amend and reenact § 4.1-120 of the Code of Virginia, relating to alcoholic beverage control; operation of government stores.

**H.B. 1376.** (Reenrolled.) An Act to amend the Code of Virginia by adding in Article 15 of Chapter 1 of Title 33.1 a section numbered 33.1-223.2:9, relating to imposition and collection of tolls adjusted to encourage travel during off-peak hours.

**H.B. 1430.** (Reenrolled.) An Act to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8, and 18.2-251.02 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 18.2-254.1, relating to drug treatment court programs.

**H.B. 1480.** (Reenrolled.) An Act to amend and reenact § 2.2-2448 of the Code of Virginia, relating to the Virginia-Asian Advisory Board; purpose.

**S.B. 94.** (Reenrolled.) An Act to amend and reenact §§ 24.2-638 and 24.2-642 of the Code of Virginia, relating to voting equipment at the polling place.

**S.B. 145.** (Reenrolled.) An Act to amend and reenact §§ 22.1-311 and 22.1-312 of the Code of Virginia, relating to teacher licensure and dismissal.

**S.B. 208.** (Reenrolled.) An Act to amend and reenact §§ 20-60.3, 20-108.1, and 20-108.2 of the Code of Virginia, relating to child support.

**S.B. 298.** (Reenrolled.) An Act to amend and reenact § 19.2-12 of the Code of Virginia, relating to conservators of the peace.

- S.B. 313.** (Reenrolled.) An Act to amend and reenact §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009, and 24.2-1010 of the Code of Virginia and to repeal § 24.2-660 of the Code of Virginia, relating to voting equipment and technology and related election law offenses; penalties.
- S.B. 318.** (Reenrolled.) An Act to amend and reenact §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609, and 63.2-1610 of the Code of Virginia, and to repeal § 63.2-1607 of the Code of Virginia, relating to adult protective services; penalties.
- S.B. 326.** (Reenrolled.) An Act to amend and reenact § 18.2-308 of the Code of Virginia, relating to concealed handgun permits.
- S.B. 329.** (Reenrolled.) An Act to amend and reenact §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272 of the Code of Virginia, relating to driving on a suspended license after consuming alcohol.
- S.B. 337.** (Reenrolled.) An Act to amend and reenact §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230, and 38.2-608 of the Code of Virginia, relating to health records privacy; access to health records; compliance with federal Health Insurance Portability and Accountability Act regulations.
- S.B. 381.** (Reenrolled.) An Act to amend the Code of Virginia by adding in Title 30 a chapter numbered 34, consisting of sections numbered 30-226 through 30-233, relating to the Virginia Disability Commission; report.
- S.B. 550.** (Reenrolled.) An Act to amend and reenact §§ 9.1-102, 19.2-81.3 and 19.2-81.4 of the Code of Virginia, relating to arrest without warrant for family abuse, etc.
- S.B. 573.** (Reenrolled.) An Act to amend and reenact the third enactment of Chapter 998 of the Acts of Assembly of 2003, relating to the Department of Professional and Occupational Regulation and the Department of Health Professions; continuing education for certain professional licensees.
- S.B. 606.** (Reenrolled.) An Act to amend and reenact §§ 28.2-1205, 28.2-1206, and 28.2-1208 of the Code of Virginia, relating to royalties for use of state-owned bottomland.
- S.B. 628.** (Reenrolled.) An Act to amend and reenact § 51.1-1110 of the Code of Virginia, relating to the Virginia Sickness and Disability Program.
- S.B. 661.** (Reenrolled.) An Act to clarify municipal or recreational purpose restrictions on real property acquired by the Commonwealth or any locality.
- S.B. 685.** (Reenrolled.) An Act to amend and reenact §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16, and 44-146.17 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 2 of Title 32.1 an article numbered 3.02, consisting of sections numbered 32.1-48.05 through 32.1-48.17, relating to communicable diseases of public health threat; quarantine and isolation; emergency.
- April 21, 2004
- H.B. 1015.** (Reenrolled.) An Act to amend and reenact § 22.1-207.1 of the Code of Virginia, relating to family life education.

On motion of Senator Chichester, the Senate adjourned until Friday, April 23, 2004, at 12:15 p.m.

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is fluid and cursive, with a large initial "T" and "M".

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is highly stylized and cursive, with a large initial "S".

Susan Clarke Schaar  
Clerk of the Senate

## FRIDAY, APRIL 23, 2004

The Senate met at 12:15 p.m. and was called to order by Lieutenant Governor Timothy M. Kaine.

Susan Clarke Schaar, Clerk of the Senate, Second Baptist Church, Richmond, Virginia, offered the following prayer:

“Dear God, be good to us. The sea is so wide and our boat is so small.” Amen.

The roll was called and the following Senators answered to their names:

Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Houck, Howell, Locke, Marsh, Miller, Newman, Norment, Potts, Puller, Quayle, Ruff, Saslaw, Stolle, Ticer, Wagner, Whipple.

A quorum was present.

After the roll call, Senator Mims notified the Clerk of his presence.

On motion of Senator Bolling, the reading of the Journal was waived.

The recorded vote is as follows:

YEAS--22. NAYS--0. RULE 36--0.

YEAS--Blevins, Bolling, Chichester, Colgan, Cuccinelli, Devolites, Houck, Howell, Locke, Marsh, Miller, Newman, Norment, Potts, Puller, Quayle, Ruff, Saslaw, Stolle, Ticer, Wagner, Whipple--22.

NAYS--0.

RULE 36--0.

**PARLIAMENTARY INQUIRY**

Senator Norment propounded a parliamentary inquiry as to the posture of the House bills that the Senate had not acted upon when the House of Delegates adjourned sine die on April 21, 2004.

The Chair stated that the action of the House of Delegates in adjourning sine die from the Reconvened Session on April 21, 2004, without the agreement of the Senate did not affect the actions taken by the Senate on House bills.

On motion of Senator Norment, leaves of absence for the day were granted Senators Bell, Deeds, Edwards, Hanger, Hawkins, Lambert, Lucas, Martin, Obenshain, O'Brien, Puckett, Rerras, Reynolds, Stosch, Wampler, Watkins, and Williams.

Senator Chichester moved that the Senate adjourn sine die.

The motion was agreed to.

The President declared the Senate adjourned sine die.

Senator Norment was ordered to inform the House of Delegates thereof.

**SENATE BILL VETOED BY GOVERNOR  
SUBSEQUENT TO ADJOURNMENT SINE DIE**

**S.B. 591** (five hundred ninety-one), subsequent to adjournment sine die of the Reconvened Session of the 2004 Regular Session, was returned by the Governor with the following communication:

COMMONWEALTH OF VIRGINIA  
Office of the Governor

May 21, 2004

TO THE SENATE OF VIRGINIA  
SENATE BILL NO. 591

Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 591, which would have added five seats, all appointed by the General Assembly, to the Board of Virginia Economic Development Partnership. The bill requires that those appointed to these new seats reside in areas of the Commonwealth that have unemployment reported at a rate of at least one and one-half times that of the state unemployment average for the preceding four years.

I previously submitted amendments to the bill that I believe represented an acceptable compromise. The Governor would have retained appointment power for three of the five new seats, and the chairman of the Tobacco Commission, a legislator, would have controlled the remaining two appointments.

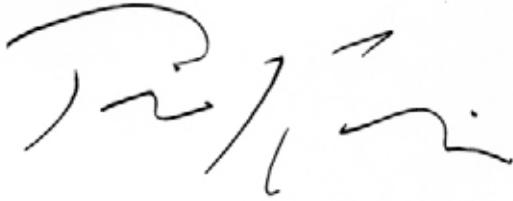
Under my amendment, in addition to the representatives from every congressional district, plus two at-large members, one citizen would be appointed from each of the economically distressed tobacco regions of Southside and Southwest Virginia. Pursuant to the definition of economically distressed areas included in the current bill, only citizens from a very few jurisdictions in these hard-hit regions were eligible for appointment. This amendment would have allowed all of the Southside and Southwest regions the potential to have additional representation on the Board.

While I understand that members of the General Assembly, especially those in economically distressed rural areas, would like to have more influence on the VEDP Board, the bill as it stands now does not achieve their goal. Instead, it actually limits the General Assembly's appointment options to those residing in a few rural areas, as well as several urban areas in other parts of the state.

Furthermore, no reason exists for the executive branch to cede this appointment power to the legislative branch at this point. Any shift in the balance of power should occur in conjunction with a broader review that includes a provision for a two-term governor.

My record reflects my strong commitment to economic development in distressed regions of the Commonwealth. However, I do not believe that this bill will help those efforts and could politicize a Board that serves more of a business function than a political one.

/s/ Mark R. Warner  
Governor

A handwritten signature in black ink, appearing to read "Timothy M. Kaine". The signature is written in a cursive style with a large initial "T" and a long horizontal stroke.

Timothy M. Kaine  
President of the Senate

A handwritten signature in black ink, appearing to read "Susan Clarke Schaar". The signature is written in a cursive style with a large initial "S" and a long horizontal stroke.

Susan Clarke Schaar  
Clerk of the Senate



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- Blood-lead testing issues; Division of Consolidated Laboratory Services and Secretary of Health and Human Resources to establish a task force to facilitate communication and cooperation thereon, report. (Patron-Lambert, SJR 46)
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- Business-Education Partnership Program and Advisory Council on; abolished. Amending § 2.2-2101; repealing §§ 2.2-209, 2.2-210, 2.2-2600, 2.2-2601 and 2.2-2602. (Patron-Cox, HB 9, CH 37)

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- Commerce and Trade, Secretary of; duties include review of urban issues. Amending § 2.2-206. (Patron-Bland, HB 1398, CH 238)
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- Computers; disposition of surplus equipment. Amending § 2.2-1124. (Patron-Potts, SB 161, CH 670)
- Computers; teachers may purchase on state contract for use outside classroom. Amending § 2.2-2012. (Patron-Marrs, HB 508, CH 278)
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- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Callahan, HB 1390)

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- Economic Development Partnership Authority; membership of board of directors. Amending § 2.2-2235. (Patron-Bryant, HB 355; Wampler, SB 591)
- Embezzlement by public official of public funds; penalty. Adding § 18.2-112.1. (Patron-Reynolds, SB 192)
- English proficiency, limited; Secretary of Health and Human Resources to develop a plan for increasing awareness of requirements to provide meaningful access to information and services. (Patron-Cox, HJR 71)
- Equal Education Opportunity Plan; development by Secretary of Education, report. Adding §§ 2.2-209.1 and 2.2-209.2. (Patron-Marsh, SB 220)
- Foreign identification documents; verification of legal presence. Adding §§ 2.2-5512 and 2.2-5513. (Patron-Hanger, SB 521)
- Foreign personal identification cards; acceptance. Adding §§ 2.2-5512 and 2.2-5513. (Patron-O'Brien, SB 293)
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- Freedom of Information Act; exempts certain meetings of General Assembly. Amending § 2.2-3707; adding § 2.2-3707.01. (Patron-Griffith, HB 1357, CH 768)
- Freedom of Information Act; exempts certain park and recreation records. Amending § 2.2-3705. (Patron-Sherwood, HB 168, CH 832)
- Freedom of Information Act; exempts certain records of Department of Criminal Justice Services. Amending § 2.2-3705. (Patron-Scott, J.M., HB 1246, CH 766)
- Freedom of Information Act; exempts numbers for cell phones, pagers, etc., of law-enforcement personnel. Amending § 2.2-3706. (Patron-May, HB 538, CH 735; O'Brien, SB 297, CH 685)
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- Freedom of Information Act; exempts records of sexually violent predator commitment review committee. Amending §§ 2.2-3703, 2.2-3705 and 2.2-3711. (Patron-Houck, SB 354, CH 398)
- Freedom of Information Act; posting of notice of rights and responsibilities by state public bodies. Amending §§ 2.2-3707 and 30-179; adding § 2.2-3704.1. (Patron-Suit, HB 358, CH 730)

**ADMINISTRATION OF THE GOVERNMENT GENERALLY (continued)**

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- Freedom of Information Advisory Council; Report of (§ 30-179 of Code of Virginia). (HD 11)
- Government Data Collection and Dissemination Practices Act; use of unique identifying numbers limited on public records. Adding § 2.2-3808.3. (Patron-May, HB 543, CH 736)
- Government databases and data communications; reporting of incidents that threaten security. Amending §§ 2.2-603 and 2.2-2009. (Patron-Miles, HB 1330, CH 638)
- Government Fee Disclosure Act; created. Adding §§ 2.2-5512, 2.2-5513 and 2.2-5514. (Patron-O'Brien, SB 295)
- Governor's Employment and Training Department; removes obsolete references. Amending §§ 2.2-212 and 60.2-113. (Patron-Landes, HB 22, CH 14)
- Grievance procedures; hearing decisions. Amending §§ 2.2-3003, 2.2-3005 and 2.2-3006. (Patron-Reynolds, SB 647)
- Grievance procedures; revision of state guidelines. Amending §§ 2.2-3000, 2.2-3003 and 2.2-3005; adding § 2.2-3005.1. (Patron-Reynolds, SB 201, CH 674)
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- Growth and Manufacturing Renewal, Manufacturing Association's Strategy for; General Assembly to support. (Patron-Hogan, HJR 261)
- Health insurance; coverage for hearing aids for minors. Amending §§ 2.2-2818, 32.1-325 and 38.2-4319; adding § 38.2-3418.15. (Patron-Ticer, SB 641)
- Health insurance; coverage for infertility. Amending §§ 2.2-2818 and 38.2-4319; adding § 38.2-3418.15. (Patron-Puckett, SB 255)
- Health insurance; includes physicians in prohibition against refusing to accept assignments. Amending §§ 2.2-2818 and 38.2-3407.13. (Patron-Williams, SB 105)
- Health insurance; moratorium on new benefit mandates. Amending § 2.2-2503; adding § 38.2-3419.2. (Patron-Martin, SB 662)
- Health insurance; plan for part-time state employees. Amending § 2.2-2818. (Patron-Hogan, HB 525, CH 279)
- Health-related data elements; Secretary of Health and Human Resources to create a reference database. (Patron-Lambert, SB 565, CH 708)
- Historical monuments and memorials; removal, renaming, etc., prohibited, exception. Adding § 2.2-1161.2. (Patron-Quayle, SB 631)
- Indians, Council on; changes membership, responsibility of Secretary of Natural Resources. Amending §§ 2.2-212, 2.2-215 and 2.2-2628. (Patron-McDougle, HB 782, CH 142)
- Industrial development authorities; any locality authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Rapp, HB 683, CH 292; Deeds, SB 152, CH 933)
- Industrial development authorities; Chesapeake City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Miller, SB 77; Quayle, SB 210)
- Industrial development authorities; Portsmouth City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Melvin, HB 1369)
- Industrial development authorities; Town of Clarksville authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Ruff, SB 596)
- Information technology and telecommunications procurement; exempts UVa Medical Center. Amending §§ 2.2-2006, 2.2-4343 and 23-77.4. (Patron-Nixon, HB 478, CH 145)
- Information technology and telecommunications procurement; shall be in accordance with accessibility standards. Amending § 2.2-2012. (Patron-Nixon, HB 1360, CH 237)
- Inspector General, Office of State; created. Amending § 2.2-3705; adding §§ 2.2-304 through 2.2-310. (Patron-Cuccinelli, SB 370)
- Intergovernmental Relations, Advisory Commission on; abolished. Amending § 2.2-612; repealing §§ 2.2-2506 and 2.2-2507. (Patron-Athey, HB 203, CH 34; Ruff, SB 10, CH 155)

**ADMINISTRATION OF THE GOVERNMENT GENERALLY (continued)**

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- Land records; use of secure remote access, increases Technology Trust Fund Fee. Amending §§ 2.2-3808.2 and 17.1-279. (Patron-Norment, SB 241, CH 676)
- Land use permit; release of surety in association with performance of work. Amending § 2.2-1151.1. (Patron-Scott, J.M., HB 1194, CH 636)
- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; Department of General Services to use in state and local practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 108)
- Lobbyists; certain to file special reports of receipts and expenditures. Adding § 2.2-421.1. (Patron-Cole, HB 1370)
- Long-term care insurance; development for state employees. Adding § 2.2-1208. (Patron-Bryant, HB 1179, CH 312)
- Migrant and Seasonal Farmworkers Board and Migrant Worker Policy Committee; under auspices of Employment Commission. Amending §§ 2.2-2407, 40.1-6 and 60.2-113. (Patron-Watkins, SB 363, CH 592)
- Milk Commission; continued within Department of Agriculture and Consumer Services. Amending §§ 2.2-204 and 3.1-426. (Patron-Hawkins, SB 262, CH 57)
- Nanotechnology research and related economic development opportunities; Joint Commission on Technology and Science to identify. (Patron-May, HJR 120)
- Natural resources; recovery of damages to State. Amending § 2.2-510. (Patron-Stolle, SB 322)
- Pharmaceutical assistance programs and discount purchasing cards; development of a single application form, Commissioners of Health and of Department for Aging to report on development. Amending § 32.1-23.1. (Patron-Cline, HB 1202, CH 318)
- Procurement Act, Public; contracts for architectural or professional engineering services. Amending § 2.2-4301. (Patron-Saxman, HB 1039, CH 458)
- Procurement Act, Public; cooperative procurement with U.S. General Services Administration. Amending § 2.2-4304. (Patron-Marshall, R.G., HB 749, CH 911; O'Brien, SB 302, CH 936)
- Procurement Act, Public; includes online auctions and U.S. General Services Administration. Amending §§ 2.2-4303 and 2.2-4304. (Patron-Nixon, HB 470, CH 906; Devolites, SB 95, CH 874)
- Procurement Act, Public; preference for goods made in United States. Adding § 2.2-4328.1. (Patron-Deeds, SB 151)
- Procurement Act, Public; public notice of Request for Proposals. Amending § 2.2-4301. (Patron-Saxman, HB 1040)
- Procurement Act, Public; raises limit on design-build construction management contracts. Amending §§ 2.2-4303 and 2.2-4308. (Patron-Hanger, SB 525, CH 706)
- Procurement Act, Public; small, and women- and minority-owned business participation. Amending §§ 2.2-4310 and 2.2-4343; adding § 15.2-965.1. (Patron-McDonnell, HB 1145, CH 865; Williams, SB 598, CH 891)
- Procurement from commercial vendors; regulations for outsourcing. Amending § 2.2-1111. (Patron-Cline, HB 1201)
- Protection and Advocacy, Office for; confirming appointments. (Patron-Ingram, HJR 275)
- Publications, state; reduces number submitted to State Library. Amending § 2.2-609. (Patron-Cox, HB 6, CH 28; Martin, SB 2, CH 152)
- Recycling Markets Development Council; duties. Amending §§ 2.2-2667 and 2.2-2668. (Patron-Whipple, SB 12, CH 385)
- Registered nurses; Secretary of Health and Human Resources to establish task force to examine issues relating to screening and testing pursuant to Medicaid program. (Patron-Lambert, SJR 45)
- Risk management plans; coverage for claims against attorneys. Amending § 2.2-1839. (Patron-Melvin, HB 69, CH 121)
- Risk management plans; includes medical malpractice liability insurance for physicians and sole community hospitals. Amending § 2.2-1839; adding § 2.2-1839.1. (Patron-Newman, SB 601, CH 822)

**ADMINISTRATION OF THE GOVERNMENT GENERALLY (continued)**

- Risk management plans; inclusion of guardians for any consumer of a community services board. Amending § 2.2-1839. (Patron-Albo, HB 350, CH 529)
- Rural Virginia, Center for; created. Adding §§ 2.2-2720 through 2.2-2724. (Patron-Landes, HB 1213, CH 964; Ruff, SB 407, CH 938)
- Settlements by State; confidentiality. Amending § 2.2-514. (Patron-Suit, HB 357, CH 729)
- Small Business Financing Authority; membership, voting privileges. Amending § 2.2-2282. (Patron-Plum, HB 1405, CH 239)
- Special funds; abolishes those that are dormant and their associated programs. Amending §§ 2.2-2238, 2.2-2670, 10.1-1413.2, 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-291.2, 22.1-343, 23-38.19:4, 23-38.53:12, 23-38.53:16, 23-38.53:18, 23-38.53:19, 59.1-284.16, 59.1-284.17 and 59.1-284.18; repealing §§ 22.1-199.3, 22.1-208.2:1.1, 22.1-209.1:7, 22.1-209.1:9, 22.1-209.1:10, 22.1-291.2, 23-38.19:3, 23-38.19:4, 23-38.19:5, 23-38.53:8, 23-38.53:9, 23-38.53:10, 23-38.53:12 through 23-38.53:20, 36-139.8, 59.1-284.7 through 59.1-284.12, 59.1-284.16 through 59.1-284.19 and 60.2-318 through 60.2-322. (Patron-Martin, SB 3, CH 872)
- State agencies; Department of Accounts to conduct recovery audits of state contracts. Adding § 2.2-1822.1. (Patron-Scott, E.T., HB 1447, CH 644)
- State agencies; eliminates requirement to report on costs of federal mandates. Amending § 2.2-603. (Patron-Ruff, SB 11, CH 488)
- State agencies; establishment of alternative work schedule and telecommuting policy. Amending §§ 2.2-203.1 and 2.2-2817.1. (Patron-Moran, HB 1094, CH 755; Whipple, SB 468, CH 701)
- State Agencies, Boards, Commissions, Councils and Other Governmental Entities, Joint Subcommittee Studying Operations, Practices, Duties and Funding of; Final Report of (HJR 159, 2002). (HD 3)
- State agency reporting requirements; certain eliminated. Amending §§ 2.2-216, 2.2-2634, 10.1-200, 10.1-1118, 10.1-1155, 23-31 and 51.5-75; repealing §§ 2.2-2820.1, 3.1-362, fifth enactment of Chapters 755 and 914, 1996 Acts and third enactment of Chapter 891, 1998 Acts. (Patron-Amundson, HB 14, CH 58)
- State agency reports; changes in distribution of annual and biennial copies. Amending §§ 2.2-608, 2.2-2213, 2.2-2238, 2.2-2242, 2.2-2263, 2.2-2400, 2.2-2407, 2.2-2432, 2.2-2506, 3.1-22.4, 4.1-115, 10.1-1307, 10.1-1802, 10.1-2012, 22.1-171, 23-1.01, 23-30.36, 23-227, 23-253, 23-253.7, 30-34.4:1, 30-34.15, 32.1-14, 40.1-4.1, 46.2-1503.5, 54.1-114, 54.1-4421, 62.1-44.40 and 62.1-139; repealing §§ 2.2-1126 and 2.2-1127. (Patron-Martin, SB 6, CH 650)
- State police officers; salary increases, review by Department of Human Resource Management. Amending § 2.2-1202; adding § 2.2-1509.3. (Patron-Potts, SB 559)
- State property management; Division of Engineering and Buildings to establish and report on performance standards to determine effectiveness. Adding § 2.2-1131.1. (Patron-Reese, HB 985, CH 750; O'Brien, SB 289, CH 684)
- Statewide Agencies Radio System (STARS); financing through bonds. (Patron-Stolle, SB 39, CH 491)
- Statewide Agencies Radio System (STARS); financing through bonds and vehicle rental fees. Amending §§ 58.1-2402 and 58.1-2425. (Patron-Sherwood, HB 106, CH 522)
- Statewide Agencies Radio System (STARS); Secretary of Public Safety to implement. (Patron-Stolle, SB 608, CH 824)
- Surplus real property; state agencies to identify and report. Amending §§ 2.2-1153 and 2.2-1156. (Patron-McDonnell, HB 1124, CH 997)
- Technology programs; Secretary of Technology to monitor, and to report on broadband communication service trends. Amending §§ 2.2-205, 2.2-225, 2.2-2651, 23-231.9 and 30-198. (Patron-May, HB 546, CH 989)
- Telecommunications services; proposed taxation changes. (Patron-Bryant, HB 1174, CH 634)
- Translation contracts; Department of General Services to establish for telephonic language interpretation services. (Patron-Cox, HB 302, CH 129)
- Veterans services; establishment of an advisory board, increases members of Board of Veterans Services. Amending §§ 2.2-2000, 2.2-2452, 2.2-2681 and 2.2-2715; adding § 2.2-2004.1. (Patron-Edwards, SB 412, CH 697)
- Vietnamese-American Heritage Flag; recognition. Adding § 2.2-3310.2. (Patron-Hull, HB 1475, CH 970)

**ADMINISTRATION OF THE GOVERNMENT GENERALLY (continued)**

- Virginia-Asian Advisory Board; purpose. Amending § 2.2-2448. (Patron-McDonnell, HB 1480, CH 1005; Miller, SB 186, CH 971)
- Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1, 2.2-435.2 and 2.2-435.3. (Patron-Whipple, SB 460)
- Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1 through 2.2-435.5 and 37.1-207.1. (Patron-O'Brien, SB 304, CH 686)
- Youth and Families, Comprehensive Services for At-Risk; members of Executive Council. Amending §§ 2.2-2648 and 2.2-5201. (Patron-Hogan, HB 527, CH 836)

**ADMISSIONS TAX** See: Taxation

**ADOPTION** See: Minors

**ADULTS, HOMES AND SERVICES FOR** See: Welfare

**ADVERTISING AND ADVERTISEMENTS**

- Billboard signs; maintenance and repair governed by Transportation Commissioner. Adding § 33.1-370.2. (Patron-Martin, SB 58, CH 656)
- Billboards or advertising signs; removal of those that are abandoned. Amending § 15.2-2307. (Patron-Rapp, HB 679, CH 538)
- Campaign advertisements; requirements for radio and television advertisements. Amending §§ 24.2-943 and 24.2-944. (Patron-Jones, S.C., HB 1363, CH 55)
- Campaign finance disclosure; requirements for political campaign advertisements. Amending §§ 24.2-900, 24.2-901, 24.2-905, 24.2-908, 24.2-921, 24.2-926, 24.2-929, 24.2-943 and 24.2-944. (Patron-Albo, HB 1026, CH 457)
- Campaign signs; regulations. Adding § 15.2-109. (Patron-Potts, SB 76, CH 388)
- Legal notices; publication in a newspaper. Amending § 8.01-324. (Patron-Devolites, SB 557)
- Senate; prohibits use of television or other electronic signals generated thereby for political or commercial purpose. Adding § 30-9.1. (Patron-Wampler, SB 689)
- Signs; posting in certain areas where yard sales, auctions, etc., are being held. Adding § 46.2-881.1. (Patron-Deeds, SB 246, CH 775)

**AFFORDABLE HOUSING** See: Housing

**AFRICAN-AMERICANS** See: Ethnic Groups

**AGING, DEPARTMENT FOR** See: Administration of the Government Generally

**AGRICULTURE AND FORESTRY, SECRETARY OF** See: Administration of the Government Generally

**AGRICULTURE, CONSERVATION AND NATURAL RESOURCES, COMMITTEE ON**

Members Listed ..... 34

**AGRICULTURE, HORTICULTURE AND FOOD**

- Adjusted Gross Revenue insurance; encouraging farmers to purchase to protect against loss due to natural disasters or market fluctuations. (Patron-Bland, HJR 228)
- Agricultural Enterprise Zone Act; created. Adding §§ 3.1-18.13 through 3.1-18.27. (Patron-Obenshain, SB 482)
- Agriculture and Forestry, Secretary of; established. Amending §§ 2.2-200 and 2.2-204; adding § 2.2-203.3. (Patron-Landes, HB 1212, CH 963; Hawkins, SB 543, CH 940)
- Agriculture education; development. Adding § 3.1-14.2. (Patron-Orrock, HB 40, CH 180)
- Animal control officer training; requirements. Amending §§ 3.1-796.104, 3.1-796.104:1 and 3.1-796.106. (Patron-Orrock, HB 144, CH 181)
- Animal feeding operations; penalty for violation. Amending §§ 62.1-44.17:1 and 62.1-44.17:1.1. (Patron-Barlow, HB 955, CH 455)
- Animal pounds and shelters; limits yearly adoptions by individuals. Amending § 3.1-796.96. (Patron-Quayle, SB 626)

**AGRICULTURE, HORTICULTURE AND FOOD (continued)**

- Apples; excise tax discontinued. Amending §§ 3.1-618, 3.1-626, 3.1-634, 3.1-634.1 and 3.1-635; repealing §§ 3.1-646.01 through 3.1-646.09. (Patron-Sherwood, HB 171, CH 214)
- Beekeeper assistance program; established. Amending § 3.1-610.26:1. (Patron-Reynolds, SB 200, CH 201)
- Charity Food Assistance Advisory Board; abolished. Repealing §§ 3.1-1104 and 3.1-1105. (Patron-Cox, HB 10, CH 29)
- Cigarettes; affixing stamps thereto, reporting requirements. Amending §§ 3.1-336.2, 3.1-336.3, 58.1-1000, 58.1-1003, 58.1-1009, 58.1-1010, 58.1-1011 and 58.1-1013; repealing §§ 58.1-1004, 58.1-1005 and 58.1-1014. (Patron-Ware, R.L., HB 862, CH 1029)
- Companion animals; exempts owner from animal cruelty when animal is attacked by another. Amending § 3.1-796.122. (Patron-Nutter, HB 242, CH 217)
- Companion animals; State Veterinarian to study means to address issue of overpopulation and high rates of euthanasia. (Patron-Potts, SJR 37)
- Damage stamp program; extends coverage to beekeepers. Amending §§ 29.1-352 and 29.1-355. (Patron-Armstrong, HB 1069, CH 463; Reynolds, SB 199, CH 87)
- Estate tax; exemptions for closely held businesses or property used for agricultural purposes. Amending § 58.1-902. (Patron-Deeds, SB 378)
- Farm vehicles; registration fees for plant nurseries and Christmas tree farms. Amending § 46.2-698. (Patron-Watkins, SB 127, CH 663)
- Food Code; adoption of regulations. Amending §§ 2.2-4002, 3.1-398 and 35.1-14. (Patron-McQuigg, HB 784, CH 802)
- Food stores; inspections. Amending § 3.1-398.1. (Patron-Hurt, HB 766, CH 953)
- Homeowners insurance; exclusion of coverage for an insured's dangerous or vicious animal. Adding § 38.2-2127. (Patron-Rust, HB 1007, CH 751)
- Horse industry; Department of Agriculture and Consumer Services to study ways to enhance economic development thereof. (Patron-Hawkins, SJR 57)
- Legal service plans; moves regulation to Department of Agriculture and Consumer Services. Amending §§ 38.2-1800 and 59.1-200; adding §§ 59.1-441.1 through 59.1-441.6; repealing § 38.2-441.5. (Patron-Hargrove, HB 363, CH 784)
- License plates, special; issuance to supporters of Virginia agriculture. Adding § 46.2-749.101. (Patron-Rerras, SB 445)
- Livestock and poultry killed by dogs; increases compensation. Amending § 3.1-796.118. (Patron-Quayle, SB 405)
- Master Settlement Agreement; release of escrow funds to cigarette manufacturers. Amending § 3.1-336.2. (Patron-Puckett, SB 649)
- Milk Commission; continued within Department of Agriculture and Consumer Services. Amending §§ 2.2-204 and 3.1-426. (Patron-Hawkins, SB 262, CH 57)
- Natural cut Christmas trees; use in certain places of worship and apartment dwelling units. (Patron-Orrrock, HB 622, CH 138)
- Personal property exempt from taxation; includes trailers used to transport farm animals or other farm products. Amending §§ 58.1-3505 and 58.1-3506. (Patron-Cole, HB 1030, CH 556)
- Poultry Waste, Effectiveness of Plans Implemented by Commercial Poultry Processors; Report of Department of Environmental Quality (§ 62.1-44.17:1.1G4 of Code of Virginia). (HD 8)
- Private landowners; Board of Forestry to study provision of incentives to hold and preserve their forestland. (Patron-Ticer, SJR 75)
- Sheep Board; composition. Amending § 3.1-1075. (Patron-Deeds, SB 150, CH 56)
- Sweet Potato Board and Fund; abolished. Amending § 3.1-6.1; repealing §§ 3.1-666 through 3.1-684. (Patron-Cox, HB 13, CH 212)
- Water columns for aquaculture purposes; leasing. Adding §§ 28.2-1600 through 28.2-1623. (Patron-Bolling, SB 605, CH 892)
- Wine Board and Wine Promotion Fund; created, abolishes Winegrowers Advisory Board. Amending § 3.1-6.1; adding §§ 3.1-1064.1 through 3.1-1064.7; repealing §§ 3.1-1057 through 3.1-1064. (Patron-Landes, HB 1230, CH 319; Hawkins, SB 310, CH 89)

**AIRCRAFT AND AIRPORTS** See: Aviation

**ALABAMA POWER COMPANY** See: Commending Resolutions

**ALBEMARLE COUNTY**

- Albemarle Housing Improvement Program; commending. (Patron-Van Yahres, HJR 279)
- Charlottesville-Albemarle Rescue Squad, Inc.; commending. (Patron-Bell, HJR 351)
- Transportation district; created within Charlottesville City and Albemarle County. Adding §§ 33.1-447 through 33.1-463. (Patron-Marshall, D.W., HB 1419, CH 966)

**ALBERI, ALBERT D.** See: Judges Justices and Other Elective Officers

**ALBO, DAVID B.**

- Added as co-patron:  
S.B. 310. . . . . 273

**ALCOHOLIC BEVERAGE CONTROL ACT**

- ABC license; summary suspension. Amending § 4.1-225. (Patron-Stolle, SB 622)
- ABC stores; operation on Sunday in certain areas in Northern Virginia. Amending § 4.1-120. (Patron-Albo, HB 1314, CH 1002)
- Alcoholic beverages; penalty for illegal consumption by juveniles. Amending §§ 4.1-305 and 4.1-306. (Patron-Bell, HB 668)
- Alcoholic beverages; underage alcohol offenders may be placed on community-based probation. Amending § 4.1-305. (Patron-Hurt, HB 1309, CH 322)
- Alcoholic mixed beverages; licensees may serve or deliver soju to a consumer. Amending § 4.1-325. (Patron-Petersen, HB 805, CH 913)
- Banquet and mixed beverage licenses; issuance. Amending §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231 and 4.1-233. (Patron-Hugo, HB 995; Hugo, HB 1489, CH 487)
- Wine Board and Wine Promotion Fund; created, abolishes Winegrowers Advisory Board. Amending § 3.1-6.1; adding §§ 3.1-1064.1 through 3.1-1064.7; repealing §§ 3.1-1057 through 3.1-1064. (Patron-Landes, HB 1230, CH 319; Hawkins, SB 310, CH 89)
- Wine or beer shippers; fees for licenses. Amending § 4.1-233. (Patron-Scott, E.T., HB 1448, CH 384)
- Wine or beer shippers; license application does not require a background check. Amending § 4.1-230. (Patron-Abbitt, HB 1394, CH 382)
- Wineries and farm wineries; delivery and shipment requirements. Amending § 4.1-201. (Patron-Dudley, HB 1316, CH 379)

**ALDEN, LESLIE M.** See: Judges Justices and Other Elective Officers

**ALEXANDER, BEVIN R., JR.** See: Judges Justices and Other Elective Officers

**ALEXANDER, ROSA MAE** See: Memorial Resolutions

**ALEXANDRIA, CITY OF**

- Affordable housing; applicable in Alexandria City. Amending § 15.2-2304. (Patron-Van Lanningham, HB 874, CH 543)
- Alexandria Bar Association; commemorating its 75th anniversary. (Patron-Moran, HJR 502)
- Charter; amending. (Patron-Ticer, SB 472, CH 511)

**ALIENS OR IMMIGRANTS** See: Foreign Governments and Countries

**ALLEGHENY POWER** See: Commending Resolutions

**ALMAND, JAMES F.** See: Judges Justices and Other Elective Officers

**ALPHA DELTA KAPPA** See: Commending Resolutions

**ALTIERI, MICHAEL F.** See: Memorial Resolutions

**ALZHEIMER'S DISEASE** See: Health

**AMBER ALERT PROGRAM** See: Police, State

**AMBULANCES** See: Emergency Services and Vehicles

**AMERICAN ELECTRIC POWER** See: Commending Resolutions

**AMERICAN LEGION** See: Charitable, Civic and Volunteer Institutions and Organizations

**AMERICORPS** See: Charitable, Civic and Volunteer Institutions and Organizations

**AMHERST COUNTY**

Amherst County High School baseball team; commending. (Patron-Cline, HJR 435)  
Monacan Bridge; designating as Lynchburg bypass bridge across James River between Amherst County and Lynchburg City. (Patron-Bryant, HB 1182, CH 763; Newman, SB 560, CH 117)

**AMUNDSON, KRISTEN J.**

Added as co-patron:  
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**ANDERSON, DEBI** See: Commending Resolutions

**ANIMAL WELFARE COALITION OF HAMPTON ROADS** See: Commending Resolutions

**ANIMALS AND ANIMAL SHELTERS**

See: Agriculture, Horticulture and Food  
Game, Inland Fisheries and Boating

**ANNANDALE HIGH SCHOOL** See: Commending Resolutions

**ANNEXATION** See: Counties, Cities and Towns

**ANNUITIES** See: Insurance

**ANOREXIA** See: Health

**ANTIQU MOTOR VEHICLES** See: Motor Vehicles

**APPEALS, COURT OF** See: Courts of Record

**APPLES** See: Agriculture, Horticulture and Food

**APPOINTMENTS**

Governor; confirming appointments. (Patron-Martin, SJR 99; Martin, SJR 100; Martin, SJR 101; Martin, SJR 102; Martin, SJR 103; Martin, SJR 104; Martin, SJR 105; Martin, SJR 106; Martin, SJR 107; Martin, SJR 108; Martin, SJR 109; Martin, SJR 218)  
Joint Legislative Audit and Review Commission; confirming appointment. (Patron-Putney, HJR 312)  
Protection and Advocacy, Office for; confirming appointments. (Patron-Ingram, HJR 275)  
Retirement System Board of Trustees; confirming appointments. (Patron-Howell, W.J., HJR 518)  
Senate Ethics Advisory Panel; confirming nominations. (Patron-Martin, SR 9)  
Tobacco Indemnification and Community Revitalization Commission; confirming appointments. (Patron-Martin, SJR 209)  
VCU Health System Authority; confirming appointments. (Patron-Ingram, HJR 276)

**APPOMATTOX COUNTY**

Landfills; siting in Appomattox County, submission of environmental impact reports. Amending §§ 10.1-1408.4 and 10.1-1408.5. (Patron-Abbitt, HB 639)

**APPROPRIATIONS**

Budget bill; additional appropriations for 2002-2004 biennium. Amending Chapter 1042, 2003 Acts. (Patron-Callahan, HB 29, CH 943; Chichester, SB 29)

**APPROPRIATIONS (continued)**

- Budget bill; appropriations for 2004-2006 biennium. (Patron-Callahan, HB 30; Chichester, SB 30)  
Campbell, Anthony Daryl; widow awarded service handgun which he used as a member of Department of State Police. (Patron-Rerras, SB 623, CH 257)  
Constitutional amendment; limit on appropriations (first reference). Adding Section 7-B in Article X. (Patron-Cuccinelli, SJR 33)  
Relief; Barrett, Sean and Jennie. (Patron-Bolling, SB 568)  
Relief; Dalton, Sharon. (Patron-Ruff, SB 410)  
Relief; Lineberry, Marshall and Allison. (Patron-Puckett, SB 256)  
Relief; Mitchell, Larry and Virginia. (Patron-Reynolds, SB 191)  
Relief; Monroe, Beverly Anne. (Patron-Lambert, SB 572)  
Relief; Ridge, Henry. (Patron-Colgan, SB 358)  
Relief; Ruffin, Julius Earl. (Patron-Jones, S.C., HB 848, CH 852; Lambert, SB 234, CH 880)

**AQUACULTURE** See: Agriculture, Horticulture and Food

**ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND LANDSCAPE**

**ARCHITECTS** See: Professions and Occupations

**ARLINGTON COMMITTEE OF 100** See: Commending Resolutions

**ARLINGTON COUNTY**

- Arlington County; manager duties concerning budget, purchase of easements, etc. Amending §§ 15.2-710, 15.2-720.1 and 15.2-726. (Patron-Brink, HB 434, CH 22; Whipple, SB 461, CH 510)  
Commercial vehicles; parking regulations in Fairfax, Arlington and Prince William Counties. Amending § 46.2-1222.1. (Patron-Ticer, SB 471, CH 702)  
House of Delegates districts; changes in boundaries in Arlington County. Amending § 24.2-304.02. (Patron-Ebbin, HB 317, CH 20)  
Public defender's office; establishment in Arlington County and Falls Church City. Amending § 19.2-163.2. (Patron-Ebbin, HB 950; Whipple, SB 450)  
School boards; fringe benefits, expenses and reimbursements in Arlington County. (Patron-Brink, HB 433, CH 532)  
Street maintenance; reporting requirements in Arlington and Henrico Counties. Amending §§ 33.1-23.5:1 and 33.1-41.1. (Patron-Stosch, SB 563, CH 118)

**ARMED FORCES**

See also: Military and Emergency Laws

- Assault and battery; reporting of spousal abuse by active members of Armed Forces. Adding § 18.2-57.4. (Patron-Wampler, SB 276, CH 681)  
Driver's license; expiration of those issued to persons in armed services or diplomatic service. Amending §§ 46.2-330 and 46.2-1521; adding §§ 46.2-221.2, 46.2-221.3, 46.2-221.4 and 54.1-117; repealing § 46.2-331. (Patron-Cox, HB 319, CH 975)  
Federal burial allowance for veterans; urging Congress to increase. (Patron-Pollard, HJR 286)  
Higher educational institutions; policies for required reinstatement of enrollment for certain military students. Amending § 23-9.6:2. (Patron-Oder, HB 712, CH 740)  
License plates, special; issuance of those bearing legend: LANGLEY AIR FORCE BASE. Adding § 46.2-749.28:2; repealing § 46.2-749.28:1. (Patron-Gear, HB 606)  
License plates, special; issuance of those bearing legend: POW/MIA. Adding § 46.2-749.43:1; repealing § 46.2-749.43. (Patron-Puller, SB 52)  
License plates, special; issuance to U.S. Navy chief petty officers. Adding § 46.2-746.2:2.2. (Patron-Barlow, HB 965)  
Medical assistance services; filing of application for admittance to a Veterans Care Center. Amending § 63.2-405. (Patron-Watts, HB 907, CH 305)  
Merchant Marine and Maritime Service from Mathews County; commending American seafarers. (Patron-Rerras, SJR 250)  
Military grave markers; prohibits sale or offers for sale. Adding § 18.2-511. (Patron-Eisenberg, HB 812, CH 299)

**ARMED FORCES (continued)**

- Motor vehicle warning lights; certain use on Department of Military Affairs and National Guard vehicles. Amending § 46.2-1022. (Patron-Spruill, HB 1335, CH 323)
- National Guard; commending. (Patron-Cox, HJR 314)
- National Guard and Reserve members; to be recognized and supported by conducting awareness programs and by holding Military Appreciation Day and other ceremonies therefor. (Patron-Johnson, HJR 278; O'Brien, SJR 115)
- Naval District Washington West Area (Dahlgren) Base; General Assembly to support. (Patron-Pollard, HJR 287)
- Occoneechee State Park; Department of Conservation and Recreation to amend lease with Secretary of Army for purpose of providing additional recreational facilities in Mecklenburg County. Amending Chapter 809, 2002 Acts. (Patron-Ruff, SB 614, CH 825)
- Professional licensees; expiration of continuing education requirements for regulants who are on active military duty. Amending third enactment of Chapter 998, 2003 Acts. (Patron-Bolling, SB 573, CH 1017)
- Public school employees; compensation when called to active military duty. Adding § 22.1-289.2. (Patron-Cox, HB 318, CH 528)
- Real estate tax; deferral for certain disabled military veterans. Amending § 58.1-3211. (Patron-Deeds, SB 248)
- School admissions; applicability when parent of student is deployed outside of United States as member of National Guard or U.S. Armed Forces. Amending §§ 22.1-3, 22.1-5 and 22.1-270. (Patron-Baskerville, HB 1443, CH 967)
- Servicemembers Civil Relief Act; created. Adding § 8.01-15.2. (Patron-Cox, HB 1379, CH 381)
- Unemployment compensation; applicable to a military spouse. Amending §§ 60.2-528 and 60.2-618. (Patron-Tata, HB 1288)
- Veterans care centers; Department of Veterans Services to study need for and cost of additional. (Patron-Puller, SJR 29)
- Veterans services; establishment of an advisory board, increases members of Board of Veterans Services. Amending §§ 2.2-2000, 2.2-2452, 2.2-2681 and 2.2-2715; adding § 2.2-2004.1. (Patron-Edwards, SB 412, CH 697)
- Woodlawn Road; Department of Transportation to assert property rights of State with respect thereto in Fairfax County and Fort Belvoir. (Patron-Amundson, HB 1291, CH 235; Puller, SB 590, CH 119)
- Woodlawn Road; memorializing Congress to restore public access thereto through Fort Belvoir in Fairfax County. (Patron-Amundson, HJR 248; Puller, SJR 97)
- Zoning ordinances; notice for rezoning near military bases, installations and airports. Amending §§ 15.2-2204, 15.2-2223 and 15.2-2283. (Patron-Oder, HB 714, CH 799)

**ARMENTROUT, LYNN C.** See: Commending Resolutions

**ARMSTRONG, WARD L.**

Added as co-patron:

S.B. 340. . . . .	292
S.B. 407. . . . .	273

**ARNOLD, KENNETH FOX** See: Commending Resolutions

**ARREST** See: Criminal Procedure

**ARTS AND HUMANITIES**

- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 58.1-2402, 58.1-2425, 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Wampler, SB 676)
- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Callahan, HB 1390)
- Cultural institutions, nonstate agency; Department of Taxation to collect sales tax data pertaining to economic impact thereof. (Patron-Fralin, HJR 82)

**ARTS AND HUMANITIES (continued)**

- Frontier Culture Museum; deemed an educational institution, reduces membership of Board of Trustees, report. Amending §§ 23-296 and 23-297. (Patron-Wardrup, HB 1228)
- Natural and Historic Resources Fund and Commission; created, report. Adding §§ 10.1-2135 through 10.1-2138. (Patron-Deeds, SB 569)
- Transient occupancy tax; increased in certain counties, revenues for Performing Arts Foundation. Amending § 58.1-3823. (Patron-O'Bannon, HB 741, CH 50)
- Virginia Historical Society; designating as Official State Historical Society. (Patron-Howell, W.J., HJR 259)
- Virginia Museum of Natural History; powers and duties, salary of director, gifts and endowments. Amending §§ 10.1-2009 and 10.1-2011. (Patron-Hurt, HB 1338, CH 870)

**ASBESTOS** See: Health

**ASSAULT AND BATTERY** See: Crimes and Offenses Generally

**ASSESSMENTS**

- See: Real Estate and Real Estate Tax  
Taxation

**ASSISTED LIVING FACILITIES**

- See: Health  
Welfare

**ASSISTIVE TECHNOLOGY LOAN FUND AUTHORITY** See: Persons With Disabilities

**ATHEY, CLIFFORD L., JR.**

- Added as co-patron:  
S.B. 371. . . . . 453

**ATHLETIC COMPETITION AND EVENTS** See: Sporting Exhibitions, Events and Facilities

**ATHLETIC TRAINERS** See: Professions and Occupations

**ATLEE HIGH SCHOOL** See: Commending Resolutions

**ATTORNEY AND CLIENT**

- Court-appointed counsel; compensation. Amending § 16.1-267. (Patron-Reese, HB 45, CH 342)
- Health records; access by guardians ad litem and attorneys representing minors and certain adults. Amending §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12 and 37.1-134.21. (Patron-O'Bannon, HB 878, CH 66)
- Insurance liability limits; disclosure to attorney. Amending § 8.01-417. (Patron-Kilgore, HB 137)
- Power of attorney; revocation of authority for an incapacitated person. Amending § 11-9.1. (Patron-Watts, HB 1337, CH 380)
- Residential Landlord and Tenant Act; noncompliance of rental agreement, award of attorneys' fees. Amending § 55-248.31. (Patron-Reese, HB 981, CH 232)

**ATTORNEY GENERAL**

- Chesapeake Bay Preservation Act; requires Attorney General to defend a locality if any private legal action is brought. Amending § 10.1-2100. (Patron-Devolites, SB 104)
- Debt Collection, Division of; retention of revenues, use for collection of debts, referral of certain accounts to Office of Attorney General. Amending §§ 2.2-518 and 2.2-4806. (Patron-Saxman, HB 1037, CH 919)
- Primary elections; required for statewide offices of Governor, Lieutenant Governor and Attorney General. Amending §§ 24.2-508, 24.2-509, 24.2-517, 24.2-526 and 24.2-528. (Patron-Potts, SB 33)
- Wiretaps; expands crimes for which Attorney General may apply for orders. Amending § 19.2-66. (Patron-Albo, HB 118, CH 122)

**ATTORNEYS AND LAWYERS** See: Professions and Occupations

**AUCTIONEERS** See: Professions and Occupations

**AUSTIN, COLUMBUS AUGUSTUS "JOE", JR.** See: Memorial Resolutions

#### **AUTHORITIES**

- Bedford Joint Economic Development Authority; use of name. Amending § 15.2-4903. (Patron-Putney, HB 52, CH 782)
- Buchanan County Tourist Train Development Authority; membership. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Stump, HB 533, CH 35)
- Buchanan County Tourist Train Development Authority; membership, powers. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Puckett, SB 69, CH 158)
- Coalfield Economic Development Authority; authorized to engage in economic development marketing and business attraction activities. Amending §§ 15.2-6006 and 15.2-6011. (Patron-Stump, HB 744, CH 36; Wampler, SB 480, CH 177)
- Housing Development Authority; financing of certain mixed-income and mixed-use housing developments. Amending §§ 36-55.25, 36-55.26, 36-55.30, 36-55.30:2, 36-55.31, 36-55.33:1, 36-55.34:1, 36-55.37, 36-55.38 and 36-55.39. (Patron-Drake, HB 825, CH 187)
- Luray-Page County Airport Authority; created. (Patron-Louderback, HB 58, CH 39)
- Public Building Authority and College Building Authority; issuance of bonds for capital projects. (Patron-Chichester, SB 37)
- Rail Transportation Development Authority, Study of; Report of Transportation Research Council (SJR 354, 2003). (SD 4)
- Regional Industrial Facility Authority; remittance of tax revenue. Amending §§ 15.2-6400 and 15.2-6406. (Patron-Keister, HB 1393, CH 640; Puckett, SB 546, CH 603)
- Regional Industrial Facility Authority; remittance of tax revenue. Amending § 15.2-6406. (Patron-Nutter, HB 240, CH 42)
- Rudee Inlet Authority; abolished. Repealing Chapter 227, 1960 Acts. (Patron-Landes, HB 24, CH 15)
- Washington Metropolitan Area Transit Authority; Congress to undertake new commitment to meet funding needs thereof. (Patron-Whipple, SJR 69)

**AUTOMOBILES** See: Motor Vehicles

#### **AVIATION**

- Freedom of Information Act; exempts records for owner/operators of aircraft. Amending § 2.2-3705. (Patron-Cole, HB 487)
- Luray-Page County Airport Authority; created. (Patron-Louderback, HB 58, CH 39)
- Retirement System; creditable compensation of certain law-enforcement officers employed at airports. Amending § 51.1-124.3. (Patron-Wagner, SB 422)
- Ultralight aircraft; licensure. Amending §§ 5.1-88.1 and 5.1-88.2. (Patron-Martin, SB 217)
- Weapons; prohibits carrying in an air carrier airport terminal. Adding § 18.2-287.01. (Patron-Stolle, SB 660, CH 894)
- Zoning ordinances; notice for rezoning near military bases, installations and airports. Amending §§ 15.2-2204, 15.2-2223 and 15.2-2283. (Patron-Oder, HB 714, CH 799)

**AYERS, EDWARD L.** See: Commending Resolutions

**BACKUS, JOHN L.** See: Memorial Resolutions

**BAD CHECKS** See: Crimes and Offenses Generally

**BAGGARLY, GEORGE B.** See: Commending Resolutions

**BAIL AND RECOGNIZANCE** See: Criminal Procedure

**BAINES, DENNIS L.** See: Commending Resolutions

**BALFOUR, DANIEL T.** See: Judges Justices and Other Elective Officers

**BALLOTS AND BALLOTING** See: Elections

**BALLOU, ERNEST WADE** See: Memorial Resolutions

**BANKING AND FINANCE**

- Asset-Backed Securities Facilitation Act; created. Adding §§ 6.1-472 and 6.1-473. (Patron-Stosch, SB 536, CH 600)
- Bad checks; increases charge upon return. Amending §§ 2.2-614.1 and 15.2-106. (Patron-BaCote, HB 1207, CH 565)
- Banks; loans and other extensions of credit to executive officers and directors. Amending § 6.1-62. (Patron-Drake, HB 1269, CH 320)
- Consumer Real Estate Settlement Protection Act; issuance of summonses and subpoenas. Amending §§ 6.1-2.25 and 6.1-2.27. (Patron-Mims, SB 509, CH 597)
- Credit card transactions; printing of information on receipts. Amending § 11-33.2. (Patron-May, HB 537, CH 793)
- Credit cards; contract formation, occurrence of transaction. Adding § 11-33.3. (Patron-Scott, J.M., HB 1189, CH 373)
- Deeds of trust; those that secure a loan deemed purchase money trusts. Amending § 55-60. (Patron-Mims, SB 504, CH 253)
- Financial Institutions, State Corporation Commission's Bureau of; submission of confidential information pursuant to grand jury subpoenas. Amending § 6.1-1.1. (Patron-Colgan, SB 163, CH 165)
- Judgment; rate of interest. Amending § 6.1-330.54. (Patron-Cuccinelli, SB 144)
- Judgment and legal rate of interest; lowered. Amending §§ 6.1-330.53, 6.1-330.54 and 8.01-382. (Patron-Reese, HB 1460, CH 646)
- Nonprofit Credit Counseling Act; created, abolishes Nonprofit Debt Counseling Agencies. Amending §§ 54.1-3905, 57-60 and 59.1-200; adding §§ 6.1-363.2 through 6.1-363.26; repealing § 6.1-363.1. (Patron-Nixon, HB 471, CH 790)
- Payday loans; retention of copies of checks, payments on loan prior to maturity. Amending §§ 6.1-453, 6.1-459 and 6.1-461. (Patron-Morgan, HB 688, CH 295)
- Personal Information Privacy Act; restricting use of date of birth as condition for accepting checks. Amending §§ 59.1-443 and 59.1-444; adding § 59.1-443.1. (Patron-Dudley, HB 1424, CH 241)
- Subsidiary trust companies and trust company holding companies; ownership. Amending §§ 6.1-32.3, 6.1-32.11, 6.1-32.19 and 6.1-32.20. (Patron-Stosch, SB 542, CH 781)
- Title insurance; filing of documents with circuit court clerks. Amending §§ 6.1-2.25 and 17.1-223. (Patron-Deeds, SB 587, CH 336)
- Unclaimed property; interest paid to owners. Amending § 55-210.21. (Patron-Purkey, HB 275, CH 523)
- Wages and salaries; deposit into employee account. Amending § 40.1-29. (Patron-Nixon, HB 472, CH 358)

**BARBERS** See: Professions and Occupations

**BARLEY, JOHNNIE MAE** See: Memorial Resolutions

**BARLOW, WILLIAM K.**

Added as co-patron:

S.B. 310. . . . .	273
S.B. 394. . . . .	166
S.B. 395. . . . .	166
S.B. 396. . . . .	166
S.B. 397. . . . .	166
S.B. 400. . . . .	166
S.B. 456. . . . .	293

**BARRETT, SEAN AND JENNIE** See: Claims

**BASKERVILLE, VIOLA O.**

Added as co-patron:

S.B. 244. ....	181
S.B. 312. ....	235
S.B. 321. ....	414
S.B. 339. ....	235
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S.B. 617. ....	428

Removed as co-patron:

S.B. 312. ....	368
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**BATH COUNTY**

Sam Snead Memorial Highway; designating as Route 220 in Bath County. (Patron-Deeds, SB 13, CH 578)

**BAUSCH, RICHARD** See: Commending Resolutions

**BEARS** See: Game, Inland Fisheries and Boating

**BEATLEY, CHARLES E. "CHUCK", JR.** See: Memorial Resolutions

**BEAVERS** See: Game, Inland Fisheries and Boating

**BEDFORD COUNTY**

Bedford County; commemorating its 250th anniversary. (Patron-Putney, HJR 425)  
 Bedford Joint Economic Development Authority; use of name. Amending § 15.2-4903.  
 (Patron-Putney, HB 52, CH 782)

**BEEKEEPING** See: Agriculture, Horticulture and Food

**BEER** See: Alcoholic Beverage Control Act

**BEETON, WILLIAM A., JR.** See: Memorial Resolutions

**BELL, J. BRANDON, II**

Added as co-patron:

S.B. 204. ....	235
S.B. 244. ....	181
S.B. 340. ....	225
S.B. 371. ....	398
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S.J.R. 79 . . . . .	597
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Certification of election, oath; presented to Senate . . . . . 3, 5, 6  
 Leaves of absence . . . . . 293, 1909  
 Notified Clerk of presence . . . . . 454

**BELL, JANE R.** See: Commending Resolutions

**BELL, NORA KIZER** See: Memorial Resolutions

**BELL, ROBERT B.**

Added as co-patron:

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**BENEDETTI, JOSEPH B.** See: Commending Resolutions

- BENNETT, SHARON E.** See: Commending Resolutions
- BENSTEN, RONALD E.** See: Judges Justices and Other Elective Officers
- BERND, DAVID L.** See: Commending Resolutions
- BESSENT, JOSIE COTTON** See: Memorial Resolutions
- BICYCLES** See: Motor Vehicles
- BIG SANDY RIVER** See: Waters of the State, Ports and Harbors
- BILLBOARDS** See: Advertising and Advertisements
- BIOTECHNOLOGY RESEARCH** See: Science and Technology
- BIRTH CONTROL** See: Health
- BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ACT** See: Insurance
- BLACK, HAROLD A.** See: Judges Justices and Other Elective Officers
- BLACK, RICHARD H.**  
 Added as co-patron:  
     S.B. 371. . . . . 453
- BLACKFORD, STAIGE D., JR.** See: Memorial Resolutions
- BLANCHARD, LAWRENCE E., JR.** See: Memorial Resolutions
- BLANKENSHIP, WILLIAM “LARRY”** See: Memorial Resolutions
- BLANTON, TAYLOR V.** See: Memorial Resolutions
- BLANTON, WYNDHAM BOLLING, JR.** See: Memorial Resolutions
- BLESSED SACRAMENT-HUGUENOT ACADEMY** See: Commending Resolutions
- BLEVINS, HARRY B.**  
 Added as co-patron:  
     S.B. 128. . . . . 292  
     S.B. 371. . . . . 398  
     S.J.R. 75 . . . . . 293  
     S.J.R. 79 . . . . . 597  
     S.J.R. 91 . . . . . 350  
     H.J.R. 492 . . . . . 1753  
     Certification of election, oath . . . . . 3,5  
     Leaves of absence. . . . . 161, 787
- BLIND PERSONS** See: Persons With Disabilities
- BLOOD BANKS AND TESTING** See: Health
- BLOXOM, ROBERT S.** See: Commending Resolutions
- BLUE LAWS** See: Crimes and Offenses Generally
- BLUE RIDGE PARKWAY** See: Public Buildings, Facilities and Property
- BLUFORD, ROBERT, JR.** See: Commending Resolutions
- BOATS AND BOATING** See: Game, Inland Fisheries and Boating

**BOLLING, BILL**

Added as co-patron:

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S.B. 140.....	255
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H.J.R. 492.....	1753
Certification of election, oath.....	2, 5
Notified Clerk of presence.....	294, 352, 598, 684, 1076, 1730, 1782

**BOND ISSUES**

- College Building Authority; designation of projects financed by bonds. Amending § 23-30.28. (Patron-Saslaw, SB 583, CH 711)
- Community development authorities; issuance of revenue bonds. Amending § 15.2-5158. (Patron-Hall, HB 1211, CH 637)
- Educational Facilities Bond Act of 2002; issuance of bonds. (Patron-Hanger, SB 532)
- Higher Educational Institutions Bond Bill of 2004; created. (Patron-Callahan, HB 31, CH 2; Chichester, SB 31, CH 813)
- Parking Facilities Bond Bill of 2004; created. (Patron-Callahan, HB 32, CH 3; Chichester, SB 32, CH 490)
- Parks and Natural Areas Bond Act of 2002; issuance of bonds. (Patron-Hanger, SB 531)
- Public Building Authority and College Building Authority; issuance of bonds for capital projects. (Patron-Chichester, SB 37)
- Retail Sales and Use Tax; entitles Newport News City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-BaCote, HB 1208, CH 566; Norment, SB 398, CH 506)
- Retail Sales and Use Tax; entitles Salem City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-Griffith, HB 1243, CH 568)
- Statewide Agencies Radio System (STARS); financing through bonds. (Patron-Stolle, SB 39, CH 491)
- Statewide Agencies Radio System (STARS); financing through bonds and vehicle rental fees. Amending §§ 58.1-2402 and 58.1-2425. (Patron-Sherwood, HB 106, CH 522)

**BONDS AND BONDSMEN**

- Appeal bonds; ceiling. Amending § 8.01-676.1. (Patron-Albo, HB 430, CH 356; Stolle, SB 172, CH 328)
- Bail bondsmen; regulation and licensure. Amending §§ 9.1-102, 9.1-143, 16.1-77, 19.2-149, 38.2-1800, 38.2-1824, 38.2-2411, 38.2-2412 and 58.1-3724; adding §§ 9.1-185 through 9.1-199.4, 38.2-2412.1 and 38.2-2412.2; repealing §§ 19.2-152.1 through 19.2-152.1:7 and 38.2-1865.6 through 38.2-1865.13. (Patron-Melvin, HB 1057, CH 460)
- Bail enforcement agents; regulation and licensure. Amending § 9.1-102; adding §§ 9.1-185 through 9.1-199. (Patron-Stolle, SB 334, CH 397)
- Bonds; forfeiture for failure to appear and to meet conditions of recognizance. Amending § 19.2-143. (Patron-Bell, HB 647)

**BONDS AND BONDSMEN (continued)**

Health Spa Act; requirement for bond or letter of credit. Amending §§ 59.1-296.2:1 and 59.1-306. (Patron-Amundson, HB 390, CH 988)

Property bail bondsmen; certification. Amending § 19.2-152.1. (Patron-Melvin, HB 71, CH 264)

Public-Private Education Facilities and Infrastructure Act of 2002; provisions for performance and payment bonds. Amending §§ 56-575.9 and 56-575.16. (Patron-Hargrove, HB 148, CH 986; Edwards, SB 688)

**BONDS, MARSHALL O.** See: Memorial Resolutions

**BOSWELL, WILLIAM L. "BILLY", JR.** See: Memorial Resolutions

**BOTTOMLANDS** See: Waters of the State, Ports and Harbors

**BOUDREAU, ALBERT J.** See: Commending Resolutions

**BOY SCOUTS** See: Charitable, Civic and Volunteer Institutions and Organizations

**BRADLEY, JAMIE** See: Commending Resolutions

**BRADY, MARVIN DONALD** See: Memorial Resolutions

**BREAKING AND ENTERING** See: Crimes and Offenses Generally

**BREAKS INTERSTATE PARK** See: Public Buildings, Facilities and Property

**BRIDGES** See: Highways, Bridges and Ferries

**BRIDGES, RUBY NELL** See: Commending Resolutions

**BRINK, ROBERT H.**

Added as co-patron:

S.B. 450. . . . .	292
S.B. 452. . . . .	292
S.B. 453. . . . .	293
S.B. 456. . . . .	293
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**BROAD RUN HIGH SCHOOL** See: Commending Resolutions

**BROADBAND SERVICES** See: Computer Services and Uses

**BROMAN, GEORGE E.** See: Commending Resolutions

**BROOKS, JOSEPH E.** See: Memorial Resolutions

**BROWN, ROBERT "BOB"** See: Commending Resolutions

**BROWN, THEODORE R. COOTS, SR.** See: Memorial Resolutions

**BROWN V. BOARD OF EDUCATION**

See: Commending Resolutions  
Educational Institutions  
Holidays, Special Days, Etc.

**BROWN, VALERIE HARDING** See: Commending Resolutions

**BRUNSWICK SENIOR HIGH SCHOOL** See: Commending Resolutions

**BRYAN, DEBORAH V.** See: Judges Justices and Other Elective Officers

**BUCHANAN COUNTY**

Buchanan County Tourist Train Development Authority; membership. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Stump, HB 533, CH 35)

Buchanan County Tourist Train Development Authority; membership, powers. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Puckett, SB 69, CH 158)

Pharmacy, School of; established in Buchanan County. (Patron-Stump, HJR 118; Puckett, SJR 49)

**BUDGET, STATE** See: Administration of the Government Generally

**BUENA VISTA, CITY OF**

Transient occupancy tax; additional imposition in Rockbridge County, and Lexington and Buena Vista Cities. Adding § 58.1-3824. (Patron-Hanger, SB 517, CH 598)

**BUILDING CODE** See: Housing

**BURCH, SEAN** See: Commending Resolutions

**BURGLARY** See: Crimes and Offenses Generally

**BURIAL CONTRACTS** See: Religious and Charitable Matters; Cemeteries

**BURKE, JAMES PATRICK** See: Memorial Resolutions

**BUSINESSES** See: Trade and Commerce

**BUTLER, JAMES ROBERT** See: Memorial Resolutions

**BYRD, DUNCAN M., JR.** See: Memorial Resolutions

**BYRON, KATHY J.**

Added as co-patron:

S.B. 415. . . . . 524

S.B. 416. . . . . 524

S.B. 601. . . . . 524

**C. DON DUNFORD BRIDGE** See: Highways, Bridges and Ferries

**CABLE TELEVISION** See: News Media

**CAMPAIGN PRACTICES** See: Elections

**CAMPBELL, ANTHONY DARYL**

See: Memorial Resolutions  
Police, State

**CAMPBELL, ELIZABETH PFOHL** See: Memorial Resolutions

**CAMPGROUNDS** See: Hotels, Restaurants, Summer Camps and Campgrounds

**CANDIDATES IN ELECTIONS** See: Elections

**CANINE HEALTH FOUNDATION** See: Motor Vehicles

**CANNON, JULIA T.** See: Judges Justices and Other Elective Officers

**CAPITAL MURDER** See: Crimes and Offenses Generally

**CAPITOL SQUARE** See: Property, Grounds and Buildings, State-owned

**CAPPELLETY, RYAN EUGENE** See: Memorial Resolutions

**CAREGIVERS** See: Welfare

**CAREY, ROBERT M.** See: Commending Resolutions

**CARRICO, CHARLES W., SR.**

Added as co-patron:

S.B. 407. . . . . 273

**CARRICO, LUCRETIA A.** See: Judges Justices and Other Elective Officers

**CARTER, MARY LEE** See: Commending Resolutions

**CASAS, BRADFORD MAURICE “BRAD”** See: Memorial Resolutions

**CASH, JUNE CARTER AND JOHNNY** See: Memorial Resolutions

**CAVE SPRING HIGH SCHOOL** See: Commending Resolutions

**CELEBRATE ADOPTION DAY** See: Holidays, Special Days, Etc.

**CELLULAR COMMUNICATIONS** See: Public Service Companies

**CEMETERIES AND GRAVEYARDS** See: Religious and Charitable Matters; Cemeteries

**CENTERPOINT ENERGY** See: Commending Resolutions

**CENTRAL CRIMINAL RECORDS EXCHANGE** See: Criminal Procedure

**CENTRAL HUDSON GAS & ELECTRIC CORPORATION** See: Commending Resolutions

**CHAMBERLIN HOTEL** See: Hotels, Restaurants, Summer Camps and Campgrounds

**CHARITABLE, CIVIC AND VOLUNTEER INSTITUTIONS AND ORGANIZATIONS**

Assault and battery; penalty when committed against a volunteer firefighter or rescue squad member. Amending § 18.2-57. (Patron-Rerras, SB 677, CH 420)

Boy Scouts of America Venture Crew 80; commending. (Patron-Amundson, HJR 306)

Charitable assets; standard of conduct for directors of charitable corporations. Amending §§ 2.2-507.1 and 17.1-513.01. (Patron-O’Bannon, HB 625, CH 289)

Charitable corporations; direct purchase from cooperative procurements by free clinics. Amending § 2.2-1120. (Patron-Brink, HB 1441, CH 484)

Charitable Gaming Board; membership. Amending § 2.2-2455. (Patron-Potts, SB 59)

Charity Food Assistance Advisory Board; abolished. Repealing §§ 3.1-1104 and 3.1-1105. (Patron-Cox, HB 10, CH 29)

Child abuse or neglect; includes Childhelp USA in list of volunteer organizations subject to search of central registry of founded complaints. Amending § 63.2-1515. (Patron-Howell, SB 185, CH 74)

Income tax, state; limiting legislation creating voluntary contribution of refunds to charitable organizations. Adding §§ 30-19.1:10 and 58.1-344.3. (Patron-Purkey, HB 1486, CH 649)

License plates, special; abolishes issuance to various civic groups and employees due to expired authorizations. Amending §§ 46.2-746.7, 46.2-746.8 and 46.2-746.9; repealing §§ 46.2-736.01, 46.2-736.02, 46.2-746.2:2.1, 46.2-746.4:3, 46.2-746.6:2, 46.2-746.8:1, 46.2-749.5:1, 46.2-749.23:1, 46.2-749.28:1, 46.2-749.32 through 46.2-749.36, 46.2-749.39, 46.2-749.41, 46.2-749.42, 46.2-749.43, 46.2-749.47, 46.2-749.73:1, 46.2-749.84, 46.2-749.85, 46.2-749.87, 46.2-749.88, 46.2-749.93 and 46.2-749.95 through 46.2-749.100. (Patron-Landes, HB 2, CH 717)

License plates, special; issuance to members of American Legion. Amending § 46.2-746.4; adding § 46.2-746.4:01. (Patron-Lingamfelter, HB 379)

License plates, special; issuance to supporters of Boy Scouts of America. Adding § 46.2-749.30:2. (Patron-Phillips, HB 923)

**CHARITABLE, CIVIC AND VOLUNTEER INSTITUTIONS AND ORGANIZATIONS (cont.)**

License plates, special; issuance to supporters of Boy Scouts of America, Virginia Motor Sports Initiative, adoption programs, court-appointed special advocate programs, Project Lifesaver, Mothers Against Drunk Driving, Juvenile Diabetes Research Foundation, Interdenominational Children's Foundation of Virginia, to certain constitutional officers, military veterans' organizations, retired law-enforcement officers, paratroopers, for various occupations, to members of American Legion, to U.S. Navy chief petty officers, bicycle enthusiasts, to persons awarded Combat Infantryman Badge, to commemorate 275th anniversary of County of Prince William, 200th anniversary of Town of Occoquan, 350th anniversary of County of New Kent, 150th anniversary of Burke's Station, those bearing legend: LANGLEY AIR FORCE BASE and flag of United States and legend: FIGHT TERRORISM. Amending §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59 and 46.2-749.62; adding §§ 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, 46.2-749.69:1, 46.2-749.98:1 and 46.2-749.101 through 46.2-749.109; repealing §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, 46.2-749.69 and 46.2-749.98. (Patron-Orrock, HB 38, CH 984)

License plates, special; issuance to supporters of Virginia agriculture, Blue Ridge Parkway Foundation, Washington D.C. United soccer team, Canine Health Foundation, to barbershop quartet singing enthusiasts, to commemorate 200th anniversary of Town of Occoquan, 275th anniversary of County of Prince William, to encourage participation in organ donor program and issuance of logotype and those bearing legend: POW/MIA and CHILDREN WITH SPECIAL NEEDS. Adding §§ 46.2-749.43:1 and 46.2-749.101 through 46.2-749.109; repealing § 46.2-749.43. (Patron-Puller, SB 21, CH 653)

Motor vehicle license decals; free issuance to volunteer fire department and rescue squad members. Amending § 46.2-752. (Patron-Orrock, HB 145, CH 723; Houck, SB 350, CH 689)

Personal property exempt from taxation; includes vehicles owned by certain members of volunteer rescue and fire organizations. Amending § 58.1-3506. (Patron-Orrock, HB 143, CH 4; Houck, SB 349, CH 591)

Property exempt from taxation; provisions for certain charitable and other related organizations. Amending §§ 58.1-3400 and 58.1-3651. (Patron-Parrish, HB 1076, CH 557)

Retail Sales and Use Tax; limits certain percentage of revenues from a nonprofit entity to be used for administrative costs in order to maintain exempt status. Amending § 58.1-609.11. (Patron-Purkey, HB 311)

Workers' compensation; eligibility of AmeriCorps members and certain Food Stamp Employment and Training Program participants. Amending §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512. (Patron-Puckett, SB 547, CH 888)

Workers' compensation; presumption as to death or disability includes volunteer or salaried emergency medical service providers. Amending § 65.2-402. (Patron-Colgan, SB 582)

**CHARITABLE GAMING** See: Gambling, Lotteries, Etc.

**CHARLOTTESVILLE, CITY OF**

Charlottesville-Albemarle Rescue Squad, Inc.; commending. (Patron-Bell, HJR 351)

Real estate tax; allows Charlottesville City to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Van Yahres, HB 154, CH 5)

Transportation district; created within Charlottesville City and Albemarle County. Adding §§ 33.1-447 through 33.1-463. (Patron-Marshall, D.W., HB 1419, CH 966)

**CHARNOCK, CHARLES "PUGE"** See: Memorial Resolutions

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**CHARTERS**

Alexandria, City of, charter; amending. (Patron-Ticer, SB 472, CH 511)

Chesterfield, County of, charter; amending. (Patron-Marrs, HB 559, CH 617)

Christiansburg, Town of, charter; amending. (Patron-Nutter, HB 241, CH 59)

Clifton, Town of, charter; amending. (Patron-Hugo, HB 994, CH 554)

Colonial Heights, City of, charter; amending. (Patron-Cox, HB 56, CH 518)

Fairfax, City of, charter; amending. (Patron-Petersen, HB 249, CH 19; Devolites, SB 97, CH 161)

**CHARTERS (continued)**

- Falls Church, City of, charter; amending. (Patron-Scott, J.M., HB 1248, CH 569; Whipple, SB 203, CH 497)
- Franklin, City of, charter; amending. (Patron-Councill, HB 57, CH 32; Quayle, SB 211, CH 168)
- Glasgow, Town of, charter; amending. (Patron-Cline, HB 1206, CH 564)
- Harrisonburg, City of, charter; amending. (Patron-Weatherholtz, HB 1112; Obenshain, SB 80)
- Lexington, City of, charter; amending. (Patron-Hanger, SB 522, CH 599)
- Norfolk, City of, charter; amending. (Patron-Drake, HB 823, CH 52)
- Purcellville, Town of, charter; amending. (Patron-May, HB 550, CH 45)
- Radford, City of, charter; amending. (Patron-Nutter, HB 1088, CH 632)
- Richmond, City of, charter; amending. (Patron-Baskerville, HB 176, CH 898; Watkins, SB 124, CH 877; Watkins, SB 368; Lambert, SB 561, CH 514)
- Roanoke, City of, charter; amending. (Patron-Edwards, SB 133)
- Roanoke, County of, charter; amending. (Patron-Edwards, SB 478)
- Williamsburg, City of, charter; amending. (Patron-Barlow, HB 968, CH 551; Norment, SB 396, CH 505)
- Winchester, City of, charter; amending. (Patron-Sherwood, HB 53, CH 31)

**CHECKS AND CHECKING ACCOUNTS** See: Banking and Finance

**CHEEK, D. EUGENE, SR.** See: Judges Justices and Other Elective Officers

**CHESAPEAKE BAY**

- Chesapeake Bay Preservation Act; expands boundaries. Amending §§ 10.1-2100, 10.1-2101, 10.1-2102, 10.1-2109, 10.1-2110, 28.2-1103 and 62.1-195.1. (Patron-Wagner, SB 427)
- Chesapeake Bay Preservation Act; requires Attorney General to defend a locality if any private legal action is brought. Amending § 10.1-2100. (Patron-Devolites, SB 104)
- Pollutant loading allocations; adoption of nitrogen and phosphorous levels in Chesapeake Bay tributaries. Adding § 62.1-44.15:02. (Patron-Whipple, SB 639)

**CHESAPEAKE, CITY OF**

- Drawbridges; payments for maintenance in Chesapeake City. Amending § 33.1-41.1. (Patron-Blevins, SB 178)
- Industrial development authorities; Chesapeake City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Miller, SB 77; Quayle, SB 210)
- Public defender's office; establishment in Chesapeake City. Amending § 19.2-163.2. (Patron-Cosgrove, HB 34)
- Retail Sales and Use Tax; exemptions include Pilot Club International Luncheon Pilot Club of Chesapeake. Adding § 58.1-609.10.01. (Patron-Blevins, SB 692)
- Senatorial districts; changes in boundaries in Chesapeake City. Amending § 24.2-303.2. (Patron-Cosgrove, HB 316, CH 424; Blevins, SB 184, CH 389)
- Zoning appeals, boards of; appointment in Chesapeake City. Amending § 15.2-2308. (Patron-Blevins, SB 180; Quayle, SB 209)

**CHESAPEAKE EMERGENCY OPERATIONS CENTER** See: Commending Resolutions

**CHESTERFIELD COUNTY**

- Charter; amending. (Patron-Marrs, HB 559, CH 617)
- Health departments, state and local; Chesterfield County may supplement salaries and expenses of employees. Amending § 15.2-1508.3. (Patron-Martin, SB 45, CH 157)

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**CHITTUM, EDWIN W.** See: Memorial Resolutions

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**CHRISTIANSBURG, TOWN OF**

Charter; amending. (Patron-Nutter, HB 241, CH 59)

**CHRISTIE, MARK C.** See: Judges Justices and Other Elective Officers

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**CIRCUIT COURTS**

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**CIVIC ORGANIZATIONS** See: Charitable, Civic and Volunteer Institutions and Organizations

**CIVIL COURTS** See: Courts Not of Record

**CIVIL REMEDIES AND PROCEDURE**

Appeal bonds; ceiling. Amending § 8.01-676.1. (Patron-Albo, HB 430, CH 356; Stolle, SB 172, CH 328)

Child custody or visitation; service of summons on teacher or school personnel for attendance and testimony. Amending §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272. (Patron-Stolle, SB 335, CH 588)

Civil cases; copies of subpoenaed documents to be provided to other party. Amending § 8.01-417. (Patron-Reese, HB 49, CH 345)

Civil cases; judgment in cases arising out of a trustee's deed following foreclosure. Amending § 8.01-129. (Patron-Reese, HB 46, CH 343)

Civil cases; judgment in settlement and installment orders. Amending § 16.1-94. (Patron-Reese, HB 44, CH 341)

Consumer Real Estate Settlement Protection Act; issuance of summonses and subpoenas. Amending §§ 6.1-2.25 and 6.1-2.27. (Patron-Mims, SB 509, CH 597)

**CIVIL REMEDIES AND PROCEDURE (continued)**

- Court documents; abbreviated social security number of judgment debtor. Amending §§ 8.01-446.1, 8.01-449, 8.01-487.1, 8.01-511 and 8.01-512.3. (Patron-Howell, A.T., HB 948)
- Criminal cases; testimony of husband and wife. Amending §§ 8.01-398 and 19.2-271.2. (Patron-Johnson, HB 352)
- Deadman's Statute; increases amount of admissible evidence when party incapable of testifying. Amending § 8.01-397. (Patron-Obenshain, SB 481)
- Domestic violence or sexual assault; privileged communications between victims and advocates. Adding §§ 8.01-400.3 and 19.2-271.4. (Patron-Mims, SB 665)
- Driver's license; suspension for nonpayment of certain judgments. Amending § 46.2-417. (Patron-McDonnell, HB 1137, CH 998)
- Driving under influence of alcohol or drugs; damages for persons injured as a result. Amending § 8.01-44.5. (Patron-McDonnell, HB 1481)
- Felony conviction; compensation for wrongful incarceration. Adding §§ 8.01-195.10, 8.01-195.11 and 8.01-195.12. (Patron-Tata, HB 638, CH 840; Quayle, SB 271, CH 818)
- Final judgments in circuit court; when modifiable and appealable. Repealing Chapter 1017, 2003 Acts. (Patron-Stolle, SB 609, CH 337)
- Fraud Against Taxpayers Act; not applicable to claims, records or statements relating to state or local taxes. Amending § 8.01-216.3. (Patron-Williams, SB 343, CH 589)
- Garnishment; service on a corporation through a managing employee. Amending § 8.01-513. (Patron-Reese, HB 979, CH 231)
- Health care provider professional services; civil recovery of payment. Adding § 8.01-27.3. (Patron-Albo, HB 565, CH 909)
- Health records; patient's executor or administrator may obtain copies. Amending § 8.01-413. (Patron-Joannou, HB 733, CH 742)
- Insurance liability limits; disclosure to attorney. Amending § 8.01-417. (Patron-Kilgore, HB 137)
- Judgment; rate of interest. Amending § 6.1-330.54. (Patron-Cuccinelli, SB 144)
- Judgment and legal rate of interest; lowered. Amending §§ 6.1-330.53, 6.1-330.54 and 8.01-382. (Patron-Reese, HB 1460, CH 646)
- Jurors; fine for failure to appear. Amending § 8.01-356. (Patron-Mims, SB 513, CH 116)
- Jury service; exempts certain legislative employees. Amending § 8.01-341.1. (Patron-Stolle, SB 38, CH 106)
- Legal notices; publication in a newspaper. Amending § 8.01-324. (Patron-Devolites, SB 557)
- Littering; offense for which use of summons may be issued in juvenile court. Amending § 16.1-260. (Patron-Marsh, SB 26, CH 105)
- Medical malpractice; limit on attorney fees. Adding § 8.01-581.15:1. (Patron-Newman, SB 415)
- Medical malpractice; limitation on recovery and on noneconomic damage awards. Amending § 8.01-581.15; adding § 8.01-581.15:1. (Patron-Potts, SB 216)
- Medical malpractice; privileged communications of peer review entities. Amending § 8.01-581.17. (Patron-Norment, SB 385, CH 250)
- Mob crimes; venue for actions and prosecutions. Amending § 18.2-46. (Patron-Albo, HB 119, CH 144)
- Pleadings; notice to agent on amendment. Amending § 8.01-6. (Patron-Ingram, HB 705, CH 141; Watkins, SB 118, CH 326)
- Prisoner Litigation Reform Act; changes in provisions. Amending § 8.01-690. (Patron-Marsh, SB 49)
- Process; fees for services in circuit court. Amending §§ 16.1-69.48:5, 16.1-107 and 16.1-112. (Patron-Reese, HB 982, CH 366)
- Process; fees of sheriffs for service on repossessions, evictions, etc. Amending §§ 8.01-499 and 17.1-272. (Patron-Cosgrove, HB 1265, CH 198; Blevins, SB 620, CH 211)
- Product liability; exemption for products containing open and obvious dangers. Adding § 8.01-44.6. (Patron-Janis, HB 1372)
- Roadway litter pick-up; civil immunity of officials and volunteers who participate in programs for probationers. Adding § 8.01-226.8. (Patron-Stump, HB 534, CH 434)
- Roadway litter pick-up; civil immunity of officials who participate in programs for probationers and persons on community service. Adding § 8.01-226.8. (Patron-Puckett, SB 72, CH 387)

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- Service of process; failure to return shall not invalidate service. Amending § 8.01-294. (Patron-Reese, HB 980, CH 627)
- Servicemembers Civil Relief Act; created. Adding § 8.01-15.2. (Patron-Cox, HB 1379, CH 381)
- Sheriffs' fees; clarified for service, execution of writ, etc. Amending §§ 8.01-293 and 15.2-1609.3. (Patron-Blevins, SB 619, CH 210)
- Skydiving activity sponsor or professional; liability limited. Adding § 8.01-226.8. (Patron-Janis, HB 584)
- Subpoenas; time frame for those issued by attorneys. Amending §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265. (Patron-Mims, SB 495, CH 335)
- Trials; appeals due to inadequate damages. Amending § 8.01-383.1. (Patron-Stolle, SB 414)
- Trials; dismissal of action by nonsuit. Amending § 8.01-380. (Patron-O'Bannon, HB 624, CH 362; Cuccinelli, SB 141)
- Venue; applicable to defendant who conducts substantial business activity. Amending § 8.01-262. (Patron-McDonnell, HB 1127, CH 979)

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- Relief; Dalton, Sharon. (Patron-Ruff, SB 410)
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- Relief; Monroe, Beverly Anne. (Patron-Lambert, SB 572)
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**CLARKSVILLE, TOWN OF**

- Industrial development authorities; Town of Clarksville authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Ruff, SB 596)

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- Circuit court clerks; funding for additional deputies. Amending § 17.1-507. (Patron-Marrs, HB 510)
- Fiduciaries; mailing of notice by clerk of court. Amending § 26-7.2. (Patron-Reese, HB 983, CH 367)

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**COLLEGIAL BODIES** See: Administration of the Government Generally

**COLONIAL FOUNDERS DAY** See: Holidays, Special Days, Etc.

**COLONIAL HEIGHTS, CITY OF**

Charter; amending. (Patron-Cox, HB 56, CH 518)

**COMMENDING RESOLUTIONS**

Action in Community through Service of Prince William County; commemorating its 35th anniversary. (Patron-McQuigg, HJR 214)

Adams, Carole G.; commending. (Patron-Jones, S.C., HJR 446)

Agencies, companies, organizations, and individuals; commending assistance provided during and after Hurricane Isabel. (Patron-Morgan, HJR 372)

Alabama Power Company; commending its employees. (Patron-Hall, HJR 50)

Albemarle Housing Improvement Program; commending. (Patron-Van Yahres, HJR 279)

Alexandria Bar Association; commemorating its 75th anniversary. (Patron-Moran, HJR 502)

Allegheny Power; commending its employees. (Patron-Hall, HJR 66)

Alpha Delta Kappa; commemorating its 50th anniversary. (Patron-Blevins, SJR 172)

American Electric Power; commending its employees. (Patron-Hall, HJR 65)

Amherst County High School baseball team; commending. (Patron-Cline, HJR 435)

Anderson, Debi; commending. (Patron-Puckett, SJR 157)

Animal Welfare Coalition of Hampton Roads; commending. (Patron-Drake, HJR 338)

Annandale High School; commemorating its 50th anniversary. (Patron-Watts, HJR 333)

Arlington Committee of 100; commemorating its 50th anniversary. (Patron-Whipple, SJR 189)

Armentrout, Lynn C.; commending. (Patron-Athey, HJR 40)

Arnold, Kenneth Fox; commending. (Patron-Lewis, HJR 308)

Atlee High School girls' basketball team; commending. (Patron-Hargrove, HJR 24)

Ayers, Edward L.; commending. (Patron-Van Yahres, HJR 100)

Baggarly, George B.; commending. (Patron-Athey, HJR 231)

Baines, Dennis L.; commending. (Patron-Norment, SJR 177)

Bausch, Richard; commending. (Patron-Deeds, SJR 153)

Bedford County; commemorating its 250th anniversary. (Patron-Putney, HJR 425)

Bell, Jane R.; commending. (Patron-McDougle, HJR 217)

Benedetti, Joseph B.; commending. (Patron-Hargrove, HJR 503)

Bennett, Sharon E.; commending. (Patron-Stolle, SJR 147)

Bernd, David L.; commending. (Patron-McDonnell, HJR 376)

Blessed Sacrament-Huguenot Academy football team; commending. (Patron-Ware, R.L., HJR 426)

Bloxom, Robert S.; commending. (Patron-Van Lanningham, HJR 492)

Bluford, Robert, Jr.; commending. (Patron-Hargrove, HJR 410)

Boudreau, Albert J.; commending. (Patron-Devolites, SJR 237)

Boy Scouts of America Venture Crew 80; commending. (Patron-Amundson, HJR 306)

Bradley, Jamie; commending. (Patron-Carrico, HJR 445)

Breaks Interstate Park; commemorating its 50th anniversary. (Patron-Phillips, HJR 352)

Bridges, Ruby Nell; commending. (Patron-Marsh, SJR 204)

Broad Run High School debate team; commending. (Patron-Mims, SJR 232)

Broman, George E.; commending. (Patron-McQuigg, HJR 107)

Brown, Robert "Bob"; commending. (Patron-Ingram, HJR 366)

Brown v. Board of Education 50th Anniversary Commission; commemorating 50th anniversary of desegregation of public schools. (Patron-Bryant, HJR 78; Marsh, SJR 26)

Brown, Valerie Harding; commending. (Patron-Lucas, SJR 67)

Brunswick Senior High School boys' basketball team; commending. (Patron-Lucas, SJR 66)

Burch, Sean; commending. (Patron-Reese, HJR 218)

Carey, Robert M.; commending. (Patron-Van Yahres, HJR 98)

Carter, Mary Lee; commending. (Patron-Cole, HJR 411)

Cave Spring High School girls' volleyball team; commending. (Patron-Griffith, HJR 242)

CenterPoint Energy; commending its employees. (Patron-Hall, HJR 68)

**COMMENDING RESOLUTIONS (continued)**

- Central Hudson Gas & Electric Corporation; commending its employees. (Patron-Hall, HJR 69)
- Charlottesville-Albemarle Rescue Squad, Inc.; commending. (Patron-Bell, HJR 351)
- Chesapeake Emergency Operations Center; commending. (Patron-Cosgrove, HJR 385)
- Children's Hospital of the King's Daughters; commending. (Patron-Alexander, HJR 415)
- Civil Rights Act of 1964; commemorating its 40th anniversary. (Patron-Marsh, SJR 248)
- Claud, Robert C., Sr.; commending. (Patron-Quayle, SJR 164)
- Cleco Corporation; commending its employees. (Patron-Hall, HJR 67)
- Cleveland, Karen Connell; commending. (Patron-Howell, SJR 217)
- Cole, Jo Anne; commending. (Patron-Hall, HJR 47)
- Consumers Energy; commending its employees. (Patron-Hall, HJR 70)
- Corliss, Linda Laws; commending. (Patron-Puller, SJR 223)
- Cox Communications; commending. (Patron-Devolites, SJR 185)
- Cromer, Willie S., Jr.; commending. (Patron-Ingram, HJR 346)
- Darnell, Brittany Taylor; commending. (Patron-Armstrong, HJR 438)
- Davis, Bertha; commending. (Patron-Locke, SJR 246)
- Davis, Robert; commending. (Patron-Cline, HJR 484)
- De Noyer, John M.; commending. (Patron-Rust, HJR 101; Howell, SJR 167)
- Decker, Melvin P.; commending. (Patron-Miller, SJR 15)
- Deep Creek High School boys' indoor track and field team; commending. (Patron-Blevins, SJR 190)
- Deep Creek High School boys' outdoor track and field team; commending. (Patron-Blevins, SJR 191)
- Deep Run High School golf team; commending. (Patron-Janis, HJR 433)
- Delmarva Firemen's Association; commemorating its 75th anniversary. (Patron-Rerras, SJR 210)
- Delp, Larry J.; commending. (Patron-Edwards, SJR 192)
- Detroit Edison; commending its employees. (Patron-Hall, HJR 64)
- Dickinson, R. DuVal; commending. (Patron-Cole, HJR 405)
- Dietetic Association; commemorating its 75th anniversary. (Patron-O'Bannon, HJR 447)
- Dillow, Chris; commending. (Patron-Puckett, SJR 156)
- Domenech, Daniel A.; commending. (Patron-Scott, J.M., HJR 424)
- Douglas, Margaret B.; commending. (Patron-Potts, SJR 229)
- Draper, Christina; commending. (Patron-Armstrong, HJR 341)
- Drosick, Edna Moore; commending. (Patron-Puckett, SJR 169)
- Duke Power Company; commending its employees. (Patron-Hall, HJR 62)
- Duman, Mike; commending. (Patron-Jones, S.C., HJR 332)
- Duquesne Light; commending its employees. (Patron-Hall, HJR 63)
- East Coast Greenway Alliance; commending. (Patron-Puller, SJR 133)
- Eaves, Calvin Thomas, Sr.; commending. (Patron-Martin, SJR 197)
- Efford, Stafford; commending. (Patron-Stosch, SJR 161)
- Entergy Corporation; commending its employees. (Patron-Hall, HJR 58)
- Eyre, Peter; commending. (Patron-Shuler, HJR 43)
- Fairfax, City of; commemorating its 200th anniversary. (Patron-Petersen, HJR 396)
- Fairfax Police Youth Club; commemorating its 40th anniversary. (Patron-Petersen, HJR 443)
- Fauber, Roy; commending. (Patron-Cline, HJR 508)
- First Mount Olive Baptist Church; commemorating its 120th anniversary. (Patron-Mims, SJR 253)
- Fishburne Military School rifle team; commending. (Patron-Landes, HJR 326)
- Fleming, Frederick F.; commending. (Patron-Mims, SJR 231)
- Florida Power & Light Company; commending its employees. (Patron-Hall, HJR 59)
- Floyd County High School girls' cross country team; commending. (Patron-Dudley, HJR 140)
- Folsom, Jean; commending. (Patron-Whipple, SJR 159)
- Foreman, Michael M.; commending. (Patron-Potts, SJR 121)
- Fort Defiance High School boys' cross country team; commending. (Patron-Landes, HJR 221)

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- Franklin, Kim and Joel; commending. (Patron-Hurt, HJR 491)
- Frederick Military Academy; commemorating its 46th anniversary. (Patron-Williams, SJR 146)
- French and Indian War; commemorating its 250th anniversary. (Patron-Ticer, SJR 114)
- Future, Council on Virginia's; commending. (Patron-McQuigg, HJR 299)
- Garden Club of Virginia; commemorating September 11, 2001. (Patron-Pollard, HJR 27)
- Gardner, Dale; commending. (Patron-Potts, SJR 125)
- Garfield Elementary School; commemorating its 50th anniversary. (Patron-Watts, HJR 334)
- Garrett, Ann; commending. (Patron-Purkey, HJR 428)
- Gate City High School football team; commending. (Patron-Kilgore, HJR 271)
- Gate City High School girls' tennis team; commending. (Patron-Kilgore, HJR 32)
- Gent, Mally Paige; commending. (Patron-Stump, HJR 427; Puckett, SJR 207)
- Georgalas, A. Jack; commending. (Patron-Joannou, HJR 141)
- Georgia Power Company; commending its employees. (Patron-Hall, HJR 60)
- Gernat, Barbara; commending. (Patron-O'Brien, SJR 76)
- Giesen, Arthur R. "Pete", Jr.; commending. (Patron-Landes, HJR 432)
- Gilbert, Amanda; commending. (Patron-Devolites, SJR 243)
- Gill, Bernard A. "Barney", Jr.; commending. (Patron-Purkey, HJR 521)
- Goodwin, Ray C.; commending. (Patron-Hamilton, HJR 358)
- Gould, Alec; commending. (Patron-Rapp, HJR 514)
- Graves, Ellen; commending. (Patron-Plum, HJR 430)
- Gray, C. Michael; commending. (Patron-Hall, HJR 251)
- Great Bridge High School baseball team; commending. (Patron-Blevins, SJR 183)
- Great Bridge High School wrestling team; commending. (Patron-Blevins, SJR 184)
- Gretna High School football team; commending. (Patron-Dudley, HJR 223)
- Griffin, Leslie Francis; commending. (Patron-Marsh, SJR 247)
- Griffith, Wayne; commending. (Patron-Mims, SJR 230)
- Gring, David M.; commending. (Patron-Griffith, HJR 382)
- Grizzard, Richard C. "Dick"; commending. (Patron-Councill, HJR 224)
- Grove, Jake; commending. (Patron-Putney, HJR 257)
- Gulotta, Alex; commending. (Patron-Van Yahres, HJR 99)
- Guns, Geoffrey V.; commending. (Patron-Alexander, HJR 245)
- H. L. Hunley; commending the crew. (Patron-Griffith, HJR 420)
- Hale, Patty; commending. (Patron-Newman, SJR 145)
- Hall, William A.; commending. (Patron-Athey, HJR 233)
- Hampden-Sydney College basketball team; commending. (Patron-Ruff, SJR 228)
- Hanger, J. Donald; commending. (Patron-Cline, HJR 507)
- Hanley, Katherine K.; commending. (Patron-Scott, J.M., HJR 423)
- Hanover County Sheriff's Office; commending. (Patron-McDougle, HJR 216)
- Harder, Alicia; commending. (Patron-Plum, HJR 379)
- Harriet Tubman Day; commemorating. (Patron-Baskerville, HJR 462)
- Harrington, Elaine; commending. (Patron-Chichester, SJR 132)
- Harris, Will; commending. (Patron-Cline, HJR 509)
- Harrison, Thelma; commending. (Patron-Alexander, HJR 244)
- Harvey, William R.; commending. (Patron-Locke, SJR 244)
- Hays, Dick and Janet; commending. (Patron-Howell, SJR 214)
- Health Care Foundation; commending. (Patron-Mims, SJR 168)
- Hebron Presbyterian Church; commemorating its 160th anniversary. (Patron-Janis, HJR 416)
- Helems, M. Dallas, Jr.; commending. (Patron-Shuler, HJR 12)
- Herndon, Cathy; commending. (Patron-Houck, SJR 188)
- Herndon, Town of; commemorating its 125th anniversary. (Patron-Rust, HJR 327)
- Herndon Woman's Club; commemorating its 65th anniversary. (Patron-Howell, SJR 166)
- Hess, Joseph E.; commending. (Patron-Cline, HJR 486)

**COMMENDING RESOLUTIONS (continued)**

- Higgs, Jack; commending. (Patron-Landes, HJR 325)
- Higgs, Joe; commending. (Patron-Athey, HJR 232; Lingamfelter, HJR 252)
- Highland Springs High School boys' basketball team; commending. (Patron-Lambert, SJR 30)
- Honts, George E., III; commending. (Patron-Cline, HJR 485)
- Hopewell High School football team; commending. (Patron-Ingram, HJR 302)
- Hoy, Thomas L.; commending. (Patron-Reid, HJR 317)
- Hubbard, Joseph E.; commending. (Patron-Ingram, HJR 303)
- Huff, Sam; commending. (Patron-Potts, SJR 182)
- Hunt, Kenny; commending. (Patron-Byron, HJR 421)
- Hurt, Sarah-Elizabeth; commending. (Patron-Fralin, HJR 476)
- Hydro-Quebec; commending its employees. (Patron-Hall, HJR 61)
- Inova Health System; commending its Reality Check program. (Patron-Sickles, HJR 400)
- J. J. Kelly High School golf team; commending. (Patron-Kilgore, HJR 29)
- James River High School softball team; commending. (Patron-Putney, HJR 404)
- Jenkins, Charles; commending. (Patron-Potts, SJR 5)
- John Handley High School boys' tennis team; commending. (Patron-Potts, SJR 118)
- Joines, Eric; commending. (Patron-Carrico, HJR 445)
- Jonas, Kirk; commending. (Patron-Norment, SR 15)
- Keller, Teresa; commending. (Patron-Johnson, HJR 294)
- Kelley, Cynthia J.; commending. (Patron-Cline, HJR 506)
- Kelso, Sharon; commending. (Patron-Puller, SJR 134)
- Kessinger, Temple; commending. (Patron-Shuler, HJR 465)
- King, Dr. Martin Luther, Jr.; commemorating 40th anniversary of "I Have A Dream" speech. (Patron-Marsh, SJR 72)
- King's Kids of America, Inc.; commemorating its 15th anniversary. (Patron-Quayle, SJR 163)
- Kiser, Orvin H.; commending. (Patron-Saxman, HJR 494)
- Kline, William H. "Bill", Jr.; commending. (Patron-Joannou, HJR 489)
- Knight, Ronald T.; commending. (Patron-Houck, SJR 61)
- Kuiper, Alexis; commending. (Patron-Petersen, HJR 375; Devolites, SJR 238)
- Lafayette High School field hockey team; commending. (Patron-Rapp, HJR 356)
- Lafayette High School girls' swimming team; commending. (Patron-Rapp, HJR 513)
- Lepine, Callyn; commending. (Patron-Sickles, HJR 400)
- Lineberry, Dwight; commending. (Patron-Carrico, HJR 488)
- Littlepage, Bill; commending. (Patron-Ingram, HJR 300)
- Loan, Adam; commending. (Patron-Deeds, SJR 196)
- Long, Frank M., Jr.; commending. (Patron-Miles, HJR 449)
- Long, William E.; commending. (Patron-Reid, HJR 461)
- Loudoun County High School girls' tennis team; commending. (Patron-Potts, SJR 36)
- Loudoun Valley High School softball team; commending. (Patron-Potts, SJR 206)
- Loulies, James W.; commending. (Patron-Wagner, SJR 241)
- Lowe, Canon J. Fletcher, Jr.; commending. (Patron-Reid, HJR 295; Stosch, SJR 160)
- Luther Jackson Middle School; commemorating its 50th anniversary. (Patron-Scott, J.M., HJR 498)
- Maddox, Ellen; commending. (Patron-Landes, HJR 16)
- Maggie Walker Governor's School for Government and International Studies; commending We the People team. (Patron-Lambert, SJR 32)
- Maher, Chris; commending. (Patron-Scott, J.M., HJR 335)
- Majewski, Steven Raymond; commending. (Patron-Bell, HJR 350)
- Marretti, Paul Michael; commending. (Patron-Martin, SJR 173)
- Marriner, Melvin O.; commending. (Patron-Locke, SJR 245)
- Martinsville-Henry County Dental Clinic and Health Fair; commending volunteers. (Patron-Hurt, HJR 490)
- Mayerchak, Patrick M.; commending. (Patron-Cline, HJR 505)

**COMMENDING RESOLUTIONS (continued)**

- McAllister, Michael L.; commending. (Patron-Rapp, HJR 399)
- McCamy, Sharon Grove; commending. (Patron-Cole, HJR 272)
- McLain, Patrick S.; commending. (Patron-Rapp, HJR 397)
- McLean, Joseph D.; commending. (Patron-Rapp, HJR 398)
- Mendelsohn, Stuart; commending. (Patron-Rust, HJR 328)
- Merchant Marine and Maritime Service from Mathews County; commending American seafarers. (Patron-Rerras, SJR 250)
- Middleditch, Leigh B., Jr.; commending. (Patron-Hanger, SJR 236)
- Miller, Donna; commending. (Patron-Plum, HJR 429)
- Miller, Doris D.; commending. (Patron-Athey, HJR 235)
- Miller, Linda; commending. (Patron-Howell, SJR 215)
- Miller, Lizzie Mae Funkhouser; commending. (Patron-Obenshain, SJR 200)
- Miller, Nan L.; commending. (Patron-Hall, HJR 48)
- Mills Godwin High School boys' soccer team; commending. (Patron-Reid, HJR 298)
- Mills Godwin High School boys' tennis team; commending. (Patron-Reid, HJR 296)
- Mills Godwin High School girls' tennis team; commending. (Patron-Reid, HJR 297)
- Mitchell, James Douglas "Doug"; commending. (Patron-Ware, R.L., HJR 318)
- Mitchell, Linda; commending. (Patron-Plum, HJR 386)
- Monticello High School football team; commending. (Patron-Bell, HJR 355)
- Moore, Hullahen Williams; commending. (Patron-Morgan, HJR 220)
- Motorsports Coalition; commending. (Patron-Marshall, D.W., HJR 451)
- Mount Cross Volunteer Fire Department; commending. (Patron-Hurt, HJR 491)
- Mount Olivet United Methodist Church; commemorating its 150th anniversary. (Patron-Whipple, SJR 149)
- Mount Vernon-Lee Chamber of Commerce; commemorating its 50th anniversary. (Patron-Amundson, HJR 362; Puller, SJR 162)
- Ms. Virginia Senior America Pageant; commemorating its 20th anniversary. (Patron-Petersen, HJR 395)
- Nandua High School boys' basketball team; commending. (Patron-Rerras, SJR 180)
- National Guard; commending. (Patron-Cox, HJR 314)
- Nationwide Insurance; commemorating its 75th anniversary. (Patron-Watkins, SJR 203)
- Nelson, Candice; commending. (Patron-Armstrong, HJR 340)
- New Kent County; commemorating its 350th anniversary. (Patron-McDougle, HJR 236)
- Nichols, Joseph M.; commending. (Patron-Morgan, HJR 369)
- Norfolk Southern Corporation and its partner organizations; commending. (Patron-Armstrong, HJR 515)
- Northern Virginia Transportation Commission; commemorating its 40th anniversary. (Patron-Scott, J.M., HJR 481)
- NSTAR; commending its employees. (Patron-Hall, HJR 57)
- Oak Knoll Middle School Odyssey of the Mind team; commending. (Patron-Hargrove, HJR 23)
- Oatlands; commemorating its 200th anniversary. (Patron-May, HJR 381)
- O'Brien, William G.; commending. (Patron-Landes, HJR 222)
- Occoquan, Town of; commemorating its 200th anniversary. (Patron-McQuigg, HJR 74)
- OGE Energy Corporation; commending its employees. (Patron-Hall, HJR 56)
- O'Neil, Pinky; commending. (Patron-Plum, HJR 453)
- Optimist Acorns youth rifle team; commending. (Patron-Cuccinelli, SJR 47)
- Page County High School boys' cross country team; commending. (Patron-Louderback, HJR 337)
- Page County High School cheerleading team; commending. (Patron-Louderback, HJR 336)
- Parker, Marshall; commending. (Patron-Ingram, HJR 301)
- Patrick, William T. "Pat", Jr.; commending. (Patron-Miles, HJR 304)
- Paulson, Veronica; commending. (Patron-Hanger, SJR 195)
- Pettigrew, Allie; commending. (Patron-Cox, HJR 19)
- Piercy, Josh and Jake; commending. (Patron-Bell, HJR 463)

**COMMENDING RESOLUTIONS (continued)**

- Pirok, Darryl J.; commending. (Patron-Morgan, HJR 368)
- Pitts, Benjamin T.; commending. (Patron-Cole, HJR 412)
- Potomac Falls High School debate team; commending. (Patron-Mims, SJR 232)
- Potts, H. Russell, Jr.; commending. (Patron-Quayle, SJR 170)
- Powhatan High School football team; commending. (Patron-Ware, R.L., HJR 359)
- Prater, James F. "Jim"; commending. (Patron-Edwards, SJR 193)
- Price, Stephen; commending. (Patron-Carrico, HJR 445)
- Prince Edward County; commemorating its 250th anniversary. (Patron-Hogan, HJR 139)
- Progress Energy, Inc.; commending its employees. (Patron-Hall, HJR 52)
- Rager, Arlene; commending. (Patron-Moran, HJR 500)
- Ramsey, Bill; commending. (Patron-Hurt, HJR 491)
- Rasin, Alicia; commending. (Patron-Jones, D.C., HJR 77)
- Redd, Nancy Amanda; commending. (Patron-Armstrong, HJR 339)
- Reyes, Sidney A.; commending. (Patron-Potts, SJR 229)
- Rideout, Stephen W.; commending. (Patron-Moran, HJR 501)
- River Basin Grand Winners of the Clean Water Farm and Bay Friendly Farm Awards; commending. (Patron-Weatherholtz, HJR 371)
- River's Edge Cafe; commending its owners and employees. (Patron-Morgan, HJR 414)
- Roanoke Valley Governor's School for Science and Technology; commending. (Patron-Griffith, HJR 495)
- Robbins, Diana "Deannie"; commending. (Patron-Ingram, HJR 516)
- Robert E. Lee High School Scholastic Bowl team; commending. (Patron-Saxman, HJR 487)
- Rubin, Louis D., Jr.; commending. (Patron-Deeds, SJR 153)
- Rudacille, Stuart L.; commending. (Patron-Athey, HJR 234)
- Rural Point Elementary School Odyssey of the Mind team; commending. (Patron-Hargrove, HJR 25)
- Rye Cove High School girls' volleyball team; commending. (Patron-Kilgore, HJR 30; Kilgore, HJR 31)
- Sager, Robert M.; commending. (Patron-Potts, SJR 229)
- Salem Swift Water Rescue Team; commending. (Patron-Griffith, HJR 497)
- Sauder, Nanalou; commending. (Patron-Cline, HJR 510)
- Savannah Electric Company; commending its employees. (Patron-Hall, HJR 53)
- SCANA Corporation; commending its employees. (Patron-Hall, HJR 55)
- Schugeld, Richard A.; commending. (Patron-Norment, SJR 179)
- Schuler, Dennis, Sr.; commending. (Patron-Edwards, SJR 192)
- Seiff, Judy; commending. (Patron-Scott, J.M., HJR 409)
- 71st Infantry Division Association; commending. (Patron-Colgan, SJR 62)
- Shaw, Jennie Marie Hatcher; commending. (Patron-Lambert, SJR 128)
- Shaw, Mary Ellen; commending. (Patron-Whipple, SJR 201)
- Shiflett, Ashley; commending. (Patron-Hanger, SJR 195)
- Shrum, Samuel Hopkins; commending. (Patron-Obenshain, SJR 181)
- Sikes, Thomas D.; commending. (Patron-Landes, HJR 493)
- Slash Christian Church Disciples of Christ; commemorating its 275th anniversary. (Patron-Hargrove, HJR 33)
- Sledd, Robert C.; commending. (Patron-Hall, HJR 251)
- Smith, Bruce; commending. (Patron-Bland, HJR 466; McDonnell, HJR 499)
- Smith, J. Douglas; commending. (Patron-Deeds, SJR 153)
- Smith, Samuel O.; commending. (Patron-Miles, HJR 450)
- Smith, Willis and Justine; commending. (Patron-Puckett, SJR 155)
- Smurfit-Stone Container Corporation's West Point paper mill; commending its employees. (Patron-Morgan, HJR 414)
- Snodgrass, Melvin C.; commending. (Patron-Johnson, HJR 88)
- Society of St. Andrew; commemorating its 25th anniversary. (Patron-Putney, HJR 38)

**COMMENDING RESOLUTIONS (continued)**

- “Souls of Black Folk”; commemorating its 100th anniversary of publication. (Patron-Marsh, SJR 112)
- Southern Company; commending its employees. (Patron-Hall, HJR 54)
- St. Paul’s Episcopal Church of Hanover Courthouse; commemorating its 300th anniversary. (Patron-Hargrove, HJR 270)
- Stagner, Nancy; commending. (Patron-Cline, HJR 511)
- Stith, Bryant; commending. (Patron-Wright, HJR 360)
- Stokes, Gerald S.; commending. (Patron-Ingram, HJR 482)
- Stonewall Jackson Hospital; commemorating its 50th anniversary. (Patron-Cline, HJR 442)
- Story, Jessica; commending. (Patron-Hall, HJR 46)
- Suehs, Katie; commending. (Patron-Puckett, SJR 158)
- Sullivan, Laurie J.; commending. (Patron-Eisenberg, HJR 316; Whipple, SJR 175)
- Sullivan, Walter F.; commending. (Patron-Hall, HJR 49)
- Susco, Nancy; commending. (Patron-Howell, SJR 216)
- “Take Back the Night”; commending University of Virginia chapter of the National Organization for Women and All Women Attaining Knowledge and Enrichment Organization for their sponsorship. (Patron-Deeds, SJR 242)
- Talbot Park Baptist Church; commemorating its 60th anniversary. (Patron-Alexander, HJR 243)
- Tampa Electric Company; commending its employees. (Patron-Hall, HJR 51)
- Technology Student Association; commending. (Patron-Landes, HJR 324)
- Testa, Robert M., Jr.; commending. (Patron-Alexander, HJR 258)
- Thoesen, Richard C.; commending. (Patron-Howell, SJR 165)
- Thomas, A. Victor; commending. (Patron-Fralin, HJR 367)
- Thomas Jefferson High School for Science and Technology; commending. (Patron-Dillard, HJR 448)
- Thomas, R. B., Jr.; commending. (Patron-Parrish, HJR 387)
- Trexler, Edward Coleman, Jr.; commending. (Patron-Petersen, HJR 437)
- Tripp, N. Wayne; commending. (Patron-Griffith, HJR 496)
- Tuckahoe Volunteer Rescue Squad; commemorating its 50th anniversary. (Patron-O’Bannon, HJR 282)
- University of Virginia men’s lacrosse team; commending. (Patron-Van Yahres, HJR 280)
- University of Virginia Pep Band; commemorating its 30th anniversary. (Patron-Van Yahres, HJR 284)
- University of Virginia’s College at Wise; commemorating its 50th anniversary. (Patron-Kilgore, HJR 331)
- Vaughan, Marlon K. “Kent”; commending. (Patron-Carrico, HJR 322)
- Vesilind, Rima; commending. (Patron-Amundson, HJR 305)
- Vienna Raiders football team; commending. (Patron-Shannon, HJR 403)
- Virginia Beach Youth Intervention Team; commending. (Patron-Miller, SJR 16)
- Virginia Military Institute; commending its contributions to the War on Terrorism. (Patron-Cline, HJR 483)
- Virginia Save Our Streams; commending. (Patron-Plum, HJR 313)
- Virginia Union University men’s basketball team; commending. (Patron-Baskerville, HJR 464; Marsh, SJR 256)
- Vorous, Randall; commending. (Patron-Sherwood, HJR 26)
- W. T. Woodson High School field hockey team; commending. (Patron-Petersen, HJR 357)
- Ward, Doris J.; commending. (Patron-Hugo, HJR 454)
- Ward, William E.; commending. (Patron-Blevins, SJR 144)
- Washington County Service Authority; commemorating its 50th anniversary. (Patron-Johnson, HJR 89)
- Washington Mill Elementary School; commending. (Patron-Amundson, HJR 307)
- Webb, Woodrow Earl, Jr.; commending. (Patron-Norment, SJR 178)
- Weeks, Larry L.; commending. (Patron-Lingamfelter, HJR 253)

**COMMENDING RESOLUTIONS (continued)**

- West Point Volunteer Fire Department and Rescue Squad; commemorating its 100th anniversary. (Patron-Morgan, HJR 413)
- West Springfield High School cheerleading team; commending. (Patron-Albo, HJR 281)
- Westfield High School football team; commending. (Patron-Reese, HJR 219; Cuccinelli, SJR 116)
- Whetzel, Charlie; commending. (Patron-Weatherholtz, HJR 349)
- Whole Foods Market; commending its owners. (Patron-Plum, HJR 431)
- William Fleming High School football team; commending. (Patron-Ware, O., HJR 374)
- Williamsburg Youth League 10-year-old All-Star baseball team; commending. (Patron-Norment, SR 13)
- Williamsburg Youth League Host Committee; commending. (Patron-Norment, SR 14)
- Wilson, Joe; commending. (Patron-Houck, SJR 224)
- Wilt, Wanda; commending. (Patron-Obenshain, SJR 219)
- Windle, Kristin; commending. (Patron-Hanger, SJR 195)
- Wingo, W. Bruce; commending. (Patron-Drake, HJR 373)
- Winkelmann, Joe; commending. (Patron-Lingamfelter, HJR 254)
- Winston, Judith E.; commending. (Patron-Armstrong, HJR 394)
- Wise County Chamber of Commerce; commemorating its 50th anniversary. (Patron-Phillips, HJR 321)
- Women of the Moose, Chapter 2092; commending. (Patron-Pollard, HJR 380)
- Wood, Roy C.; commending. (Patron-Cline, HJR 504)
- Woodrum, Clifton A. "Chip"; commending. (Patron-Ware, O., HJR 215)
- Wooton, Evan C.; commending. (Patron-Stolle, SJR 147)
- Wright, Charles; commending. (Patron-Deeds, SJR 153)
- Wyatt, Landon R., Jr.; commending. (Patron-Marshall, D.W., HJR 436)
- Yecke, Cheri Pierson; commending. (Patron-Ware, R.L., HJR 342)
- York County School of Arts; commending. (Patron-Rapp, HJR 283)
- York High School; commemorating its 50th anniversary. (Patron-Rapp, HJR 512)
- Zoberman, Israel; commending. (Patron-Wagner, SJR 124)

**COMMERCE AND LABOR**

Members listed ..... 34

**COMMERCE AND TRADE, SECRETARY OF** See: Administration of the Government Generally

**COMMERCIAL CODE**

Uniform Commercial Code; revisions concerning electronic documents of title. Amending §§ 8.1A-201, 8.2-103, 8.2-104, 8.2-310, 8.2-323, 8.2-401, 8.2-503, 8.2-505, 8.2-506, 8.2-509, 8.2-605, 8.2-705, 8.2A-103, 8.2A-514, 8.2A-526, 8.4-104, 8.4-208, 8.7-102, 8.7-103, 8.7-104, 8.7-202, 8.7-203, 8.7-204, 8.7-205, 8.7-206, 8.7-208, 8.7-209, 8.7-210, 8.7-301, 8.7-302, 8.7-303, 8.7-305, 8.7-307, 8.7-309, 8.7-401, 8.7-402, 8.7-403, 8.7-404, 8.7-501, 8.7-502, 8.7-503, 8.7-504, 8.7-505, 8.7-506, 8.7-507, 8.7-509, 8.7-601, 8.7-602, 8.7-603, 8.8A-103, 8.9A-102, 8.9A-203, 8.9A-207, 8.9A-208, 8.9A-301, 8.9A-310, 8.9A-312, 8.9A-313, 8.9A-314, 8.9A-317, 8.9A-338 and 8.9A-601; adding §§ 8.7-105.1 and 8.7-106; repealing § 8.7-105. (Patron-Watkins, SB 119, CH 200)

**COMMERCIAL VEHICLES** See: Motor Carriers

**COMMISSIONERS OF THE REVENUE** See: Taxation

**COMMISSIONS, BOARDS AND INSTITUTIONS GENERALLY**

- Bail bondsmen; regulation and licensure. Amending §§ 9.1-102, 9.1-143, 16.1-77, 19.2-149, 38.2-1800, 38.2-1824, 38.2-2411, 38.2-2412 and 58.1-3724; adding §§ 9.1-185 through 9.1-199.4, 38.2-2412.1 and 38.2-2412.2; repealing §§ 19.2-152.1 through 19.2-152.1:7 and 38.2-1865.6 through 38.2-1865.13. (Patron-Melvin, HB 1057, CH 460)
- Bail enforcement agents; regulation and licensure. Amending § 9.1-102; adding §§ 9.1-185 through 9.1-199. (Patron-Stolle, SB 334, CH 397)

**COMMISSIONS, BOARDS AND INSTITUTIONS GENERALLY (continued)**

- Child pornography; penalty for solicitation, registration as a sex offender. Amending §§ 9.1-902 and 18.2-374.3. (Patron-Hurt, HB 759, CH 444; Obenshain, SB 575, CH 414)
- Children and Adolescents with Mental Health Treatment Needs, Dissemination of Collection of Evidence-Based Treatment Modalities for; Report of Commission on Youth (SJR 358, 2003). (SD 5)
- Community criminal justice boards; representation at meetings. Amending § 9.1-178. (Patron-Blevins, SB 308, CH 395)
- Crime prevention specialists; certification approval. Amending §§ 9.1-161 and 9.1-162. (Patron-Weatherholtz, HB 1116, CH 466)
- Criminal Justice Services Board; membership. Amending § 9.1-108. (Patron-Devolites, SB 100)
- Domestic Violence Victim Fund; created. Amending §§ 16.1-69.48:1 and 20-15; adding § 9.1-116.1. (Patron-Griffith, HB 1234, CH 375; Norment, SB 237)
- Law-enforcement officers; issuance of photo identification cards for those retired. Adding § 9.1-1000. (Patron-Houck, SB 648, CH 419)
- Line of Duty Act; coverage for booking technicians. Amending § 9.1-400. (Patron-Martin, SB 46)
- Line of Duty Act; definition of disabled employee. Amending §§ 9.1-400 and 9.1-404. (Patron-Potts, SB 28)
- Line of Duty Act; funding of continued health insurance and death payment benefits thereunder. Amending §§ 9.1-400 through 9.1-404, 27-40.1:1 and 51.1-815; adding § 9.1-407; repealing §§ 9.1-405 and 9.1-406. (Patron-Wampler, SB 284)
- Motor vehicle carriers; appointment of inspectors for enforcement of laws. Amending §§ 9.1-101 and 9.1-400. (Patron-Landes, HB 23, CH 30)
- Private security services professionals; includes certified detector canine handlers. Amending §§ 9.1-138 and 9.1-139. (Patron-Scott, J.M., HB 1193, CH 470)
- Rappahannock River Basin Commission; created as an independent local entity without political subdivision status, membership. Amending §§ 62.1-69.26, 62.1-69.29 and 62.1-69.30; adding §§ 62.1-69.33:1 and 62.1-69.33:2. (Patron-Wardrup, HB 1227, CH 471)
- Rivanna River Basin Commission; created. Adding §§ 62.1-69.45 through 62.1-69.52. (Patron-Deeds, SB 267, CH 394)
- Roanoke River Basin Advisory Committee; membership. Amending § 62.1-69.34. (Patron-Ruff, SB 406, CH 403)
- Sex offenders; registration procedures. Amending § 9.1-903. (Patron-Griffith, HB 291, CH 834)
- State Agencies, Boards, Commissions, Councils and Other Governmental Entities, Joint Subcommittee Studying Operations, Practices, Duties and Funding of; Final Report of (HJR 159, 2002). (HD 3)
- Tobacco Indemnification and Community Revitalization Commission; confirming appointments. (Patron-Martin, SJR 209)

**COMMITTEE NOMINATIONS**

2004 Committee Nominations Report adopted . . . . . 34,177

**COMMONWEALTH’S ATTORNEYS** See: Counties, Cities and Towns

**COMMUNICABLE DISEASES** See: Health

**COMMUNITY COLLEGES** See: Educational Institutions

**COMPANION ANIMALS** See: Agriculture, Horticulture and Food

**COMPENSATION BOARD, STATE** See: Costs, Fees, Salaries and Allowances

**COMPULSORY SCHOOL ATTENDANCE** See: Education

**COMPUTER SERVICES AND USES**

- Absentee ballots; applications may be made online. Amending §§ 24.2-701 and 24.2-706. (Patron-Norment, SB 391)
- Businesses; electronic confirmation of receipt of tax returns. Amending § 58.1-9. (Patron-Mims, SB 667)

**COMPUTER SERVICES AND USES (continued)**

- Children and Adolescents with Mental Health Treatment Needs, Dissemination of Collection of Evidence-Based Treatment Modalities for; Report of Commission on Youth (SJR 358, 2003). (SD 5)
- Circuit court records; fees allowed for remote access. Amending § 17.1-276. (Patron-Reese, HB 977, CH 230)
- Computer crimes; penalty when committed by adults. Amending § 18.2-374.3. (Patron-McDonnell, HB 1125, CH 864)
- Computer trespass; applicable by means of a computer virus. Adding § 18.2-152.4:1. (Patron-Devolites, SB 275)
- Computers; disposition of surplus equipment. Amending § 2.2-1124. (Patron-Potts, SB 161, CH 670)
- Computers; teachers may purchase on state contract for use outside classroom. Amending § 2.2-2012. (Patron-Marrs, HB 508, CH 278)
- Government databases and data communications; reporting of incidents that threaten security. Amending §§ 2.2-603 and 2.2-2009. (Patron-Miles, HB 1330, CH 638)
- Income tax, state; electronic filing by tax preparers. Amending § 58.1-9. (Patron-Hull, HB 1159, CH 562)
- Inmate Data System; maintenance by Compensation Board, recouping costs associated with incarcerating undocumented aliens. (Patron-Cox, HB 235, CH 82)
- Library computers; juveniles' Internet access. Amending § 42.1-36.1. (Patron-Obenshain, SB 483)
- Missing children; information to be entered into Criminal Information Network and National Crime Information Center Systems. Amending § 15.2-1718. (Patron-Shannon, HB 717, CH 443)
- Procurement Act, Public; includes online auctions and U.S. General Services Administration. Amending §§ 2.2-4303 and 2.2-4304. (Patron-Nixon, HB 470, CH 906; Devolites, SB 95, CH 874)
- Public records; treasurer may impose a remote access fee to cover operational expenses. Amending § 58.1-3172.1. (Patron-Drake, HB 465, CH 223)
- Public Records Act; joint subcommittee to study, including electronic records and effect on state depository system. (Patron-Cox, HJR 6; Martin, SJR 1)
- Retail Sales and Use Tax; exemptions include software and content delivered electronically. Amending § 58.1-609.5. (Patron-Devolites, SB 632, CH 607)
- Retirement System; electronic communication to State and local members. Amending §§ 51.1-1000 through 51.1-1003; adding § 51.1-1004. (Patron-Lambert, SB 599, CH 209)
- State agencies; establishment of alternative work schedule and telecommuting policy. Amending §§ 2.2-203.1 and 2.2-2817.1. (Patron-Moran, HB 1094, CH 755; Whipple, SB 468, CH 701)
- Supreme Court of Virginia; encouraged to amend Rules of Court on electronic filing. (Patron-Phillips, HJR 288; Devolites, SJR 130)
- Technology programs; Secretary of Technology to monitor, and to report on broadband communication service trends. Amending §§ 2.2-205, 2.2-225, 2.2-2651, 23-231.9 and 30-198. (Patron-May, HB 546, CH 989)
- Unclaimed property; electronically filing of reports. Amending § 55-210.12. (Patron-Purkey, HB 276, CH 524)
- Unclaimed property; notice of public sale through post, print, electronic media, etc. Amending § 55-210.18. (Patron-Drake, HB 466, CH 535)
- Uniform Computer Information Transactions Act (UCITA); changes in provisions. Amending §§ 59.1-501.2, 59.1-501.3, 59.1-501.5, 59.1-501.6, 59.1-501.12, 59.1-502.7, 59.1-502.9, 59.1-503.7, 59.1-504.1, 59.1-504.4 and 59.1-504.5; adding §§ 59.1-501.4:1, 59.1-501.13:1, 59.1-501.14:1, 59.1-501.15, 59.1-501.16, 59.1-501.17 and 59.1-504.10; repealing §§ 59.1-501.4, 59.1-501.13, 59.1-501.14, 59.1-502.11 and 59.1-503.8. (Patron-May, HB 548, CH 794)
- Voice-over-Internet Protocol (VoIP); exempt from regulation by State Corporation Commission. Amending §§ 56-1 and 58.1-3812. (Patron-Cuccinelli, SB 673)

**CONCEALED WEAPONS** See: Dangerous Weapons

**CONDEMNATION** See: Eminent Domain

**CONDOMINIUMS** See: Housing

**CONFEDERATE HISTORY AND HERITAGE MONTH** See: Holidays, Special Days, Etc.

**CONFLICT OF INTERESTS** See: Administration of the Government Generally

**CONGER, CLEMENT** See: Memorial Resolutions

**CONGRESS OF THE UNITED STATES** See: United States Government

**CONGRESSIONAL DISTRICTS** See: Elections

## **CONSERVATION**

- Air emissions trading; prohibited. Amending § 10.1-1322.3. (Patron-Norment, SB 386, CH 334)
- Chesapeake Bay Preservation Act; expands boundaries. Amending §§ 10.1-2100, 10.1-2101, 10.1-2102, 10.1-2109, 10.1-2110, 28.2-1103 and 62.1-195.1. (Patron-Wagner, SB 427)
- Chesapeake Bay Preservation Act; requires Attorney General to defend a locality if any private legal action is brought. Amending § 10.1-2100. (Patron-Devolites, SB 104)
- Conservation easements; holders to have principal office in State. Amending § 10.1-1010. (Patron-Plum, HB 883, CH 364)
- Elizabeth River; Marine Resources Commission to grant easement to VEPCO for electrical transmission lines. (Patron-Suit, HB 1436, CH 483)
- Eminent domain; condemnation of lands within adopted conservation or redevelopment plans. Adding § 25.1-107. (Patron-Drake, HB 820, CH 540)
- Environmental permit fees; applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1. (Patron-Orrock, HB 1350, CH 324; Watkins, SB 365, CH 249)
- Erosion and sediment control and stormwater management inspectors; certificate of competence. Amending §§ 10.1-561 and 62.1-44.15. (Patron-Suit, HB 445, CH 431)
- Erosion and Sediment Control Law; definition of land-disturbing activity includes certain surface or deep mining activities. Amending § 10.1-560. (Patron-Ware, R.L., HB 1283, CH 476)
- Farm vehicles; registration fees for plant nurseries and Christmas tree farms. Amending § 46.2-698. (Patron-Watkins, SB 127, CH 663)
- Game and fish refuges and preserves; Board of Game and Inland Fisheries authorized to grant easements therefor. Amending § 29.1-103. (Patron-Puckett, SB 586)
- Handguns; purchase by Departments of Conservation and Recreation and of Forestry officers. Amending § 59.1-148.3. (Patron-Keister, HB 503, CH 136)
- Hazardous waste; temporary storage. Amending § 10.1-1426. (Patron-Oder, HB 713, CH 442)
- Historical monuments and memorials; removal, renaming, etc., prohibited, exception. Adding § 2.2-1161.2. (Patron-Quayle, SB 631)
- Income tax, corporate; credit for land preservation. Amending § 58.1-513. (Patron-Bryant, HB 1185, CH 635)
- Income tax, state and corporate; limits land preservation tax credits. Amending § 58.1-512. (Patron-Hanger, SB 678)
- Land and Water Conservation Trust Fund; established. Amending §§ 10.1-1020 and 10.1-2128; adding §§ 10.1-2135 through 10.1-2138. (Patron-Hanger, SB 527)
- Landfills; siting in Appomattox County, submission of environmental impact reports. Amending §§ 10.1-1408.4 and 10.1-1408.5. (Patron-Abbitt, HB 639)
- Littering; offense for which use of summons may be issued in juvenile court. Amending § 16.1-260. (Patron-Marsh, SB 26, CH 105)
- Natural and Historic Resources Fund and Commission; created, report. Adding §§ 10.1-2135 through 10.1-2138. (Patron-Deeds, SB 569)
- Natural cut Christmas trees; use in certain places of worship and apartment dwelling units. (Patron-Orrock, HB 622, CH 138)
- Natural resources; recovery of damages to State. Amending § 2.2-510. (Patron-Stolle, SB 322)
- Norfolk Southern Corporation; Department of Conservation and Recreation to accept title to abandoned railroad lines in several counties. (Patron-Abbitt, HB 643, CH 290)

**CONSERVATION (continued)**

- Nutrient Management Plans; Joint Legislative Audit and Review Commission to study effectiveness of implementation, performance and enforcement thereof. (Patron-Cox, HJR 72)
- Open-space easements; restoration to prior condition. Amending § 10.1-1703. (Patron-Deeds, SB 588)
- Open-space preservation; imposition of additional fee for distribution to Outdoors Foundation. Amending § 58.1-812; adding § 58.1-817. (Patron-May, HB 549, CH 990)
- Ozone nonattainment areas; fees deposited in Vehicle Emissions Inspection Program Fund. Amending § 10.1-1300; adding § 10.1-1316.1. (Patron-Whipple, SB 454, CH 408)
- Pollutant loading allocations; adoption of nitrogen and phosphorous levels in Chesapeake Bay tributaries. Adding § 62.1-44.15:02. (Patron-Whipple, SB 639)
- Poultry Waste, Effectiveness of Plans Implemented by Commercial Poultry Processors; Report of Department of Environmental Quality (§ 62.1-44.17:1.1G4 of Code of Virginia). (HD 8)
- Private landowners; Board of Forestry to study provision of incentives to hold and preserve their forestland. (Patron-Ticer, SJR 75)
- Real estate tax; credit for permanent easements. Adding § 58.1-3206. (Patron-Deeds, SB 247)
- Real property owned by State; certain restricted use may be satisfied if used for tourism in Virginia Beach City. (Patron-Blevins, SB 661, CH 1020)
- Roadway litter pick-up; civil immunity of officials and volunteers who participate in programs for probationers. Adding § 8.01-226.8. (Patron-Stump, HB 534, CH 434)
- Roadway litter pick-up; civil immunity of officials who participate in programs for probationers and persons on community service. Adding § 8.01-226.8. (Patron-Puckett, SB 72, CH 387)
- Silvicultural activities; notification of commercial harvesting of timber. Amending §§ 10.1-1181.2 and 10.1-1181.3. (Patron-Ingram, HB 947, CH 228)
- Soil and water conservation districts; nonpoint source pollution activities. Amending § 10.1-104.1; adding § 10.1-546.1. (Patron-Dillard, HB 1271, CH 474)
- Stormwater; regulation of billing charges. Amending § 15.2-2114. (Patron-Wagner, SB 426, CH 507)
- Stormwater management programs; reorganization. Amending §§ 10.1-603.2 through 10.1-603.9, 10.1-603.11 through 10.1-603.15 and 62.1-44.5; adding §§ 10.1-603.2:1, 10.1-603.2:2, 10.1-603.4:1, 10.1-603.12:1 through 10.1-603.12:7 and 10.1-603.13:1; repealing § 10.1-603.10. (Patron-Bryant, HB 1177, CH 372)
- Timber; penalty for theft. Amending §§ 55-331, 55-332 and 55-334; adding § 55-334.1; repealing § 55-333. (Patron-Kilgore, HB 493, CH 615; Puckett, SB 548, CH 604)
- Tourism Development Authority; authorized to form corporations, etc., for purpose of promoting economic development. Amending § 15.2-5504. (Patron-Phillips, HB 911, CH 806)
- Virginia Museum of Natural History; powers and duties, salary of director, gifts and endowments. Amending §§ 10.1-2009 and 10.1-2011. (Patron-Hurt, HB 1338, CH 870)
- Watershed Coordination Program; established. Amending § 10.1-2124. (Patron-Hanger, SB 523, CH 413)

**CONSERVATORS OF THE PEACE** See: Criminal Procedure

**CONSOLIDATED LABORATORY SERVICES** See: Administration of the Government Generally

**CONSOLIDATION OF COUNTIES, CITIES AND TOWNS** See: Counties, Cities and Towns

**CONSTANT, THEODORE F. "TED"** See: Memorial Resolutions

**CONSTITUTIONAL AMENDMENTS**

- Constitutional amendment; assessment of real property (first reference). Amending Section 2 of Article X. (Patron-Hanger, SJR 85)
- Constitutional amendment; effective dates of legislative and congressional redistricting (second reference). Amending Section 6 of Article II. (Patron-O'Brien, SJR 6, CH 981)
- Constitutional amendment; effective dates of legislative and congressional redistricting (submitting to qualified voters). Amending Section 6 of Article II. (Patron-O'Brien, SB 18, CH 873)

**CONSTITUTIONAL AMENDMENTS (continued)**

- Constitutional amendment; establishes a Redistricting Commission to redraw boundaries of congressional and legislative districts (first reference). Amending Section 6 of Article II. (Patron-Deeds, SJR 3; Whipple, SJR 59)
- Constitutional amendment; exempts certain property from taxation (first reference). Amending Section 6 of Article X. (Patron-Edwards, SJR 17)
- Constitutional amendment; General Assembly to establish special fund for specified purposes (first reference). Adding Section 7-B in Article X. (Patron-Norment, SJR 123)
- Constitutional amendment; Highway Maintenance and Operating Fund and Transportation Trust Fund continued (first reference). Adding Section 7-B in Article X. (Patron-Howell, SJR 18)
- Constitutional amendment; limit on appropriations (first reference). Adding Section 7-B in Article X. (Patron-Cuccinelli, SJR 33)
- Constitutional amendment; restoration of civil rights for certain felons (second reference). Amending Section 1 of Article II. (Patron-Miller, SJR 4)
- Constitutional amendment; restoration of civil rights for certain felons (submitting to qualified voters). Amending Section 1 of Article II. (Patron-Miller, SB 17)
- Constitutional amendment; succession to office of Governor (second reference). Amending Section 16 of Article V. (Patron-Putney, HJR 9, CH 982)
- Constitutional amendment; succession to office of Governor (submitting to qualified voters). Amending Section 16 of Article V. (Patron-Putney, HB 37, CH 17)
- Constitutional amendment; Transportation Trust Fund (first reference). Adding Section 7-B in Article X. (Patron-O'Brien, SJR 54; Williams, SJR 60)
- Constitutional amendments; exempts certain motor vehicles from state and local taxation (first reference). Amending Sections 4 and 6 of Article X. (Patron-Hanger, SJR 84)

**CONSTITUTIONAL OFFICERS** See: Counties, Cities and Towns**CONSUMER PROTECTION**

- Consumer Protection Act; admissibility of cure offers for consumer disputes involving consumer purchases. Amending §§ 59.1-198 and 59.1-204. (Patron-Athey, HB 231, CH 41)
- Foreign identification documents; verification of legal presence. Adding §§ 2.2-5512 and 2.2-5513. (Patron-Hanger, SB 521)
- Foreign personal identification cards; acceptance. Adding §§ 2.2-5512 and 2.2-5513. (Patron-O'Brien, SB 293)
- Freedom of Information Act; exempts certain client lists of persons receiving transportation services. Amending § 2.2-3705. (Patron-Deeds, SB 149, CH 666)
- Freedom of Information Act; exempts certain emergency service records. Amending § 2.2-3705. (Patron-Jones, S.C., HB 1364, CH 482)
- Freedom of Information Act; exempts certain information furnished to local internal auditors. Amending § 2.2-3705. (Patron-Lambert, SB 562, CH 605)
- Freedom of Information Act; exempts certain maps in geographic information systems. Amending §§ 2.2-3704 and 2.2-3705. (Patron-Blevins, SB 182)
- Freedom of Information Act; exempts certain meetings of General Assembly. Amending § 2.2-3707; adding § 2.2-3707.01. (Patron-Griffith, HB 1357, CH 768)
- Freedom of Information Act; exempts certain park and recreation records. Amending § 2.2-3705. (Patron-Sherwood, HB 168, CH 832)
- Freedom of Information Act; exempts certain records of Department of Criminal Justice Services. Amending § 2.2-3705. (Patron-Scott, J.M., HB 1246, CH 766)
- Freedom of Information Act; exempts numbers for cell phones, pagers, etc., of law-enforcement personnel. Amending § 2.2-3706. (Patron-May, HB 538, CH 735; O'Brien, SB 297, CH 685)
- Freedom of Information Act; exempts proprietary information related to economic development. Amending § 2.2-3705. (Patron-Norment, SB 394, CH 593)
- Freedom of Information Act; exempts records and meetings of Commission on Military Bases. Amending §§ 2.2-3705 and 2.2-3711. (Patron-Cosgrove, HB 1396, CH 770)
- Freedom of Information Act; exempts records for owner/operators of aircraft. Amending § 2.2-3705. (Patron-Cole, HB 487)

**CONSUMER PROTECTION (continued)**

- Freedom of Information Act; exempts records of Department of Emergency Management and citizen emergency response teams. Amending § 2.2-3705. (Patron-Sherwood, HB 347, CH 426)
- Freedom of Information Act; exempts records of sexually violent predator commitment review committee. Amending §§ 2.2-3703, 2.2-3705 and 2.2-3711. (Patron-Houck, SB 354, CH 398)
- Freedom of Information Act; posting of notice of rights and responsibilities by state public bodies. Amending §§ 2.2-3707 and 30-179; adding § 2.2-3704.1. (Patron-Suit, HB 358, CH 730)
- Freedom of Information Act; reorganization of record exemptions. Amending §§ 2.2-3703, 2.2-3711, 2.2-3714, 2.2-3806, 22.1-279.8, 23-50.16:32, 32.1-283.1, 32.1-283.2, 44-146.18, 44-146.22, 52-8.3, 54.1-2517, 54.1-2523 and 56-575.4; adding §§ 2.2-3705.1 through 2.2-3705.8; repealing § 2.2-3705. (Patron-Houck, SB 352, CH 690)
- Freedom of Information Advisory Council; Report of (§ 30-179 of Code of Virginia). (HD 11)
- Government Data Collection and Dissemination Practices Act; use of unique identifying numbers limited on public records. Adding § 2.2-3808.3. (Patron-May, HB 543, CH 736)
- Medical assistance services; includes consumer-directed care, cash and counseling project waiver. Amending Chapter 460, 2003 Acts. (Patron-Newman, SB 671)
- Motor vehicle purchases; cure offers for consumer disputes. Amending §§ 59.1-198 and 59.1-204. (Patron-Stolle, SB 324, CH 90)
- Personal Information Privacy Act; restricting use of date of birth as condition for accepting checks. Amending §§ 59.1-443 and 59.1-444; adding § 59.1-443.1. (Patron-Dudley, HB 1424, CH 241)
- Post-Disaster Anti-Price Gouging Act; created. Amending § 59.1-200; adding §§ 59.1-525 through 59.1-529. (Patron-Rapp, HB 686, CH 798; Norment, SB 242, CH 817)
- Power of attorney; removal of social security numbers from instrument. Amending § 17.1-227. (Patron-Pollard, HB 332, CH 352)
- Product liability; exemption for products containing open and obvious dangers. Adding § 8.01-44.6. (Patron-Janis, HB 1372)
- Telephone Privacy Protection Act; prohibits telephone solicitation to persons on a Do-Not-Call Registry. Amending §§ 59.1-510, 59.1-511, 59.1-513 and 59.1-514; adding § 59.1-513.1. (Patron-Morgan, HB 689, CH 224; Williams, SB 344, CH 202)

**CONSUMERS ENERGY** See: Commending Resolutions

**CONTINUING EDUCATION** See: Educational Institutions

**CONTRACEPTIVES** See: Narcotics and Drugs

**CONTRACTORS AND SUBCONTRACTORS** See: Professions and Occupations

**CONTRACTS**

- Correctional facilities; utilization of private contracts. (Patron-Saxman, HB 1042, CH 861)
- Credit card transactions; printing of information on receipts. Amending § 11-33.2. (Patron-May, HB 537, CH 793)
- Credit cards; contract formation, occurrence of transaction. Adding § 11-33.3. (Patron-Scott, J.M., HB 1189, CH 373)
- Design-build contracts; license requirements. Amending § 54.1-1103. (Patron-Jones, S.C., HB 849, CH 190)
- Design-build contracts; license requirements. Amending § 54.1-406. (Patron-Jones, S.C., HB 854, CH 191)
- Design-build contracts; use by Director of Department of Rail and Public Transportation. Amending § 33.1-12. (Patron-Watkins, SB 364, CH 110)
- Energy Performance-Based Contract Procedures; increases payback period. Amending § 11-34.3. (Patron-Bryant, HB 1176, CH 197)
- Information technology and telecommunications procurement; exempts UVa Medical Center. Amending §§ 2.2-2006, 2.2-4343 and 23-77.4. (Patron-Nixon, HB 478, CH 145)
- Minority- and Women-Owned Business Participation in Procurement Transactions, Disparity Assessment on Status of; Report of Department of Minority Business Enterprise (HJR 646 and SJR 359, 2003). (SD 7)

**CONTRACTS (continued)**

- Power of attorney; revocation of authority for an incapacitated person. Amending § 11-9.1. (Patron-Watts, HB 1337, CH 380)
- Procurement Act, Public; contracts for architectural or professional engineering services. Amending § 2.2-4301. (Patron-Saxman, HB 1039, CH 458)
- Procurement Act, Public; cooperative procurement with U.S. General Services Administration. Amending § 2.2-4304. (Patron-Marshall, R.G., HB 749, CH 911; O'Brien, SB 302, CH 936)
- Procurement Act, Public; includes online auctions and U.S. General Services Administration. Amending §§ 2.2-4303 and 2.2-4304. (Patron-Nixon, HB 470, CH 906; Devolites, SB 95, CH 874)
- Procurement Act, Public; preference for goods made in United States. Adding § 2.2-4328.1. (Patron-Deeds, SB 151)
- Procurement Act, Public; public notice of Request for Proposals. Amending § 2.2-4301. (Patron-Saxman, HB 1040)
- Procurement Act, Public; raises limit on design-build construction management contracts. Amending §§ 2.2-4303 and 2.2-4308. (Patron-Hanger, SB 525, CH 706)
- Procurement Act, Public; small, and women- and minority-owned business participation. Amending §§ 2.2-4310 and 2.2-4343; adding § 15.2-965.1. (Patron-McDonnell, HB 1145, CH 865; Williams, SB 598, CH 891)
- Procurement from commercial vendors; regulations for outsourcing. Amending § 2.2-1111. (Patron-Cline, HB 1201)
- School board employees; written contracts required. Adding § 22.1-296.01. (Patron-Hanger, SB 520)
- State agencies; Department of Accounts to conduct recovery audits of state contracts. Adding § 2.2-1822.1. (Patron-Scott, E.T., HB 1447, CH 644)

**CONTROLLED SUBSTANCES** See: Narcotics and Drugs

**CONVENIENCE STORES** See: Trade and Commerce

**COOK, TECUMSEH DEERFOOT** See: Memorial Resolutions

**CORELL, JAMES E.** See: Memorial Resolutions

**CORLISS, LINDA LAWS** See: Commending Resolutions

**CORPORATION COMMISSION, STATE** See: State Corporation Commission

**CORPORATIONS**

- Business entities; changes in provisions. Amending §§ 13.1-754, 13.1-916, 13.1-1008, 13.1-1009, 13.1-1019, 13.1-1022, 13.1-1023.1, 13.1-1024, 13.1-1048, 13.1-1050.1, 13.1-1059, 13.1-1064, 13.1-1070, 13.1-1239, 13.1-1254, 50-73.69, 50-73.83, 50-73.132, 50-73.134 and 50-73.137:1; adding §§ 13.1-1041.1, 13.1-1049.1, 50-73.46:1, 50-73.52:1 and 50-73.137:2; repealing §§ 13.1-1041 and 50-73.46. (Patron-Stosch, SB 538, CH 601)
- Business entities; conversions and mergers, registration. Amending §§ 13.1-616, 13.1-759, 13.1-766.1, 13.1-769.1, 13.1-816, 13.1-921, 13.1-931.1, 13.1-1005, 13.1-1052, 13.1-1060, 13.1-1064, 13.1-1072, 13.1-1204, 13.1-1242, 13.1-1254, 50-73.17, 50-73.48:3, 50-73.54, 50-73.57:2, 50-73.69, 50-73.93 and 50-73.138; adding §§ 13.1-766.2, 13.1-928.2, 13.1-1060.1, 13.1-1250.1 and 50-73.57:3. (Patron-Kilgore, HB 342, CH 274)
- Corporations; articles of termination of corporate existence. Amending §§ 13.1-750 and 13.1-912. (Patron-Miller, SB 131, CH 162)
- Garnishment; service on a corporation through a managing employee. Amending § 8.01-513. (Patron-Reese, HB 979, CH 231)
- Income tax, corporate; changes in provisions for permissible and impermissible transactions between interrelated companies. Amending §§ 58.1-302 and 58.1-402. (Patron-Nixon, HB 1361; Watkins, SB 683)
- Income tax, corporate; credit against cigarettes manufactured and exported to a foreign country. Adding § 58.1-439.12:01. (Patron-Stosch, SB 537)

**CORPORATIONS (continued)**

- Income tax, corporate; credit for land preservation. Amending § 58.1-513. (Patron-Bryant, HB 1185, CH 635)
- Income tax, corporate; extends sunset in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Lambert, SB 231, CH 170)
- Income tax, corporate; extends sunset provision for tax credit for machinery and equipment used to produce personal property from recyclable materials. Amending § 58.1-439.7. (Patron-Hawkins, SB 690, CH 611)
- Income tax, corporate; reduces new employee threshold in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Carrico, HB 615, CH 619)
- Income tax, corporate; Tiered Incentive Program created to provide tax credit for creation of jobs in economically distressed localities, report. Adding §§ 58.1-514 through 58.1-519.1. (Patron-Ruff, SB 411)
- Income tax, state and corporate; limits land preservation tax credits. Amending § 58.1-512. (Patron-Hanger, SB 678)
- Limited liability companies; registered agents. Amending §§ 13.1-1011 and 13.1-1015. (Patron-Bryant, HB 1183, CH 314)
- Nonstock corporations; terms of directors. Amending § 13.1-857. (Patron-Plum, HB 884, CH 303)
- Securities Act; name changed to Uniform Securities Act, changes in provisions. Amending §§ 2.2-3101, 2.2-4508, 6.1-32.11, 6.1-194.2, 6.1-302, 12.1-20, 13.1-561.1, 13.1-775.1, 13.1-936.1, 19.2-215.1, 30-101, 30-103, 38.2-6016, 55-79.90, 55-79.97, 55-374.1, 55-482, 55-512, 56-71, 56-231.43, 58.1-2030, 59.1-92.20, 59.1-95.1, 59.1-199, 59.1-263, 59.1-321 and 63.2-1931; adding §§ 13.1-527.4 through 13.1-527.54; repealing §§ 13.1-501 through 13.1-527.3. (Patron-Stosch, SB 564)
- State Corporation Commission; refunds for overpayment of fees. Amending §§ 13.1-1065, 13.1-1255, 50-73.70 and 50-73.83. (Patron-Bryant, HB 1187, CH 316)
- Tax reform; changes in provisions for income tax, sales and use tax and corporate tax. Amending §§ 58.1-302, 58.1-320, 58.1-322, 58.1-391, 58.1-392, 58.1-400, 58.1-402, 58.1-415, 58.1-441, 58.1-602, 58.1-603 and 58.1-609.10; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-339.8, 58.1-390, 58.1-394 and 58.1-611.1. (Patron-Lucas, SB 589)

**CORRECTIONAL EDUCATION** See: Education**CORRECTIONS, BOARD OF AND DEPARTMENT OF** See: Prisons and Other Methods of Correction**COSMETOLOGISTS** See: Professions and Occupations**COSTS, FEES, SALARIES AND ALLOWANCES**

See also: Fines and Costs

- Circuit court records; fees allowed for remote access. Amending § 17.1-276. (Patron-Reese, HB 977, CH 230)
- Condominium and Property Owners' Association Acts; fees related to providing statements of assurance, resale certificate or disclosure packet. Amending §§ 55-79.97 and 55-512. (Patron-Whipple, SB 449)
- Courthouse and courtroom security; funds from fees to be used for equipment. Amending § 53.1-120. (Patron-Keister, HB 504, CH 432; Edwards, SB 214, CH 390)
- Environmental permit fees; applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1. (Patron-Orrrock, HB 1350, CH 324; Watkins, SB 365, CH 249)
- Government Employees Deferred Compensation Plan Act; collection of administrative fees by political subdivisions. Amending § 51.1-602. (Patron-May, HB 551, CH 86)
- Government Fee Disclosure Act; created. Adding §§ 2.2-5512, 2.2-5513 and 2.2-5514. (Patron-O'Brien, SB 295)
- Hunting, trapping, fishing and motorboat registration; fees increased. Amending § 29.1-103; adding § 29.1-701.1. (Patron-Cox, HB 301, CH 1027)
- Inmate Data System; maintenance by Compensation Board, recouping costs associated with incarcerating undocumented aliens. (Patron-Cox, HB 235, CH 82)

**COSTS, FEES, SALARIES AND ALLOWANCES (continued)**

- Misdemeanors, traffic infractions, etc.; fixed fee in district court. Amending § 16.1-69.48:1. (Patron-McDonnell, HB 1141, CH 371)
- Process; fees for services in circuit court. Amending §§ 16.1-69.48:5, 16.1-107 and 16.1-112. (Patron-Reese, HB 982, CH 366)
- Process; fees of sheriffs for service on repossessions, evictions, etc. Amending §§ 8.01-499 and 17.1-272. (Patron-Cosgrove, HB 1265, CH 198; Blevins, SB 620, CH 211)
- Public records; treasurer may impose a remote access fee to cover operational expenses. Amending § 58.1-3172.1. (Patron-Drake, HB 465, CH 223)
- Road impact fees; utilization in Henrico County. Amending § 15.2-2317. (Patron-Stosch, SB 534)
- Saltwater fishing licenses and permits; fees increased. Amending § 28.2-201. (Patron-Dillard, HB 1024, CH 860)
- School boards; fringe benefits, expenses and reimbursements in Arlington County. (Patron-Brink, HB 433, CH 532)
- School boards; salary in Manassas Park City. Amending § 22.1-32. (Patron-Parrish, HB 1336, CH 199; Colgan, SB 644, CH 179)
- Senate; salaries, contingent and incidental expenses. (Patron-Norment, SR 1)
- Sheriffs' fees; clarified for service, execution of writ, etc. Amending §§ 8.01-293 and 15.2-1609.3. (Patron-Blevins, SB 619, CH 210)
- State police officers; salary increases, review by Department of Human Resource Management. Amending § 2.2-1202; adding § 2.2-1509.3. (Patron-Potts, SB 559)
- Transportation impact fees; applicable in certain counties. Adding § 15.2-2328. (Patron-Watkins, SB 123)
- Wages and salaries; deposit into employee account. Amending § 40.1-29. (Patron-Nixon, HB 472, CH 358)
- Wine or beer shippers; fees for licenses. Amending § 4.1-233. (Patron-Scott, E.T., HB 1448, CH 384)

**COUNCIL ON VIRGINIA'S FUTURE** See: Commending Resolutions

**COUNCILL, J. PAUL, JR.**

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**COUNTIES, CITIES AND TOWNS**

- Affordable housing; applicable in Alexandria City. Amending § 15.2-2304. (Patron-Van Lanthingham, HB 874, CH 543)
- Affordable housing; applicable in Fauquier County. Amending § 15.2-2304. (Patron-Athey, HB 216)
- Agricultural Enterprise Zone Act; created. Adding §§ 3.1-18.13 through 3.1-18.27. (Patron-Obenshain, SB 482)
- Alert and warning system; localities to establish in event of emergency or disaster. Amending § 44-146.19. (Patron-Van Lanthingham, HB 873, CH 302)
- Annexation; moratorium on city and county immunity notices and proceedings. Amending § 15.2-3201. (Patron-Quayle, SB 206, CH 879)
- Arlington County; manager duties concerning budget, purchase of easements, etc. Amending §§ 15.2-710, 15.2-720.1 and 15.2-726. (Patron-Brink, HB 434, CH 22; Whipple, SB 461, CH 510)
- Automobile graveyards and junkyards; screening requirements in certain counties. Amending § 15.2-903. (Patron-Williams, SB 115, CH 493)
- Bedford Joint Economic Development Authority; use of name. Amending § 15.2-4903. (Patron-Putney, HB 52, CH 782)
- Billboards or advertising signs; removal of those that are abandoned. Amending § 15.2-2307. (Patron-Rapp, HB 679, CH 538)
- Buchanan County Tourist Train Development Authority; membership. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Stump, HB 533, CH 35)

**COUNTIES, CITIES AND TOWNS (continued)**

- Buchanan County Tourist Train Development Authority; membership, powers. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Puckett, SB 69, CH 158)
- Business license tax; phase-out in all localities. Adding § 58.1-3736; repealing §§ 58.1-3700 through 58.1-3735. (Patron-Norment, SB 655)
- Business taxes; written opinions prior to filing of an appeal of local assessment. Amending § 58.1-3983.1. (Patron-Ware, R.L., HB 295, CH 527)
- Cable television services by certain localities; provisions. Amending § 15.2-2108.11. (Patron-Wampler, SB 280, CH 586)
- Campaign finance disclosure; special reports of large contributions received by county boards of supervisors and city and town councils. Adding § 24.2-919.1. (Patron-Ticer, SB 470, CH 411)
- Campaign signs; regulations. Adding § 15.2-109. (Patron-Potts, SB 76, CH 388)
- Cash proffers; localities authorized to accept. Adding § 15.2-975. (Patron-Orrrock, HB 1255, CH 927)
- Chesapeake Bay Preservation Act; requires Attorney General to defend a locality if any private legal action is brought. Amending § 10.1-2100. (Patron-Devolites, SB 104)
- City council; salary payment. Amending § 15.2-1414.5. (Patron-Baskerville, HB 1258, CH 570)
- Coalfield Economic Development Authority; authorized to engage in economic development marketing and business attraction activities. Amending §§ 15.2-6006 and 15.2-6011. (Patron-Stump, HB 744, CH 36; Wampler, SB 480, CH 177)
- Commerce and Trade, Secretary of; duties include review of urban issues. Amending § 2.2-206. (Patron-Bland, HB 1398, CH 238)
- Commercial vehicles; parking regulations in towns in Fairfax County. Amending § 46.2-1222.1. (Patron-Shannon, HB 721, CH 225; Devolites, SB 273, CH 108)
- Commonwealth's Attorneys; Crime Commission to study operations of offices. (Patron-McDonnell, HJR 225)
- Community development authorities; issuance of revenue bonds. Amending § 15.2-5158. (Patron-Hall, HB 1211, CH 637)
- Constitutional officers; employment. Amending § 15.2-1604. (Patron-Marshall, D.W., HB 934, CH 453)
- Courthouse and courtroom security; funds from fees to be used for equipment. Amending § 53.1-120. (Patron-Keister, HB 504, CH 432; Edwards, SB 214, CH 390)
- Criminal history records check; locality may require applicant or licensee to pay cost of fingerprinting. Amending § 15.2-1503.1. (Patron-Marsh, SB 90, CH 160)
- Curfews; local authority may declare and enforce when a state of emergency has been declared by Governor. Amending § 44-146.19. (Patron-Rerras, SB 693)
- Delinquent taxes; collection by local government treasurers. Amending § 58.1-1803. (Patron-Johnson, HB 924, CH 546)
- Donations by localities; authorized for organizations providing recreational or daycare to certain senior citizens. Amending § 15.2-953. (Patron-Ware, R.L., HB 300, CH 272)
- Educational facilities; adequate levels of service needed in comprehensive plan. Adding §§ 15.2-2230.2, 15.2-2242.1, 22.1-18.2 and 22.1-79.4. (Patron-Quayle, SB 393)
- Electric utility restructuring; municipal and state aggregation. Amending § 56-589. (Patron-Watkins, SB 116)
- Electronic pollbooks and registration inquiry devices; use by localities. Amending § 24.2-404. (Patron-Welch, HB 411, CH 428)
- Embezzlement by public official of public funds; penalty. Adding § 18.2-112.1. (Patron-Reynolds, SB 192)
- Enterprise zones; business and real property investment tax credit. Amending §§ 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.3. (Patron-Martin, SB 64)
- Enterprise zones; designations. Amending § 59.1-274. (Patron-Armstrong, HB 1067)
- Enterprise zones; designations and business and real property investment tax credit. Amending §§ 59.1-274, 59.1-280, 59.1-280.1 and 59.1-280.2. (Patron-Dudley, HB 599)
- Enterprise zones; real property investment tax credit. Amending § 59.1-280.1. (Patron-Martin, SB 65)
- Firearms; control by localities. Amending § 15.2-915. (Patron-McDonnell, HB 1150, CH 923)

**COUNTIES, CITIES AND TOWNS (continued)**

- Firearms; control by localities. Amending §§ 15.2-915 and 18.2-308.2:2. (Patron-Hogan, HB 530, CH 837)
- Firearms; permit to sell or purchase in certain counties. Amending § 15.2-1208; repealing Chapter 297, 1944 Acts. (Patron-Cole, HB 484, CH 62; Cuccinelli, SB 227, CH 393; Cuccinelli, SB 264)
- Freedom of Information Act; exempts certain maps in geographic information systems. Amending §§ 2.2-3704 and 2.2-3705. (Patron-Blevins, SB 182)
- Governing bodies; meetings. Amending § 15.2-1416. (Patron-Marshall, D.W., HB 931, CH 549)
- Grass or lawn areas; Isle of Wight County authorized to enforce cutting. Amending § 15.2-1215. (Patron-Barlow, HB 970)
- Health departments, state and local; Chesterfield County may supplement salaries and expenses of employees. Amending § 15.2-1508.3. (Patron-Martin, SB 45, CH 157)
- Home ownership; grants by localities to employees, including school board and constitutional officer employees. Adding § 15.2-958.2. (Patron-Drake, HB 827, CH 541)
- Industrial development authorities; any locality authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Rapp, HB 683, CH 292; Deeds, SB 152, CH 933)
- Industrial development authorities; Chesapeake City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Miller, SB 77; Quayle, SB 210)
- Industrial development authorities; Portsmouth City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Melvin, HB 1369)
- Industrial development authorities; Town of Clarksville authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Ruff, SB 596)
- Inoperable motor vehicles; civil penalties for violations. Amending § 15.2-904. (Patron-Norment, SB 395)
- Inoperable motor vehicles; definitions. Amending § 15.2-904. (Patron-Hanger, SB 529, CH 513)
- Inoperable motor vehicles; to be shielded or screened from view. Amending §§ 15.2-904 and 15.2-905. (Patron-Quayle, SB 204, CH 934)
- Inoperable motor vehicles; to be shielded or screened from view in certain localities. Amending § 15.2-905. (Patron-Locke, SB 437, CH 508)
- Intergovernmental Relations, Advisory Commission on; abolished. Amending § 2.2-612; repealing §§ 2.2-2506 and 2.2-2507. (Patron-Athey, HB 203, CH 34; Ruff, SB 10, CH 155)
- Jacob Salter Field; Fairfax County's School Board and Board of Supervisors encouraged to name athletic field at Mountain View School. (Patron-O'Brien, SJR 55)
- Jail deputies; number. Adding § 15.2-1609.1:01. (Patron-Stolle, SB 170)
- Land use permit; release of surety in association with performance of work. Amending § 2.2-1151.1. (Patron-Scott, J.M., HB 1194, CH 636)
- Land use proceedings; disclosures. Amending § 15.2-852. (Patron-Hugo, HB 988, CH 552; Cuccinelli, SB 228, CH 498)
- Law-enforcement officer certification examination; waiver based on previous experience. Amending § 15.2-1706. (Patron-Weatherholtz, HB 1299, CH 477)
- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; local school boards and governing bodies to use in practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 110)
- Liability insurance for localities; includes fire department and police department operational medical directors, and physician course directors. Amending § 15.2-1518. (Patron-Sickles, HB 1485, CH 648)
- Licensure by Board for Contractors; Department of Professional and Occupational Regulation and Board for Contractors to establish pilot program for local enforcement. (Patron-McQuigg, HB 454, CH 789; O'Brien, SB 285, CH 776)
- Line of Duty Act; coverage for booking technicians. Amending § 9.1-400. (Patron-Martin, SB 46)
- Line of Duty Act; definition of disabled employee. Amending §§ 9.1-400 and 9.1-404. (Patron-Potts, SB 28)
- Line of Duty Act; funding of continued health insurance and death payment benefits thereunder. Amending §§ 9.1-400 through 9.1-404, 27-40.1:1 and 51.1-815; adding § 9.1-407; repealing §§ 9.1-405 and 9.1-406. (Patron-Wampler, SB 284)

**COUNTIES, CITIES AND TOWNS (continued)**

- "Living wage" provisions; no local governing body may establish without approval of General Assembly. (Patron-O'Brien, SB 290)
- Local Government, Commission on; changes in duties. Amending § 15.2-2903. (Patron-Scott, J.M., HB 1190, CH 234)
- Local government taxing authority; equalizing county and city powers. Amending §§ 4.1-128, 15.2-204, 15.2-1200, 15.2-5814, 55-248.5 and 58.1-3840; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3830 through 58.1-3834 and 58.1-3842. (Patron-Whipple, SB 453)
- Local taxes; authority concerning increase in excise tax on cigarettes, admissions, transient occupancy, etc. Amending §§ 4.1-128, 15.2-5814, 55-248.5 and 58.1-3840; adding § 58.1-3322; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819 through 58.1-3823, 58.1-3830, 58.1-3831, 58.1-3832, 58.1-3833, 58.1-3834 and 58.1-3842. (Patron-Cuccinelli, SB 147)
- Local taxes; effect of application for correction of assessment or appeal upon applications for local permits and licenses. Adding § 58.1-3994. (Patron-Ware, R.L., HB 298, CH 902)
- Local taxes; offers in compromise to settle disputed assessments. Adding § 58.1-3994. (Patron-Ware, R.L., HB 293, CH 526)
- Magistrates; abolishes training requirements by attorneys for the Commonwealth. Repealing § 19.2-42. (Patron-Marsh, SB 162, CH 327)
- Missing children; increases age allowed for reporting, information to be entered into Criminal Information Network. Amending §§ 15.2-1718 and 52-32. (Patron-Howell, SB 317, CH 248)
- Missing children; information to be entered into Criminal Information Network and National Crime Information Center Systems. Amending § 15.2-1718. (Patron-Shannon, HB 717, CH 443)
- Mobile property tax, local; appeal for correction of assessment. Amending §§ 58.1-3103 and 58.1-3983.1. (Patron-Drake, HB 464, CH 534)
- Motor fuels tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701 and 58.1-2706; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 357)
- Motor Vehicle Sales and Use Tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2402 and 58.1-2425; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 356)
- Norfolk and Portsmouth Cities; joint subcommittee to study consolidation. (Patron-Joannou, HJR 142)
- Nuisances; abatement, sale of property for delinquent taxes, etc. Amending §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1. (Patron-Jones, D.C., HB 1456, CH 968)
- Nuisances; abatement shall constitute lien on property. Amending § 15.2-1115. (Patron-Suit, HB 438, CH 533)
- Page County; referendum on election of county chairman from county at large. Adding § 15.2-1213.1. (Patron-Louderback, HB 141, CH 18; Obenshain, SB 574, CH 890)
- Parking on secondary system highways; governing bodies in various counties authorized to restrict. Amending § 46.2-1222. (Patron-Rapp, HB 677, CH 797)
- Pneumatic guns; regulation and use. Amending §§ 15.2-1209, 18.2-299 and 22.1-277.07; adding § 15.2-915.2. (Patron-Lingamfelter, HB 1303, CH 930)
- Police; allows private higher educational institutions to enter into reciprocal agreements with outside localities. Amending § 15.2-1727. (Patron-Weatherholtz, HB 1392, CH 769)
- Public service corporations; locality to determine taxation of real and tangible personal property. Amending § 58.1-2606. (Patron-Watkins, SB 121; Watkins, SB 366, CH 504)
- Public utilities; mutual aid agreements between localities. Adding § 15.2-2109.2. (Patron-Watkins, SB 369, CH 693)
- Regional Industrial Facility Authority; remittance of tax revenue. Amending §§ 15.2-6400 and 15.2-6406. (Patron-Keister, HB 1393, CH 640; Puckett, SB 546, CH 603)
- Regional Industrial Facility Authority; remittance of tax revenue. Amending § 15.2-6406. (Patron-Nutter, HB 240, CH 42)
- Retirement System; joint subcommittee to study and review benefits of public safety officers who are injured in line of duty. (Patron-Putney, HJR 34)

**COUNTIES, CITIES AND TOWNS (continued)**

- Retirement System; purchase of prior service credit by certain local government chief executive officers. Adding § 51.1-142.4. (Patron-Potts, SB 157)
- Road impact fees; utilization in Henrico County. Amending § 15.2-2317. (Patron-Stosch, SB 534)
- Route 29; construction of bypass around cities in certain counties. Adding § 33.1-223.2:9. (Patron-Newman, SB 670, CH 1025)
- Rural Virginia, Center for; created. Adding §§ 2.2-2720 through 2.2-2724. (Patron-Landes, HB 1213, CH 964; Ruff, SB 407, CH 938)
- Sanitary districts; amendment in Fairfax County. Amending § 15.2-858. (Patron-Hull, HB 1158, CH 561)
- Service districts; powers concerning road construction. Amending § 15.2-2403. (Patron-Hugo, HB 1373, CH 810)
- Sheriffs' vehicles; use of unmarked vehicles. Amending § 15.2-1610. (Patron-Lambert, SB 135; Quayle, SB 592)
- Signs; posting in certain areas where yard sales, auctions, etc., are being held. Adding § 46.2-881.1. (Patron-Deeds, SB 246, CH 775)
- Speed limits; may be set on nonsurface treated highways in certain counties. Amending § 46.2-873.1. (Patron-Sherwood, HB 35, CH 719)
- Stormwater; regulation of billing charges. Amending § 15.2-2114. (Patron-Wagner, SB 426, CH 507)
- Street address signs; penalty for damaging. Amending § 46.2-832. (Patron-Bell, HB 658, CH 291)
- Street maintenance; reporting requirements in Arlington and Henrico Counties. Amending §§ 33.1-23.5:1 and 33.1-41.1. (Patron-Stosch, SB 563, CH 118)
- Subdivision ordinances; provisions relating to cable television operators and public service corporations. Amending § 15.2-2241. (Patron-Oder, HB 715, CH 952)
- Subdivision ordinances; provisions to allow locality to determine adequate water supply sources. Amending § 15.2-2242. (Patron-Houck, SB 351)
- Subdivision streets; taking into secondary highway system. Amending § 33.1-72.1. (Patron-Hawkins, SB 257, CH 677)
- Tax reform; changes in provisions for income tax, sales and use tax, estate tax, local license taxes, motor fuels tax, etc. Amending §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706 and 58.1-3833; adding §§ 10.1-2135, 46.2-702.1, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395 and 58.1-2288.1; repealing tenth enactment of Chapters 1019 and 1044, 2000 Acts. (Patron-Chichester, SB 635)
- Tourism Development Authority; authorized to form corporations, etc., for purpose of promoting economic development. Amending § 15.2-5504. (Patron-Phillips, HB 911, CH 806)
- Traffic incidents; increases payment of emergency response expenses due to certain serious traffic accidents. Amending § 15.2-1716. (Patron-Fralin, HB 303, CH 273)
- Traffic signals; use of photo-monitoring in any locality. Amending § 46.2-833.01. (Patron-Devolites, SB 92)
- Trailer dealers; certain exempt from zoning regulations in Fairfax County. Amending § 46.2-1992.8. (Patron-Howell, SB 88)
- Transient occupancy tax; additional imposition in certain counties or cities. Adding § 58.1-3824. (Patron-Watkins, SB 367)
- Transportation Commissioner; may enter into agreements with cities and towns. Adding § 33.1-12.1. (Patron-Wardrup, HB 904, CH 623)
- Transportation impact fees; applicable in certain counties. Adding § 15.2-2328. (Patron-Watkins, SB 123)
- Transportation infrastructure; provisions in comprehensive plan. Amending § 15.2-2223. (Patron-Houck, SB 353, CH 691)
- Water and sewage systems; mandatory connection in Franklin County. Amending §§ 15.2-2110 and 15.2-2118. (Patron-Dudley, HB 737, CH 24; Hawkins, SB 600, CH 712)

**COUNTIES, CITIES AND TOWNS (continued)**

- Water and sewage systems; mandatory connection in Wythe County. Amending § 15.2-2110. (Patron-Reynolds, SB 190, CH 816)
- Water and sewer authorities; conduits for fiber optic cable. Amending § 15.2-5114. (Patron-Phillips, HB 919, CH 545)
- Water supplies; inspection. Amending § 15.2-2144. (Patron-Dudley, HB 601, CH 438)
- Water-saving ordinances; localities may impose. Amending § 15.2-923. (Patron-Norment, SB 400, CH 402)
- Waterfowl, migratory and nonmigratory; allows certain localities to prohibit feeding, penalty. Adding § 29.1-527.1. (Patron-Puller, SB 54, CH 386)
- Zoning appeals, boards of; appointment in Chesapeake City. Amending § 15.2-2308. (Patron-Blevins, SB 180; Quayle, SB 209)
- Zoning maps; indexing content. Amending § 15.2-2300. (Patron-Lingamfelter, HB 417, CH 531)
- Zoning ordinances; notice for rezoning near military bases, installations and airports. Amending §§ 15.2-2204, 15.2-2223 and 15.2-2283. (Patron-Oder, HB 714, CH 799)
- Zoning ordinances; notice of amendment. Amending § 15.2-2204. (Patron-Drake, HB 819, CH 539)
- Zoning ordinances; provisions for rezoning. Adding § 15.2-2286.1. (Patron-Ticer, SB 580)

**COUNTRY MUSIC HIGHWAY** See: Highways, Bridges and Ferries

**COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAMS** See: Courts Not of Record

**COURTHOUSES AND COURTROOMS** See: Counties, Cities and Towns

**COURTS NOT OF RECORD**

- Abandoned children; protection, affirmative defense to prosecution of parent. Amending §§ 16.1-228 and 63.2-100. (Patron-Williams, SB 114, CH 245)
- Child abuse or neglect; definition. Amending §§ 16.1-228 and 63.2-100. (Patron-Saxman, HB 1041, CH 753; Obenshain, SB 486)
- Child custody and visitation; filing fee for appeals. Amending §§ 16.1-69.48:5 and 16.1-296; adding § 16.1-296.2. (Patron-Kilgore, HB 344, CH 727; Devolites, SB 103, CH 659)
- Child custody or visitation; parties may be required to attend parenting classes. Amending §§ 16.1-278.15 and 20-103. (Patron-Suit, HB 447, CH 732)
- Child support; capias for nonsupport. Amending § 16.1-278.16. (Patron-Kilgore, HB 320, CH 219)
- Child support; may be modified retroactively only to date that petition for modification was filed. Amending §§ 16.1-278.18, 20-74, 20-108, 20-108.1, 20-112 and 63.2-1916. (Patron-Mims, SB 497, CH 204)
- Civil cases; copies of subpoenaed documents to be provided to other party. Amending § 8.01-417. (Patron-Reese, HB 49, CH 345)
- Civil cases; judgment in cases arising out of a trustee's deed following foreclosure. Amending § 8.01-129. (Patron-Reese, HB 46, CH 343)
- Civil cases; judgment in settlement and installment orders. Amending § 16.1-94. (Patron-Reese, HB 44, CH 341)
- Civil cases; jurisdiction in actions of unlawful entry or detainer. Amending § 16.1-77. (Patron-Reese, HB 47, CH 344)
- Compulsory school attendance; enforcement. Amending §§ 16.1-241.2, 16.1-263, 22.1-263 and 22.1-279.3; adding § 16.1-290.1. (Patron-Marrs, HB 1326, CH 573)
- Court-appointed counsel; compensation. Amending § 16.1-267. (Patron-Reese, HB 45, CH 342)
- Criminal history records check; applicable to justices, judges, substitute judges and magistrates. Amending §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35. (Patron-Phillips, HB 916, CH 452)
- District Courts, Committee on; Chief Justice a member and chairman. Amending § 16.1-69.33. (Patron-Stolle, SB 327, CH 330)
- Gang-related crimes; qualification for comprehensive action program upon conviction for felony violation. Amending § 16.1-330.1. (Patron-O'Brien, SB 617, CH 418)
- Gangs; notice to school superintendent of crimes committed by members. Amending § 16.1-260. (Patron-Albo, HB 125)

**COURTS NOT OF RECORD (continued)**

- Gangs; notice to school superintendent of prohibited participation by members. Amending § 16.1-260. (Patron-Colgan, SB 593, CH 416)
- Gangs; notice to school superintendent of prohibited participation or recruitment of juveniles for criminal street activity. Amending § 16.1-260. (Patron-Parrish, HB 1080, CH 558)
- Health records; access by guardians ad litem and attorneys representing minors and certain adults. Amending §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12 and 37.1-134.21. (Patron-O'Bannon, HB 878, CH 66)
- Involuntary commitment of minors; jurisdiction hearings. Amending §§ 16.1-340 and 16.1-341. (Patron-Hamilton, HB 580, CH 283)
- Judges; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron-Kilgore, HJR 517; Kilgore, HJR 520)
- Judges; election in circuit court, general district court, juvenile and domestic relations district court, members of Judicial Inquiry and Review Commission, and member of Workers' Compensation Commission. (Patron-Kilgore, HJR 255)
- Judges; increases number in 15th and 27th juvenile and domestic relations district court. Amending § 16.1-69.6:1. (Patron-Stolle, SB 169)
- Judges; nominations for election to general district court. (Patron-Stolle, SR 4; Stolle, SR 11)
- Judges; nominations for election to juvenile and domestic relations district court. (Patron-Stolle, SR 5; Stolle, SR 12)
- Judges; notice of retirement. Amending §§ 16.1-69.9:3 and 17.1-511. (Patron-Stolle, SB 328, CH 331)
- Juvenile court; duty to inform of right to counsel. Amending § 16.1-266. (Patron-Bell, HB 652; Colgan, SB 578)
- Juvenile court cases; appeals. Amending §§ 16.1-269.6 and 16.1-296. (Patron-McDonnell, HB 1146, CH 468)
- Juvenile records; may be obtained for use in pending criminal prosecution. Amending § 16.1-305. (Patron-Hurt, HB 787, CH 446)
- Juveniles; appointment of counsel for detention hearings. Amending §§ 16.1-250, 16.1-266 and 16.1-267; repealing § 16.1-250.1. (Patron-Dudley, HB 600, CH 437)
- Juveniles; criteria for detention or shelter care. Amending § 16.1-248.1. (Patron-BaCote, HB 1209, CH 374)
- Juveniles; disposition for those who are delinquent. Amending § 16.1-278.8. (Patron-Hamilton, HB 1355, CH 325; Edwards, SB 339)
- Juveniles; fingerprints and photographs required if charged with certain delinquent acts. Amending § 16.1-299. (Patron-Moran, HB 1096, CH 464)
- Juveniles; intake officer may proceed if petition alleges an adult offense. Amending § 16.1-260. (Patron-Armstrong, HB 1062, CH 309)
- Juveniles; intake officers and magistrates to order confinement. Amending §§ 16.1-247 and 16.1-249. (Patron-Bell, HB 653, CH 439; Colgan, SB 577, CH 415)
- Juveniles; may file own petition. Amending § 16.1-260. (Patron-Ticer, SB 469)
- Juveniles; temporary custody if found delinquent. Amending § 16.1-275. (Patron-Moran, HB 1274, CH 321)
- License plates, special; issuance to members and associates of court-appointed special advocate program. Amending § 46.2-749.59. (Patron-Watts, HB 427)
- Littering; offense for which use of summons may be issued in juvenile court. Amending § 16.1-260. (Patron-Marsh, SB 26, CH 105)
- Misdemeanors, traffic infractions, etc.; fixed fee in district court. Amending § 16.1-69.48:1. (Patron-McDonnell, HB 1141, CH 371)
- Pleadings and other actions by parties not represented by attorneys; provisions. Amending §§ 16.1-88.03 and 55-246.1. (Patron-Reese, HB 976, CH 365; Quayle, SB 630, CH 338)
- Process; fees for services in circuit court. Amending §§ 16.1-69.48:5, 16.1-107 and 16.1-112. (Patron-Reese, HB 982, CH 366)
- Protective orders; distribution of information by intake officer. Amending § 16.1-260. (Patron-Howell, SB 551, CH 255)

**COURTS NOT OF RECORD (continued)**

- Public Defender Commission; name changed to Indigent Defense Commission. Amending §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124; adding §§ 19.2-163.01 through 19.2-163.04 and 19.2-163.4:1; repealing §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6. (Patron-Moran, HB 1056, CH 921; Stolle, SB 330, CH 884)
- Retired judges and judges sitting by designation; eligible for recall as substitutes. Amending §§ 16.1-69.22:1, 17.1-105 and 17.1-106. (Patron-Bell, HB 651)
- Subpoenas; time frame for those issued by attorneys. Amending §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265. (Patron-Mims, SB 495, CH 335)
- Support orders; portion may be appealed. Amending § 16.1-296. (Patron-Devolites, SB 96)

**COURTS OF JUSTICE, COMMITTEE FOR**

- Certification of Judges: See Judges and Justices and Other Elective Officers
- Members listed . . . . . 34

**COURTS OF RECORD**

- Accounts, commissioners of; civil immunity for investigation by Judicial Council. Adding § 17.1-705.1. (Patron-Kilgore, HB 321, CH 976)
- Circuit court clerks; conversion of papers in ended cases. Amending § 17.1-213. (Patron-Marrs, HB 509, CH 433)
- Circuit court clerks; funding for additional deputies. Amending § 17.1-507. (Patron-Marrs, HB 510)
- Circuit court records; fees allowed for remote access. Amending § 17.1-276. (Patron-Reese, HB 977, CH 230)
- Criminal history records check; applicable to justices, judges, substitute judges and magistrates. Amending §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35. (Patron-Phillips, HB 916, CH 452)
- Final judgments in circuit court; when modifiable and appealable. Repealing Chapter 1017, 2003 Acts. (Patron-Stolle, SB 609, CH 337)
- Judges; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron-Kilgore, HJR 517; Kilgore, HJR 520)
- Judges; election in circuit court, general district court, juvenile and domestic relations district court, members of Judicial Inquiry and Review Commission, and member of Workers' Compensation Commission. (Patron-Kilgore, HJR 255)
- Judges; increases number in 1st, 14th, 15th, 22nd and 29th circuit court. Amending § 17.1-507. (Patron-Stolle, SB 168)
- Judges; nominations for election to circuit court. (Patron-Stolle, SR 3; Stolle, SR 10)
- Judges; notice of retirement. Amending §§ 16.1-69.9:3 and 17.1-511. (Patron-Stolle, SB 328, CH 331)
- Judges and justices of Supreme Court and Court of Appeals; designation as a senior justice after retirement. Amending §§ 17.1-302 and 17.1-401. (Patron-Melvin, HB 70, CH 346)
- Judicial Inquiry and Review Commission; jurisdiction to include certain judges. Amending §§ 17.1-900 and 17.1-918. (Patron-Hurt, HB 771, CH 363)
- Judicial Inquiry and Review Commission; removes confidentiality of evidence concerning a judge. Amending § 17.1-918. (Patron-Stolle, SB 336, CH 332)
- Land records; use of secure remote access, increases Technology Trust Fund Fee. Amending §§ 2.2-3808.2 and 17.1-279. (Patron-Norment, SB 241, CH 676)
- Legal aid societies; funding. Amending § 17.1-278. (Patron-Kilgore, HB 1172, CH 925)
- Power of attorney; removal of social security numbers from instrument. Amending § 17.1-227. (Patron-Pollard, HB 332, CH 352)
- Process; fees for services in circuit court. Amending §§ 16.1-69.48:5, 16.1-107 and 16.1-112. (Patron-Reese, HB 982, CH 366)
- Retired judges and judges sitting by designation; eligible for recall as substitutes. Amending §§ 16.1-69.22:1, 17.1-105 and 17.1-106. (Patron-Bell, HB 651)
- Sentencing guidelines; felony offenses include solicitation to commit murder and certain other terrorist activities. Amending § 17.1-805. (Patron-McDonnell, HB 1148, CH 866)
- Sentencing guidelines; modification for use of methamphetamine. Adding § 17.1-807. (Patron-Obenshain, SB 484)

**COURTS OF RECORD (continued)**

- Supreme Court; designation of judges to serve on appeal panels. Amending § 17.1-300. (Patron-Stolle, SB 610)
- Title insurance; filing of documents with circuit court clerks. Amending §§ 6.1-2.25 and 17.1-223. (Patron-Deeds, SB 587, CH 336)
- York County Circuit Court; name changed to York County-Poquoson Circuit Court. (Patron-Gear, HB 605, CH 618)

**COX COMMUNICATIONS** See: Commending Resolutions

**COX, M. KIRKLAND**

- Added as co-patron:
- S.B. 371..... 453
- S.B. 391..... 181

**CRAIG COUNTY**

- Bear or deer; abolishes damage stamp requirement in Craig County. Repealing Chapter 294, 1948 Acts. (Patron-Landes, HB 75, CH 33)

**CRAW, VICTORIA WESSON “VICKI”** See: Memorial Resolutions

**CREDIT CARDS, CREDIT SERVICES AND CREDIT UNIONS** See: Banking and Finance

**CRIME COMMISSION, STATE**

- Campus safety; Crime Commission to study at public and private institutions of higher education. (Patron-Hamilton, HJR 122)
- Commonwealth’s Attorneys; Crime Commission to study operations of offices. (Patron-McDonnell, HJR 225)
- Criminal code; Crime Commission to develop plan for revisions to Title 18.2. (Patron-McDonnell, HJR 196)
- Mistaken identification in criminal cases; Crime Commission to study. (Patron-Purkey, HJR 79)

**CRIMES AND OFFENSES GENERALLY**

- Abandoned children; protection, affirmative defense to prosecution of parent. Amending §§ 16.1-228 and 63.2-100. (Patron-Williams, SB 114, CH 245)
- Abortion; contraception not to constitute. Adding § 18.2-72.1. (Patron-Whipple, SB 456)
- Abortion; procedure if performed after first trimester. Adding § 18.2-73.1. (Patron-Black, HB 1315; Cuccinelli, SB 371)
- Abuse and neglect of incapacitated adult; penalty. Amending § 18.2-369. (Patron-Moran, HB 1093, CH 863)
- Aggravated sexual battery; applicability of mental incapacity or physical helplessness of complaining witness. Amending § 18.2-67.3. (Patron-Bell, HB 660, CH 843)
- Alcoholic beverages; penalty for illegal consumption by juveniles. Amending §§ 4.1-305 and 4.1-306. (Patron-Bell, HB 668)
- Arrest without warrant; applicable in drunk driving cases. Amending § 19.2-81. (Patron-Bell, HB 664, CH 949)
- Assault and battery; penalty for first offense when committed against a family or household member. Amending § 18.2-57.3. (Patron-Hurt, HB 1307, CH 377)
- Assault and battery; penalty in commission of larceny. Adding § 18.2-106.1. (Patron-Stolle, SB 331)
- Assault and battery; penalty when committed against a family or household member. Amending § 18.2-57.2. (Patron-Bell, HB 656, CH 738; Byron, HB 863, CH 448)
- Assault and battery; penalty when committed against a volunteer firefighter or rescue squad member. Amending § 18.2-57. (Patron-Rerras, SB 677, CH 420)
- Assault and battery; reporting of spousal abuse by active members of Armed Forces. Adding § 18.2-57.4. (Patron-Wampler, SB 276, CH 681)
- Bad checks; increases charge upon return. Amending §§ 2.2-614.1 and 15.2-106. (Patron-BaCote, HB 1207, CH 565)
- Bail; denied due to multiple DUI offenses. Amending § 19.2-120. (Patron-Bell, HB 889, CH 954; McDonnell, HB 1132, CH 959)

**CRIMES AND OFFENSES GENERALLY (continued)**

- Bail; denied due to multiple DUI offenses. Amending §§ 19.2-120 and 19.2-390. (Patron-Rerras, SB 442, CH 406)
- Burglary; applicable to buildings affixed to realty. Amending § 18.2-90. (Patron-Bell, HB 645, CH 842)
- Capital cases; appointment of counsel. Amending § 19.2-163.7. (Patron-Stolle, SB 177, CH 329)
- Cemeteries; penalty for damage to property. Amending § 18.2-127; adding § 8.01-44.6. (Patron-Mims, SB 494, CH 203)
- Charitable gaming; denial of permits. Amending § 18.2-340.20. (Patron-Albo, HB 152, CH 213)
- Charitable gaming; provisions for winner-take-all and "Lucky Seven" games. Amending § 18.2-340.33. (Patron-Suit, HB 437, CH 275)
- Child custody and visitation; penalty for violation of court order. Amending § 18.2-49.1. (Patron-Cosgrove, HB 858)
- Child pornography; penalty for solicitation, registration as a sex offender. Amending §§ 9.1-902 and 18.2-374.3. (Patron-Hurt, HB 759, CH 444; Obenshain, SB 575, CH 414)
- Computer crimes; penalty when committed by adults. Amending § 18.2-374.3. (Patron-McDonnell, HB 1125, CH 864)
- Computer trespass; applicable by means of a computer virus. Adding § 18.2-152.4:1. (Patron-Devolites, SB 275)
- Concealed handguns; allows permit holders to purchase more than one handgun per month. Amending § 18.2-308.2:2. (Patron-Janis, HB 404, CH 904)
- Concealed handguns; confidentiality of social security numbers in permit applications. Amending § 18.2-308. (Patron-Lingamfelter, HB 382, CH 355)
- Concealed handguns; denial or revocation of permit, appeals. Amending § 18.2-308. (Patron-Cuccinelli, SB 143)
- Concealed handguns; issuance of a de facto permit. Amending § 18.2-308. (Patron-Janis, HB 402, CH 903)
- Concealed handguns; reciprocal agreements for permits with other states. Amending § 18.2-308. (Patron-Athey, HB 215, CH 900)
- Concealed weapons; abolishes prohibition on carrying in a restaurant or club, exception when patron has consumed alcohol. Amending § 18.2-308. (Patron-Cuccinelli, SB 579)
- Concealed weapons; applicability while engaged in hunting. Amending § 18.2-308. (Patron-Stolle, SB 326, CH 1012)
- Concealed weapons; carrying by certain law-enforcement officers. Amending § 18.2-308. (Patron-Cline, HB 1205, CH 926)
- Concealed weapons; exempts certain retired law-enforcement officers from permit fees. Amending § 18.2-308. (Patron-Devolites, SB 99, CH 876)
- Concealed weapons; exempts retired officers from U.S. Marshals Service from permit fees. Amending § 18.2-308. (Patron-O'Brien, SB 287)
- Concealed weapons; includes machete in list of prohibited items. Amending § 18.2-308. (Patron-Albo, HB 167, CH 423)
- Concealed weapons; permits by persons out-of-state. Amending § 18.2-308. (Patron-Nutter, HB 238, CH 901; Obenshain, SB 485)
- Concealed weapons; reciprocity agreements for law-enforcement officers. Amending § 18.2-308. (Patron-Williams, SB 341, CH 885)
- Concealed weapons; residency requirement for application for permit. Amending § 18.2-308. (Patron-Suit, HB 444, CH 905)
- Constitutional amendment; restoration of civil rights for certain felons (second reference). Amending Section 1 of Article II. (Patron-Miller, SJR 4)
- Constitutional amendment; restoration of civil rights for certain felons (submitting to qualified voters). Amending Section 1 of Article II. (Patron-Miller, SB 17)
- Counterfeit controlled substance; definition. Amending § 18.2-247. (Patron-Stolle, SB 325, CH 688)
- Crimes against nature; certain provisions not considered a crime. Amending § 18.2-361. (Patron-Ticer, SB 477)

**CRIMES AND OFFENSES GENERALLY (continued)**

- Crimes and Offenses Generally (Title 18.2); revising and amending various statutes. Amending §§ 17.1-805, 18.2-124, 18.2-374.3 and 19.2-299; repealing §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358 and 18.2-367. (Patron-Albo, HB 1055, CH 459)
- Crimes and Offenses Generally (Title 18.2); revising, rearranging and amending various statutes. Amending §§ 15.2-926, 16.1-278.8, 18.2-46.1, 18.2-258, 18.2-308 and 29.1-338; adding §§ 8.01-27.3, 8.01-226.8, 8.01-226.9, 15.2-912.2, 15.2-912.3, 15.2-915.2, 15.2-915.3, 15.2-926.2, 15.2-1209.1, 15.2-1812.2, 48-16 and 48-17; repealing §§ 18.2-105, 18.2-138.1, 18.2-287, 18.2-287.1, 18.2-340.32, 18.2-389, 18.2-432 and 18.2-433. (Patron-McDonnell, HB 1060, CH 462)
- Criminal code; Crime Commission to develop plan for revisions to Title 18.2. (Patron-McDonnell, HJR 196)
- Criminal penalties; revision throughout Code. Amending §§ 8.01-44.4, 9.1-902, 9.1-908, 9.1-910, 16.1-69.48:1, 16.1-260, 16.1-269.1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 17.1-805, 18.2-9, 18.2-10, 18.2-25, 18.2-31, 18.2-32, 18.2-46.1, 18.2-46.5, 18.2-46.6, 18.2-49, 18.2-49.1, 18.2-53, 18.2-53.1, 18.2-54.1, 18.2-54.2, 18.2-55, 18.2-57, 18.2-57.02, 18.2-57.2, 18.2-67.1, 18.2-67.2, 18.2-67.9, 18.2-67.10, 18.2-128, 18.2-144, 18.2-147.1, 18.2-289, 18.2-300, 18.2-370.2, 18.2-427, 18.2-481, 19.2-163, 19.2-215.1, 19.2-218.1, 19.2-218.2, 19.2-264.4, 19.2-270.1, 19.2-297.1, 19.2-298.01, 19.2-299, 19.2-303.4, 19.2-327.2, 19.2-327.3, 19.2-335, 19.2-336, 53.1-40.01, 53.1-131.2, 53.1-151, 54.1-2989 and 63.2-1719; adding §§ 18.2-47.1 through 18.2-47.5, 18.2-48.01, 18.2-48.02, 18.2-51.01 through 18.2-51.05, 18.2-52.01, 18.2-52.02; repealing §§ 18.2-47, 18.2-48, 18.2-48.1, 18.2-51, 18.2-51.1, 18.2-51.2 and 18.2-67.2:1. (Patron-Albo, HB 1053)
- Dance halls; regulation. Amending § 18.2-433. (Patron-Edwards, SB 245)
- Domestic violence or sexual assault; privileged communications between victims and advocates. Adding §§ 8.01-400.3 and 19.2-271.4. (Patron-Mims, SB 665)
- Domestic violence, sexual assault, stalking and violation of protective orders; training of personnel to handle. Amending §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4 and 63.2-1502. (Patron-Griffith, HB 1233, CH 980; Norment, SB 236, CH 972)
- Driver's license; administrative suspension for persons charged with DUI. Amending § 46.2-391.2. (Patron-McDonnell, HB 1136, CH 960)
- Driver's license; driving after forfeiture for DUI conviction, penalty. Amending §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272. (Patron-Stolle, SB 329, CH 1013)
- Driver's license; driving after forfeiture of license for DUI conviction, penalty, use of restricted permit. Amending §§ 18.2-272, 46.2-301 and 46.2-329. (Patron-Sherwood, HB 557, CH 948)
- Driver's license; issuance of restricted permit to travel for court appearance. Amending § 18.2-271.1. (Patron-Reese, HB 43, CH 720)
- Driving under influence of alcohol or drugs; arrest may be reported to Central Criminal Records Exchange. Amending § 19.2-390. (Patron-Janis, HB 594, CH 284)
- Driving under influence of alcohol or drugs; damages for persons injured as a result. Amending § 8.01-44.5. (Patron-McDonnell, HB 1481)
- Driving under influence of alcohol or drugs; enhanced penalty for third and subsequent convictions. Amending § 18.2-270. (Patron-Mims, SB 488)
- Driving under influence of alcohol or drugs; forfeiture of vehicle for third offense. Amending § 18.2-270. (Patron-McDonnell, HB 1130, CH 958)
- Driving under influence of alcohol or drugs; implied consent to post-arrest chemical test. Amending § 18.2-268.2. (Patron-Bell, HB 669)
- Driving under influence of alcohol or drugs; mandatory ignition interlock upon conviction. Amending § 18.2-270.1. (Patron-McDonnell, HB 1138, CH 961)
- Driving under influence of alcohol or drugs; mandatory minimum fine for a first offense. Amending § 18.2-270. (Patron-Athey, HB 217, CH 946)
- Driving under influence of alcohol or drugs; mandatory minimum sentence for a second or third offense. Amending § 18.2-270. (Patron-McDonnell, HB 1147, CH 962)
- Driving under influence of alcohol or drugs; mandatory minimum sentence for third offense, joint prosecution of DUI and reckless driving, administrative license suspension. Amending §§ 18.2-270, 19.2-294.1, 46.2-391 and 46.2-391.2. (Patron-Norment, SB 384, CH 937)

**CRIMES AND OFFENSES GENERALLY (continued)**

- Driving under influence of alcohol or drugs; penalty for multiple offenses. Amending §§ 18.2-268.4 and 18.2-270. (Patron-Mims, SB 490)
- Driving under influence of alcohol or drugs; penalty for third conviction. Amending § 18.2-270. (Patron-Moran, HB 1107, CH 957; Rerras, SB 443)
- Driving under influence of alcohol or drugs; penalty while having Schedule I and II drugs in blood. Amending §§ 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9 and 18.2-268.10; adding § 18.2-266.2. (Patron-Carrico, HB 614)
- Driving under influence of alcohol or drugs; procedure due to refusal to submit to breath or blood test. Amending § 18.2-268.3. (Patron-Reynolds, SB 202, CH 1022)
- Driving under influence of alcohol or drugs; procedure due to refusal to submit to breath or blood test. Amending §§ 18.2-268.3 and 18.2-268.4. (Patron-Albo, HB 127, CH 985)
- Driving under influence of alcohol or drugs; procedure for taking blood samples. Amending §§ 18.2-268.5 and 46.2-341.26:5. (Patron-McDougle, HB 786, CH 150)
- Driving under influence of alcohol or drugs; qualifications of persons authorized to take blood samples. Amending §§ 18.2-268.5, 19.2-310.3 and 46.2-341.26:5. (Patron-Bell, HB 654, CH 440)
- Driving under influence of alcohol or drugs; reduces alcohol levels for mandatory confinement. Amending § 18.2-270. (Patron-Bell, HB 667, CH 950; Mims, SB 489)
- Driving under influence of alcohol or drugs; revocation of license for multiple convictions. Amending § 46.2-391. (Patron-Bell, HB 676, CH 951)
- Driving under influence of alcohol or drugs and reckless driving; dismissal of one of dual charges. Amending § 19.2-294.1. (Patron-Mims, SB 491)
- Drug Treatment Court Act; created, report. Adding § 18.2-254.1. (Patron-Lucas, SB 636)
- Drug Treatment Court Act; created, report. Amending §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8 and 18.2-251.02; adding § 18.2-254.1. (Patron-Kilgore, HB 1430, CH 1004)
- Drug treatment facility; jurisdiction when person charged with escape. Amending § 18.2-254. (Patron-Griffith, HB 324, CH 130)
- Embezzlement by public official of public funds; penalty. Adding § 18.2-112.1. (Patron-Reynolds, SB 192)
- Explosives; penalty for possession or transportation by convicted felons. Amending § 18.2-308.2. (Patron-Lewis, HB 414, CH 429)
- False discount coupon; penalty for use, definition. Amending § 18.2-178. (Patron-Wright, HB 170)
- Family life education; curriculum to include steps to avoid sexual assault, and availability of counseling and legal resources, etc. Amending § 22.1-207.1. (Patron-Dillard, HB 1015, CH 1030)
- Felonies; DNA sampling of arrestees for attempted crime. Amending § 19.2-310.2:1. (Patron-McDougle, HB 776, CH 445)
- Felons; restoration of civil rights to be eligible to register to vote. Amending § 53.1-231.2. (Patron-Puller, SB 82)
- Felony cases; transmission of prisoner orders. Amending § 19.2-310. (Patron-Norment, SB 238)
- Felony conviction; compensation for wrongful incarceration. Adding §§ 8.01-195.10, 8.01-195.11 and 8.01-195.12. (Patron-Tata, HB 638, CH 840; Quayle, SB 271, CH 818)
- Felony conviction; issuance of writ of actual innocence based on nonbiological evidence. Adding §§ 19.2-327.10 through 19.2-327.14. (Patron-Marsh, SB 218; Stolle, SB 333, CH 1024)
- Feticide; penalty. Adding § 18.2-32.2. (Patron-Cosgrove, HB 1, CH 1026; Stolle, SB 319, CH 1023)
- Filming, videotaping or photographing of another; penalty when permission not given. Amending § 18.2-386.1. (Patron-Bell, HB 663, CH 844)
- Firearms; control by localities. Amending §§ 15.2-915 and 18.2-308.2:2. (Patron-Hogan, HB 530, CH 837)
- Firearms; criminal history records check required to obtain from firearms show vendor. Amending § 54.1-4200; adding §§ 18.2-308.2:4 and 54.1-4201.2. (Patron-Marsh, SB 48)
- Firearms; penalty for possession or transportation by certain persons. Amending § 18.2-308.2:01. (Patron-Wright, HB 79, CH 347)
- Firearms; prohibits carrying loaded weapons in restaurants. Adding § 18.2-287.5. (Patron-Howell, SB 552)

**CRIMES AND OFFENSES GENERALLY (continued)**

- Firearms; regulations governing purchase in or outside State. Amending § 18.2-308.2:2. (Patron-McDonnell, HB 1144, CH 922)
- Firearms; sale and purchase requirements. Amending § 18.2-308.2:2. (Patron-Lingamfelter, HB 375, CH 354)
- Forfeiture statutes; transfer to criminal procedure code. Amending §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5 and 59.1-148.4; adding §§ 19.2-386.15 through 19.2-386.31; repealing §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336 and 18.2-374.2. (Patron-McDonnell, HB 1058, CH 995)
- Foster parents; approval of applicant even if exonerated for statutory burglary for breaking and entering. Amending § 63.2-1721. (Patron-Ticer, SB 612, CH 714)
- Fraud Against Taxpayers Act; not applicable to claims, records or statements relating to state or local taxes. Amending § 8.01-216.3. (Patron-Williams, SB 343, CH 589)
- Freedom of Information Act; exempts records of sexually violent predator commitment review committee. Amending §§ 2.2-3703, 2.2-3705 and 2.2-3711. (Patron-Houck, SB 354, CH 398)
- Gang-related crimes; qualification for comprehensive action program upon conviction for felony violation. Amending § 16.1-330.1. (Patron-O'Brien, SB 617, CH 418)
- Gangs; allows forfeiture of property used in connection with criminal street activity. Adding § 18.2-46.3:1. (Patron-Lingamfelter, HB 419)
- Gangs; definition of criminal street gang. Amending § 18.2-46.1. (Patron-Albo, HB 572)
- Gangs; definition, penalty upon conviction of criminal activity, forfeiture of property, etc. Amending §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1; adding §§ 18.2-46.3:1 and 18.2-46.3:2. (Patron-Albo, HB 569, CH 435; Stolle, SB 321, CH 396)
- Gangs; expands list of predicate criminal acts that define a pattern of criminal activity. Amending § 18.2-46.1. (Patron-McDonnell, HB 1149, CH 867)
- Gangs; notice to school superintendent of crimes committed by members. Amending § 16.1-260. (Patron-Albo, HB 125)
- Gangs; notice to school superintendent of prohibited participation by members. Amending § 16.1-260. (Patron-Colgan, SB 593, CH 416)
- Gangs; notice to school superintendent of prohibited participation or recruitment of juveniles for criminal street activity. Amending § 16.1-260. (Patron-Parrish, HB 1080, CH 558)
- Gangs; penalty for third or subsequent conviction for criminal street activity. Adding § 18.2-46.3:1. (Patron-Hurt, HB 760, CH 847)
- Gangs; presumption against bail, presentence report due to criminal participation. Amending §§ 19.2-120 and 19.2-299. (Patron-Rust, HB 1012, CH 308; Mims, SB 492, CH 819)
- Hate crimes; includes sexual orientation in list that a person may seek injunctive relief. Amending §§ 8.01-42.1, 18.2-57, 18.2-121 and 52-8.5. (Patron-Ticer, SB 473)
- Hazing; penalty when committed on a youth gang or criminal street gang member. Adding § 18.2-55.1. (Patron-Petersen, HB 801, CH 850)
- Identity theft; identification, issuance of an Identity Theft Passport. Amending §§ 2.2-511, 18.2-186.3, 18.2-186.5 and 63.2-1809. (Patron-Byron, HB 872, CH 450)
- Infected sexual battery; penalty. Amending § 18.2-67.4:1. (Patron-Bell, HB 657; Byron, HB 871, CH 449)
- Jury panel; employee not to be penalized for service. Amending § 18.2-465.1. (Patron-Joannou, HB 734, CH 800)
- Juveniles; intake officer may proceed if petition alleges an adult offense. Amending § 16.1-260. (Patron-Armstrong, HB 1062, CH 309)
- Law-enforcement officer; definition. Amending § 18.2-433.1. (Patron-Sherwood, HB 67, CH 263)
- License plates, special; issuance to supporters of Mothers Against Drunk Driving. Adding § 46.2-749.101. (Patron-Reid, HB 1295)
- Malicious bodily injury; applicable to game wardens. Amending § 18.2-51.1. (Patron-Abbitt, HB 640, CH 841)
- Malicious bodily injury; penalty by means of an infectious biological substance or radiological agent. Amending § 18.2-52.1. (Patron-Oder, HB 184, CH 833)

**CRIMES AND OFFENSES GENERALLY (continued)**

- Mandatory minimum punishment; definition. Amending §§ 4.1-305, 18.2-36.1, 18.2-51.1, 18.2-53.1, 18.2-57, 18.2-121, 18.2-154, 18.2-248, 18.2-248.01, 18.2-248.1, 18.2-248.5, 18.2-255, 18.2-255.2, 18.2-270, 18.2-308.1, 18.2-308.2, 18.2-308.2:2, 18.2-308.4, 19.2-120, 30-19.1:4, 46.2-301, 46.2-341.28, 46.2-357, 46.2-391, 53.1-116 and 53.1-203; adding § 18.2-12.1. (Patron-McDonnell, HB 1059, CH 461)
- Military grave markers; prohibits sale or offers for sale. Adding § 18.2-511. (Patron-Eisenberg, HB 812, CH 299)
- Misdemeanor cases; attorney to provide discovery. Amending § 19.2-265.4. (Patron-Albo, HB 120, CH 348)
- Misdemeanors, traffic infractions, etc.; fixed fee in district court. Amending § 16.1-69.48:1. (Patron-McDonnell, HB 1141, CH 371)
- Missing children; information to be entered into Criminal Information Network and National Crime Information Center Systems. Amending § 15.2-1718. (Patron-Shannon, HB 717, CH 443)
- Mistaken identification in criminal cases; Crime Commission to study. (Patron-Purkey, HJR 79)
- Mob crimes; venue for actions and prosecutions. Amending § 18.2-46. (Patron-Albo, HB 119, CH 144)
- Motion pictures; penalty for audiovisual recording. Adding § 18.2-187.2. (Patron-McDonnell, HB 1129, CH 759)
- Obstruction of justice; penalty for violation of crimes involving gang activity and recruitment of street gangs. Amending § 18.2-460. (Patron-Albo, HB 571)
- Pneumatic guns; regulation and use. Amending §§ 15.2-1209, 18.2-299 and 22.1-277.07; adding § 15.2-915.2. (Patron-Lingamfelter, HB 1303, CH 930)
- Prescription drugs; unlawful to assist individuals in procuring from a pharmacy or other source. Adding § 18.2-258.2. (Patron-O'Bannon, HB 632, CH 620)
- Profane swearing and intoxication in public; penalty. Amending § 18.2-388. (Patron-Howell, SB 40)
- Racing; conduct punishable as involuntary manslaughter due to death of another, punishment for injury of another. Amending § 46.2-867; adding § 46.2-865.1. (Patron-Hugo, HB 993, CH 859)
- Racketeer Influenced and Corrupt Organization (RICO) Act; created. Amending §§ 2.2-511, 19.2-10.1 and 58.1-1017; adding §§ 18.2-511 through 18.2-516. (Patron-McDonnell, HB 1123, CH 996; Stolle, SB 320, CH 883)
- Reckless driving; penalty. Amending § 46.2-393. (Patron-Mims, SB 499, CH 115)
- Reckless driving; penalty if convicted while license suspended and death or serious injury involved. Amending § 46.2-868. (Patron-McQuigg, HB 250, CH 349)
- Schools; reporting of threats made on and illegal carrying of a firearm on school property. Amending § 22.1-279.3:1. (Patron-Byron, HB 869, CH 542)
- Sentencing guidelines; felony offenses include solicitation to commit murder and certain other terrorist activities. Amending § 17.1-805. (Patron-McDonnell, HB 1148, CH 866)
- Sentencing guidelines; modification for use of methamphetamine. Adding § 17.1-807. (Patron-Obenshain, SB 484)
- Sex crimes against children; penalty. Amending §§ 18.2-63, 18.2-64.1 and 18.2-370.1. (Patron-Wagner, SB 423)
- Sex offenders; registration procedures. Amending § 9.1-903. (Patron-Griffith, HB 291, CH 834)
- Sexual abuse; definition. Amending § 18.2-67.10. (Patron-Shannon, HB 718, CH 741)
- Sexual assault; applicability of mental incapacity and physical helplessness of complaining witness. Amending § 18.2-67.10. (Patron-Marrs, HB 514)
- Sexual assault; Department of Health to study statewide response to victims and prevention thereof. (Patron-Watkins, SJR 131)
- Sexual assault; venue for criminal prosecutions. Amending § 18.2-359. (Patron-Bell, HB 1293, CH 869)
- Sexual offenses; provisions, penalties. Amending §§ 9.1-902, 15.2-1724, 16.1-272, 17.1-805, 18.2-62, 18.2-63, 18.2-67.5:2, 18.2-67.8, 18.2-345, 18.2-346, 18.2-346.1, 18.2-348, 18.2-356, 18.2-359, 18.2-360, 18.2-370, 18.2-370.1, 18.2-370.2, 18.2-371, 18.2-374.3, 19.2-268.2, 19.2-271.2, 19.2-299, 32.1-58, 32.1-126.01, 32.1-162.9:1, 37.1-20.3, 37.1-183.3, 37.1-197.2, 63.2-1719, 63.2-1726 and 63.2-1727; adding § 18.2-361.1; repealing § 18.2-344. (Patron-Albo, HB 1054)

**CRIMES AND OFFENSES GENERALLY (continued)**

- Sexually violent predators; civil commitment. Amending §§ 37.1-70.5 through 37.1-70.9. (Patron-Griffith, HB 1237, CH 764)
- Sexually violent predators; notification to state and local authorities of proposed housing facility. Amending § 37.1-70.10. (Patron-Marsh, SB 556, CH 707)
- Spousal support; application of orders when either party has committed fraud. Amending §§ 20-74, 20-108, 20-109 and 20-112. (Patron-Griffith, HB 326)
- Student conduct; code regulations to include guidelines on hazing. Amending §§ 22.1-279.6 and 22.1-279.9. (Patron-Tata, HB 1331, CH 574)
- Sunday closing laws; abolishes "Blue laws." Repealing §§ 18.2-341, 18.2-342, 18.2-343 and 40.1-28.5. (Patron-Quayle, SB 659, CH 608)
- Telephone Privacy Protection Act; prohibits telephone solicitation to persons on a Do-Not-Call Registry. Amending §§ 59.1-510, 59.1-511, 59.1-513 and 59.1-514; adding § 59.1-513.1. (Patron-Morgan, HB 689, CH 224; Williams, SB 344, CH 202)
- Trauma Center Fund; established to accept funds paid for DUI convictions. Adding § 18.2-270.01. (Patron-McDonnell, HB 1143, CH 999)
- Weapons; possession on school property by off-duty law-enforcement officer. Amending § 18.2-308.1. (Patron-Cosgrove, HB 286, CH 128)
- Weapons; prohibits carrying in an air carrier airport terminal. Adding § 18.2-287.01. (Patron-Stolle, SB 660, CH 894)

**CRIMINAL JUSTICE SERVICES** See: Criminal Procedure**CRIMINAL PROCEDURE**

- Applicant Fingerprint Database; created for State Police to use in criminal background checks. Adding § 52-46. (Patron-Saslaw, SB 634, CH 826)
- Arrest without warrant; applicable in drunk driving cases. Amending § 19.2-81. (Patron-Bell, HB 664, CH 949)
- Bail; denied due to multiple DUI offenses. Amending § 19.2-120. (Patron-Bell, HB 889, CH 954; McDonnell, HB 1132, CH 959)
- Bail; denied due to multiple DUI offenses. Amending §§ 19.2-120 and 19.2-390. (Patron-Rerras, SB 442, CH 406)
- Bail enforcement agents; regulation and licensure. Amending § 9.1-102; adding §§ 9.1-185 through 9.1-199. (Patron-Stolle, SB 334, CH 397)
- Bonds; forfeiture for failure to appear and to meet conditions of recognizance. Amending § 19.2-143. (Patron-Bell, HB 647)
- Capital cases; appointment of counsel. Amending § 19.2-163.7. (Patron-Stolle, SB 177, CH 329)
- Community criminal justice boards; representation at meetings. Amending § 9.1-178. (Patron-Blevins, SB 308, CH 395)
- Conservators of the peace; includes special agents of Department of Homeland Security. Amending § 19.2-12. (Patron-O'Brien, SB 298, CH 1009)
- Conservators of the peace; registration. Amending § 19.2-13. (Patron-Norment, SB 390, CH 401)
- Consumer Real Estate Settlement Protection Act; issuance of summonses and subpoenas. Amending §§ 6.1-2.25 and 6.1-2.27. (Patron-Mims, SB 509, CH 597)
- Crime prevention specialists; certification approval. Amending §§ 9.1-161 and 9.1-162. (Patron-Weatherholtz, HB 1116, CH 466)
- Criminal cases; testimony of husband and wife. Amending §§ 8.01-398 and 19.2-271.2. (Patron-Johnson, HB 352)
- Criminal history records check; applicable to adult substance abuse treatment facilities. Amending §§ 37.1-183.3 and 37.1-197.2. (Patron-Devolites, SB 93)
- Criminal history records check; applicable to justices, judges, substitute judges and magistrates. Amending §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35. (Patron-Phillips, HB 916, CH 452)
- Criminal history records check; locality may require applicant or licensee to pay cost of fingerprinting. Amending § 15.2-1503.1. (Patron-Marsh, SB 90, CH 160)
- Criminal Justice Services Board; membership. Amending § 9.1-108. (Patron-Devolites, SB 100)
- Criminal offenses; deferred disposition. Adding § 19.2-303.5. (Patron-Mims, SB 496)

**CRIMINAL PROCEDURE (continued)**

- Criminal penalties; revision throughout Code. Amending §§ 8.01-44.4, 9.1-902, 9.1-908, 9.1-910, 16.1-69.48:1, 16.1-260, 16.1-269.1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 17.1-805, 18.2-9, 18.2-10, 18.2-25, 18.2-31, 18.2-32, 18.2-46.1, 18.2-46.5, 18.2-46.6, 18.2-49, 18.2-49.1, 18.2-53, 18.2-53.1, 18.2-54.1, 18.2-54.2, 18.2-55, 18.2-57, 18.2-57.02, 18.2-57.2, 18.2-67.1, 18.2-67.2, 18.2-67.9, 18.2-67.10, 18.2-128, 18.2-144, 18.2-147.1, 18.2-289, 18.2-300, 18.2-370.2, 18.2-427, 18.2-481, 19.2-163, 19.2-215.1, 19.2-218.1, 19.2-218.2, 19.2-264.4, 19.2-270.1, 19.2-297.1, 19.2-298.01, 19.2-299, 19.2-303.4, 19.2-327.2, 19.2-327.3, 19.2-335, 19.2-336, 53.1-40.01, 53.1-131.2, 53.1-151, 54.1-2989 and 63.2-1719; adding §§ 18.2-47.1 through 18.2-47.5, 18.2-48.01, 18.2-48.02, 18.2-51.01 through 18.2-51.05, 18.2-52.01, 18.2-52.02; repealing §§ 18.2-47, 18.2-48, 18.2-48.1, 18.2-51, 18.2-51.1, 18.2-51.2 and 18.2-67.2:1. (Patron-Albo, HB 1053)
- Criminal trials; hospitalization of mentally ill defendants. Amending §§ 19.2-169.6, 19.2-176 and 19.2-177.1. (Patron-Edwards, SB 640)
- Deadman's Statute; increases amount of admissible evidence when party incapable of testifying. Amending § 8.01-397. (Patron-Obenshain, SB 481)
- Death penalty; content of sentencing order when sentence of imprisonment for life imposed. Amending § 19.2-264.5. (Patron-Hurt, HB 755, CH 298)
- Death penalty; moratorium on executions. (Patron-Marsh, SB 47)
- Death penalty; prohibited for pregnant women. (Patron-Marshall, R.G., HB 134)
- Domestic violence or sexual assault; privileged communications between victims and advocates. Adding §§ 8.01-400.3 and 19.2-271.4. (Patron-Mims, SB 665)
- Domestic violence, sexual assault, stalking and violation of protective orders; training of personnel to handle. Amending §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4 and 63.2-1502. (Patron-Griffith, HB 1233, CH 980; Norment, SB 236, CH 972)
- Driving under influence of alcohol or drugs; arrest may be reported to Central Criminal Records Exchange. Amending § 19.2-390. (Patron-Janis, HB 594, CH 284)
- Driving under influence of alcohol or drugs; mandatory minimum sentence for third offense, joint prosecution of DUI and reckless driving, administrative license suspension. Amending §§ 18.2-270, 19.2-294.1, 46.2-391 and 46.2-391.2. (Patron-Norment, SB 384, CH 937)
- Driving under influence of alcohol or drugs and reckless driving; dismissal of one of dual charges. Amending § 19.2-294.1. (Patron-Mims, SB 491)
- Embezzlement by public official of public funds; penalty. Adding § 18.2-112.1. (Patron-Reynolds, SB 192)
- Family abuse; determination of predominant physical aggressor. Amending §§ 9.1-102, 19.2-81.3 and 19.2-81.4. (Patron-Howell, SB 550, CH 1016)
- Felonies; DNA sampling of arrestees for attempted crime. Amending § 19.2-310.2:1. (Patron-McDougle, HB 776, CH 445)
- Felony cases; transmission of prisoner orders. Amending § 19.2-310. (Patron-Norment, SB 238)
- Felony conviction; issuance of writ of actual innocence based on nonbiological evidence. Adding §§ 19.2-327.10 through 19.2-327.14. (Patron-Marsh, SB 218; Stolle, SB 333, CH 1024)
- Forfeiture statutes; transfer to criminal procedure code. Amending §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5 and 59.1-148.4; adding §§ 19.2-386.15 through 19.2-386.31; repealing §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336 and 18.2-374.2. (Patron-McDonnell, HB 1058, CH 995)
- Freedom of Information Act; exempts certain records of Department of Criminal Justice Services. Amending § 2.2-3705. (Patron-Scott, J.M., HB 1246, CH 766)
- Gangs; presumption against bail, presentence report due to criminal participation. Amending §§ 19.2-120 and 19.2-299. (Patron-Rust, HB 1012, CH 308; Mims, SB 492, CH 819)
- Grand jurors; procedure for selection. Amending § 19.2-194. (Patron-Pollard, HB 942, CH 306)
- Health records; privacy provisions. Amending § 32.1-127.1:03. (Patron-O'Bannon, HB 879, CH 67)
- Illegal aliens; procedure for detention and arrest. Amending §§ 19.2-82 and 19.2-120; adding § 19.2-81.6. (Patron-Albo, HB 570, CH 360; Mims, SB 493, CH 412)
- Juveniles; fingerprints and photographs required if charged with certain delinquent acts. Amending § 16.1-299. (Patron-Moran, HB 1096, CH 464)

**CRIMINAL PROCEDURE (continued)**

- Magistrate System; Report of Supreme Court of Virginia (HJR 32, 2002). (HD 7)
- Magistrates; abolishes training requirements by attorneys for the Commonwealth. Repealing § 19.2-42. (Patron-Marsh, SB 162, CH 327)
- Magistrates; appointment. Amending §§ 19.2-35, 19.2-36 and 19.2-38. (Patron-McDonnell, HB 1139, CH 370)
- Magistrates; appointment. Amending § 19.2-37. (Patron-Obenshain, SB 669, CH 830)
- Misdemeanor cases; attorney to provide discovery. Amending § 19.2-265.4. (Patron-Albo, HB 120, CH 348)
- Pretrial services; applicable for adults and juveniles transferred for trial as adults. Amending §§ 19.2-152.2, 53.1-95.8 and 53.1-109. (Patron-Hurt, HB 1308, CH 378)
- Property bail bondsmen; certification. Amending § 19.2-152.1. (Patron-Melvin, HB 71, CH 264)
- Protective orders; distribution of information by intake officer. Amending § 16.1-260. (Patron-Howell, SB 551, CH 255)
- Public Defender Commission; name changed to Indigent Defense Commission. Amending §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124; adding §§ 19.2-163.01 through 19.2-163.04 and 19.2-163.4:1; repealing §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6. (Patron-Moran, HB 1056, CH 921; Stolle, SB 330, CH 884)
- Public defender's office; establishment in Arlington County and Falls Church City. Amending § 19.2-163.2. (Patron-Ebbin, HB 950; Whipple, SB 450)
- Public defender's office; establishment in Chesapeake City. Amending § 19.2-163.2. (Patron-Cosgrove, HB 34)
- Public defender's office; establishment in Hampton City. Amending § 19.2-163.2. (Patron-Gear, HB 1454)
- Public defender's office; establishment in Newport News City. Amending § 19.2-163.2. (Patron-Hamilton, HB 583)
- School students; report of arrest for certain criminal offenses. Amending §§ 16.1-260, 19.2-83.1 and 22.1-279.3:1. (Patron-Saslaw, SB 633, CH 517)
- Sentencing guidelines; felony offenses include solicitation to commit murder and certain other terrorist activities. Amending § 17.1-805. (Patron-McDonnell, HB 1148, CH 866)
- Subpoenas; time frame for those issued by attorneys. Amending §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265. (Patron-Mims, SB 495, CH 335)
- Traffic infractions; prepayment. Amending § 19.2-254.1. (Patron-Marsh, SB 23)
- Trials; appeals due to inadequate damages. Amending § 8.01-383.1. (Patron-Stolle, SB 414)
- Trials; dismissal of action by nonsuit. Amending § 8.01-380. (Patron-O'Bannon, HB 624, CH 362; Cuccinelli, SB 141)
- Trials; exclusion of witnesses. Amending § 19.2-265.1. (Patron-Moran, HB 1095, CH 311)
- Victim impact testimony; admission in proceedings. Amending § 19.2-295.3. (Patron-Scott, E.T., HB 1083, CH 310)
- Wire, electronic or oral communications; no penalty if parties consent to interception. Amending § 19.2-62. (Patron-Deeds, SB 250)
- Wire, electronic or oral communications; penalty for illegal interception. Amending § 19.2-62. (Patron-Bell, HB 650, CH 149)
- Wiretaps; expands crimes for which Attorney General may apply for orders. Amending § 19.2-66. (Patron-Albo, HB 118, CH 122)

**CROMER, WILLIE S., JR.** See: Commending Resolutions

**CROSS, ROBERT D.** See: Memorial Resolutions

**CROY, LILLIAN BRADFORD** See: Memorial Resolutions

**CRUELTY TO ANIMALS** See: Agriculture, Horticulture and Food

**CUCCINELLI, KENNETH T., II**

Added as co-patron:

S.B. 94. . . . . 524

S.J.R. 79 . . . . . 597

H.J.R. 492. . . . . 1753

Addressed Senate in memory and honor of victims of the tragedy in Spain; requested adjournment in memory and honor . . . . . 1697

Certification of election, oath . . . . . 4, 5

Leaves of absence . . . . . 1107, 1781

Notified Clerk of presence . . . . . 294, 370, 415, 429, 558, 684, 817, 1598, 1698, 1730, 1782

Statement on vote:

S.B. 658. . . . . 634

**CULBERT, KENNETH W.** See: Memorial Resolutions

**CUMBERLAND COUNTY**

Deer and wild birds or animals; abolishes unlawful rifle hunting in Halifax and Cumberland Counties. Repealing Chapter 144, 1958 Acts. (Patron-Landes, HB 77, CH 266)

**CUMBERLEDGE, HAROLD B.** See: Memorial Resolutions

**CUNNINGHAM, JOEL C.** See: Judges Justices and Other Elective Officers

**CUNNINGHAM, ROOSEVELT** See: Memorial Resolutions

**CURL, THELMA D.** See: Memorial Resolutions

**CUSTALOW, WEBSTER “LITTLE EAGLE”** See: Memorial Resolutions

**D N A TEST DATA EXCHANGE** See: Health

**DAIRY PRODUCTS** See: Agriculture, Horticulture and Food

**DALTON, SHARON** See: Claims

**DANCE HALLS** See: Theaters and Other Places of Amusement

**DANGEROUS OR HAZARDOUS SUBSTANCES OR CHEMICALS**

Blood-lead testing issues; Division of Consolidated Laboratory Services and Secretary of Health and Human Resources to establish a task force to facilitate communication and cooperation thereon, report. (Patron-Lambert, SJR 46)

Commercial driver’s license; imposition of additional fees for hazmat endorsement. Amending § 46.2-341.16:1. (Patron-Williams, SB 345, CH 109)

Hazardous waste; temporary storage. Amending § 10.1-1426. (Patron-Oder, HB 713, CH 442)

Lead-Poisoning Prevention, Joint Subcommittee Studying; continued. (Patron-Lambert, SJR 43)

Malicious bodily injury; penalty by means of an infectious biological substance or radiological agent. Amending § 18.2-52.1. (Patron-Oder, HB 184, CH 833)

Motor vehicles with nitrous oxygen-supplied engines; prohibited. Adding § 46.2-1088.4. (Patron-Albo, HB 564, CH 282)

**DANGEROUS WEAPONS**

Concealed handguns; allows permit holders to purchase more than one handgun per month. Amending § 18.2-308.2:2. (Patron-Janis, HB 404, CH 904)

Concealed handguns; confidentiality of social security numbers in permit applications. Amending § 18.2-308. (Patron-Lingamfelter, HB 382, CH 355)

Concealed handguns; denial or revocation of permit, appeals. Amending § 18.2-308. (Patron-Cuccinelli, SB 143)

Concealed handguns; issuance of a de facto permit. Amending § 18.2-308. (Patron-Janis, HB 402, CH 903)

**DANGEROUS WEAPONS (continued)**

- Concealed handguns; reciprocal agreements for permits with other states. Amending § 18.2-308. (Patron-Athey, HB 215, CH 900)
- Concealed weapons; abolishes prohibition on carrying in a restaurant or club, exception when patron has consumed alcohol. Amending § 18.2-308. (Patron-Cuccinelli, SB 579)
- Concealed weapons; applicability while engaged in hunting. Amending § 18.2-308. (Patron-Stolle, SB 326, CH 1012)
- Concealed weapons; carrying by certain law-enforcement officers. Amending § 18.2-308. (Patron-Cline, HB 1205, CH 926)
- Concealed weapons; exempts certain retired law-enforcement officers from permit fees. Amending § 18.2-308. (Patron-Devolites, SB 99, CH 876)
- Concealed weapons; exempts retired officers from U.S. Marshals Service from permit fees. Amending § 18.2-308. (Patron-O'Brien, SB 287)
- Concealed weapons; includes machete in list of prohibited items. Amending § 18.2-308. (Patron-Albo, HB 167, CH 423)
- Concealed weapons; permits by persons out-of-state. Amending § 18.2-308. (Patron-Nutter, HB 238, CH 901; Obenshain, SB 485)
- Concealed weapons; reciprocity agreements for law-enforcement officers. Amending § 18.2-308. (Patron-Williams, SB 341, CH 885)
- Concealed weapons; residency requirement for application for permit. Amending § 18.2-308. (Patron-Suit, HB 444, CH 905)
- Firearms; abolishes provisions regulating sales and purchases in contiguous states. Repealing §§ 59.1-148.1 and 59.1-148.2. (Patron-Lingamfelter, HB 1302, CH 929)
- Firearms; control by localities. Amending § 15.2-915. (Patron-McDonnell, HB 1150, CH 923)
- Firearms; control by localities. Amending §§ 15.2-915 and 18.2-308.2:2. (Patron-Hogan, HB 530, CH 837)
- Firearms; criminal history records check required to obtain from firearms show vendor. Amending § 54.1-4200; adding §§ 18.2-308.2:4 and 54.1-4201.2. (Patron-Marsh, SB 48)
- Firearms; definition of muzzleloading rifle and shooting. Amending §§ 29.1-100, 29.1-519 and 29.1-528. (Patron-Quayle, SB 657)
- Firearms; penalty for possession or transportation by certain persons. Amending § 18.2-308.2:01. (Patron-Wright, HB 79, CH 347)
- Firearms; permit to sell or purchase in certain counties. Amending § 15.2-1208; repealing Chapter 297, 1944 Acts. (Patron-Cole, HB 484, CH 62; Cuccinelli, SB 227, CH 393; Cuccinelli, SB 264)
- Firearms; prohibits carrying loaded weapons in restaurants. Adding § 18.2-287.5. (Patron-Howell, SB 552)
- Firearms; regulations governing purchase in or outside State. Amending § 18.2-308.2:2. (Patron-McDonnell, HB 1144, CH 922)
- Firearms; sale and purchase requirements. Amending § 18.2-308.2:2. (Patron-Lingamfelter, HB 375, CH 354)
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- Assault and battery; penalty when committed against a family or household member. Amending § 18.2-57.2. (Patron-Bell, HB 656, CH 738; Byron, HB 863, CH 448)
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- Child custody and visitation; court to consider best interest of child. Amending § 20-124.3. (Patron-Suit, HB 441, CH 221)
- Child custody and visitation; filing fee for appeals. Amending §§ 16.1-69.48:5 and 16.1-296; adding § 16.1-296.2. (Patron-Kilgore, HB 344, CH 727; Devolites, SB 103, CH 659)
- Child custody and visitation; penalty for violation of court order. Amending § 18.2-49.1. (Patron-Cosgrove, HB 858)
- Child Custody Jurisdiction and Enforcement Act; changes in provisions. Amending §§ 20-146.13 and 20-146.14. (Patron-Mims, SB 510)
- Child custody or visitation; parties may be required to attend parenting classes. Amending §§ 16.1-278.15 and 20-103. (Patron-Suit, HB 447, CH 732)
- Child custody or visitation; service of summons on teacher or school personnel for attendance and testimony. Amending §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272. (Patron-Stolle, SB 335, CH 588)
- Child support; capias for nonsupport. Amending § 16.1-278.16. (Patron-Kilgore, HB 320, CH 219)

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- Child support; guidelines not to include calculations from income from second job, payment of medical expenses. Amending § 20-108.2. (Patron-Marrs, HB 511, CH 907)
- Child support; guidelines not to include calculations from income from second job, payment of medical expenses. Amending §§ 20-60.3, 20-108.1 and 20-108.2. (Patron-Quayle, SB 208, CH 1008)
- Child support; may be modified retroactively only to date that petition for modification was filed. Amending §§ 16.1-278.18, 20-74, 20-108, 20-108.1, 20-112 and 63.2-1916. (Patron-Mims, SB 497, CH 204)
- Child support; paternity to be established. Amending §§ 20-60.3 and 63.2-1916. (Patron-Hanger, SB 524)
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- Divorce decrees; agreements for spousal support, modification and enforcement. Amending § 20-109.1. (Patron-Deeds, SB 680)
- Domestic violence or sexual assault; privileged communications between victims and advocates. Adding §§ 8.01-400.3 and 19.2-271.4. (Patron-Mims, SB 665)
- Domestic violence, sexual assault, stalking and violation of protective orders; training of personnel to handle. Amending §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4 and 63.2-1502. (Patron-Griffith, HB 1233, CH 980; Norment, SB 236, CH 972)
- Domestic Violence Victim Fund; created. Amending §§ 16.1-69.48:1 and 20-15; adding § 9.1-116.1. (Patron-Griffith, HB 1234, CH 375; Norment, SB 237)
- Family abuse; determination of predominant physical aggressor. Amending §§ 9.1-102, 19.2-81.3 and 19.2-81.4. (Patron-Howell, SB 550, CH 1016)
- Family life education; curriculum to include steps to avoid sexual assault, and availability of counseling and legal resources, etc. Amending § 22.1-207.1. (Patron-Dillard, HB 1015, CH 1030)
- Guardianship of children; subsidy for relative caregivers. Amending § 63.2-100; adding § 63.2-913. (Patron-Miller, SB 35, CH 814)
- Marriage; affirmation. Adding § 20-45.3. (Patron-Marshall, R.G., HB 751, CH 983)
- Marriage; urging Congress to propose constitutional amendment to protect fundamental institution thereof. (Patron-McDonnell, HJR 187; Cuccinelli, SJR 91)
- Marriage license; waiver of tax if parties have received counseling. Amending § 20-15. (Patron-Deeds, SB 379)
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- Medical assistance services; includes marriage and family therapist. Amending § 32.1-325. (Patron-Shuler, HB 224, CH 125)
- Parenting programs; created within Department of Correctional Education. Adding § 22.1-345.1. (Patron-Watts, HB 792, CH 912; Devolites, SB 98, CH 875)
- Spousal support; application of orders when either party has committed fraud. Amending §§ 20-74, 20-108, 20-109 and 20-112. (Patron-Griffith, HB 326)
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- Animal dissection in public schools; alternatives. Adding § 22.1-200.01. (Patron-Dillard, HB 1018, CH 918)
- At-Risk Student Academic Achievement Program and Fund; created. Adding § 22.1-199.4. (Patron-Dillard, HB 1013, CH 456)
- Career and technical education; Board of Education, et al., to develop a template for a statewide articulation agreement therefor. (Patron-Hamilton, HJR 125)
- Career and technical education; to be included in curriculum. Amending § 22.1-253.13:1. (Patron-Hurt, HB 769, CH 848)
- Career-training schools; regulation. Amending §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11 and 54.1-3029; adding §§ 23-276.13, 23-276.14 and 23-276.15; repealing §§ 22.1-326.1, 22.1-333, 22.1-334 and 22.1-335. (Patron-Tata, HB 637, CH 991)
- Character education; requirements. Amending § 22.1-208.01. (Patron-Edwards, SB 63)
- Charter School Excellence and Accountability Act; changes in provisions. Amending §§ 2.2-3109, 22.1-212.5, 22.1-212.6, 22.1-212.8, 22.1-212.9, 22.1-212.11 and 22.1-212.12. (Patron-Lingamfelter, HB 380, CH 530)
- Chartered Universities and Colleges Act of 2004; created. Amending §§ 2.2-3101, 2.2-4343, 8.01-195.2, 13.1-543, 13.1-1102, 23-1.01, 23-1.1, 23-2, 23-2.1, 23-2.1:1, 23-3, 23-4.1, 23-4.2, 23-4.3, 23-4.4, 23-7.1:02, 23-7.4, 23-7.4:1, 23-7.4:2, 23-7.4:3, 23-7.5, 23-8.2:1, 23-9.1, 23-9.1:1, 23-9.2, 23-9.2:3, 23-9.2:3.1, 23-9.2:3.2, 23-9.2:3.3, 23-9.2:3.4, 23-9.2:4, 23-14, 23-30.23, 23-30.40, 23-38.10:2, 23-38.19:1, 23-38.19:3, 23-38.45, 23-38.53:1, 23-38.53:4, 23-38.53:11, 23-38.53:12, 23-38.55, 23-38.70, 23-38.72, 23-38.75, 23-232, 25.1-100 and 30-133; adding §§ 23-9.3:01, 23-31.01, 23-38.88 through 23-38.126, 58.1-100.1, 58.1-2020.1 and 58.1-3000.1. (Patron-Norment, SB 638)
- Child abuse or neglect; reporting by school personnel. Adding § 22.1-291.3. (Patron-Saxman, HB 1038, CH 752; Obenshain, SB 576, CH 710)
- Child custody or visitation; service of summons on teacher or school personnel for attendance and testimony. Amending §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272. (Patron-Stolle, SB 335, CH 588)
- Children with disabilities; special education services for those placed across jurisdictional lines. Amending § 2.2-5211. (Patron-Nixon, HB 1047, CH 631)
- Cigarettes; tax increased, use for funding police and teacher salaries and Medicaid. Amending §§ 58.1-1001, 58.1-3830, 58.1-3831 and 58.1-3840. (Patron-Potts, SB 269)
- Community-based programs for adults; Board of Correctional Education to develop. Amending §§ 22.1-340, 22.1-342 and 22.1-343. (Patron-Moran, HB 1108, CH 465)
- Compulsory school attendance; enforcement. Amending §§ 16.1-241.2, 16.1-263, 22.1-263 and 22.1-279.3; adding § 16.1-290.1. (Patron-Marrs, HB 1326, CH 573)

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- Computers; teachers may purchase on state contract for use outside classroom. Amending § 2.2-2012. (Patron-Marrs, HB 508, CH 278)
- Cultural diversity policies; establishment for local school boards and institutions of higher education. Amending § 23-215; adding §§ 22.1-16.3, 22.1-86.2 and 23-1.02. (Patron-Marsh, SB 222)
- Diplomas; guidelines for awarding. Amending § 22.1-253.13:4. (Patron-Wagner, SB 425)
- Diplomas; local school board to award verified units of credit. Amending Chapter 577, 2002 Acts. (Patron-Councill, HB 1257, CH 473)
- Disabled children; school divisions to identify those placed in a mental health facility. Amending § 22.1-215. (Patron-O'Brien, SB 299)
- Driver eligibility certificates; issuance when student in good academic standing. Amending §§ 46.2-320, 46.2-334 and 46.2-335. (Patron-Obenshain, SB 487)
- Driver's license; issuance of restricted permit to certain youthful drivers for purpose of school attendance. Amending § 46.2-334.01. (Patron-O'Brien, SB 306)
- Educational facilities; adequate levels of service needed in comprehensive plan. Adding §§ 15.2-2230.2, 15.2-2242.1, 22.1-18.2 and 22.1-79.4. (Patron-Quayle, SB 393)
- Educational Facilities Bond Act of 2002; issuance of bonds. (Patron-Hanger, SB 532)
- Educational Leadership, Commission to Review, Study and Reform; continued. (Patron-Hamilton, HJR 124)
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- Educational Technology and Technology Support Personnel, State Funding Formula for; Report of Joint Legislative Audit and Review Commission (SJR 87, 2002). (SD 6)
- Educational technology funding; joint subcommittee to review feasibility and appropriateness of implementation thereof. (Patron-Puller, SJR 28)
- Entrepreneurial Education Region; posting of appropriate markers at entrances thereto. (Patron-Carrico, HJR 132)
- Equal Education Opportunity Plan; development by Secretary of Education, report. Adding §§ 2.2-209.1 and 2.2-209.2. (Patron-Marsh, SB 220)
- Family life education; curriculum to include steps to avoid sexual assault, and availability of counseling and legal resources, etc. Amending § 22.1-207.1. (Patron-Dillard, HB 1015, CH 1030)
- Firearms; school divisions may establish policies on possession on school property. Adding § 22.1-277.07:1. (Patron-Weatherholtz, HB 1117, CH 560)
- Gangs; notice to school superintendent of crimes committed by members. Amending § 16.1-260. (Patron-Albo, HB 125)
- Gangs; notice to school superintendent of prohibited participation by members. Amending § 16.1-260. (Patron-Colgan, SB 593, CH 416)
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- Great Virginia Teach-In; designating as March 27-28, 2004. (Patron-Ward, HJR 168)
- Green schools program; to promote waste reduction and resource efficiency. Adding § 22.1-212.1:2. (Patron-Howell, SB 315, CH 882)
- Health insurance; credits for retired school superintendents. Amending § 51.1-1401. (Patron-Putney, HB 356, CH 84)
- Health insurance; credits for retired teachers. Amending § 51.1-1401. (Patron-Potts, SB 60)
- Home ownership; grants by localities to employees, including school board and constitutional officer employees. Adding § 15.2-958.2. (Patron-Drake, HB 827, CH 541)
- Home schooling; qualifications of instructor. Amending § 22.1-254.1. (Patron-Bell, HB 675)
- Homeless children; public school enrollment. Amending §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270 and 22.1-271.2. (Patron-Quayle, SB 270, CH 500)
- Income tax, state; subtractions include certain salary of local school board employees. Amending § 58.1-322. (Patron-Hanger, SB 515)

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- Jacob Salter Field; Fairfax County's School Board and Board of Supervisors encouraged to name athletic field at Mountain View School. (Patron-O'Brien, SJR 55)
- Joint or regional schools; development of specialized curriculum and alternative schedules. Amending § 22.1-26. (Patron-Lucas, SB 553, CH 256)
- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; local school boards and governing bodies to use in practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 110)
- Miller School of Albemarle; membership of Board of Trustees. Amending first enactment of Chapter 319, 2002 Acts. (Patron-Abbitt, HB 642, CH 148)
- Natural gas; direct sales to certain public schools. Amending § 56-265.1. (Patron-Phillips, HB 920, CH 748)
- No Child Left Behind Act; memorializing Congress to include a mechanism for automatic waiver for school accountability for states. (Patron-Landes, HJR 192; Hanger, SJR 77)
- Parental leave for school involvement; employer requirement. Amending §§ 40.1-28.1 through 40.1-28.5. (Patron-Potts, SB 27)
- Parenting programs; created within Department of Correctional Education. Adding § 22.1-345.1. (Patron-Watts, HB 792, CH 912; Devolites, SB 98, CH 875)
- Pledge of Allegiance; encouraging Supreme Court to uphold public school district policy on recitation. (Patron-Cole, HJR 179)
- Principals and assistant principals; Board of Education to review its regulations to incorporate an alternative licensure route. (Patron-Hamilton, HJR 123)
- Public School Authority; grants for school construction. Amending §§ 22.1-166.1 and 22.1-166.2. (Patron-Puller, SB 87)
- Public school divisions; Joint Legislative Audit and Review Commission to study outsourcing opportunities for noninstructional services. (Patron-O'Brien, SJR 56)
- Public School Divisions, Best Practices for Support Services of; Final Report of Joint Legislative Audit and Review Commission (HJR 34, 2002). (HD 6)
- Public school employees; compensation when called to active military duty. Adding § 22.1-289.2. (Patron-Cox, HB 318, CH 528)
- Public school teachers and administrators; Board of Education to study granting state employee status. (Patron-Ruff, SJR 63)
- Public Schools, Review of Factors and Practices Associated with School Performance; Report of Joint Legislative Audit and Review Commission (SJR 349, 2003). (SD 8)
- Public-Private Education Facilities and Infrastructure Act of 2002; provisions for performance and payment bonds. Amending §§ 56-575.9 and 56-575.16. (Patron-Hargrove, HB 148, CH 986; Edwards, SB 688)
- Retirement System; credit for prior service as a substitute teacher. Amending § 51.1-142.2. (Patron-Ticer, SB 476)
- School admissions; applicability when parent of student is deployed outside of United States as member of National Guard or U.S. Armed Forces. Amending §§ 22.1-3, 22.1-5 and 22.1-270. (Patron-Baskerville, HB 1443, CH 967)
- School board employees; written contracts required. Adding § 22.1-296.01. (Patron-Hanger, SB 520)
- School boards; employment of turnaround specialists for identification of factors that may impede academic success, retirement benefits. Amending § 22.1-199.1; adding §§ 51.1-617 and 51.1-618. (Patron-Hamilton, HB 576, CH 436)
- School boards; encouraged to use performance-based contracts to evaluate division superintendents. (Patron-Jones, D.C., HJR 117)
- School boards; fringe benefits, expenses and reimbursements in Arlington County. (Patron-Brink, HB 433, CH 532)
- School boards; salary in Manassas Park City. Amending § 22.1-32. (Patron-Parrish, HB 1336, CH 199; Colgan, SB 644, CH 179)
- School calendar; abolishes required school year to begin after Labor Day. Repealing § 22.1-79.1. (Patron-Cuccinelli, SB 138)
- School calendar; "good cause" circumstances for a school division to open before Labor Day. Amending § 22.1-79.1. (Patron-Griffith, HB 1358)

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- School Construction Grant Act of 2004; created. Amending §§ 22.1-166.1 and 22.1-166.2. (Patron-Puller, SB 20)
- School corrective action plans; enforcement. Amending §§ 2.2-4018, 22.1-253.13:3, 22.1-253.13:6 and 22.1-253.13:8. (Patron-Reid, HB 1294, CH 965)
- School crossing guards; use of hand-held stop signs to control traffic. Amending § 46.2-834. (Patron-Howell, A.T., HB 1445, CH 575)
- School divisions; adjustment of state share due to consolidation of smaller divisions. Adding § 22.1-98.2. (Patron-Hanger, SB 518, CH 820)
- School divisions; consolidation. Amending § 22.1-25. (Patron-Reese, HB 978, CH 917)
- School divisions; urging to provide diversified health, nutrition and physical education activities for students. (Patron-Tata, HJR 260)
- School infrastructure for K-12; joint subcommittee to study level of assistance to localities necessary for adequate development. (Patron-Drake, HJR 105)
- School Performance Report Card; reporting requirements for each school. Amending § 22.1-253.13:3. (Patron-Hull, HB 1254, CH 472)
- School principals; licensure. Amending § 22.1-298. (Patron-Hamilton, HB 573, CH 46)
- School students; report of arrest for certain criminal offenses. Amending §§ 16.1-260, 19.2-83.1 and 22.1-279.3:1. (Patron-Saslaw, SB 633, CH 517)
- School term; provisions due to declaration of state of emergency. Amending § 22.1-98. (Patron-Hamilton, HB 575, CH 839)
- School term; provisions due to severe weather conditions or other emergency situation. Amending § 22.1-98. (Patron-Van Landingham, HB 1256, CH 868; Whipple, SB 452, CH 887)
- Schools; reporting of threats made on and illegal carrying of a firearm on school property. Amending § 22.1-279.3:1. (Patron-Byron, HB 869, CH 542)
- Schools or day care centers; to provide noncustodial parent with information on child's activities, progress, etc. Amending § 22.1-4.3. (Patron-O'Brien, SB 294)
- Standards of Learning; reporting of test results. Amending § 22.1-253.13:1. (Patron-Newman, SB 416, CH 404)
- Standards of Learning assessments; validity and reliability. Amending § 22.1-253.13:3. (Patron-Whipple, SB 459)
- Standards of Quality in public schools; changes in provisions. Amending §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6 and 22.1-292.1; adding §§ 22.1-200.01 and 22.1-202.1. (Patron-Dillard, HB 1014, CH 955; Potts, SB 479, CH 939)
- Standards of Quality in public schools; computation of composite index. Adding § 22.1-253.13:9. (Patron-O'Brien, SB 300; Mims, SB 666)
- Student conduct; code regulations to include guidelines on hazing. Amending §§ 22.1-279.6 and 22.1-279.9. (Patron-Tata, HB 1331, CH 574)
- Student conduct; policies concerning actions involving self defense. Amending § 22.1-279.6. (Patron-Marrs, HB 513, CH 908)
- Students; parent notification of credits required for graduation. Amending § 22.1-253.13:4. (Patron-Locke, SB 438, CH 509)
- Students With Disabilities, Ratios of Those With Individualized Education Plans in School Divisions to General Student Population; Report of Department of Education (SJR 305, 2003). (SD 3)
- Teachers; hearing and recommendation for dismissal and revocation of license. Amending §§ 22.1-311 and 22.1-312. (Patron-Cuccinelli, SB 145, CH 1007)
- Teachers; licensing of those providing instruction in special education. Amending § 22.1-299.3. (Patron-Hamilton, HB 1048, CH 920)
- Teachers; rehiring of those who are retired, designation of critical need areas. Amending §§ 22.1-79 and 51.1-155; adding § 22.1-70.3. (Patron-Dillard, HB 1171, CH 563)
- Tobacco products; tax increased, revenue deposited in Health Care Fund and Local Government School Construction Fund. Amending §§ 58.1-1001, 58.1-3830 and 58.1-3840; adding §§ 32.1-366 and 32.1-367; repealing § 58.1-3831. (Patron-Howell, SB 74)
- Weapons; possession on school property by off-duty law-enforcement officer. Amending § 18.2-308.1. (Patron-Cosgrove, HB 286, CH 128)

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Advanced Learning and Research, Institute for; designated an educational institution. Amending § 23-14. (Patron-Marshall, D.W., HB 933, CH 857)

Advanced Learning and Research, Institute for; increases membership of governing board. Amending § 23-231.20. (Patron-Marshall, D.W., HB 932, CH 856; Reynolds, SB 570, CH 889)

Auctioneers; continuing education. Adding § 54.1-603.1. (Patron-Dillard, HB 1022, CH 956)

Brown v. Board of Education Scholarship Program and Fund; created, report. Adding §§ 23-38.53:21 through 23-38.53:24 and 30-226 through 30-231. (Patron-Baskerville, HB 846; Lambert, SB 230, CH 935)

Campus safety; Crime Commission to study at public and private institutions of higher education. (Patron-Hamilton, HJR 122)

Career and technical education; Board of Education, et al., to develop a template for a statewide articulation agreement therefor. (Patron-Hamilton, HJR 125)

Career and technical education; recognizing leadership and contributions of local advisory councils. (Patron-Hamilton, HJR 126)

Chartered Universities and Colleges Act of 2004; created. Amending §§ 2.2-3101, 2.2-4343, 8.01-195.2, 13.1-543, 13.1-1102, 23-1.01, 23-1.1, 23-2, 23-2.1, 23-2.1:1, 23-3, 23-4.1, 23-4.2, 23-4.3, 23-4.4, 23-7.1:02, 23-7.4, 23-7.4:1, 23-7.4:2, 23-7.4:3, 23-7.5, 23-8.2:1, 23-9.1, 23-9.1:1, 23-9.2, 23-9.2:3, 23-9.2:3.1, 23-9.2:3.2, 23-9.2:3.3, 23-9.2:3.4, 23-9.2:4, 23-14, 23-30.23, 23-30.40, 23-38.10:2, 23-38.19:1, 23-38.19:3, 23-38.45, 23-38.53:1, 23-38.53:4, 23-38.53:11, 23-38.53:12, 23-38.55, 23-38.70, 23-38.72, 23-38.75, 23-232, 25.1-100 and 30-133; adding §§ 23-9.3:01, 23-31.01, 23-38.88 through 23-38.126, 58.1-100.1, 58.1-2020.1 and 58.1-3000.1. (Patron-Norment, SB 638)

College Building Authority; designation of projects financed by bonds. Amending § 23-30.28. (Patron-Saslaw, SB 583, CH 711)

Community college boards and boards of visitors; appointment of faculty representatives. Adding § 23-9.2:4.1. (Patron-Shuler, HB 64, CH 519; Edwards, SB 244, CH 499)

Community health workers; James Madison University to study status, impact, and utilization thereof. (Patron-Landes, HJR 195; Howell, SJR 19)

Cultural diversity policies; establishment for local school boards and institutions of higher education. Amending § 23-215; adding §§ 22.1-16.3, 22.1-86.2 and 23-1.02. (Patron-Marsh, SB 222)

Dental hygienists; continuing education. Amending § 54.1-2729. (Patron-Hogan, HB 524, CH 137)

Distance learning; development and use in higher educational institutions. Amending § 23-215; adding § 23-9.2:7. (Patron-Carrico, HB 617, CH 146)

Educational Ventures Consortium; created. Adding §§ 23-231.24 through 23-231.30. (Patron-Rust, HB 1009)

Frontier Culture Museum; deemed an educational institution, reduces membership of Board of Trustees, report. Amending §§ 23-296 and 23-297. (Patron-Wardrup, HB 1228)

Hampden-Sydney College basketball team; commending. (Patron-Ruff, SJR 228)

Higher education; Council of Higher Education to consider establishing a 4-year degree granting institution in South Central Virginia. (Patron-Reynolds, SJR 86)

Higher education; joint subcommittee to study public funding thereof. (Patron-Stosch, SJR 74)

Higher educational institutions; admission policies. Adding § 23-2.3. (Patron-Marsh, SB 219; Cuccinelli, SB 229)

Higher educational institutions; Council of Higher Education to consider establishing in South Central Virginia. (Patron-Armstrong, HJR 197)

Higher educational institutions; definition includes a governmental instrumentality. Amending §§ 23-276.1 and 23-276.2. (Patron-Stolle, SB 173, CH 671)

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- Higher educational institutions; duties of Council of Higher Education include facilitating development of dual admissions and articulation agreements between 2- and 4-year institutions. Amending § 23-9.6:1. (Patron-Edwards, SB 338, CH 502)
- Higher educational institutions; joint subcommittee to study administrative and financial relationships between State and its institutions. (Patron-Chichester, SJR 90)
- Higher educational institutions; joint subcommittee to study future thereof. (Patron-Mims, SJR 87)
- Higher educational institutions; policies for required reinstatement of enrollment for certain military students. Amending § 23-9.6:2. (Patron-Oder, HB 712, CH 740)
- Higher educational institutions; prohibits admission of illegal aliens. Amending § 23-9.2:3. (Patron-Reid, HB 156)
- Higher educational institutions; ratios of in-state and out-of-state student enrollments. Adding § 23-7.1:03. (Patron-Wagner, SB 430)
- Higher educational institutions and industry; Council of Higher Education to develop policies and strategies to eliminate barriers between. (Patron-May, HB 547, CH 537)
- Higher Educational Institutions Bond Bill of 2004; created. (Patron-Callahan, HB 31, CH 2; Chichester, SB 31, CH 813)
- Income tax, state; includes distributions from qualified tuition programs. Amending § 58.1-322. (Patron-Puller, SB 85)
- Information technology and telecommunications procurement; exempts UVa Medical Center. Amending §§ 2.2-2006, 2.2-4343 and 23-77.4. (Patron-Nixon, HB 478, CH 145)
- Integrated research and academic campuses; Research and Technology Advisory Commission (VRTAC) shall continue its examination of establishment thereof. (Patron-May, HB 545, CH 616)
- James Madison University; authorized to facilitate ability to begin construction needed as result of fire damage. (Patron-Putney, HB 1296, CH 1)
- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; public institutions of higher education, et al., to use in practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 109)
- Mary Washington College; name changed to University of Mary Washington. Amending §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91.35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43 and 23-91.44. (Patron-Cole, HB 1029, CH 195; Chichester, SB 464, CH 176)
- Morning-after pill; institutions of higher education prohibited from making such available. Adding § 23-7.5:1. (Patron-Marshall, R.G., HB 1414)
- Police; allows private higher educational institutions to enter into reciprocal agreements with outside localities. Amending § 15.2-1727. (Patron-Weatherholtz, HB 1392, CH 769)
- Public Building Authority and College Building Authority; issuance of bonds for capital projects. (Patron-Chichester, SB 37)
- Retail Sales and Use Tax; extends sunset provision for textbooks for free distribution to professors. Amending § 58.1-609.6. (Patron-Scott, E.T., HB 1084, CH 63; Houck, SB 347, CH 590)
- Roanoke Higher Education Authority; Board of Trustees. Amending § 23-231.15. (Patron-Edwards, SB 153, CH 667)
- Scholarships; eliminates restriction on number that may be awarded. Amending § 23-31. (Patron-Nutter, HB 710, CH 739)
- “Take Back the Night”; commending University of Virginia chapter of the National Organization for Women and All Women Attaining Knowledge and Enrichment Organization for their sponsorship. (Patron-Deeds, SJR 242)
- Transfer Module; created to facilitate transfer of course credit between 2- and 4-year institutions. Adding § 23-9.14:2. (Patron-Hugo, HB 989, CH 553)
- University of Virginia men’s lacrosse team; commending. (Patron-Van Yahres, HJR 280)
- University of Virginia Pep Band; commemorating its 30th anniversary. (Patron-Van Yahres, HJR 284)
- University of Virginia’s College at Wise; commemorating its 50th anniversary. (Patron-Kilgore, HJR 331)
- University of Virginia’s College at Wise; reduced tuition. Amending § 23-7.4:2. (Patron-Kilgore, HB 82, CH 520; Wampler, SB 283, CH 501)
- VCU Health System Authority; confirming appointments. (Patron-Ingram, HJR 276)

**EDUCATIONAL INSTITUTIONS (continued)**

- Virginia Military Institute; commending its contributions to the War on Terrorism. (Patron-Cline, HJR 483)
- Virginia Union University men’s basketball team; commending. (Patron-Baskerville, HJR 464; Marsh, SJR 256)
- William and Mary, College of; board of visitors. Amending § 23-41. (Patron-Norment, SB 397, CH 695)
- William and Mary, College of; provisions for certain construction easements. Amending § 23-4.01. (Patron-Norment, SB 653, CH 339)
- Williamsburg Session; expressing appreciation for hospitality extended by Colonial Williamsburg Foundation and The College of William and Mary in Virginia. (Patron-Griffith, HJR 377)

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- Absentee ballots; applications may be made online. Amending §§ 24.2-701 and 24.2-706. (Patron-Norment, SB 391)
- Ballots; names printed only for one office, exception. Amending §§ 24.2-504 and 24.2-525. (Patron-O’Brien, SB 286, CH 881)
- Ballots; political party designation. Amending §§ 24.2-613 and 24.2-640. (Patron-Hugo, HB 992; Cuccinelli, SB 243)
- Campaign advertisements; requirements for radio and television advertisements. Amending §§ 24.2-943 and 24.2-944. (Patron-Jones, S.C., HB 1363, CH 55)
- Campaign finance disclosure; filing of statement of organization. Amending §§ 24.2-904, 24.2-928 and 24.2-929. (Patron-Brink, HB 1321, CH 480)
- Campaign finance disclosure; filing schedules. Amending §§ 24.2-916, 24.2-917 and 24.2-923. (Patron-Jones, S.C., HB 850, CH 26)
- Campaign finance disclosure; increases amount for reporting requirements. Amending § 24.2-911. (Patron-Scott, J.M., HB 1191, CH 469)
- Campaign finance disclosure; information required of candidates, campaign committees, and other persons and committees. Amending §§ 24.2-904 and 24.2-908. (Patron-Rapp, HB 682, CH 441)

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- Campaign finance disclosure; provisions for in-kind contributions and independent expenditures. Amending §§ 24.2-901, 24.2-914 and 24.2-929; adding § 24.2-919.1. (Patron-Potts, SB 268)
- Campaign finance disclosure; requirements for political campaign advertisements. Amending §§ 24.2-900, 24.2-901, 24.2-905, 24.2-908, 24.2-921, 24.2-926, 24.2-929, 24.2-943 and 24.2-944. (Patron-Albo, HB 1026, CH 457)
- Campaign finance disclosure; special reports of large contributions received by county boards of supervisors and city and town councils. Adding § 24.2-919.1. (Patron-Ticer, SB 470, CH 411)
- Campaign signs; regulations. Adding § 15.2-109. (Patron-Potts, SB 76, CH 388)
- Constitutional amendment; effective dates of legislative and congressional redistricting (second reference). Amending Section 6 of Article II. (Patron-O'Brien, SJR 6, CH 981)
- Constitutional amendment; effective dates of legislative and congressional redistricting (submitting to qualified voters). Amending Section 6 of Article II. (Patron-O'Brien, SB 18, CH 873)
- Election laws; changes in voter equipment and technology. Amending §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009 and 24.2-1010; repealing § 24.2-660. (Patron-Brink, HB 837, CH 993; Howell, SB 313, CH 1010)
- Election laws; implementation of Help America Vote Act. Amending §§ 24.2-405, 24.2-406, 24.2-419, 24.2-441, 24.2-442, 24.2-443.2, 24.2-443.3, 24.2-643, 24.2-653, 24.2-668, 24.2-701, 24.2-703, 24.2-706 and 24.2-802. (Patron-Whipple, SB 462, CH 410)
- Elections; post-election procedures and securing of equipment and materials. Amending §§ 24.2-659 and 24.2-668. (Patron-Welch, HB 410, CH 835)
- Elections; postponement due to state of emergency. Amending § 24.2-603.1. (Patron-Hanger, SB 528, CH 205)
- Electronic pollbooks and registration inquiry devices; use by localities. Amending § 24.2-404. (Patron-Welch, HB 411, CH 428)
- Electronic voting systems; shall allow voter opportunity to correct error. Amending § 24.2-629. (Patron-Whipple, SB 457, CH 409)
- Electronic voting systems; to be equipped with paper copy record of votes. Amending § 24.2-629. (Patron-Devolites, SB 102; Cuccinelli, SB 137)
- Felons; restoration of civil rights to be eligible to register to vote. Amending § 53.1-231.2. (Patron-Puller, SB 82)
- General registrars; joint subcommittee to study appointment, responsibilities, and oversight thereof. (Patron-Martin, SJR 41)
- House of Delegates and Senatorial districts; changes in boundaries in Pulaski and Wise Counties. Amending §§ 24.2-303.2 and 24.2-304.02. (Patron-Phillips, HB 1427, CH 932)
- House of Delegates and Senatorial districts; changes in provisions. Amending §§ 24.2-303.2 and 24.2-304.02. (Patron-Abbitt, HB 908, CH 451)
- House of Delegates districts; changes in boundaries in Arlington County. Amending § 24.2-304.02. (Patron-Ebbin, HB 317, CH 20)
- House of Delegates districts; changes in boundaries in Norfolk City. Amending § 24.2-304.02. (Patron-Drake, HB 1320, CH 479)
- License plates, special; issuance to general registrars. Amending §§ 46.2-737 and 46.2-746.9. (Patron-Cox, HB 233)
- Page County; referendum on election of county chairman from county at large. Adding § 15.2-1213.1. (Patron-Louderback, HB 141, CH 18; Obenshain, SB 574, CH 890)
- Polling places; distribution of campaign materials. Amending § 24.2-310. (Patron-Hurt, HB 767, CH 25)
- Polling places; prohibited campaign areas. Amending § 24.2-604. (Patron-Puller, SB 55)
- Polling places; voting equipment must remain in clear view of officers of election. Amending §§ 24.2-638 and 24.2-642. (Patron-Cuccinelli, SB 142)
- Polling places; voting equipment must remain in plain view of officers of election. Amending §§ 24.2-638 and 24.2-642. (Patron-Hugo, HB 986, CH 978; Devolites, SB 94, CH 1006)
- Primary elections; required for statewide offices of Governor, Lieutenant Governor and Attorney General. Amending §§ 24.2-508, 24.2-509, 24.2-517, 24.2-526 and 24.2-528. (Patron-Potts, SB 33)

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- Primary elections; voter registration by political party. Amending §§ 24.2-530 and 24.2-535; adding §§ 24.2-418.1, 24.2-423.1 and 24.2-516.1. (Patron-Cuccinelli, SB 265; Martin, SB 567)
- Redistricting process; joint subcommittee to study. (Patron-Williams, SJR 27)
- Referenda; local distribution of information. Amending § 24.2-687. (Patron-Lingamfelter, HB 373, CH 21; Colgan, SB 359, CH 399)
- Senatorial districts; changes in boundaries in Chesapeake City. Amending § 24.2-303.2. (Patron-Cosgrove, HB 316, CH 424; Blevins, SB 184, CH 389)
- Vacancies in elected office; filling. Adding § 24.2-201.1. (Patron-Frederick, HB 1167)
- Voter registrars; appointment, term, and removal. Amending §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230 and 24.2-234; adding § 24.2-109.1. (Patron-Jones, S.C., HB 1266, CH 27; Martin, SB 215, CH 391)
- Voter registration; applicable to certain persons under age 18. Amending § 24.2-403. (Patron-Alexander, HB 1340, CH 481)
- Voter registration applications and records; lists. Amending §§ 24.2-405, 24.2-406 and 24.2-418. (Patron-Gear, HB 604, CH 184)
- Voter registration cards; not to be used as evidence of identity or residence. Amending §§ 23-7.4, 38.2-1800.1, 46.2-323 and 46.2-323.1; adding § 24.2-407.2. (Patron-Cole, HB 1282)
- Voting equipment; joint subcommittee to study certification process, performance, and deployment thereof. (Patron-Hugo, HJR 174)
- Workers' compensation; eligibility of electoral board members. Amending § 65.2-101. (Patron-Byron, HB 1267, CH 928)

**ELECTRIC COMPANIES** See: Public Service Companies

**ELECTRONIC MEDIA AND PROCESSES** See: Computer Services and Uses

**ELEVATOR MECHANICS** See: Professions and Occupations

**ELIZABETH RIVER** See: Waters of the State, Ports and Harbors

**EMBEZZLEMENT** See: Criminal Procedure

**EMERGENCY SERVICES AND DISASTER LAWS** See: Military and Emergency Laws

**EMERGENCY SERVICES AND VEHICLES**

- See also: Military and Emergency Laws
- Ambulance permits; to be consistent with federal requirements. (Patron-O'Bannon, HB 627, CH 139)
- Assault and battery; penalty when committed against a volunteer firefighter or rescue squad member. Amending § 18.2-57. (Patron-Rerras, SB 677, CH 420)
- Emergency medical services councils, regional; exempt from consumer affairs registration requirements. Amending § 57-60. (Patron-Edwards, SB 61, CH 580)
- Freedom of Information Act; exempts certain emergency service records. Amending § 2.2-3705. (Patron-Jones, S.C., HB 1364, CH 482)
- Freedom of Information Act; exempts records of Department of Emergency Management and citizen emergency response teams. Amending § 2.2-3705. (Patron-Sherwood, HB 347, CH 426)
- License plates, special; issuance to supporters of Project Lifesaver. Adding § 46.2-749.101. (Patron-Hogan, HB 1285)
- Motor vehicle dealers; exempts licensing persons who sell fire-fighting equipment, ambulances, etc. Amending §§ 46.2-733 and 46.2-1500. (Patron-McQuigg, HB 453, CH 788)
- Motor vehicles; registration fees, changes formula for distribution of "four for life" fund. Amending § 46.2-694. (Patron-Orrrock, HB 1002, CH 194)
- Pre-hospital emergency medical services; Joint Legislative Audit and Review Commission to study. (Patron-O'Bannon, HJR 133)
- State Buildings, Radio Communications for Emergency Personnel; Report of Department of Fire Programs (HJR 588, 2003). (HD 2)

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Traffic incidents; increases payment of emergency response expenses due to certain serious traffic accidents. Amending § 15.2-1716. (Patron-Fralin, HB 303, CH 273)  
Wireless E-911 Fund; provisions for payments. Amending § 56-484.17. (Patron-Stolle, SB 171, CH 167)

**EMINENT DOMAIN**

Eminent domain; condemnation of lands within adopted conservation or redevelopment plans. Adding § 25.1-107. (Patron-Drake, HB 820, CH 540)  
Eminent domain; condemned property be put to use within 10 years, exception. Adding § 25.1-107. (Patron-O'Brien, SB 301)  
Eminent domain; owner of condemned property to receive payment before vacating. Amending § 33.1-120. (Patron-Drake, HB 834, CH 803)  
Eminent domain; remedies of certain landowners whose property is condemned. Amending § 33.1-132. (Patron-Drake, HB 835, CH 804)

**EMISSIONS STANDARDS**

See: Conservation  
Motor Vehicles

**EMPLOYEES, EMPLOYMENT AND EMPLOYMENT COMMISSION** See: Labor and Employment**ENERGY CONSERVATION AND RESOURCES**

Green schools program; to promote waste reduction and resource efficiency. Adding § 22.1-212.1:2. (Patron-Howell, SB 315, CH 882)  
Income tax, corporate; extends sunset provision for tax credit for machinery and equipment used to produce personal property from recyclable materials. Amending § 58.1-439.7. (Patron-Hawkins, SB 690, CH 611)  
Recycling Markets Development Council; duties. Amending §§ 2.2-2667 and 2.2-2668. (Patron-Whipple, SB 12, CH 385)

**ENERGY CORPORATION** See: Commending Resolutions**ENTERPRISE ZONES** See: Counties, Cities and Towns**ENVIRONMENT** See: Conservation**EQUALITY OF RIGHTS** See: Discrimination**EROSION AND SEDIMENT CONTROL**

See: Drainage, Soil Conservation, Sanitation and Public Facilities Districts

**ESTATES** See: Wills and Decedents' Estates**ETHNIC GROUPS**

African-American students; Dr. Martin Luther King, Jr. Memorial Commission to consider status and educational needs thereof. (Patron-Marsh, SJR 71)  
Cultural diversity policies; establishment for local school boards and institutions of higher education. Amending § 23-215; adding §§ 22.1-16.3, 22.1-86.2 and 23-1.02. (Patron-Marsh, SB 222)  
English proficiency, limited; Secretary of Health and Human Resources to develop a plan for increasing awareness of requirements to provide meaningful access to information and services. (Patron-Cox, HJR 71)  
Ethnically Diverse Population, Acclimation of; Report of Joint Legislative Audit and Review Commission (HJR 604, 2003). (HD 9)  
Interpreters for non-English speaking persons in mental commitment proceedings; provisions. Adding § 37.1-67.5:01. (Patron-Marsh, SB 24, CH 243)  
Medicaid-eligible persons with limited English proficiency; Department of Medical Assistance Services to seek reimbursement for translation and interpretation services provided thereto, report. (Patron-Lucas, SJR 122)

**ETHNIC GROUPS (continued)**

- Minority young adults; Joint Commission on Health Care to study mental health needs and treatment thereof. (Patron-Marsh, SJR 25)
- Minority- and Women-Owned Business Participation in Procurement Transactions, Disparity Assessment on Status of; Report of Department of Minority Business Enterprise (HJR 646 and SJR 359, 2003). (SD 7)
- Procurement Act, Public; small, and women- and minority-owned business participation. Amending §§ 2.2-4310 and 2.2-4343; adding § 15.2-965.1. (Patron-McDonnell, HB 1145, CH 865; Williams, SB 598, CH 891)
- Racial Profiling and Traffic Statistics Reporting Act; created, report. Amending §§ 15.2-1704, 15.2-1722 and 52-4; adding §§ 8.01-226.2:1, 52-30.1 and 52-30.2. (Patron-Marsh, SB 225)
- Vietnamese-American Heritage Flag; recognition. Adding § 2.2-3310.2. (Patron-Hull, HB 1475, CH 970)
- Virginia-Asian Advisory Board; purpose. Amending § 2.2-2448. (Patron-McDonnell, HB 1480, CH 1005; Miller, SB 186, CH 971)

**EURE, JOHN D.** See: Memorial Resolutions

**EVANS, GERALDINE JACKSON** See: Memorial Resolutions

**EVANS, GRETA** See: Memorial Resolutions

**EVELYN, CHARLES H., SR., AND LILLIAN F.** See: Memorial Resolutions

**EVIDENCE** See: Civil Remedies and Procedure

**EXCISE TAX** See: Taxation

**EXPLOSIVES**

- Explosives; excludes small arms ammunition or components. Amending §§ 27-97 and 59.1-137. (Patron-McDonnell, HB 1482)
- Explosives; penalty for possession or transportation by convicted felons. Amending § 18.2-308.2. (Patron-Lewis, HB 414, CH 429)

**EYRE, PETER** See: Commending Resolutions

**FAIR HOUSING LAW** See: Housing

**FAIRBANKS, GEORGE C., IV** See: Judges Justices and Other Elective Officers

**FAIRFAX, CITY OF**

- Charter; amending. (Patron-Petersen, HB 249, CH 19; Devolites, SB 97, CH 161)
- Fairfax, City of; commemorating its 200th anniversary. (Patron-Petersen, HJR 396)
- Fairfax Police Youth Club; commemorating its 40th anniversary. (Patron-Petersen, HJR 443)

**FAIRFAX COUNTY**

- Commercial vehicles; parking regulations in Fairfax, Arlington and Prince William Counties. Amending § 46.2-1222.1. (Patron-Ticer, SB 471, CH 702)
- Commercial vehicles; parking regulations in towns in Fairfax County. Amending § 46.2-1222.1. (Patron-Shannon, HB 721, CH 225; Devolites, SB 273, CH 108)
- Fairfax Station Road; designating entire length in Fairfax County as a Virginia byway. (Patron-Hugo, HB 997, CH 628)
- Food and beverage tax; imposition in Fairfax County. Amending § 58.1-3833. (Patron-Saslaw, SB 643)
- George Fortune, Jr., Memorial Bridges; designating as Interstate Route 66 bridges over Route 29 in Fairfax County. (Patron-Cuccinelli, SB 155, CH 581)
- Jacob Salter Field; Fairfax County's School Board and Board of Supervisors encouraged to name athletic field at Mountain View School. (Patron-O'Brien, SJR 55)
- Lovettsville Union Cemetery Company; updating incorporation thereof. Amending Chapter 1, 1879 Acts. (Patron-May, HB 1432, CH 642)

**FAIRFAX COUNTY (continued)**

- Pleasant Valley Road; designating portion thereof in Fairfax County as a Virginia byway. (Patron-Hugo, HB 998, CH 629)
- Route 1 corridor in Fairfax and Prince William Counties; recognizing need for various transit options therein. (Patron-Puller, SJR 39)
- Sanitary districts; amendment in Fairfax County. Amending § 15.2-858. (Patron-Hull, HB 1158, CH 561)
- Stuart Finley Bridge; designating as bridge on Potterton Drive over Lake Barcroft in Fairfax County. (Patron-Hull, HB 1474, CH 969)
- Trailer dealers; certain exempt from zoning regulations in Fairfax County. Amending § 46.2-1992.8. (Patron-Howell, SB 88)
- Transient occupancy tax; additional imposition in Fairfax County. Adding § 58.1-3824. (Patron-Hugo, HB 1001, CH 9; Mims, SB 512)
- Transportation improvement districts; establishment in Fairfax County. Amending §§ 33.1-430, 33.1-431, 33.1-433 and 33.1-435. (Patron-Callahan, HB 502, CH 792)
- Woodlawn Road; Department of Transportation to assert property rights of State with respect thereto in Fairfax County and Fort Belvoir. (Patron-Amundson, HB 1291, CH 235; Puller, SB 590, CH 119)
- Woodlawn Road; memorializing Congress to restore public access thereto through Fort Belvoir in Fairfax County. (Patron-Amundson, HJR 248; Puller, SJR 97)

**FAIRFAX STATION ROAD** See: Highways, Bridges and Ferries

**FALLS CHURCH, CITY OF**

- Charter; amending. (Patron-Scott, J.M., HB 1248, CH 569; Whipple, SB 203, CH 497)
- Public defender's office; establishment in Arlington County and Falls Church City. Amending § 19.2-163.2. (Patron-Ebbin, HB 950; Whipple, SB 450)

**FAMILY LIFE EDUCATION** See: Education

**FARMERS, FARM PRODUCE AND EQUIPMENT** See: Agriculture, Horticulture and Food

**FARMWELL HUNT HOMEOWNERS ASSOCIATION, INC.** See: Sales and Use Tax

**FARRIS, LONNIE E.** See: Judges Justices and Other Elective Officers

**FAUBER, ROY** See: Commending Resolutions

**FAUQUIER COUNTY**

- Affordable housing; applicable in Fauquier County. Amending § 15.2-2304. (Patron-Athey, HB 216)

**FAWSON, E. CURTIS** See: Memorial Resolutions

**FEES** See: Costs, Fees, Salaries and Allowances

**FELONS AND FELONIES** See: Crimes and Offenses Generally

**FETICIDE** See: Crimes and Offenses Generally

**FIDUCIARIES GENERALLY**

- Fiduciaries; mailing of notice by clerk of court. Amending § 26-7.2. (Patron-Reese, HB 983, CH 367)

**FILMS AND VIDEOTAPES** See: Video and Audio Communications

**FINANCE, COMMITTEE ON**

- Members listed ..... 34

**FINANCIAL INSTITUTIONS** See: Banking and Finance

**FINES AND COSTS**

See also: Costs, Fees, Salaries and Allowances

Speeding; prepayable fines. Amending §§ 16.1-69.40:1 and 46.2-878.2. (Patron-McQuigg, HB 253, CH 350)

**FINGERPRINTING** See: Criminal Procedure

**FIRE PROTECTION**

Building Code; standards for fire detection and suppression systems in assisted living facilities, residential dwelling units for senior citizens, nursing homes and facilities. Amending § 36-99.5:1. (Patron-Blevins, SB 183, CH 584)

Explosives; excludes small arms ammunition or components. Amending §§ 27-97 and 59.1-137. (Patron-McDonnell, HB 1482)

Fire Prevention Code; enforcement. Amending § 27-98. (Patron-McQuigg, HB 451, CH 787)

Fire Programs Fund; assessment on motor vehicle insurance. Amending § 38.2-401. (Patron-Puckett, SB 68)

Fire Programs Fund; use. Amending § 38.2-401. (Patron-Edwards, SB 154, CH 164)

Liability insurance for localities; includes fire department and police department operational medical directors, and physician course directors. Amending § 15.2-1518. (Patron-Sickles, HB 1485, CH 648)

State Buildings, Radio Communications for Emergency Personnel; Report of Department of Fire Programs (HJR 588, 2003). (HD 2)

**FIREARMS** See: Dangerous Weapons

**FIRST MOUNT OLIVE BAPTIST CHURCH** See: Commending Resolutions

**FISHBURNE MILITARY SCHOOL** See: Commending Resolutions

**FISHERIES AND HABITAT OF TIDAL WATERS**

Bottomlands, state-owned; permits and royalties for use. Amending §§ 28.2-1205, 28.2-1206 and 28.2-1208. (Patron-Oder, HB 182, CH 899; Bolling, SB 606, CH 1018)

Bottomlands, state-owned; permits for use. Amending § 28.2-1205. (Patron-Wagner, SB 432, CH 405)

Elizabeth River; Marine Resources Commission to grant easement to VEPCO for electrical transmission lines. (Patron-Suit, HB 1436, CH 483)

Fresh water and saltwater fishing; a combined license may be established. Amending §§ 28.2-302.1 and 29.1-311; adding §§ 28.2-302.2:1 and 29.1-310.2. (Patron-Oder, HB 1452, CH 486)

Hunting, trapping and fishing licenses; exempts spouses of children and grandchildren. Amending § 29.1-301. (Patron-Hurt, HB 758, CH 846)

Natural aquatic resources; Institute of Marine Science, et al., to study those associated with available water resources. (Patron-Morgan, HJR 226)

Newport News reservoir project; Marine Resources Commission to convey easement in bed of Mattaponi River to Newport News City. (Patron-Wagner, SB 420)

Oysters and clams; penalty for theft of certain. Amending § 28.2-527. (Patron-Suit, HB 1278, CH 475)

Saltwater fishing licenses and permits; fees increased. Amending § 28.2-201. (Patron-Dillard, HB 1024, CH 860)

Submerged land permit; exemptions. Amending §§ 28.2-1203 and 62.1-44.15:5. (Patron-Williams, SB 109)

Water columns for aquaculture purposes; leasing. Adding §§ 28.2-1600 through 28.2-1623. (Patron-Bolling, SB 605, CH 892)

Wetlands boards; members. Amending § 28.2-1303. (Patron-Tata, HB 489, CH 277)

William Jennings Hargis, Jr. Library; designating library at Institute of Marine Science. (Patron-Morgan, HB 1313, CH 572)

**FISHING LAWS AND LICENSES** See: Fisheries and Habitat of Tidal Waters

**FITZGERALD, WILLIAM I.** See: Judges Justices and Other Elective Officers

**FLEISCHMANN, ISAAC** See: Memorial Resolutions

**FLEMMING, FREDERICK F.** See: Commending Resolutions

**FLOODS AND FLOOD CONTROL** See: Weather

**FLORIDA POWER & LIGHT COMPANY** See: Commending Resolutions

**FLOYD COUNTY**

Disabled persons; allows use of various motorized vehicles along trail of Buffalo Mountain in Floyd County. (Patron-Reynolds, SB 193)

Floyd County High School girls' cross country team; commending. (Patron-Dudley, HJR 140)

Squirrels; hunting in Floyd County. Repealing Chapter 354, 1952 Acts. (Patron-Landes, HB 28, CH 261)

Transient occupancy tax; imposition in Floyd County. Amending § 58.1-3819. (Patron-Dudley, HB 739, CH 7)

**FOLEY, CHARLES B.** See: Judges Justices and Other Elective Officers

**FOLSOM, JEAN** See: Commending Resolutions

**FOOD AND BEVERAGE PRODUCTS AND CONTAINERS**

Charity Food Assistance Advisory Board; abolished. Repealing §§ 3.1-1104 and 3.1-1105. (Patron-Cox, HB 10, CH 29)

Food and beverage tax; imposition in Fairfax County. Amending § 58.1-3833. (Patron-Saslaw, SB 643)

Food and beverage tax; imposition in Giles County. Amending § 58.1-3833. (Patron-Edwards, SB 213)

Food Code; adoption of regulations. Amending §§ 2.2-4002, 3.1-398 and 35.1-14. (Patron-McQuigg, HB 784, CH 802)

Food stores; inspections. Amending § 3.1-398.1. (Patron-Hurt, HB 766, CH 953)

Transient occupancy and food and beverage taxes; technical changes in provisions. Amending §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842. (Patron-Watkins, SB 684, CH 610)

**FOOD STAMPS** See: Welfare

**FORBES, MALCOLM J., SR.** See: Memorial Resolutions

**FORD, MARIAN E.** See: Memorial Resolutions

**FOREIGN GOVERNMENTS AND COUNTRIES**

Foreign identification documents; verification of legal presence. Adding §§ 2.2-5512 and 2.2-5513. (Patron-Hanger, SB 521)

Foreign personal identification cards; acceptance. Adding §§ 2.2-5512 and 2.2-5513. (Patron-O'Brien, SB 293)

Higher educational institutions; prohibits admission of illegal aliens. Amending § 23-9.2:3. (Patron-Reid, HB 156)

Illegal aliens; procedure for detention and arrest. Amending §§ 19.2-82 and 19.2-120; adding § 19.2-81.6. (Patron-Albo, HB 570, CH 360; Mims, SB 493, CH 412)

Juvenile Justice, Department of; additional duties of Director associated with incarcerating undocumented aliens. Adding § 66-3.2. (Patron-Cox, HB 234, CH 126)

**FOREMAN, MICHAEL M.** See: Commending Resolutions

**FORENSIC SCIENCE** See: Administration of the Government Generally

**FORESTS AND FORESTRY**

See: Agriculture, Horticulture and Food  
Conservation

**FORT BELVOIR** See: Armed Forces

**FORT DEFIANCE HIGH SCHOOL** See: Commending Resolutions

**FOSTER, AUNDRIA D.** See: Judges Justices and Other Elective Officers

**FOSTER CARE** See: Welfare

**FRALIN, WILLIAM H., JR.**

Added as co-patron:

S.B. 340. . . . . 328

S.B. 413. . . . . 428

**FRANKLIN, CITY OF**

Charter; amending. (Patron-Councill, HB 57, CH 32; Quayle, SB 211, CH 168)

**FRANKLIN COUNTY**

Water and sewage systems; mandatory connection in Franklin County. Amending §§ 15.2-2110 and 15.2-2118. (Patron-Dudley, HB 737, CH 24; Hawkins, SB 600, CH 712)

**FRANKLIN, KIM AND JOEL** See: Commending Resolutions

**FRAUD** See: Crimes and Offenses Generally

**FREDERICK, JEFFREY M.**

Added as co-patron:

S.B. 361. . . . . 328

**FREDERICK MILITARY ACADEMY** See: Commending Resolutions

**FREEDOM OF INFORMATION** See: Consumer Protection

**FRENCH AND INDIAN WAR** See: Commending Resolutions

**FRONTIER CULTURE MUSEUM** See: Arts and Humanities

**GALLAHUE, THOMAS E.** See: Judges Justices and Other Elective Officers

**GAMBLING, LOTTERIES, ETC.**

Charitable gaming; denial of permits. Amending § 18.2-340.20. (Patron-Albo, HB 152, CH 213)

Charitable gaming; provisions for winner-take-all and "Lucky Seven" games. Amending § 18.2-340.33. (Patron-Suit, HB 437, CH 275)

Charitable gaming; Report of Charitable Gaming Board (Chapter 884, 2003 Acts). (SD 10)

Charitable Gaming Board; membership. Amending § 2.2-2455. (Patron-Potts, SB 59)

Lottery Board; criminal background checks for members, officers and employees of lottery vendors. Amending §§ 58.1-4008 and 58.1-4009. (Patron-Albo, HB 1028, CH 555)

Lottery Law; changes in provisions giving department and director more authority. Amending §§ 58.1-4004, 58.1-4006, 58.1-4007, 58.1-4010, 58.1-4014 and 58.1-4020.1. (Patron-Albo, HB 1027, CH 630)

Racing Commission; authorized to increase number of satellite facilities. Amending § 59.1-369. (Patron-Stolle, SB 167, CH 774)

**GAME, INLAND FISHERIES AND BOATING**

Animal dissection in public schools; alternatives. Adding § 22.1-200.01. (Patron-Dillard, HB 1018, CH 918)

Antlerless deer; hunting. Repealing Chapter 180, 1956 Acts. (Patron-Landes, HB 26, CH 259)

**GAME, INLAND FISHERIES AND BOATING (continued)**

- Aquatic nuisance species, nonindigenous; control and eradication. Amending § 29.1-573. (Patron-McDonnell, HB 1142, CH 467)
- Bear damage stamp; established. Adding §§ 29.1-359, 29.1-360 and 29.1-361. (Patron-Reynolds, SB 198)
- Bear or deer; abolishes damage stamp requirement in Craig County. Repealing Chapter 294, 1948 Acts. (Patron-Landes, HB 75, CH 33)
- Beavers; killing due to destruction of property. Amending §§ 29.1-517 and 29.1-518. (Patron-Morgan, HB 54, CH 421)
- Bird sanctuary; abolishes establishment in Roanoke County. Repealing Chapter 303, 1954 Acts. (Patron-Landes, HB 76, CH 265)
- Damage stamp program; extends coverage to beekeepers. Amending §§ 29.1-352 and 29.1-355. (Patron-Armstrong, HB 1069, CH 463; Reynolds, SB 199, CH 87)
- Deer; when baiting permitted. Amending § 29.1-529. (Patron-Ware, O., HB 809, CH 447)
- Deer and wild birds or animals; abolishes unlawful rifle hunting in Halifax and Cumberland Counties. Repealing Chapter 144, 1958 Acts. (Patron-Landes, HB 77, CH 266)
- Deer or elk; spotlighting. Repealing Chapter 420, 1958 Acts. (Patron-Landes, HB 25, CH 258)
- Duck blinds; abolishes prohibited hunting in certain localities. Repealing Chapter 334, 1928 Acts and Chapter 39, 1942 Acts. (Patron-Deeds, SB 249)
- Duck blinds; erection. Amending §§ 29.1-341, 29.1-344 and 29.1-349; adding § 29.1-341.1. (Patron-Cox, HB 132, CH 422)
- Firearms; definition of muzzleloading rifle and shooting. Amending §§ 29.1-100, 29.1-519 and 29.1-528. (Patron-Quayle, SB 657)
- Game and fish refuges and preserves; Board of Game and Inland Fisheries authorized to grant easements therefor. Amending § 29.1-103. (Patron-Puckett, SB 586)
- Hunting; allowed during certain hours on Sunday. Amending § 29.1-521. (Patron-Stolle, SB 175)
- Hunting licenses; establishment of a nonresident youth permit. Amending §§ 29.1-303, 29.1-303.3 and 29.1-305. (Patron-Cox, HB 133, CH 269)
- Hunting stamp; established. Amending §§ 29.1-103 and 29.1-113. (Patron-Stump, HB 536, CH 280)
- Hunting, trapping and fishing licenses; exempts spouses of children and grandchildren. Amending § 29.1-301. (Patron-Hurt, HB 758, CH 846)
- Hunting, trapping, fishing and motorboat registration; fees increased. Amending § 29.1-103; adding § 29.1-701.1. (Patron-Cox, HB 301, CH 1027)
- Malicious bodily injury; applicable to game wardens. Amending § 18.2-51.1. (Patron-Abbitt, HB 640, CH 841)
- Mechanic's lien; maximum for keeper of garage, hanger or marina. Amending § 43-32. (Patron-Hargrove, HB 220, CH 215)
- Personal flotation devices; required for children. Amending § 29.1-700; adding § 29.1-735.01. (Patron-Lucas, SB 554)
- Retail Sales and Use Tax; entitles Hampton City to allocable revenues from watercraft business and sales. Amending §§ 58.1-638 and 58.1-1410. (Patron-Locke, SB 439)
- Squirrels; hunting in Floyd County. Repealing Chapter 354, 1952 Acts. (Patron-Landes, HB 28, CH 261)
- Waterfowl, migratory and nonmigratory; allows certain localities to prohibit feeding, penalty. Adding § 29.1-527.1. (Patron-Puller, SB 54, CH 386)
- Wild animals; baiting prohibited. Amending § 29.1-521. (Patron-Saxman, HB 1044, CH 862)
- Wild turkeys; hunting in Pittsylvania County. Repealing Chapter 451, 1958 Acts. (Patron-Landes, HB 27, CH 260)
- Wildlife; prohibits use of drugs thereon. Adding § 29.1-508.1. (Patron-Hawkins, SB 261, CH 171)

**GAME WARDENS** See: Game, Inland Fisheries and Boating

**GANGS** See: Crimes and Offenses Generally

**GARDEN CLUB OF VIRGINIA** See: Commending Resolutions

**GARDNER, DALE** See: Commending Resolutions

**GARFIELD ELEMENTARY SCHOOL** See: Commending Resolutions

**GARNISHMENT** See: Civil Remedies and Procedure

**GARRETT, ANN** See: Commending Resolutions

**GASOLINE, GASOHOL AND DIESEL FUEL** See: Motor Fuels

**GATE CITY HIGH SCHOOL** See: Commending Resolutions

**GEAR, THOMAS D.**

Added as co-patron:

S.B. 371.....	453
S.B. 602.....	368

**GENERAL ASSEMBLY**

Administrative Rules, Joint Commission on; continued, staffing. Amending § 30-73.4; repealing second enactment of Chapter 677, 2002 Acts. (Patron-Wagner, SB 434, CH 777)

African-American students; Dr. Martin Luther King, Jr. Memorial Commission to consider status and educational needs thereof. (Patron-Marsh, SJR 71)

Collegial bodies; changes and conformity of provisions. Amending §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, 65.2-1303 and third enactment of Chapters 749 and 766, 2003 Acts; adding §§ 2.2-5700.1, 15.2-4503.1, 22.1-358, 22.1-359, 30-226 through 30-240, 30-241, 30-242 through 30-247, 30-248, 30-249 and 30-250; repealing §§ 10.1-2116, 24.2-300, 24.2-301, 24.2-301.1, 62.1-69.5 through 62.1-69.20, Chapter 630, 1964 Acts, Chapter 449, 1968 Acts, Chapters 295 and 422, 1972 Acts, Chapters 251 and 520, 1974 Acts, Chapter 141, 1976 Acts, Chapter 144, 1980 Acts, Chapter 227, 1981 Acts of Assembly and Chapter 149, 1989 Acts. (Patron-Griffith, HB 1231, CH 1000)

Conflicts of interests and lobbyist disclosure filings; joint subcommittee to study. (Patron-McDonnell, HJR 186)

Constitution of U.S.; General Assembly rescinds and withdraws all past resolutions applying to Congress to call a convention to amend. (Patron-Landes, HJR 194)

Constitutional amendment; effective dates of legislative and congressional redistricting (second reference). Amending Section 6 of Article II. (Patron-O'Brien, SJR 6, CH 981)

Constitutional amendment; effective dates of legislative and congressional redistricting (submitting to qualified voters). Amending Section 6 of Article II. (Patron-O'Brien, SB 18, CH 873)

Constitutional amendment; establishes a Redistricting Commission to redraw boundaries of congressional and legislative districts (first reference). Amending Section 6 of Article II. (Patron-Deeds, SJR 3; Whipple, SJR 59)

Constitutional amendment; General Assembly to establish special fund for specified purposes (first reference). Adding Section 7-B in Article X. (Patron-Norment, SJR 123)

Disability Commission; created, report. Adding §§ 30-226 through 30-233. (Patron-Van Landingham, HB 817, CH 992; Puller, SB 381, CH 1015)

Freedom of Information Act; exempts certain meetings of General Assembly. Amending § 2.2-3707; adding § 2.2-3707.01. (Patron-Griffith, HB 1357, CH 768)

General Assembly; adjournment sine die. (Patron-Griffith, HJR 524)

General Assembly; amending budget bill conferees deadline date. Amending HJR 1, 2004. (Patron-Griffith, HJR 519)

General Assembly; amending budget bill conferees deadline date and extension of session. Amending HJRs 1 and 519, 2004. (Patron-Griffith, HJR 522)

General Assembly; amending budget bill conferees deadline date and extension of session. Amending HJRs 519 and 522, 2004. (Patron-Norment, SJR 257)

**GENERAL ASSEMBLY (continued)**

- General Assembly; notifying Governor of organization. (Patron-Griffith, HJR 146)
- General Assembly; schedule for conduct of business for 2004 Regular Session. (Patron-Griffith, HJR 1)
- General Assembly; schedule for conduct of business for 2004 Special Session. (Patron-Stolle, SJR 258; Norment, SR 17)
- General Assembly; schedule for conduct of business until first day of 2005 Session. (Patron-Griffith, HJR 2)
- Governor, two-term; joint subcommittee to study appropriate balance of power between legislative and executive branches to support. (Patron-Landes, HJR 13)
- Growth and Manufacturing Renewal, Manufacturing Association's Strategy for; General Assembly to support. (Patron-Hogan, HJR 261)
- Health Care, Joint Commission on; cooperation of other agencies. Adding § 30-170.1. (Patron-Morgan, HB 692, CH 296)
- Health Care, Joint Commission on; staffing authority. Amending § 30-168.4. (Patron-Martin, SB 656)
- House of Delegates and Senatorial districts; changes in boundaries in Pulaski and Wise Counties. Amending §§ 24.2-303.2 and 24.2-304.02. (Patron-Phillips, HB 1427, CH 932)
- House of Delegates and Senatorial districts; changes in provisions. Amending §§ 24.2-303.2 and 24.2-304.02. (Patron-Abbitt, HB 908, CH 451)
- House of Delegates districts; changes in boundaries in Arlington County. Amending § 24.2-304.02. (Patron-Ebbin, HB 317, CH 20)
- House of Delegates districts; changes in boundaries in Norfolk City. Amending § 24.2-304.02. (Patron-Drake, HB 1320, CH 479)
- Income tax, state; limiting legislation creating voluntary contribution of refunds to charitable organizations. Adding §§ 30-19.1:10 and 58.1-344.3. (Patron-Purkey, HB 1486, CH 649)
- Jury service; exempts certain legislative employees. Amending § 8.01-341.1. (Patron-Stolle, SB 38, CH 106)
- Legislation; prefilng. Amending § 30-19.3. (Patron-Griffith, HB 3, CH 718)
- Legislative appointments; definition of nonlegislative citizen member. Adding §§ 1-13.13:1 and 1-13.25:1. (Patron-Martin, SB 566, CH 709; Wampler, SB 691)
- Lobbyists; certain to file special reports of receipts and expenditures. Adding § 2.2-421.1. (Patron-Cole, HB 1370)
- Naval District Washington West Area (Dahlgren) Base; General Assembly to support. (Patron-Pollard, HJR 287)
- Primary elections; required for statewide offices of Governor, Lieutenant Governor and Attorney General. Amending §§ 24.2-508, 24.2-509, 24.2-517, 24.2-526 and 24.2-528. (Patron-Potts, SB 33)
- Retired judges and judges sitting by designation; eligible for recall as substitutes. Amending §§ 16.1-69.22:1, 17.1-105 and 17.1-106. (Patron-Bell, HB 651)
- Rules of Senate; establishing, previous provisions superseded. (Patron-Norment, SR 2)
- Senate; prohibits use of television or other electronic signals generated thereby for political or commercial purpose. Adding § 30-9.1. (Patron-Wampler, SB 689)
- Senate; salaries, contingent and incidental expenses. (Patron-Norment, SR 1)
- Senate Ethics Advisory Panel; confirming nominations. (Patron-Martin, SR 9)
- Senatorial districts; changes in boundaries in Chesapeake City. Amending § 24.2-303.2. (Patron-Cosgrove, HB 316, CH 424; Blevins, SB 184, CH 389)
- Tax bills; certain prohibited from being amended during 2004 Session. (Patron-Cuccinelli, SJR 42)
- Tax code and policy issues; Senate and House Committees on Finance to continue study thereof. (Patron-Hanger, SJR 82)
- Unemployment compensation; introduction of legislation affecting State revenue. Adding § 30-19.03:1.2. (Patron-Wagner, SB 664, CH 895)
- Williamsburg Session; expressing appreciation for hospitality extended by Colonial Williamsburg Foundation and The College of William and Mary in Virginia. (Patron-Griffith, HJR 377)
- Williamsburg Session; joint assembly to receive Governor and other distinguished guests and establish rules of conduct. (Patron-Griffith, HJR 361)

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Criminal penalties; revision throughout Code. Amending §§ 8.01-44.4, 9.1-902, 9.1-908, 9.1-910, 16.1-69.48:1, 16.1-260, 16.1-269.1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 17.1-805, 18.2-9, 18.2-10, 18.2-25, 18.2-31, 18.2-32, 18.2-46.1, 18.2-46.5, 18.2-46.6, 18.2-49, 18.2-49.1, 18.2-53, 18.2-53.1, 18.2-54.1, 18.2-54.2, 18.2-55, 18.2-57, 18.2-57.02, 18.2-57.2, 18.2-67.1, 18.2-67.2, 18.2-67.9, 18.2-67.10, 18.2-128, 18.2-144, 18.2-147.1, 18.2-289, 18.2-300, 18.2-370.2, 18.2-427, 18.2-481, 19.2-163, 19.2-215.1, 19.2-218.1, 19.2-218.2, 19.2-264.4, 19.2-270.1, 19.2-297.1, 19.2-298.01, 19.2-299, 19.2-303.4, 19.2-327.2, 19.2-327.3, 19.2-335, 19.2-336, 53.1-40.01, 53.1-131.2, 53.1-151, 54.1-2989 and 63.2-1719; adding §§ 18.2-47.1 through 18.2-47.5, 18.2-48.01, 18.2-48.02, 18.2-51.01 through 18.2-51.05, 18.2-52.01, 18.2-52.02; repealing §§ 18.2-47, 18.2-48, 18.2-48.1, 18.2-51, 18.2-51.1, 18.2-51.2 and 18.2-67.2:1. (Patron-Albo, HB 1053)

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Governor, two-term; joint subcommittee to study appropriate balance of power between legislative and executive branches to support. (Patron-Landes, HJR 13)

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Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1 through 2.2-435.5 and 37.1-207.1. (Patron-O'Brien, SB 304, CH 686)

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**HEALTH**

Abortion; contraception not to constitute. Adding § 18.2-72.1. (Patron-Whipple, SB 456)

Abortion; procedure if performed after first trimester. Adding § 18.2-73.1. (Patron-Black, HB 1315; Cuccinelli, SB 371)

Abortion clinics; regulation and licensure. Amending §§ 32.1-102.1, 32.1-102.2, 32.1-123, 32.1-125, 32.1-125.1, 32.1-126, 32.1-127, 32.1-129, 32.1-130, 32.1-131, 32.1-133 and 32.1-135. (Patron-Reid, HB 1290)

Abortion clinics; regulation and licensure. Amending §§ 32.1-123, 32.1-125, 32.1-125.1, 32.1-126, 32.1-127, 32.1-129, 32.1-130, 32.1-131, 32.1-133 and 32.1-135. (Patron-Marshall, R.G., HB 116)

Adoption, marriage and divorce records; deletes statements indicating racial designations. Amending §§ 32.1-262, 32.1-267 and 32.1-268. (Patron-Marsh, SB 223, CH 88)

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- Ambulance permits; to be consistent with federal requirements. (Patron-O'Bannon, HB 627, CH 139)
- Asbestos, Lead, and Home Inspectors, Board for; summary suspension of licenses or approvals. Adding § 54.1-516.1. (Patron-Drake, HB 462, CH 222)
- Asbestos or lead abatement activities; necessity for license. Amending § 54.1-503. (Patron-Drake, HB 463, CH 133)
- Assisted living facilities; exception to regulatory requirement for those with Alzheimer's care units. (Patron-O'Bannon, HB 635, CH 910)
- Assisted living facilities; regulations for emergency electrical systems. Amending § 63.2-1732. (Patron-Blevins, SB 181, CH 673)
- Birth-Related Neurological Injury Compensation Act; increases participating physician and hospital assessment. Amending §§ 38.2-5001, 38.2-5009 and 38.2-5020. (Patron-Tata, HB 1407, CH 931; Devolites, SB 687, CH 896)
- Blood-lead testing issues; Division of Consolidated Laboratory Services and Secretary of Health and Human Resources to establish a task force to facilitate communication and cooperation thereon, report. (Patron-Lambert, SJR 46)
- Building Code; standards for fire detection and suppression systems in assisted living facilities, residential dwelling units for senior citizens, nursing homes and facilities. Amending § 36-99.5:1. (Patron-Blevins, SB 183, CH 584)
- Charitable corporations; direct purchase from cooperative procurements by free clinics. Amending § 2.2-1120. (Patron-Brink, HB 1441, CH 484)
- Cigarettes; tax increased, use for funding police and teacher salaries and Medicaid. Amending §§ 58.1-1001, 58.1-3830, 58.1-3831 and 58.1-3840. (Patron-Potts, SB 269)
- Cigarettes and tobacco products; tax increased, revenue deposited in Health Care Fund. Amending §§ 58.1-1001, 58.1-1009 and 58.1-1018; adding §§ 32.1-366, 32.1-367 and 58.1-1021.01 through 58.1-1021.05. (Patron-Chichester, SB 465)
- Communicable diseases of public health threat; procedure for quarantine and isolation. Amending §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16 and 44-146.17; adding §§ 32.1-48.05 through 32.1-48.17. (Patron-O'Bannon, HB 1483, CH 773; Howell, SB 685, CH 1021)
- Community health workers; James Madison University to study status, impact, and utilization thereof. (Patron-Landes, HJR 195; Howell, SJR 19)
- Death; pronouncement by physician assistants. Amending § 54.1-2972. (Patron-Lucas, SB 555, CH 92)
- Emergency electrical systems; required in hospitals, nursing homes, etc. Amending §§ 32.1-127 and 63.2-1732. (Patron-O'Brien, SB 292)
- Felonies; DNA sampling of arrestees for attempted crime. Amending § 19.2-310.2:1. (Patron-McDougle, HB 776, CH 445)
- Feticide; penalty. Adding § 18.2-32.2. (Patron-Cosgrove, HB 1, CH 1026; Stolle, SB 319, CH 1023)
- Health Access Plan; created. Adding §§ 32.1-366 through 32.1-371. (Patron-Reynolds, SB 196)
- Health care and prescription drugs; Joint Commission on Health Care to study improving services and lowering costs to Medicaid recipients through public-private partnerships. (Patron-Bell, SJR 58)
- Health Care Foundation; commending. (Patron-Mims, SJR 168)
- Health Care, Joint Commission on; cooperation of other agencies. Adding § 30-170.1. (Patron-Morgan, HB 692, CH 296)
- Health Care, Joint Commission on; staffing authority. Amending § 30-168.4. (Patron-Martin, SB 656)
- Health departments, state and local; Chesterfield County may supplement salaries and expenses of employees. Amending § 15.2-1508.3. (Patron-Martin, SB 45, CH 157)
- Health insurance; coverage for hearing aids for minors. Amending §§ 2.2-2818, 32.1-325 and 38.2-4319; adding § 38.2-3418.15. (Patron-Ticer, SB 641)
- Health insurance; coverage for infertility. Amending §§ 2.2-2818 and 38.2-4319; adding § 38.2-3418.15. (Patron-Puckett, SB 255)

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- Health professionals; disciplinary proceedings and reporting requirements. Amending §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480; adding §§ 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8; repealing §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615. (Patron-Hamilton, HB 577, CH 64)
- Health records; access by guardians ad litem and attorneys representing minors and certain adults. Amending §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12 and 37.1-134.21. (Patron-O'Bannon, HB 878, CH 66)
- Health records; Joint Commission on Health Care to study use and disclosure thereof. (Patron-O'Bannon, HJR 134)
- Health records; patient's executor or administrator may obtain copies. Amending § 8.01-413. (Patron-Joannou, HB 733, CH 742)
- Health records; privacy, access, etc. Amending §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230 and 38.2-608. (Patron-Stolle, SB 337, CH 1014)
- Health records; privacy provisions. Amending § 32.1-127.1:03. (Patron-O'Bannon, HB 879, CH 67)
- Health records; procedure for certain patients to obtain access to their records. Amending §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230 and 38.2-608. (Patron-O'Bannon, HB 877, CH 65)
- Health records; release of certain patient information to Commissioner of Department of Labor and Industry due to death or injury while on a work site. Amending §§ 32.1-127.1:03 and 40.1-8. (Patron-Lambert, SB 136, CH 163)
- Health Spa Act; requirement for bond or letter of credit. Amending §§ 59.1-296.2:1 and 59.1-306. (Patron-Amundson, HB 390, CH 988)
- Health-related data elements; Secretary of Health and Human Resources to create a reference database. (Patron-Lambert, SB 565, CH 708)
- Hospice; licensure. Amending § 32.1-162.5. (Patron-Houck, SB 625)
- Hospital pharmacies; filling and stocking of automated drug dispensing systems by pharmacy technicians. Amending § 54.1-3434.02. (Patron-Morgan, HB 690, CH 140)
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- Infant screening program for metabolic disorders; Joint Commission on Health Care to collect information thereon. (Patron-Plum, HJR 164)
- Infants; screening tests required after delivery. Amending § 32.1-65. (Patron-McDonnell, HB 1133, CH 760)
- Lead-Poisoning Prevention, Joint Subcommittee Studying; continued. (Patron-Lambert, SJR 43)
- License plates, special; issuance to encourage participation in the organ donor program. Adding § 46.2-749.101. (Patron-Hawkins, SB 258)
- License plates, special; issuance to supporters of Juvenile Diabetes Research Foundation. Adding § 46.2-749.101. (Patron-O'Bannon, HB 634)
- Medicaid-eligible persons with limited English proficiency; Department of Medical Assistance Services to seek reimbursement for translation and interpretation services provided thereto, report. (Patron-Lucas, SJR 122)
- Medical assistance services; eligibility for aged and disabled individuals. Amending § 32.1-325. (Patron-Reynolds, SB 195)
- Medical assistance services; filing of application for admittance to a Veterans Care Center. Amending § 63.2-405. (Patron-Watts, HB 907, CH 305)
- Medical assistance services; includes consumer-directed care, cash and counseling project waiver. Amending Chapter 460, 2003 Acts. (Patron-Newman, SB 671)
- Medical assistance services; includes long-term care partnership program. Amending § 32.1-325. (Patron-Edwards, SB 266, CH 246)
- Medical assistance services; includes marriage and family therapist. Amending § 32.1-325. (Patron-Shuler, HB 224, CH 125)
- Medical care facilities certificate of public need; criteria for determining need. Amending §§ 32.1-102.3 and 32.1-102.6. (Patron-Amundson, HB 391, CH 95; Puller, SB 86, CH 71)
- Medical care facilities certificate of public need; not applicable to certain intermediate care facilities for mentally retarded. Amending § 32.1-102.1. (Patron-Reynolds, SB 197, CH 75)

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- Medical care facilities certificate of public need; revises designation of parties to the case. Amending § 32.1-102.6. (Patron-Stolle, SB 611)
- Medical complaint investigation committees and medical and psychological practices audit committees; abolished. Repealing §§ 54.1-2922, 54.1-2923 and 54.1-3613. (Patron-Athey, HB 211, CH 40; Martin, SB 5, CH 68)
- Medical treatment options; physician disclosure. Amending § 38.2-3405; adding § 54.1-2963.1. (Patron-Marsh, SB 224, CH 675)
- Minority young adults; Joint Commission on Health Care to study mental health needs and treatment thereof. (Patron-Marsh, SJR 25)
- Morning-after pill; institutions of higher education prohibited from making such available. Adding § 23-7.5:1. (Patron-Marshall, R.G., HB 1414)
- Morning-after pill; parental consent for minors required. Amending § 54.1-2969; adding § 54.1-2969.1. (Patron-Byron, HB 1403)
- Neighborhood Assistance Act; tax credit to certain clinics that deliver free health care. Amending § 63.2-2004. (Patron-Nutter, HB 239, CH 183)
- Nurse Practitioners Prescriptive Authority; Report of Joint Commission on Health Care (Chapter 924, 2000 Acts). (HD 10)
- Nurses; multistate licensure privilege. Amending §§ 32.1-127.1:03, 32.1-127.3, 54.1-105, 54.1-106, 54.1-111, 54.1-2400, 54.1-2400.2, 54.1-2401, 54.1-2403.01, 54.1-2403.1, 54.1-2403.2, 54.1-2408.1, 54.1-2409, 54.1-2409.1, 54.1-2906, 54.1-2907, 54.1-3000, 54.1-3005, 54.1-3008, 54.1-3009, 54.1-3016, 54.1-3019 and 63.2-1805. (Patron-O'Bannon, HB 633, CH 49)
- Nursing facilities and nursing homes; vaccination of residents. Amending § 32.1-127. (Patron-Bryant, HB 1178, CH 762)
- Nursing home bed projects; conditions for issuance of an amended certificate of public need. Amending Chapter 912, 2000 Acts. (Patron-Callahan, HB 501, CH 85; Norment, SB 388, CH 91)
- Nursing homes; establishment of staffing standards. Amending § 32.1-127. (Patron-Edwards, SB 672)
- Nursing homes and assisted living facilities; notification to electric utilities. Amending §§ 32.1-126 and 63.2-1800. (Patron-Sickles, HB 891, CH 304)
- Oral health care; joint subcommittee to study access to and costs thereof. (Patron-Marsh, SJR 24)
- Outreach Oversight Committee; name changed to Children's Health Insurance Program Advisory Committee. Amending § 32.1-351.2. (Patron-Brink, HB 836, CH 301)
- Patient records; transfer or copies in conjunction with sale or relocation of practice. Amending § 54.1-2405. (Patron-O'Bannon, HB 875, CH 53)
- Pharmaceutical assistance programs and discount purchasing cards; development of a single application form, Commissioners of Health and of Department for Aging to report on development. Amending § 32.1-23.1. (Patron-Cline, HB 1202, CH 318)
- Pharmaceutical information; dissemination of Medicare benefits and training of senior citizen volunteers. Amending § 32.1-23.1. (Patron-Potts, SB 158, CH 73)
- Pre-hospital emergency medical services; Joint Legislative Audit and Review Commission to study. (Patron-O'Bannon, HJR 133)
- Prescription Drug Payment Assistance Program; created, annual report on effectiveness. Adding §§ 32.1-366 through 32.1-372. (Patron-Deeds, SB 377)
- Public water supplies; emergency plans for safe handling during any extended power outage. Amending § 32.1-170. (Patron-Jones, D.C., HB 1198, CH 317)
- Public-Private Long-Term Care Insurance Partnership Programs; Department of Medical Assistance Services to study. (Patron-Edwards, SJR 50)
- Registered nurses; Secretary of Health and Human Resources to establish task force to examine issues relating to screening and testing pursuant to Medicaid program. (Patron-Lambert, SJR 45)
- Retail Sales and Use Tax; exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11. (Patron-Orrock, HB 515, CH 536; Colgan, SB 585, CH 515)

**HEALTH (continued)**

- Risk management plans; includes medical malpractice liability insurance for physicians and sole community hospitals. Amending § 2.2-1839; adding § 2.2-1839.1. (Patron-Newman, SB 601, CH 822)
- School divisions; urging to provide diversified health, nutrition and physical education activities for students. (Patron-Tata, HJR 260)
- Septic systems; validity of septic tank permits. Amending § 32.1-164.1:1. (Patron-Suit, HB 930, CH 916)
- Sexual assault; Department of Health to study statewide response to victims and prevention thereof. (Patron-Watkins, SJR 131)
- Telemedicine initiatives; abolishes reporting requirements by Commissioner of Health. Repealing § 32.1-19.1. (Patron-Wampler, SB 278, CH 683)
- Tobacco products; tax increased, revenue deposited in Health Care Fund and Local Government School Construction Fund. Amending §§ 58.1-1001, 58.1-3830 and 58.1-3840; adding §§ 32.1-366 and 32.1-367; repealing § 58.1-3831. (Patron-Howell, SB 74)
- Trauma Center Fund; established to accept funds paid for DUI convictions. Adding § 18.2-270.01. (Patron-McDonnell, HB 1143, CH 999)
- Trauma centers in hospitals; Joint Legislative Audit and Review Commission to study use and financing thereof. (Patron-McDonnell, HJR 183)
- VCU Health System Authority; confirming appointments. (Patron-Ingram, HJR 276)
- Vital records; filing of death certificates. Amending § 32.1-263. (Patron-Reid, HB 159, CH 124)
- Water wells; location and testing in Goochland County. Amending § 32.1-176.4. (Patron-Watkins, SB 125, CH 72)

**HEALTH AND HUMAN RESOURCES, SECRETARY OF** See: Administration of the Government Generally

**HEALTH INSURANCE** See: Insurance

**HEALTH LITERACY MONTH** See: Holidays, Special Days, Etc.

**HEALTH SPAS** See: Health

**HEARING AIDS** See: Health

**HEBRON PRESBYTERIAN CHURCH** See: Commending Resolutions

**HELEMS, M. DALLAS, JR.** See: Commending Resolutions

**HELLINGER, EVELYN M.** See: Memorial Resolutions

**HENDERSON, ARCHIE WARREN, JR.** See: Memorial Resolutions

**HENRICO COUNTY**

- Road impact fees; utilization in Henrico County. Amending § 15.2-2317. (Patron-Stosch, SB 534)
- Street maintenance; reporting requirements in Arlington and Henrico Counties. Amending §§ 33.1-23.5:1 and 33.1-41.1. (Patron-Stosch, SB 563, CH 118)

**HENRY COUNTY**

- Martinsville-Henry County Dental Clinic and Health Fair; commending volunteers. (Patron-Hurt, HJR 490)

**HERITAGE MUSIC TRAIL: THE CROOKED ROAD** See: Highways, Bridges and Ferries

**HERNDON, ANTHONY KEVIN "TONY"** See: Memorial Resolutions

**HERNDON, CATHY** See: Commending Resolutions

**HERNDON, TOWN OF**

- Herndon, Town of; commemorating its 125th anniversary. (Patron-Rust, HJR 327)

**HERNDON, TOWN OF (continued)**

Utility tax; imposition on local consumers in Towns of Herndon and Vienna for mobile phone usage.  
Amending § 58.1-3812. (Patron-Rust, HB 372, CH 43; Howell, SB 316, CH 172)

**HERNDON WOMAN'S CLUB** See: Commending Resolutions

**HESS, JOSEPH E.** See: Commending Resolutions

**HICKS, ROBERT L. "BOB", SR.** See: Memorial Resolutions

**HIGGS, JACK** See: Commending Resolutions

**HIGGS, JOE** See: Commending Resolutions

**HIGH-OCCUPANCY TOLL (HOT) LANES** See: Highways, Bridges and Ferries

**HIGH-OCCUPANCY VEHICLE (HOV) LANES** See: Highways, Bridges and Ferries

**HIGHER EDUCATION** See: Educational Institutions

**HIGHLAND SPRINGS HIGH SCHOOL** See: Commending Resolutions

**HIGHWAYS, BRIDGES AND FERRIES**

See also: Transportation

Billboard signs; maintenance and repair governed by Transportation Commissioner. Adding § 33.1-370.2. (Patron-Martin, SB 58, CH 656)

C. Don Dunford Bridge; designating bridge on Route 19/460 bypass around Town of Tazewell. (Patron-Puckett, SB 545)

Commercial motor vehicles; limited use of certain lanes on certain interstate highways. Amending § 46.2-803.1. (Patron-Saxman, HB 1346, CH 809)

Comprehensive roadside management program; established within Department of Transportation. Adding § 33.1-223.2:9. (Patron-Hawkins, SB 260, CH 679)

Constitutional amendment; Highway Maintenance and Operating Fund and Transportation Trust Fund continued (first reference). Adding Section 7-B in Article X. (Patron-Howell, SJR 18)

Country Music Highway; designating portion of Route 23 lying within Wise, Lee, and Scott Counties. (Patron-Phillips, HB 910, CH 625)

Design-build contracts; use by Director of Department of Rail and Public Transportation. Amending § 33.1-12. (Patron-Watkins, SB 364, CH 110)

Drawbridges; payments for maintenance in Chesapeake City. Amending § 33.1-41.1. (Patron-Blevins, SB 178)

Dulles Corridor; issuance of transportation credit assistance revenue bonds for funding mass transit. Amending §§ 33.1-268, 33.1-269 and 33.1-277. (Patron-Callahan, HB 1005, CH 807)

Eminent domain; owner of condemned property to receive payment before vacating. Amending § 33.1-120. (Patron-Drake, HB 834, CH 803)

Eminent domain; remedies of certain landowners whose property is condemned. Amending § 33.1-132. (Patron-Drake, HB 835, CH 804)

Engineering functions; limiting performance within Department of Transportation. Adding § 33.1-190.01. (Patron-Williams, SB 106)

Fairfax Station Road; designating entire length in Fairfax County as a Virginia byway. (Patron-Hugo, HB 997, CH 628)

George F. Barnes Bridge; designating as bridge on Route 19/460 bypass around Town of Tazewell. (Patron-Puckett, SB 544)

George Fortune, Jr., Memorial Bridges; designating as Interstate Route 66 bridges over Route 29 in Fairfax County. (Patron-Cuccinelli, SB 155, CH 581)

H. Edward Steele Memorial Tunnel; redesignates Route 77 tunnel. (Patron-Puckett, SB 70)

Heritage Music Trail: The Crooked Road; designating as certain highways in Southwest Virginia. (Patron-Phillips, HB 909, CH 624)

High-occupancy toll (HOT) lanes; Department of Transportation when making improvements to Interstate Route 66 to include these lanes. (Patron-Cuccinelli, SB 139, CH 664)

**HIGHWAYS, BRIDGES AND FERRIES (continued)**

- High-occupancy toll (HOT) lanes; provisions with electronically collected and photo-enforced tolls. Adding §§ 33.1-56.1 through 33.1-56.5. (Patron-Albo, HB 151, CH 783)
- High-occupancy vehicle (HOV) lanes; fines for violations in Northern Virginia. Amending § 33.1-46.2. (Patron-Mims, SB 508, CH 704)
- Highway construction; allocation of funds within secondary system. Amending § 33.1-23.4. (Patron-Cole, HB 485, CH 791)
- Highway maintenance and construction projects; use of jail inmates. Adding § 33.1-223.2:9. (Patron-Norment, SB 637)
- Highway repairs; use of steel plates. Adding § 33.1-223.2:9. (Patron-Welch, HB 408)
- Humelsine Parkway; designating as Route 199 between I-64 east and west of Williamsburg City. (Patron-Barlow, HB 1444, CH 643)
- Industrial access road funds; use in Colleen Industrial Park in Nelson County. Amending § 33.1-221. (Patron-Deeds, SB 373)
- Interstate Route 81; all vehicles will be subject to toll. Repealing third enactment of Chapter 593, 2002 Acts. (Patron-Wardrup, HB 905)
- Interstate Route 81; Transportation Board and Department of Transportation to review ways to address congestion and safety problems. (Patron-Cline, HJR 291)
- Jack and Carter Hardesty Bridge; designating as Route 340 bridge in Clarke County. (Patron-Potts, SB 34, CH 579)
- Korean War Veterans Memorial Highway; designating as Interstate Route 64. (Patron-Armstrong, HB 1413, CH 641)
- Landfill gas pipelines; notification to counties of location. Adding § 33.1-223.2:9. (Patron-Ingram, HB 1263, CH 808)
- Monacan Bridge; designating as Lynchburg bypass bridge across James River between Amherst County and Lynchburg City. (Patron-Bryant, HB 1182, CH 763; Newman, SB 560, CH 117)
- Parking on secondary system highways; governing bodies in various counties authorized to restrict. Amending § 46.2-1222. (Patron-Rapp, HB 677, CH 797)
- Pedestrians; provisions when crossing a highway. Amending §§ 46.2-923 and 46.2-924. (Patron-Whipple, SB 451)
- Pleasant Valley Road; designating portion thereof in Fairfax County as a Virginia byway. (Patron-Hugo, HB 998, CH 629)
- Rail Transportation Development Authority; membership, powers, etc. Amending § 2.2-2101; adding §§ 33.1-391.6 through 33.1-391.10; repealing Chapter 1041, 2003 Acts. (Patron-Edwards, SB 413)
- Railway Preservation and Development Fund; created. Adding § 33.1-221.1:1.1. (Patron-Abbitt, HB 644, CH 621)
- Richmond Metropolitan Authority; free use of toll facilities by quadriplegics. Amending § 33.1-252. (Patron-Martin, SB 57, CH 655)
- Road impact fees; utilization in Henrico County. Amending § 15.2-2317. (Patron-Stosch, SB 534)
- Roadway litter pick-up; civil immunity of officials and volunteers who participate in programs for probationers. Adding § 8.01-226.8. (Patron-Stump, HB 534, CH 434)
- Roadway litter pick-up; civil immunity of officials who participate in programs for probationers and persons on community service. Adding § 8.01-226.8. (Patron-Puckett, SB 72, CH 387)
- Route 17; designating portion as a Virginia byway. (Patron-Morgan, HB 1154, CH 633)
- Route 1 corridor in Fairfax and Prince William Counties; recognizing need for various transit options therein. (Patron-Puller, SJR 39)
- Route 29; construction of bypass around cities in certain counties. Adding § 33.1-223.2:9. (Patron-Newman, SB 670, CH 1025)
- Route 460 Communications Committee; continued. (Patron-McDonnell, HJR 185)
- Sam Snead Memorial Highway; designating as Route 220 in Bath County. (Patron-Deeds, SB 13, CH 578)
- Service districts; powers concerning road construction. Amending § 15.2-2403. (Patron-Hugo, HB 1373, CH 810)
- Speed limits; maximum on Route 360. Amending § 46.2-870. (Patron-Ruff, SB 408, CH 696)
- Speed limits; may be set on nonsurface treated highways. Amending § 46.2-873.1. (Patron-Reynolds, SB 189)

**HIGHWAYS, BRIDGES AND FERRIES (continued)**

- Speed limits; may be set on nonsurface treated highways in certain counties. Amending § 46.2-873.1. (Patron-Sherwood, HB 35, CH 719)
- Street maintenance; reporting requirements in Arlington and Henrico Counties. Amending §§ 33.1-23.5:1 and 33.1-41.1. (Patron-Stosch, SB 563, CH 118)
- Stuart Finley Bridge; designating as bridge on Potterton Drive over Lake Barcroft in Fairfax County. (Patron-Hull, HB 1474, CH 969)
- Subdivision streets; taking into secondary highway system. Amending § 33.1-72.1. (Patron-Hawkins, SB 257, CH 677)
- Toll facilities; allows operator or toll collection technology entities to obtain vehicle owner information from DMV. (Patron-Williams, SB 107, CH 660)
- Toll facilities; disclosure of data generated by automated electronic toll collection systems. Adding § 33.1-252.2. (Patron-Cuccinelli, SB 148, CH 665)
- Toll facilities; penalty for failure to pay toll. Amending §§ 46.2-819 and 46.2-819.1; adding § 46.2-819.3. (Patron-Rust, HB 1157, CH 924)
- Toll facilities; tolls may vary to encourage travel during off-peak hours. Adding § 33.1-223.2:9. (Patron-Fralin, HB 1376, CH 1003)
- Transportation Commissioner; may enter into agreements with cities and towns. Adding § 33.1-12.1. (Patron-Wardrup, HB 904, CH 623)
- Transportation district; created within Charlottesville City and Albemarle County. Adding §§ 33.1-447 through 33.1-463. (Patron-Marshall, D.W., HB 1419, CH 966)
- Transportation improvement districts; establishment in Fairfax County. Amending §§ 33.1-430, 33.1-431, 33.1-433 and 33.1-435. (Patron-Callahan, HB 502, CH 792)
- Transportation projects; Department of Transportation to maintain property acquired for construction thereof. Adding § 33.1-223.2:9. (Patron-Wampler, SB 277, CH 682)
- Transportation Trust Fund; allocation of proceeds. Amending § 33.1-23.03:1; repealing §§ 33.1-23.03:4, 33.1-23.1:1, 33.1-221, 33.1-221.1:1, 33.1-221.1:3, 33.1-221.1:6 and 33.1-223. (Patron-O'Brien, SB 307)
- Urban system highway construction funds; increases allocation in Newport News City. Amending § 33.1-44. (Patron-Williams, SB 113)
- Vietnam Veterans Memorial Highway; designating as Interstate Route 95. (Patron-Armstrong, HB 1413, CH 641)
- Virginia-North Carolina Interstate High-Speed Rail Compact; created. (Patron-Watkins, SB 126, CH 662)
- Woodlawn Road; Department of Transportation to assert property rights of State with respect thereto in Fairfax County and Fort Belvoir. (Patron-Amundson, HB 1291, CH 235; Puller, SB 590, CH 119)
- Woodlawn Road; memorializing Congress to restore public access thereto through Fort Belvoir in Fairfax County. (Patron-Amundson, HJR 248; Puller, SJR 97)
- World War II Veterans Memorial Highway; designating as Interstate Route 81. (Patron-Armstrong, HB 1413, CH 641)

**HIRST, OMER LEE** See: Memorial Resolutions

**HISTORIC AREAS, LANDMARKS AND MONUMENTS** See: Conservation

**HOCKADAY, WESLEY A. B.** See: Memorial Resolutions

**HOLIDAYS, SPECIAL DAYS, ETC.**

- Brown v. Board of Education years; designating as 2004 and 2005. (Patron-Marsh, SJR 73)
- Celebrate Adoption Day; designating as third Saturday in November 2004, and each succeeding year thereafter. (Patron-Saxman, HJR 180)
- Colonial Founders Day; designating as May 14, 2004, and each succeeding year thereafter. (Patron-Wagner, SJR 65)
- Confederate History and Heritage Month; designating as April 2004, and each succeeding year thereafter. (Patron-Hawkins, SJR 96)
- Great Virginia Teach-In; designating as March 27-28, 2004. (Patron-Ward, HJR 168)

**HOLIDAYS, SPECIAL DAYS, ETC. (continued)**

- Greek Independence Day; designating as March 25, 2004, and each succeeding year thereafter. (Patron-Rerras, SJR 117)
- Health Literacy Month; designating as October 2004, and each succeeding year thereafter. (Patron-Baskerville, HJR 154)
- National Courtesy Week; designating as second week in February in 2004, and each succeeding year thereafter. (Patron-Houck, SJR 120)
- National Guard and Reserve members; to be recognized and supported by conducting awareness programs and by holding Military Appreciation Day and other ceremonies therefor. (Patron-Johnson, HJR 278; O'Brien, SJR 115)
- Take Your Kids to Vote Day; designating as November 2, 2004, and each Election Day thereafter. (Patron-Petersen, HJR 292)

**HOLTON, ANNE B.** See: Judges Justices and Other Elective Officers

**HOME PROTECTION COMPANIES AND HOMEOWNERS INSURANCE** See: Insurance

**HOMELAND SECURITY** See: Administration of the Government Generally

**HOMELESS PERSONS** See: Welfare

**HONTS, GEORGE E., III** See: Commending Resolutions

**HOPEWELL HIGH SCHOOL** See: Commending Resolutions

**HORSE RACING** See: Gambling, Lotteries, Etc.

**HORSES** See: Agriculture, Horticulture and Food

**HOSPICES** See: Health

**HOSPITALS AND HOSPITALIZATION** See: Health

**HOTELS, RESTAURANTS, SUMMER CAMPS AND CAMPGROUNDS**

- Banquet and mixed beverage licenses; issuance. Amending §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231 and 4.1-233. (Patron-Hugo, HB 995; Hugo, HB 1489, CH 487)
- Chamberlin Hotel at Fort Monroe; extends lease for operation. Amending Chapter 809, 1998 Acts. (Patron-Williams, SB 602, CH 713)
- Concealed weapons; abolishes prohibition on carrying in a restaurant or club, exception when patron has consumed alcohol. Amending § 18.2-308. (Patron-Cuccinelli, SB 579)
- Firearms; prohibits carrying loaded weapons in restaurants. Adding § 18.2-287.5. (Patron-Howell, SB 552)
- Food and beverage tax; imposition in Fairfax County. Amending § 58.1-3833. (Patron-Saslaw, SB 643)
- Food and beverage tax; imposition in Giles County. Amending § 58.1-3833. (Patron-Edwards, SB 213)
- Food Code; adoption of regulations. Amending §§ 2.2-4002, 3.1-398 and 35.1-14. (Patron-McQuigg, HB 784, CH 802)
- Nudist camps for juveniles; prohibited. Amending § 35.1-18. (Patron-Reid, HB 158, CH 987)
- Restaurants; exemptions include convenience stores and gas stations. Amending § 35.1-25. (Patron-Phillips, HB 918, CH 227)
- Transient occupancy and food and beverage taxes; technical changes in provisions. Amending §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842. (Patron-Watkins, SB 684, CH 610)
- Transient occupancy tax; additional imposition in certain counties or cities. Adding § 58.1-3824. (Patron-Watkins, SB 367)
- Transient occupancy tax; additional imposition in Fairfax County. Adding § 58.1-3824. (Patron-Hugo, HB 1001, CH 9; Mims, SB 512)
- Transient occupancy tax; additional imposition in Greater Williamsburg area. Amending § 58.1-3823. (Patron-Norment, SB 652, CH 828)

**HOTELS, RESTAURANTS, SUMMER CAMPS AND CAMPGROUNDS (continued)**

- Transient occupancy tax; additional imposition in Rockbridge County, and Lexington and Buena Vista Cities. Adding § 58.1-3824. (Patron-Hanger, SB 517, CH 598)
- Transient occupancy tax; imposition in Floyd County. Amending § 58.1-3819. (Patron-Dudley, HB 739, CH 7)
- Transient occupancy tax; imposition in Nelson County. Amending § 58.1-3819. (Patron-Deeds, SB 375)
- Transient occupancy tax; increased in certain counties, revenues for Performing Arts Foundation. Amending § 58.1-3823. (Patron-O'Bannon, HB 741, CH 50)

**HOUCK, R. EDWARD**

Added as co-patron:

S.B. 393. ....	225
S.B. 445. ....	543
S.B. 456. ....	293
S.B. 482. ....	350
S.J.R. 75 . . . . .	293
H.J.R. 492 . . . . .	1753
Certification of election, oath . . . . .	3, 5
Leaves of absence . . . . .	700, 719
Notified Clerk of presence . . . . .	454

**HOUSE OF DELEGATES DISTRICTS** See: General Assembly

**HOUSE RESOLUTIONS AND JOINT RESOLUTIONS**

- See: Appointments
- Commending Resolutions
- Constitutional Amendments
- General Assembly
- Holidays, Special Days, Etc.
- Judges and Justices and Other Elective Officers
- Memorial Resolutions
- Study Commissions, Committees and Reports

**HOUSING**

- Affordable housing; applicable in Alexandria City. Amending § 15.2-2304. (Patron-Van LANDINGHAM, HB 874, CH 543)
- Affordable housing; applicable in Fauquier County. Amending § 15.2-2304. (Patron-ATHEY, HB 216)
- Blighted or deteriorated properties; Housing Study Commission to study impact on older urban communities. (Patron-LUCAS, SJR 95)
- Building Code; inspection of rental property, including elevators. Amending § 36-105; adding § 36-105.1:1. (Patron-DRAKE, HB 828, CH 851)
- Building Code; regulation of HVAC facilities. Adding § 36-99.6:3. (Patron-WATTS, HB 423, CH 132)
- Building Code; standards for fire detection and suppression systems in assisted living facilities, residential dwelling units for senior citizens, nursing homes and facilities. Amending § 36-99.5:1. (Patron-BLEVINS, SB 183, CH 584)
- Condominium Act; responsibility for insurance deductibles. Amending § 55-79.81. (Patron-HARGROVE, HB 555, CH 281)
- Condominium and Property Owners' Association Acts; fees related to providing statements of assurance, resale certificate or disclosure packet. Amending §§ 55-79.97 and 55-512. (Patron-WHIPPLE, SB 449)
- Condominium and Property Owners' Association Acts; foreclosure on liens. Amending §§ 55-79.84 and 55-516. (Patron-MIMS, SB 503, CH 779)
- Condominium and Property Owners' Association Acts; unit or lot sold in a nonjudicial foreclosure proceeding shall be sold subject to prior liens. Amending §§ 55-79.84 and 55-516. (Patron-MCQUIGG, HB 449, CH 786; WHIPPLE, SB 463, CH 778)

**HOUSING (continued)**

- Correctional facilities; use of store profits for pre-release and post-release employment and housing assistance. Amending §§ 53.1-27, 53.1-115.2 and 53.1-127.1. (Patron-Ticer, SB 613)
- Disabled, Interagency Coordinating Council on Housing for; abolished. Repealing §§ 2.2-2640 and 2.2-2641. (Patron-Athey, HB 206, CH 16; Ruff, SB 8, CH 153)
- Eminent domain; condemnation of lands within adopted conservation or redevelopment plans. Adding § 25.1-107. (Patron-Drake, HB 820, CH 540)
- Fair Housing Law; evidence of unlawful discriminatory practices. Amending § 36-96.3. (Patron-Griffith, HB 1245)
- Home ownership; grants by localities to employees, including school board and constitutional officer employees. Adding § 15.2-958.2. (Patron-Drake, HB 827, CH 541)
- Housing and Community Development, Board of; membership. Amending § 36-135. (Patron-Albo, HB 123, CH 944)
- Housing authorities; development of a “no trespass” policy. Adding § 36-22.1. (Patron-Lambert, SB 233, CH 585)
- Housing Development Authority; financing of certain mixed-income and mixed-use housing developments. Amending §§ 36-55.25, 36-55.26, 36-55.30, 36-55.30:2, 36-55.31, 36-55.33:1, 36-55.34:1, 36-55.37, 36-55.38 and 36-55.39. (Patron-Drake, HB 825, CH 187)
- Housing funds; changes in utilization reporting requirements. Amending §§ 15.2-2418, 36-155, 36-156 and 36-169. (Patron-Martin, SB 4, CH 577)
- Housing-related issues; Housing Study Commission to study certain. (Patron-Drake, HJR 152)
- Landlord and tenant; termination of tenancies, security deposit, purchase of damage insurance. Amending §§ 55-222, 55-248.4 and 55-248.37; adding § 55-248.7:2. (Patron-Albo, HB 153, CH 123)
- Manufactured or mobile homes; reclaiming those deemed abandoned, liability for payment of rent. Amending § 46.2-1208. (Patron-Cosgrove, HB 346, CH 353)
- Natural cut Christmas trees; use in certain places of worship and apartment dwelling units. (Patron-Orrrock, HB 622, CH 138)
- Property Owners’ Association Act; access to association records. Amending § 55-510. (Patron-Sickles, HB 894, CH 193)
- Property Owners’ Association Act; access to committee and subcommittee meetings of board of directors. Amending § 55-510.1. (Patron-Houck, SB 348, CH 333)
- Real Estate Time-Share Act; use of reverter deed in lieu of foreclosure. Amending §§ 55-362 and 55-374; adding § 55-376.1. (Patron-Suit, HB 448, CH 143)
- Residential Landlord and Tenant Act; access by landlord to correct nonemergency property condition. Amending § 55-248.18. (Patron-Reese, HB 974, CH 307)
- Residential Landlord and Tenant Act; disclosure of mold in dwelling unit. Amending §§ 55-248.13 and 55-248.16; adding § 55-248.11:2. (Patron-Drake, HB 824, CH 226)
- Residential Landlord and Tenant Act; noncompliance of rental agreement, award of attorneys’ fees. Amending § 55-248.31. (Patron-Reese, HB 981, CH 232)

**HOWELL, HANNIBAL E.** See: Memorial Resolutions

**HOWELL, JANET D.**

- Added as co-patron:
  - S.B. 128. . . . . 292
  - S.B. 450. . . . . 292
  - S.B. 453. . . . . 293
  - S.B. 456. . . . . 293
  - S.B. 458. . . . . 293
  - S.J.R. 69 . . . . . 293
  - H.J.R. 492 . . . . . 1753
- Certification of election, oath . . . . . 4,5

**HOWELL, WILLIAM J.**

- Added as co-patron:
  - S.B. 686. . . . . 453

**HOY, THOMAS L.** See: Commending Resolutions

**HUBBARD, JOSEPH E.** See: Commending Resolutions

**HUFF, SAM** See: Commending Resolutions

**HULL, ROBERT D.**

Added as co-patron:

S.B. 310. ....	273
S.B. 453. ....	293
S.B. 458. ....	293

**HUMELSINE PARKWAY** See: Highways, Bridges and Ferries

**HUNT, KENNY** See: Commending Resolutions

**HUNTING LAWS AND PERMITS**

- Antlerless deer; hunting. Repealing Chapter 180, 1956 Acts. (Patron-Landes, HB 26, CH 259)
- Bear or deer; abolishes damage stamp requirement in Craig County. Repealing Chapter 294, 1948 Acts. (Patron-Landes, HB 75, CH 33)
- Beavers; killing due to destruction of property. Amending §§ 29.1-517 and 29.1-518. (Patron-Morgan, HB 54, CH 421)
- Concealed weapons; applicability while engaged in hunting. Amending § 18.2-308. (Patron-Stolle, SB 326, CH 1012)
- Deer and wild birds or animals; abolishes unlawful rifle hunting in Halifax and Cumberland Counties. Repealing Chapter 144, 1958 Acts. (Patron-Landes, HB 77, CH 266)
- Deer or elk; spotlighting. Repealing Chapter 420, 1958 Acts. (Patron-Landes, HB 25, CH 258)
- Duck blinds; abolishes prohibited hunting in certain localities. Repealing Chapter 334, 1928 Acts and Chapter 39, 1942 Acts. (Patron-Deeds, SB 249)
- Firearms hunting ordinances; Department of Game and Inland Fisheries to study. (Patron-Stolle, SJR 38)
- Hunting; allowed during certain hours on Sunday. Amending § 29.1-521. (Patron-Stolle, SB 175)
- Hunting licenses; establishment of a nonresident youth permit. Amending §§ 29.1-303, 29.1-303.3 and 29.1-305. (Patron-Cox, HB 133, CH 269)
- Hunting stamp; established. Amending §§ 29.1-103 and 29.1-113. (Patron-Stump, HB 536, CH 280)
- Hunting, trapping and fishing licenses; exempts spouses of children and grandchildren. Amending § 29.1-301. (Patron-Hurt, HB 758, CH 846)
- Hunting, trapping, fishing and motorboat registration; fees increased. Amending § 29.1-103; adding § 29.1-701.1. (Patron-Cox, HB 301, CH 1027)
- Squirrels; hunting in Floyd County. Repealing Chapter 354, 1952 Acts. (Patron-Landes, HB 28, CH 261)
- Wild turkeys; hunting in Pittsylvania County. Repealing Chapter 451, 1958 Acts. (Patron-Landes, HB 27, CH 260)

**HURLEY, JOSHUA CHARLES** See: Memorial Resolutions

**HURT, ROBERT**

Added as co-patron:

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**HURT, SARAH-ELIZABETH** See: Commending Resolutions

**HUTCHINSON, L. HAROLD** See: Memorial Resolutions

**HYDRO-QUEBEC** See: Commending Resolutions

**HYLTON, SCOTT ALLEN** See: Memorial Resolutions

**IDENTITY THEFT** See: Crimes and Offenses Generally

**IGNITION INTERLOCK DEVICES** See: Motor Vehicles

**ILLEGAL ALIENS** See: Foreign Governments and Countries

**INCOME TAX**

- Income tax, corporate; changes in provisions for permissible and impermissible transactions between interrelated companies. Amending §§ 58.1-302 and 58.1-402. (Patron-Nixon, HB 1361; Watkins, SB 683)
- Income tax, corporate; credit against cigarettes manufactured and exported to a foreign country. Adding § 58.1-439.12:01. (Patron-Stosch, SB 537)
- Income tax, corporate; credit for land preservation. Amending § 58.1-513. (Patron-Bryant, HB 1185, CH 635)
- Income tax, corporate; extends sunset in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Lambert, SB 231, CH 170)
- Income tax, corporate; extends sunset provision for tax credit for machinery and equipment used to produce personal property from recyclable materials. Amending § 58.1-439.7. (Patron-Hawkins, SB 690, CH 611)
- Income tax, corporate; reduces new employee threshold in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Carrico, HB 615, CH 619)
- Income tax, corporate; Tiered Incentive Program created to provide tax credit for creation of jobs in economically distressed localities, report. Adding §§ 58.1-514 through 58.1-519.1. (Patron-Ruff, SB 411)
- Income tax, state; credit for purchase of long-term care insurance. Amending § 58.1-322; adding § 58.1-339.11. (Patron-Lambert, SB 263)
- Income tax, state; electronic filing by tax preparers. Amending § 58.1-9. (Patron-Hull, HB 1159, CH 562)
- Income tax, state; filing of returns. Amending §§ 58.1-305 and 58.1-306. (Patron-Wardrup, HB 902, CH 544)
- Income tax, state; includes distributions from qualified tuition programs. Amending § 58.1-322. (Patron-Puller, SB 85)
- Income tax, state; increases personal exemption. Amending § 58.1-322. (Patron-Wampler, SB 281; Rerras, SB 446)
- Income tax, state; Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced such revenues with sales and use tax revenues. (Patron-Lingamfelter, HJR 172)
- Income tax, state; limiting legislation creating voluntary contribution of refunds to charitable organizations. Adding §§ 30-19.1:10 and 58.1-344.3. (Patron-Purkey, HB 1486, CH 649)
- Income tax, state; qualified equity and subordinated debt investment tax credit. Amending § 58.1-339.4. (Patron-Purkey, HB 282, CH 614)
- Income tax, state; subtractions include certain salary of local school board employees. Amending § 58.1-322. (Patron-Hanger, SB 515)
- Income tax, state; system of taxation and conformity of terms. Amending § 58.1-301. (Patron-Chichester, SB 466; Hanger, SB 526, CH 512)
- Income tax, state; tax forms to be included with filing instructions. Amending § 58.1-306. (Patron-Callahan, HB 104, CH 521)
- Income tax, state; voluntary contribution to Dr. Martin Luther King, Jr. Commission Fund. Adding § 58.1-346.25. (Patron-Marsh, SB 221)
- Income tax, state and corporate; limits land preservation tax credits. Amending § 58.1-512. (Patron-Hanger, SB 678)
- Tax reform; changes in provisions for income tax, sales and use tax and corporate tax. Amending §§ 58.1-302, 58.1-320, 58.1-322, 58.1-391, 58.1-392, 58.1-400, 58.1-402, 58.1-415, 58.1-441, 58.1-602, 58.1-603 and 58.1-609.10; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-339.8, 58.1-390, 58.1-394 and 58.1-611.1. (Patron-Lucas, SB 589)

**INCOME TAX (continued)**

Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 3.1-1111, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-339.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3833 and 58.1-3840; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395, 58.1-628.2 and 58.1-1017.1; repealing §§ 58.1-611.1, 58.1-627, 58.1-628, 58.1-3536, 58.1-3830, 58.1-3831 and 58.1-3832. (Patron-Hanger, SB 530)

Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840 and 58.1-3912; adding §§ 32.1-366, 32.1-367, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-390, 58.1-394 and 58.1-3831. (Patron-Chichester, SB 467)

Tax reform; changes in provisions for income tax, sales and use tax, estate tax, local license taxes, motor fuels tax, etc. Amending §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706 and 58.1-3833; adding §§ 10.1-2135, 46.2-702.1, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395 and 58.1-2288.1; repealing tenth enactment of Chapters 1019 and 1044, 2000 Acts. (Patron-Chichester, SB 635)

**INDIAN TRIBES**

Indians, Council on; changes membership, responsibility of Secretary of Natural Resources. Amending §§ 2.2-212, 2.2-215 and 2.2-2628. (Patron-McDougle, HB 782, CH 142)

**INDIGENT PERSONS** See: Welfare**INDUSTRIAL DEVELOPMENT**

Industrial development authorities; any locality authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Rapp, HB 683, CH 292; Deeds, SB 152, CH 933)

Industrial development authorities; Chesapeake City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Miller, SB 77; Quayle, SB 210)

Industrial development authorities; Portsmouth City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Melvin, HB 1369)

Industrial development authorities; Town of Clarksville authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Ruff, SB 596)

Regional Industrial Facility Authority; remittance of tax revenue. Amending §§ 15.2-6400 and 15.2-6406. (Patron-Keister, HB 1393, CH 640; Puckett, SB 546, CH 603)

Regional Industrial Facility Authority; remittance of tax revenue. Amending § 15.2-6406. (Patron-Nutter, HB 240, CH 42)

**INFANTS** See: Minors**INFERTILITY** See: Health**INFORMATION MANAGEMENT AND TECHNOLOGY** See: Administration of the Government Generally**INFRASTRUCTURE** See: Counties, Cities and Towns**INGRAM, JAMES F.** See: Memorial Resolutions

**INGRAM, RILEY E.**

Added as co-patron:

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**INMATES** See: Prisons and Other Methods of Correction**INOVA HEALTH SYSTEM** See: Commending Resolutions**INSPECTIONS, MOTOR VEHICLE** See: Motor Vehicles**INSTITUTIONS FOR THE MENTALLY ILL; MENTAL HEALTH GENERALLY**

- Abuse and neglect of incapacitated adult; penalty. Amending § 18.2-369. (Patron-Moran, HB 1093, CH 863)
- Aggravated sexual battery; applicability of mental incapacity or physical helplessness of complaining witness. Amending § 18.2-67.3. (Patron-Bell, HB 660, CH 843)
- Children and Adolescents with Mental Health Treatment Needs, Dissemination of Collection of Evidence-Based Treatment Modalities for; Report of Commission on Youth (SJR 358, 2003). (SD 5)
- Conservators and guardians; definition to include tax-exempt organizations that provide services to incapacitated persons. Amending § 37.1-134.6. (Patron-Reese, HB 984, CH 858)
- Criminal history records check; applicable to adult substance abuse treatment facilities. Amending §§ 37.1-183.3 and 37.1-197.2. (Patron-Devolites, SB 93)
- Criminal trials; hospitalization of mentally ill defendants. Amending §§ 19.2-169.6, 19.2-176 and 19.2-177.1. (Patron-Edwards, SB 640)
- Detention of a mentally incapacitated person; judicial authorization. Amending § 37.1-134.21. (Patron-Mims, SB 507)
- Detention orders, temporary; technical correction to cross reference. Amending § 37.1-134.21. (Patron-Marsh, SB 25, CH 104)
- Guardians of incapacitated persons; prohibited from seeking a change in a person's marital status without prior court approval. Amending § 37.1-137.4. (Patron-Moran, HB 1103, CH 756; Puller, SB 19, CH 652)
- Guardianships; provisions for requests by child for incapacitated parent. Amending § 37.1-134.17. (Patron-Kilgore, HB 494, CH 135)
- Health insurance; coverage for biologically based mental illness. Repealing fifth enactment of Chapter 941, 1999 Acts. (Patron-Martin, SB 44, CH 156; Martin, SB 67)
- Interpreters for non-English speaking persons in mental commitment proceedings; provisions. Adding § 37.1-67.5:01. (Patron-Marsh, SB 24, CH 243)
- Involuntary commitment of minors; jurisdiction hearings. Amending §§ 16.1-340 and 16.1-341. (Patron-Hamilton, HB 580, CH 283)
- Involuntary mental commitment hearing; petitioner may be represented by certain law students. Amending § 54.1-3900. (Patron-Cuccinelli, SB 674)
- Medical care facilities certificate of public need; not applicable to certain intermediate care facilities for mentally retarded. Amending § 32.1-102.1. (Patron-Reynolds, SB 197, CH 75)
- Mental health information; disclosure. Amending §§ 37.1-226 through 37.1-230. (Patron-O'Bannon, HB 876, CH 54)
- Mental Health, Mental Retardation and Substance Abuse Services, Inspector General for; duties. Amending §§ 37.1-255, 37.1-256 and 37.1-256.1; repealing § 37.1-257. (Patron-Edwards, SB 212, CH 169)
- Mental health or substance abuse treatment initiative; Departments of Corrections and of Juvenile Justice to include an evaluation and reporting component that is established for offenders in their custody. (Patron-Martin, SJR 88)
- Mentally ill; transportation under emergency custody and temporary detention orders. Amending §§ 37.1-67.01, 37.1-67.1 and 37.1-71. (Patron-Janis, HB 589, CH 737; Bolling, SB 604)
- Methadone clinics; conditions for licensure of certain designed for treatment of persons with opiate addiction. Adding § 37.1-179.2. (Patron-Ware, O., HB 745, CH 845; Wampler, SB 607, CH 823)

**INSTITUTIONS FOR THE MENTALLY ILL; MENTAL HEALTH GENERALLY (continued)**

- Methadone clinics; licensure conditions for certain. Adding § 37.1-179.2. (Patron-Bell, SB 312)
- Methadone clinics; licensure notice requirements for provider who treats person with opiate addiction. Adding § 37.1-179.1:01. (Patron-Edwards, SB 134)
- Minority young adults; Joint Commission on Health Care to study mental health needs and treatment thereof. (Patron-Marsh, SJR 25)
- Offenders with mental illness or substance abuse disorders; Department of Mental Health, Mental Retardation and Substance Abuse Services to provide nonfinancial assistance in developing projects designed to divert individuals from jail or secure detention. (Patron-Mims, SJR 81)
- Power of attorney; revocation of authority for an incapacitated person. Amending § 11-9.1. (Patron-Watts, HB 1337, CH 380)
- Risk management plans; inclusion of guardians for any consumer of a community services board. Amending § 2.2-1839. (Patron-Albo, HB 350, CH 529)
- Sexual assault; applicability of mental incapacity and physical helplessness of complaining witness. Amending § 18.2-67.10. (Patron-Marrs, HB 514)
- Sexually violent predators; civil commitment. Amending §§ 37.1-70.5 through 37.1-70.9. (Patron-Griffith, HB 1237, CH 764)
- Sexually violent predators; notification to state and local authorities of proposed housing facility. Amending § 37.1-70.10. (Patron-Marsh, SB 556, CH 707)

**INSURANCE**

- Birth-Related Neurological Injury Compensation Act; increases participating physician and hospital assessment. Amending §§ 38.2-5001, 38.2-5009 and 38.2-5020. (Patron-Tata, HB 1407, CH 931; Devolites, SB 687, CH 896)
- Condominium Act; responsibility for insurance deductibles. Amending § 55-79.81. (Patron-Hargrove, HB 555, CH 281)
- Consumer Choice Benefits Plan Act; created. Amending §§ 38.2-4214 and 38.2-4319; adding §§ 38.2-3419.2 through 38.2-3419.8. (Patron-Marshall, D.W., HB 935; Martin, SB 679)
- Dental plan organizations; provisions. Amending §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800 and 58.1-2501; adding §§ 38.2-6100 through 38.2-6113. (Patron-Potts, SB 156, CH 668)
- DMV records; access by insurance companies. Amending § 46.2-208. (Patron-McDougle, HB 1383, CH 811)
- Fidelity and surety insurers; changes in provisions. Amending §§ 38.2-2416 through 38.2-2419. (Patron-Drake, HB 460, CH 357)
- Fire Programs Fund; assessment on motor vehicle insurance. Amending § 38.2-401. (Patron-Puckett, SB 68)
- Fire Programs Fund; use. Amending § 38.2-401. (Patron-Edwards, SB 154, CH 164)
- Group life and accident insurance; provisions for state and local employees. Amending § 51.1-505. (Patron-Tata, HB 199, CH 102)
- Health insurance; abolishes optional supplemental insurance credit for retired state employees. Repealing § 51.1-1404 and second enactment of Chapter 385, 1999 Acts. (Patron-Miles, HB 16, CH 76)
- Health insurance; coverage for biologically based mental illness. Repealing fifth enactment of Chapter 941, 1999 Acts. (Patron-Martin, SB 44, CH 156; Martin, SB 67)
- Health insurance; coverage for certain persons. Amending § 38.2-3525. (Patron-Dillard, HB 1016)
- Health insurance; coverage for dependent children. Amending § 38.2-3525. (Patron-Byron, HB 1404, CH 771)
- Health insurance; coverage for hearing aids for minors. Amending §§ 2.2-2818, 32.1-325 and 38.2-4319; adding § 38.2-3418.15. (Patron-Ticer, SB 641)
- Health insurance; coverage for infertility. Amending §§ 2.2-2818 and 38.2-4319; adding § 38.2-3418.15. (Patron-Puckett, SB 255)
- Health insurance; coverage for prescription contraceptives. Amending § 38.2-3407.5:1. (Patron-Howell, SB 594)
- Health insurance; credits for retired school superintendents. Amending § 51.1-1401. (Patron-Putney, HB 356, CH 84)

**INSURANCE (continued)**

- Health insurance; credits for retired state employees. Amending § 51.1-1400. (Patron-Putney, HB 163, CH 79)
- Health insurance; credits for retired teachers. Amending § 51.1-1401. (Patron-Potts, SB 60)
- Health insurance; exclusion for prophylactic surgical procedures for difficult-to-diagnose pathologies. Adding § 38.2-3407.5:2. (Patron-Deeds, SB 650)
- Health insurance; includes physicians in prohibition against refusing to accept assignments. Amending §§ 2.2-2818 and 38.2-3407.13. (Patron-Williams, SB 105)
- Health insurance; moratorium on new benefit mandates. Amending § 2.2-2503; adding § 38.2-3419.2. (Patron-Martin, SB 662)
- Health insurance; plan for part-time state employees. Amending § 2.2-2818. (Patron-Hogan, HB 525, CH 279)
- Health insurance; provider may electronically send a provider directory to its insureds. Amending §§ 38.2-3407.10 and 38.2-5803. (Patron-Wagner, SB 618, CH 715)
- Health insurance; reimbursement rates to health care providers. Amending § 38.2-3407.10. (Patron-O'Brien, SB 291)
- Health insurance; requirements when providing insured with claims experience or medical costs record. Amending §§ 38.2-3540.1 and 38.2-4319. (Patron-Carrico, HB 1408, CH 772)
- Health insurance carriers; fair business practices for retroactive denials. Amending § 38.2-3407.15. (Patron-Griffith, HB 322, CH 425)
- Health maintenance organizations; definition of net worth. Amending §§ 38.2-4300, 38.2-4301 and 38.2-4302. (Patron-Miller, SB 372, CH 175)
- Health maintenance organizations; explanation of benefits to enrollees covered by medical assistance services, etc. Amending § 38.2-4306; adding § 38.2-4320.1. (Patron-O'Bannon, HB 628, CH 185)
- Homeowners insurance; coverage for windstorms and hail. Amending §§ 38.2-2108 and 38.2-2701; adding § 38.2-2108.1. (Patron-Wagner, SB 433)
- Homeowners insurance; exclusion of coverage for an insured's dangerous or vicious animal. Adding § 38.2-2127. (Patron-Rust, HB 1007, CH 751)
- Homeowners insurance; notice to insured on changes in deductibles. Adding § 38.2-2127. (Patron-Wardrup, HB 898, CH 745)
- Homeowners insurance; notices outlining flood coverage. Amending § 38.2-2125. (Patron-Gear, HB 609, CH 288)
- Homeowners insurance; prohibits policy nonrenewal due to claims made within 60 months. Amending § 38.2-2114. (Patron-Drake, HB 818, CH 300)
- Income tax, state; credit for purchase of long-term care insurance. Amending § 58.1-322; adding § 58.1-339.11. (Patron-Lambert, SB 263)
- Insurance; actuarial opinions. Amending §§ 38.2-4123, 38.2-4214, 38.2-4319 and 38.2-4509; adding § 38.2-1315.1. (Patron-Bryant, HB 1186, CH 315)
- Insurance; annuity nonforfeiture. Amending §§ 38.2-3220, 38.2-3221, 38.2-3222 and 38.2-3229. (Patron-Bryant, HB 1181, CH 313)
- Insurance; domestic reciprocals. Amending § 38.2-1230. (Patron-Colgan, SB 355, CH 174)
- Insurance; rates on renewal policies. Amending § 38.2-1906. (Patron-Hargrove, HB 553, CH 838)
- Insurance Continuing Education Board; membership. Amending § 38.2-1867. (Patron-Griffith, HB 1238, CH 765)
- Insurance liability limits; disclosure to attorney. Amending § 8.01-417. (Patron-Kilgore, HB 137)
- Interstate Insurance Product Regulation Compact; created. Adding §§ 38.2-6100 and 38.2-6101. (Patron-Morgan, HB 1155, CH 761)
- Landlord and tenant; termination of tenancies, security deposit, purchase of damage insurance. Amending §§ 55-222, 55-248.4 and 55-248.37; adding § 55-248.7:2. (Patron-Albo, HB 153, CH 123)
- Legal service plans; moves regulation to Department of Agriculture and Consumer Services. Amending §§ 38.2-1800 and 59.1-200; adding §§ 59.1-441.1 through 59.1-441.6; repealing § 38.2-4415. (Patron-Hargrove, HB 363, CH 784)
- Liability insurance for localities; includes fire department and police department operational medical directors, and physician course directors. Amending § 15.2-1518. (Patron-Sickles, HB 1485, CH 648)

**INSURANCE (continued)**

- Life insurance; issuance of funding agreements. Adding § 38.2-3100.2. (Patron-Stosch, SB 535, CH 254)
- Line of Duty Act; funding of continued health insurance and death payment benefits thereunder. Amending §§ 9.1-400 through 9.1-404, 27-40.1:1 and 51.1-815; adding § 9.1-407; repealing §§ 9.1-405 and 9.1-406. (Patron-Wampler, SB 284)
- Long-term care insurance; development for state employees. Adding § 2.2-1208. (Patron-Bryant, HB 1179, CH 312)
- Medical malpractice; limit on attorney fees. Adding § 8.01-581.15:1. (Patron-Newman, SB 415)
- Medical malpractice; limitation on recovery and on noneconomic damage awards. Amending § 8.01-581.15; adding § 8.01-581.15:1. (Patron-Potts, SB 216)
- Medical malpractice; privileged communications of peer review entities. Amending § 8.01-581.17. (Patron-Norment, SB 385, CH 250)
- Medical malpractice joint underwriting association; activation. Amending § 38.2-2801. (Patron-Hawkins, SB 309)
- Medical Malpractice Joint Underwriting Association; changes in provisions. Amending §§ 38.2-2800, 38.2-2801, 38.2-2804, 38.2-2806, 38.2-2812 and 38.2-2814; repealing §§ 38.2-2802 and 38.2-2807. (Patron-O'Brien, SB 401)
- Medical treatment options; physician disclosure. Amending § 38.2-3405; adding § 54.1-2963.1. (Patron-Marsh, SB 224, CH 675)
- Miscellaneous casualty insurance; definition. Amending § 38.2-111. (Patron-Hargrove, HB 221, CH 182)
- Motor vehicle insurance; assessment for State Police Training and Retention Fund. Adding § 38.2-401.2. (Patron-Deeds, SB 376)
- Motor vehicle insurance; disclosure to insured information on third party representatives in connection with a glass claim. Amending § 38.2-517. (Patron-Morgan, HB 1342, CH 767)
- Motor vehicle safety inspection stations; required to carry garage liability insurance. Amending § 46.2-1166. (Patron-Phillips, HB 1425, CH 383)
- Multiple employer welfare arrangements (MEWA); eliminates regulatory jurisdiction of State Corporation Commission. Amending § 38.2-3420. (Patron-Dudley, HB 1327, CH 236)
- Outreach Oversight Committee; name changed to Children's Health Insurance Program Advisory Committee. Amending § 32.1-351.2. (Patron-Brink, HB 836, CH 301)
- Property and Casualty Insurance Guaranty Association; definition of covered claim and insolvent insurer. Amending § 38.2-1603. (Patron-Dudley, HB 596, CH 285)
- Public-Private Long-Term Care Insurance Partnership Programs; Department of Medical Assistance Services to study. (Patron-Edwards, SJR 50)
- Risk management plans; includes medical malpractice liability insurance for physicians and sole community hospitals. Amending § 2.2-1839; adding § 2.2-1839.1. (Patron-Newman, SB 601, CH 822)
- Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending § 51.1-1112. (Patron-Ingram, HB 699, CH 96)
- Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending §§ 51.1-1113 and 51.1-1124. (Patron-Ingram, HB 701, CH 97)
- Sickness and Disability Program; collection of disability overpayments. Amending § 51.1-1114. (Patron-Ingram, HB 703, CH 99)
- Sickness and Disability Program; program actuary. Amending §§ 51.1-1117, 51.1-1123 and 51.1-1133. (Patron-Ingram, HB 702, CH 98)
- Sickness and Disability Program; suspension of eligibility. Amending § 51.1-1103. (Patron-Ingram, HB 700, CH 186)
- Title insurance; filing of documents with circuit court clerks. Amending §§ 6.1-2.25 and 17.1-223. (Patron-Deeds, SB 587, CH 336)
- Workers' compensation; deposit to be made by self-insurers in order to secure payment for liabilities. Amending § 65.2-801. (Patron-Nixon, HB 474, CH 44; Stolle, SB 323, CH 173)

**INTERDENOMINATIONAL CHILDREN'S FOUNDATION OF VIRGINIA** See: Religious and Charitable Matters; Cemeteries

**INTEREST** See: Banking and Finance

- INTERGOVERNMENTAL RELATIONS, ADVISORY COMMISSION ON** See: Counties, Cities and Towns
- INTERNAL AUDITOR** See: Administration of the Government Generally
- INTERNET** See: Computer Services and Uses
- INTERPRETERS** See: Persons With Disabilities
- INTERSTATE HIGHWAYS** See: Highways, Bridges and Ferries
- INTERSTATE ROUTE 64** See: Highways, Bridges and Ferries
- INTERSTATE ROUTE 66** See: Highways, Bridges and Ferries
- INTERSTATE ROUTE 81** See: Highways, Bridges and Ferries
- INTERSTATE ROUTE 95** See: Highways, Bridges and Ferries
- INVOLUNTARY DETENTION** See: Institutions for the Mentally Ill; Mental Health Generally
- IRON GATE, TOWN OF**  
Utility tax; imposition on local consumers in Town of Iron Gate for mobile phone usage. Amending § 58.1-3812. (Patron-Deeds, SB 14, CH 489)
- IRVINE, MICHAEL S.** See: Judges Justices and Other Elective Officers
- ISLE OF WIGHT COUNTY**  
Grass or lawn areas; Isle of Wight County authorized to enforce cutting. Amending § 15.2-1215. (Patron-Barlow, HB 970)
- ITINERANT MERCHANTS** See: Trade and Commerce
- J. J. KELLY HIGH SCHOOL** See: Commending Resolutions
- JACK AND CARTER HARDESTY BRIDGE** See: Highways, Bridges and Ferries
- JACKSON, ALMA ALVERTA NORRIS** See: Memorial Resolutions
- JACKSON, ERNESTINE** See: Memorial Resolutions
- JACKSON, GENERAL THOMAS J. “STONEWALL”**  
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- JACOB SALTER FIELD** See: Fairfax County
- JAILS AND PRISON FARMS** See: Prisons and Other Methods of Correction
- JAMES CITY COUNTY**  
Exterior lighting; allows James City County to regulate illumination levels of buildings and property. (Patron-Barlow, HB 963, CH 550)
- JAMES MADISON UNIVERSITY** See: Educational Institutions
- JAMES RIVER** See: Waters of the State, Ports and Harbors
- JAMES RIVER HIGH SCHOOL** See: Commending Resolutions
- JANIS, WILLIAM R.**  
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**JENKINS, CHARLES** See: Commending Resolutions

**JOANNOU, JOHNNY S.**

Added as co-patron:

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**JOHN HANDLEY HIGH SCHOOL** See: Commending Resolutions

**JOHNSON, GAILYA CHAMBERS** See: Memorial Resolutions

**JOHNSON, INDIA ANNA TAYLOR** See: Memorial Resolutions

**JOHNSON, JOSEPH P., JR.**

Added as co-patron:

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S.B. 413. . . . . 328

**JOHNSON, RANDALL G.** See: Judges Justices and Other Elective Officers

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**JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (JLARC)**

Aging population; Joint Legislative Audit and Review Commission to study impact thereof on demand for and cost of state agency services, policies and program management. (Patron-Reid, HJR 103)

Child Day Care Centers, Standards for Licensed; Joint Legislative Audit and Review Commission to study potential impact on providers, parents and children. (Patron-Marrs, HJR 114; Newman, SJR 80)

Educational Technology and Technology Support Personnel, State Funding Formula for; Report of Joint Legislative Audit and Review Commission (SJR 87, 2002). (SD 6)

Ethnically Diverse Population, Acclimation of; Report of Joint Legislative Audit and Review Commission (HJR 604, 2003). (HD 9)

Income tax, state; Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced such revenues with sales and use tax revenues. (Patron-Lingamfelter, HJR 172)

Joint Legislative Audit and Review Commission; confirming appointment. (Patron-Putney, HJR 312)

Kinship care program; Joint Legislative Audit and Review Commission to study need for and efficacy of establishing. (Patron-Miller, SJR 22)

Nutrient Management Plans; Joint Legislative Audit and Review Commission to study effectiveness of implementation, performance and enforcement thereof. (Patron-Cox, HJR 72)

Pre-hospital emergency medical services; Joint Legislative Audit and Review Commission to study. (Patron-O'Bannon, HJR 133)

Public school divisions; Joint Legislative Audit and Review Commission to study outsourcing opportunities for noninstructional services. (Patron-O'Brien, SJR 56)

**JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (JLARC) (continued)**

- Public School Divisions, Best Practices for Support Services of; Final Report of Joint Legislative Audit and Review Commission (HJR 34, 2002). (HD 6)
- Public Schools, Review of Factors and Practices Associated with School Performance; Report of Joint Legislative Audit and Review Commission (SJR 349, 2003). (SD 8)
- Social services system; Joint Legislative Audit and Review Commission to study operation and performance thereof. (Patron-Landes, HJR 193)
- State Vehicle Fleet, Review of Management of and Use by State Employees; Report of Joint Legislative Audit and Review Commission (HJR 518, 2003). (HD 5)
- Trauma centers in hospitals; Joint Legislative Audit and Review Commission to study use and financing thereof. (Patron-McDonnell, HJR 183)

**JONAS, KIRK** See: Commending Resolutions

**JONES, THOMAS O.** See: Judges Justices and Other Elective Officers

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS**

- Criminal history records check; applicable to justices, judges, substitute judges and magistrates. Amending §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35. (Patron-Phillips, HB 916, CH 452)
- Judges; election in circuit court, general district court, and juvenile and domestic relations district court. (Patron-Kilgore, HJR 517; Kilgore, HJR 520)
- Judges; election in circuit court, general district court, juvenile and domestic relations district court, members of Judicial Inquiry and Review Commission, and member of Workers' Compensation Commission. (Patron-Kilgore, HJR 255)
- Judges; increases number in 15th and 27th juvenile and domestic relations district court. Amending § 16.1-69.6:1. (Patron-Stolle, SB 169)
- Judges; increases number in 1st, 14th, 15th, 22nd and 29th circuit court. Amending § 17.1-507. (Patron-Stolle, SB 168)
- Judges; nominations for election to circuit court. (Patron-Stolle, SR 3; Stolle, SR 10)
- Judges; nominations for election to general district court. (Patron-Stolle, SR 4; Stolle, SR 11)
- Judges; nominations for election to juvenile and domestic relations district court. (Patron-Stolle, SR 5; Stolle, SR 12)
- Judges; notice of retirement. Amending §§ 16.1-69.9:3 and 17.1-511. (Patron-Stolle, SB 328, CH 331)
- Judges and justices of Supreme Court and Court of Appeals; designation as a senior justice after retirement. Amending §§ 17.1-302 and 17.1-401. (Patron-Melvin, HB 70, CH 346)
- Judicial Inquiry and Review Commission; jurisdiction to include certain judges. Amending §§ 17.1-900 and 17.1-918. (Patron-Hurt, HB 771, CH 363)
- Judicial Inquiry and Review Commission; nominations for election of members. (Patron-Stolle, SR 6)
- Judicial Inquiry and Review Commission; removes confidentiality of evidence concerning a judge. Amending § 17.1-918. (Patron-Stolle, SB 336, CH 332)
- Judicial Retirement System; maximum credit a former judge may transfer. Amending § 51.1-303. (Patron-Stolle, SB 174, CH 672)
- Retired judges and judges sitting by designation; eligible for recall as substitutes. Amending §§ 16.1-69.22:1, 17.1-105 and 17.1-106. (Patron-Bell, HB 651)
- State Corporation Commission; election of member. (Patron-Putney, HJR 273)
- State Corporation Commission; nomination for election of member. (Patron-Wampler, SR 8)
- Supreme Court; designation of judges to serve on appeal panels. Amending § 17.1-300. (Patron-Stolle, SB 610)

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS****ELECTED:**

<b>ALBERI, ALBERT D., Judge, General District Court, Second Judicial District</b>	
Certified .....	154
Nominated by District Senators .....	187
Nominated.....	204,211
Roll Call .....	213,215
Elected .....	222
<b>ALDEN, LESLIE M., Judge, Nineteenth Judicial Circuit</b>	
Certified .....	154
Nominated by District Senators .....	186
Nominated.....	204,211
Roll Call .....	212,215
Elected .....	222
<b>ALEXANDER, BEVIN R., JR., Member, Judicial Inquiry and Review Commission</b>	
Certified .....	157
Nominated.....	208,212
Roll Call .....	213,221
Elected .....	224
<b>ALMAND, JAMES F., Judge, Seventeenth Judicial Circuit</b>	
Certified .....	154
Nominated by District Senators .....	186
Nominated.....	204,211
Roll Call .....	212,215
Elected .....	222
<b>BALFOUR, DANIEL T., Judge, Fourteenth Judicial Circuit</b>	
Certified .....	1540
Nominated by District Senators .....	1600
Nominated.....	1622,1643
Roll Call .....	1644,1645
Elected .....	1648
<b>BENSTEN, RONALD E., Judge, Juvenile and Domestic Relations District Court, Seventh Judicial District</b>	
Certified .....	156
Nominated by District Senators .....	196
Nominated.....	206,212
Roll Call .....	213,219
Elected .....	224
<b>BLACK, HAROLD A., Judge, General District Court, Twenty-fourth Judicial District</b>	
Certified .....	155
Nominated by District Senators .....	192
Nominated.....	205,212
Roll Call .....	213,217
Elected .....	223
<b>BRYAN, DEBORAH V., Judge, Juvenile and Domestic Relations District Court, Second Judicial District</b>	
Certified .....	1541
Nominated by District Senators .....	1604
Nominated.....	1624,1644
Roll Call .....	1644,1647
Elected .....	1648

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

CANNON, JULIA T., Judge, General District Court, Twentieth Judicial District	
Certified .....	155
Nominated by District Senators .....	191
Nominated. ....	205,212
Roll Call .....	213,217
Elected .....	223
CARRICO, LUCRETIA A., Judge, General District Court, Eleventh Judicial District	
Certified .....	155
Nominated by District Senators .....	189
Nominated. ....	205,212
Roll Call .....	213,216
Elected .....	222
CHEEK, D. EUGENE, SR., Judge, General District Court, Thirteenth Judicial District	
Certified .....	155
Nominated by District Senators .....	189
Nominated. ....	205,212
Roll Call .....	213,216
Elected .....	223
CHRISTIE, MARK C., Member, State Corporation Commission	
Certified .....	174
Nominated. ....	245,253
Roll Call .....	253,255
Elected .....	255
CUNNINGHAM, JOEL C., Judge, General District Court, Tenth Judicial District	
Certified .....	154
Nominated by District Senators .....	188
Nominated. ....	205,212
Roll Call .....	213,216
Elected .....	222
DUDLEY, WILLIAM L., JR., Member, Virginia Workers' Compensation Commission	
Certified .....	174
Nominated. ....	208,212
Roll Call .....	214,221
Elected .....	225
DUNCAN, RANDAL J., Judge, General District Court, Twenty-seventh Judicial District	
Certified .....	1541
Nominated by District Senators .....	1603
Nominated. ....	1624,1643
Roll Call .....	1644,1646
Elected .....	1648
DUNKUM, MARVIN H., JR., Judge, Juvenile and Domestic Relations District Court, Tenth Judicial District	
Certified .....	1541
Nominated by District Senators .....	1604
Nominated. ....	1624,1644
Roll Call .....	1644,1647
Elected .....	1648
DURDEN, NELSON T., Judge, Juvenile and Domestic Relations District Court, Eighth Judicial District	
Certified .....	156
Nominated by District Senators .....	196
Nominated. ....	206,212
Roll Call .....	213,219
Elected .....	224

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

EDWARDS, ROBERT B., Judge, General District Court, Fifth Judicial District	
Certified .....	154
Nominated by District Senators .....	188
Nominated.....	205,211
Roll Call .....	213,215
Elected .....	222
FAIRBANKS, GEORGE C., IV, Judge, Juvenile and Domestic Relations District Court, Ninth Judicial District	
Certified .....	156
Nominated by District Senators .....	197
Nominated.....	206,212
Roll Call .....	213,219
Elected .....	224
FARRIS, LONNIE E., Judge, Thirty-first Judicial Circuit	
Certified .....	1540
Nominated by District Senators .....	1601
Nominated.....	1623,1643
Roll Call .....	1644,1646
Elected .....	1648
FITZGERALD, WILLIAM I., Member, Judicial Inquiry and Review Commission	
Certified .....	157
Nominated.....	208,212
Roll Call .....	213,221
Elected .....	224
FOLEY, CHARLES B., Judge, General District Court, Twentieth Judicial District	
Certified .....	155
Nominated by District Senators .....	192
Nominated.....	205,212
Roll Call .....	213,217
Elected .....	223
FOSTER, AUNDRIA D., Judge, Seventh Judicial Circuit	
Certified .....	1540
Nominated by District Senators .....	1599
Nominated.....	1622,1643
Roll Call .....	1644,1645
Elected .....	1648
GALLAHUE, THOMAS E., Judge, General District Court, Nineteenth Judicial District	
Certified .....	155
Nominated by District Senators .....	191
Nominated.....	205,212
Roll Call .....	213,217
Elected .....	223
GIAMMITTORIO, E. ROBERT, Judge, General District Court, Eighteenth Judicial District	
Certified .....	155
Nominated by District Senators .....	190
Nominated.....	205,212
Roll Call .....	213,217
Elected .....	223

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

GILMAN, LARRY E., Judge, Juvenile and Domestic Relations District Court, Fifteenth Judicial District	
Certified	156
Nominated by District Senators	198
Nominated.	207,212
Roll Call	213,220
Elected	224
GRODNER, TEENA D., Judge, Juvenile and Domestic Relations District Court, Nineteenth Judicial District	
Certified	157
Nominated by District Senators	199
Nominated.	207,212
Roll Call	213,220
Elected	224
HARRIS, ALFREDA TALTON, Judge, Juvenile and Domestic Relations District Court, Fifth Judicial District	
Certified	156
Nominated by District Senators	195
Nominated.	206,212
Roll Call	213,219
Elected	224
HAWKINS, WILLIAM O., Judge, Juvenile and Domestic Relations District Court, Fourth Judicial District	
Certified	156
Nominated by District Senators	195
Nominated.	206,212
Roll Call	213,218
Elected	223
HOLTON, ANNE B., Judge, Juvenile and Domestic Relations District Court, Thirteenth Judicial District	
Certified	156
Nominated by District Senators	197
Nominated.	207,212
Roll Call	213,219
Elected	224
IRVINE, MICHAEL S., Judge, Twenty-fifth Judicial Circuit	
Certified	1540
Nominated by District Senators	1600
Nominated.	1623,1643
Roll Call	1644,1645
Elected	1648
JANOW, LAWRENCE, Judge, Juvenile and Domestic Relations District Court, Twenty-fourth Judicial District	
Certified	157
Nominated by District Senators	200
Nominated.	207,212
Roll Call	213,221
Elected	224
JOHNSON, RANDALL G., Judge, Thirteenth Judicial Circuit	
Certified	154
Nominated by District Senators	185
Nominated.	203,211
Roll Call	212,214
Elected	222

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

JOHNSTON, CRAIG D., Judge, General District Court, Thirty-first Judicial District	
Certified	1541
Nominated by District Senators	1603
Nominated.	1624, 1643
Roll Call	1644, 1647
Elected	1648
JONES, THOMAS O., Judge, General District Court, Thirteenth Judicial District	
Certified	155
Nominated by District Senators	190
Nominated.	205, 212
Roll Call	213, 216
Elected	223
KELLAS, ELIZABETH, Judge, Juvenile and Domestic Relations District Court, Twenty-sixth Judicial District	
Certified	1541
Nominated by District Senators	1605
Nominated.	1624, 1644
Roll Call	1644, 1647
Elected	1649
KIRKSEY, LARRY B., Judge, Twenty-eighth Judicial Circuit	
Certified	1540
Nominated by District Senators	1601
Nominated.	1623, 1643
Roll Call	1644, 1645
Elected	1648
LUDWIG, VICTOR V., Judge, Juvenile and Domestic Relations District Court, Twenty-fifth Judicial District	
Certified	157
Nominated by District Senators	200
Nominated.	207, 211
Roll Call	213, 221
Elected	224
MARKS, RONALD H., Judge, Juvenile and Domestic Relations District Court, Second Judicial District	
Certified	156
Nominated by District Senators	194
Nominated.	206, 212
Roll Call	213, 218
Elected	223
MASSEY, JOSEPH P., Judge, Juvenile and Domestic Relations District Court, Fourth Judicial District	
Certified	156
Nominated by District Senators	195
Nominated.	206, 212
Roll Call	213, 219
Elected	223
MATHEWS, JAMES S., Judge, General District Court, Fourth Judicial District	
Certified	1540
Nominated by District Senators	1602
Nominated.	1623, 1643
Roll Call	1644, 1646
Elected	1648

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

MCCRIMMON, TERESA N., Judge, General District Court, Second Judicial District	
Certified .....	1540
Nominated by District Senators .....	1601
Nominated.....	1623, 1643
Roll Call .....	1644, 1646
Elected .....	1648
MCWEENY, MICHAEL P., Judge, Nineteenth Judicial Circuit	
Certified .....	154
Nominated by District Senators .....	187
Nominated.....	204, 211
Roll Call .....	212, 215
Elected .....	222
MOORE, BECKY J., Judge, General District Court, Eighteenth Judicial District	
Certified .....	155
Nominated by District Senators .....	191
Nominated.....	205, 212
Roll Call .....	213, 217
Elected .....	223
MOORE, WILLIAM S., JR., Judge, Juvenile and Domestic Relations District Court, Third Judicial District	
Certified .....	156
Nominated by District Senators .....	194
Nominated.....	206, 212
Roll Call .....	213, 218
Elected .....	223
MORRISON, JOHN C., JR., Judge, Fourth Judicial Circuit	
Certified .....	153
Nominated by District Senators .....	185
Nominated.....	203, 211
Roll Call .....	212, 214
Elected .....	222
MUTNICK, MITCHELL I., Judge, General District Court, Nineteenth Judicial District	
Certified .....	1540
Nominated by District Senators .....	1602
Nominated.....	1624, 1643
Roll Call .....	1644, 1646
Elected .....	1648
PAUL, JOHN A., Judge, General District Court, Twenty-sixth Judicial District	
Certified .....	155
Nominated by District Senators .....	193
Nominated.....	205, 212
Roll Call .....	213, 218
Elected .....	223
PERKINSON, CHARLES A., JR., Judge, Juvenile and Domestic Relations District Court, Sixth Judicial District	
Certified .....	156
Nominated by District Senators .....	196
Nominated.....	206, 212
Roll Call .....	213, 219
Elected .....	224

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

SAUNDERS, GORDON F., Judge, General District Court, Twenty-fifth Judicial District	
Certified .....	1540
Nominated by District Senators .....	1603
Nominated.....	1624, 1643
Roll Call .....	1644, 1646
Elected .....	1648
SCOTT, JOHN W., JR., Judge, Fifteenth Judicial Circuit	
Certified .....	154
Nominated by District Senators .....	186
Nominated.....	203, 211
Roll Call .....	212, 214
Elected .....	222
SHARRETT, WILLIAM ALLAN, Judge, Sixth Judicial Circuit	
Certified .....	1540
Nominated by District Senators .....	1599
Nominated.....	1622, 1643
Roll Call .....	1644, 1645
Elected .....	1648
STILWELL, M. LEE, JR., Judge, General District Court, Twenty-second Judicial District	
Certified .....	155
Nominated by District Senator .....	192
Nominated.....	205, 212
Roll Call .....	213, 217
Elected .....	223
TATE, JOSEPH S., Judge, General District Court, Twenty-eighth Judicial District	
Certified .....	155
Nominated by District Senators .....	194
Nominated.....	205, 212
Roll Call .....	213, 218
Elected .....	223
TAYLOR, JOI J., Judge, General District Court, Thirteenth Judicial District	
Certified .....	155
Nominated by District Senators .....	190
Nominated.....	205, 212
Roll Call .....	213, 216
Elected .....	223
TAYLOR, LYDIA C., Judge, Fourth Judicial Circuit	
Certified .....	153
Nominated by District Senators .....	185
Nominated.....	203, 211
Roll Call .....	212, 214
Elected .....	222
THOMAS, NORMAN ALLAN, Judge, Fourth Judicial Circuit	
Certified .....	1540
Nominated by District Senators .....	1599
Nominated.....	1622, 1643
Roll Call .....	1644, 1645
Elected .....	1648
TRUMBO, MALFOURD W., Judge, Twenty-Fifth Judicial Circuit	
Certified .....	154
Nominated.....	204, 211
Roll Call .....	212, 215
Elected .....	222

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

TURNER, EDWARD M., III, Judge, General District Court, Twenty-seventh Judicial District	
Certified .....	155
Nominated by District Senators .....	193
Nominated .....	205,212
Roll Call .....	213,218
Elected .....	223
VALENTINE, MICHAEL J., Judge, Juvenile and Domestic Relations District Court, Nineteenth Judicial District	
Certified .....	157
Nominated by District Senators .....	199
Nominated .....	207,212
Roll Call .....	213,220
Elected .....	224
VAROUTSOS, GEORGE D., Judge, Juvenile and Domestic Relations District Court, Seventeenth Judicial District	
Certified .....	156
Nominated by District Senators .....	198
Nominated .....	207,212
Roll Call .....	213,220
Elected .....	224
WARREN, CHARLES H., Judge, General District Court, Tenth Judicial District	
Certified .....	154
Nominated by District Senators .....	189
Nominated .....	205,212
Roll Call .....	213,216
Elected .....	222
WHITLOW, MORTON V., Judge, General District Court, Third Judicial District	
Certified .....	154
Nominated by District Senators .....	188
Nominated .....	204,211
Roll Call .....	213,215
Elected .....	222
WILEY, DALE M., Judge, Juvenile and Domestic Relations District Court, Twenty-second Judicial District	
Certified .....	157
Nominated by District Senator .....	199
Nominated .....	207,212
Roll Call .....	213,220
Elected .....	224
WILL, SHARON B., Judge, Juvenile and Domestic Relations District Court, Fourteenth Judicial District	
Certified .....	156
Nominated by District Senators .....	198
Nominated .....	207,212
Roll Call .....	213,220
Elected .....	224
WILLIAMS, STUART L., JR., Judge, Juvenile and Domestic Relations District Court, Fourteenth Judicial District	
Certified .....	1541
Nominated by District Senators .....	1605
Nominated .....	1624,1644
Roll Call .....	1644,1647
Elected .....	1648

**JUDGES AND JUSTICES AND OTHER ELECTIVE OFFICERS (continued)**

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Battle, Timothy J. . . . .	1540
Cardani, Scott David. . . . .	1541
Dawkins, Nolan B. . . . .	1540
Nominated by District Senators . . . . .	1600
Nominated. . . . .	1623
Fisher, Richard L. . . . .	174
Frogale, Constance H. . . . .	1541
Horan, Richard T. . . . .	155
Hu Young, Michael . . . . .	1541
Jagdmann, Judith W. . . . .	174
Lewis, Woodrow, Jr. . . . .	156
Mooney, J. Gregory . . . . .	154
Mulkey, Michael S. . . . .	1541
Niebauer, Jean K. . . . .	1541
Nominated by District Senators . . . . .	1605
Nominated. . . . .	1624
Yoffy, James S. . . . .	1541

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Beck, G. Richard . . . . .	38
Bimson, J. Dale . . . . .	771
Bird, Daniel W., Jr. . . . .	42
Boice, William G. . . . .	43
Curry, John B. . . . .	36
Flannagan, Charles B., II . . . . .	48
Germelman, Carle F., Jr. . . . .	43
Hess, Joseph E. . . . .	378
Honts, George E., III. . . . .	502
Jacobson, Marc . . . . .	45
Kerr, William S. . . . .	379
O'Hara, Robert G., Jr. . . . .	500
Rideout, Stephen W. . . . .	380
Sheridan, Paul D. . . . .	39
Swersky, Alfred D. . . . .	37
Tidey, George F. . . . .	47
West, Randolph T. . . . .	172-73
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Second Judicial District . . . . . 499  
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**JUDGMENT** See: Civil Remedies and Procedure

**JUDICIAL INQUIRY AND REVIEW COMMISSION**

- Judges; election in circuit court, general district court, juvenile and domestic relations district court, members of Judicial Inquiry and Review Commission, and member of Workers' Compensation Commission. (Patron-Kilgore, HJR 255)
- Judicial Inquiry and Review Commission; jurisdiction to include certain judges. Amending §§ 17.1-900 and 17.1-918. (Patron-Hurt, HB 771, CH 363)
- Judicial Inquiry and Review Commission; nominations for election of members. (Patron-Stolle, SR 6)
- Judicial Inquiry and Review Commission; removes confidentiality of evidence concerning a judge. Amending § 17.1-918. (Patron-Stolle, SB 336, CH 332)

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- Grand jurors; procedure for selection. Amending § 19.2-194. (Patron-Pollard, HB 942, CH 306)
- Jurors; fine for failure to appear. Amending § 8.01-356. (Patron-Mims, SB 513, CH 116)
- Jury panel; employee not to be penalized for service. Amending § 18.2-465.1. (Patron-Joannou, HB 734, CH 800)
- Jury service; exempts certain legislative employees. Amending § 8.01-341.1. (Patron-Stolle, SB 38, CH 106)

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- Juvenile Justice, Department of; additional duties of Director associated with incarcerating undocumented aliens. Adding § 66-3.2. (Patron-Cox, HB 234, CH 126)
- Juvenile records; may be obtained for use in pending criminal prosecution. Amending § 16.1-305. (Patron-Hurt, HB 787, CH 446)
- Juveniles; appointment of counsel for detention hearings. Amending §§ 16.1-250, 16.1-266 and 16.1-267; repealing § 16.1-250.1. (Patron-Dudley, HB 600, CH 437)
- Juveniles; criteria for detention or shelter care. Amending § 16.1-248.1. (Patron-BaCote, HB 1209, CH 374)
- Juveniles; disposition for those who are delinquent. Amending § 16.1-278.8. (Patron-Hamilton, HB 1355, CH 325; Edwards, SB 339)

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- Juveniles; fingerprints and photographs required if charged with certain delinquent acts. Amending § 16.1-299. (Patron-Moran, HB 1096, CH 464)
- Juveniles; intake officer may proceed if petition alleges an adult offense. Amending § 16.1-260. (Patron-Armstrong, HB 1062, CH 309)
- Juveniles; intake officers and magistrates to order confinement. Amending §§ 16.1-247 and 16.1-249. (Patron-Bell, HB 653, CH 439; Colgan, SB 577, CH 415)
- Juveniles; may file own petition. Amending § 16.1-260. (Patron-Ticer, SB 469)
- Juveniles; temporary custody if found delinquent. Amending § 16.1-275. (Patron-Moran, HB 1274, CH 321)
- Mental health or substance abuse treatment initiative; Departments of Corrections and of Juvenile Justice to include an evaluation and reporting component that is established for offenders in their custody. (Patron-Martin, SJR 88)

**JUVENILES**

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#### **LABOR AND EMPLOYMENT**

Career-training schools; regulation. Amending §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11 and 54.1-3029; adding §§ 23-276.13, 23-276.14 and 23-276.15; repealing §§ 22.1-326.1, 22.1-333, 22.1-334 and 22.1-335. (Patron-Tata, HB 637, CH 991)

Conflict of Interests Act, State and Local Government; orientation programs for state government personnel. Amending § 2.2-3101; adding §§ 2.2-3100.1 and 2.2-3128 through 2.2-3131. (Patron-Drake, HB 467, CH 134; Bolling, SB 226, CH 392)

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Correctional facilities; use of store profits for pre-release and post-release reentry and transition services. Amending § 53.1-27. (Patron-Bell, SB 615, CH 417)

Employment Commission; conveying certain real property in Petersburg City to such City. (Patron-Bland, HB 1261, CH 571)

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Employment discrimination based on prior convictions; prohibited. Adding § 40.1-28.7:2. (Patron-Ticer, SB 475)

Garnishment; service on a corporation through a managing employee. Amending § 8.01-513. (Patron-Reese, HB 979, CH 231)

Government Employees Deferred Compensation Plan Act; collection of administrative fees by political subdivisions. Amending § 51.1-602. (Patron-May, HB 551, CH 86)

Grievance procedures; applicability of state and local social service employees. Amending § 63.2-219. (Patron-Howell, SB 595, CH 208)

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Grievance procedures; revision of state guidelines. Amending §§ 2.2-3000, 2.2-3003 and 2.2-3005; adding § 2.2-3005.1. (Patron-Reynolds, SB 201, CH 674)

Grievance procedures; state employee request for administrative review. Amending § 2.2-3006. (Patron-Barlow, HB 959, CH 229)

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- Health insurance; credits for retired state employees. Amending § 51.1-1400. (Patron-Putney, HB 163, CH 79)
- Health insurance; plan for part-time state employees. Amending § 2.2-2818. (Patron-Hogan, HB 525, CH 279)
- Health records; release of certain patient information to Commissioner of Department of Labor and Industry due to death or injury while on a work site. Amending §§ 32.1-127.1:03 and 40.1-8. (Patron-Lambert, SB 136, CH 163)
- Jury panel; employee not to be penalized for service. Amending § 18.2-465.1. (Patron-Joannou, HB 734, CH 800)
- Labor and Industry, Commissioner of; definition. Amending § 40.1-2. (Patron-Morgan, HB 687, CH 294)
- “Living wage” provisions; no local governing body may establish without approval of General Assembly. (Patron-O’Brien, SB 290)
- Long-term care insurance; development for state employees. Adding § 2.2-1208. (Patron-Bryant, HB 1179, CH 312)
- Lottery Board; criminal background checks for members, officers and employees of lottery vendors. Amending §§ 58.1-4008 and 58.1-4009. (Patron-Albo, HB 1028, CH 555)
- Migrant and Seasonal Farmworkers Board and Migrant Worker Policy Committee; under auspices of Employment Commission. Amending §§ 2.2-2407, 40.1-6 and 60.2-113. (Patron-Watkins, SB 363, CH 592)
- Military reserves; protection of job security of members. Amending § 44-93.5. (Patron-Carrico, HB 618, CH 147)
- Minimum wage; increased. Amending § 40.1-28.10. (Patron-Miller, SB 22)
- Minimum wage; public bodies prohibited from requiring payment that exceeds minimum standards. Amending § 40.1-28.10. (Patron-Wagner, SB 428)
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- Retirement System; procedure when employer in default. Amending § 51.1-139. (Patron-Stosch, SB 541, CH 207)
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- Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending § 51.1-1112. (Patron-Ingram, HB 699, CH 96)
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- Sickness and Disability Program; changes in short-term coverage for state employees. Amending § 51.1-1110. (Patron-Devolites, SB 628, CH 1019)
- Sickness and Disability Program; collection of disability overpayments. Amending § 51.1-1114. (Patron-Ingram, HB 703, CH 99)
- Sickness and Disability Program; program actuary. Amending §§ 51.1-1117, 51.1-1123 and 51.1-1133. (Patron-Ingram, HB 702, CH 98)
- State agencies; establishment of alternative work schedule and telecommuting policy. Amending §§ 2.2-203.1 and 2.2-2817.1. (Patron-Moran, HB 1094, CH 755; Whipple, SB 468, CH 701)
- State Vehicle Fleet, Review of Management of and Use by State Employees; Report of Joint Legislative Audit and Review Commission (HJR 518, 2003). (HD 5)
- Sunday closing laws; abolishes “Blue laws.” Repealing §§ 18.2-341, 18.2-342, 18.2-343 and 40.1-28.5. (Patron-Quayle, SB 659, CH 608)
- Targeted Jobs Grant Program; created. Adding §§ 63.2-2300 and 63.2-2301. (Patron-Locke, SB 440)
- Tax information; may be provided to assist in collecting overpayments of income to injured workers. Amending § 58.1-3. (Patron-Colgan, SB 403, CH 594)

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- Unemployment compensation; allowed two weeks of benefits if terminated before resignation date. Amending § 60.2-612. (Patron-Reynolds, SB 194, CH 496)
- Unemployment compensation; applicable to a military spouse. Amending §§ 60.2-528 and 60.2-618. (Patron-Tata, HB 1288)
- Unemployment compensation; benefit charges resulting from a temporary work closure forced by a disaster. Amending § 60.2-528. (Patron-Blevins, SB 179, CH 583)
- Unemployment compensation; definition of employment services as it relates to prison inmates. Amending §§ 60.2-219, 60.2-528 and 60.2-618. (Patron-Hogan, HB 529, CH 977)
- Unemployment compensation; disqualification for benefits. Amending § 60.2-618. (Patron-Griffith, HB 288, CH 525)
- Unemployment compensation; eliminates offset for retirement benefits. Amending § 60.2-604. (Patron-Watkins, SB 128)
- Unemployment compensation; minimum qualifying earnings. Amending § 60.2-602. (Patron-Wagner, SB 621)
- Unemployment compensation; penalties for late filing. Amending § 60.2-513. (Patron-Watkins, SB 130, CH 495)
- Unemployment compensation; representation at hearings. Amending § 60.2-500. (Patron-Watkins, SB 129)
- Wages and salaries; deposit into employee account. Amending § 40.1-29. (Patron-Nixon, HB 472, CH 358)
- Workers' compensation; allows choice of physician. Amending §§ 65.2-101 and 65.2-603. (Patron-Miller, SB 56)
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- Workers' compensation; eligibility of AmeriCorps members and certain Food Stamp Employment and Training Program participants. Amending §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512. (Patron-Puckett, SB 547, CH 888)
- Workers' compensation; lien by employer on settlement or verdict. Amending §§ 65.2-309 through 65.2-311. (Patron-Byron, HB 864, CH 914; Norment, SB 558, CH 941)
- Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1, 2.2-435.2 and 2.2-435.3. (Patron-Whipple, SB 460)
- Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1 through 2.2-435.5 and 37.1-207.1. (Patron-O'Brien, SB 304, CH 686)
- Workforce, Joint Commission on Management of; reestablished. (Patron-Lambert, SJR 48)

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 Professional librarians; qualifications. Amending § 42.1-15.1. (Patron-Quayle, SB 205)  
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- Bail enforcement agents; regulation and licensure. Amending § 9.1-102; adding §§ 9.1-185 through 9.1-199. (Patron-Stolle, SB 334, CH 397)
- Banquet and mixed beverage licenses; issuance. Amending §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231 and 4.1-233. (Patron-Hugo, HB 995; Hugo, HB 1489, CH 487)
- Barbers, cosmetologist or nail technicians; designation of shop or salon prior to issuance of license. Amending § 54.1-703; adding § 54.1-703.01. (Patron-O'Brien, SB 624)
- Business license tax; phase-out in all localities. Adding § 58.1-3736; repealing §§ 58.1-3700 through 58.1-3735. (Patron-Norment, SB 655)
- Child day centers; religious exemption from licensure. Amending § 63.2-1716. (Patron-Newman, SB 417, CH 113)
- Child day programs; exempts certain martial arts programs from licensure. Amending § 63.2-1715. (Patron-Martin, SB 66)
- Contractors; classification of those engaged in business of storing, maintaining, or repairing vessels for local license tax purposes. Amending § 58.1-3714. (Patron-Norment, SB 424)
- Contractors, Board for; exemptions from licensure. Amending § 54.1-1101. (Patron-Drake, HB 831, CH 189)
- Dentistry or dental hygiene; temporary licenses to persons enrolled in advanced dental education programs. Amending § 54.1-2712; adding § 54.1-2711.1. (Patron-Hamilton, HB 1049, CH 754)
- Design-build contracts; license requirements. Amending § 54.1-1103. (Patron-Jones, S.C., HB 849, CH 190)
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- Erosion and sediment control and stormwater management inspectors; certificate of competence. Amending §§ 10.1-561 and 62.1-44.15. (Patron-Suit, HB 445, CH 431)
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- Medical equipment supplier; exempts license requirement as a wholesale distributor. Amending § 54.1-3435.02. (Patron-Jones, S.C., HB 852, CH 854)
- Methadone clinics; conditions for licensure of certain designed for treatment of persons with opiate addiction. Adding § 37.1-179.2. (Patron-Ware, O., HB 745, CH 845; Wampler, SB 607, CH 823)
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- Midwifery; licensing. Adding §§ 54.1-2957.7 through 54.1-2957.13. (Patron-Hamilton, HB 581)
- Motorcycle rider safety training centers; licensure. Amending §§ 46.2-1188 through 46.2-1192; adding §§ 46.2-1190.1 through 46.2-1190.7. (Patron-Stump, HB 532, CH 734)
- Nurses; multistate licensure privilege. Amending §§ 32.1-127.1:03, 32.1-127.3, 54.1-105, 54.1-106, 54.1-111, 54.1-2400, 54.1-2400.2, 54.1-2401, 54.1-2403.01, 54.1-2403.1, 54.1-2403.2, 54.1-2408.1, 54.1-2409, 54.1-2409.1, 54.1-2906, 54.1-2907, 54.1-3000, 54.1-3005, 54.1-3008, 54.1-3009, 54.1-3016, 54.1-3019 and 63.2-1805. (Patron-O'Bannon, HB 633, CH 49)
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- Optometrists; causes for revocation or suspension of license or reprimand. Amending § 54.1-3215. (Patron-Quayle, SB 272)
- Optometry; practice and licensure. Amending §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303. (Patron-Jones, S.C., HB 856, CH 744)

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- Vocational rehabilitation counselors; certification. Amending §§ 54.1-3513 and 65.2-603. (Patron-Morgan, HB 270, CH 271)
- Wine or beer shippers; fees for licenses. Amending § 4.1-233. (Patron-Scott, E.T., HB 1448, CH 384)
- Wine or beer shippers; license application does not require a background check. Amending § 4.1-230. (Patron-Abbitt, HB 1394, CH 382)

**LIENS** See: Mechanics' and Certain Other Liens

**LIEUTENANT GOVERNOR** See: General Assembly

**LIFE INSURANCE** See: Insurance

**LINE OF DUTY ACT** See: Counties, Cities and Towns

**LINEBERRY, DWIGHT** See: Commending Resolutions

**LINEBERRY, MARSHALL AND ALLISON** See: Claims

**LINEBERRY, WARREN G.** See: Memorial Resolutions

**LINGAMFELTER, L. SCOTT**

- Added as co-patron:
- S.B. 371. .... 453

**LITIGATION** See: Civil Remedies and Procedure

**LITTER CONTROL** See: Conservation

**LITTLEPAGE, BILL** See: Commending Resolutions

**LIVESTOCK AND POULTRY** See: Agriculture, Horticulture and Food

**LOAN, ADAM** See: Commending Resolutions

**LOANS AND LOAN ASSOCIATIONS** See: Banking and Finance

**LOBBYISTS AND LOBBYING** See: General Assembly

**LOCAL GOVERNMENT AND OFFICIALS** See: Counties, Cities and Towns

**LOCAL GOVERNMENT, COMMITTEE ON**

- Members listed . . . . . 35

**LOCKE, MAMIE E.**

- Added as co-patron:
- S.B. 128. .... 292
- S.B. 398. .... 256
- S.B. 456. .... 293
- S.B. 598. .... 293
- S.J.R. 95 . . . . . 293
- H.J.R. 492 . . . . . 1753
- Certification of election, oath; presented to Senate . . . . . 2, 5, 6
- Notified Clerk of presence . . . . . 4, 454

**LOCKRIDGE, B. K. "BOBBY"** See: Memorial Resolutions

**LONG, FRANK M., JR.** See: Commending Resolutions

**LONG, WILLIAM E.** See: Commending Resolutions

**LONG-TERM CARE** See: Senior Citizens

**LOTTERIES, LOTTERY LAWS AND COMMISSIONS** See: Gambling, Lotteries, Etc.

**LOUDON HEALTHCARE FOUNDATION** See: Sales and Use Tax

**LOUDOUN COUNTY**

Loudoun County High School girls' tennis team; commending. (Patron-Potts, SJR 36)  
Pedestrians; installation and maintenance of certain signs requiring motorists to yield right-of-way in towns located in Loudoun County. Amending § 46.2-924. (Patron-Devolites, SB 101, CH 658)

**LOUDOUN VALLEY HIGH SCHOOL** See: Commending Resolutions

**LOULIES, JAMES W.** See: Commending Resolutions

**LOVETTSVILLE UNION CEMETERY COMPANY** See: Fairfax County

**LOWE, CANON J. FLETCHER, JR.** See: Commending Resolutions

**LUCAS, L. LOUISE**

Added as co-patron:

S.B. 128. . . . . 292

S.J.R. 75 . . . . . 293

H.J.R. 492 . . . . . 1753

Certification of election, oath . . . . . 3,5

Leaves of absence . . . . . 161,1909

Notified Clerk of presence . . . . . 257

Statements on votes:

S.B. 30. . . . . 1065

S.B. 58. . . . . 464,465

S.B. 548. . . . . 1475

**LUDWIG, VICTOR V.** See: Judges Justices and Other Elective Officers

**LURAY, TOWN OF**

Luray-Page County Airport Authority; created. (Patron-Louderback, HB 58, CH 39)

**LUTHER JACKSON MIDDLE SCHOOL** See: Commending Resolutions

**LYNCHBURG, CITY OF**

Monacan Bridge; designating as Lynchburg bypass bridge across James River between Amherst County and Lynchburg City. (Patron-Bryant, HB 1182, CH 763; Newman, SB 560, CH 117)

**MACBETH, ROBERT J., JR.** See: Memorial Resolutions

**MACHETE** See: Dangerous Weapons

**MADDOX, ELLEN** See: Commending Resolutions

**MAESTAS, MARIO G.** See: Memorial Resolutions

**MAGGIE WALKER GOVERNOR'S SCHOOL FOR GOVERNMENT AND INTERNATIONAL STUDIES** See: Commending Resolutions

**MAGISTRATES** See: Criminal Procedure

**MAHER, CHRIS** See: Commending Resolutions

**MAJEWSKI, STEVEN RAYMOND** See: Commending Resolutions

**MALPRACTICE INSURANCE** See: Insurance

**MANASSAS PARK, CITY OF**

School boards; salary in Manassas Park City. Amending § 22.1-32. (Patron-Parrish, HB 1336, CH 199; Colgan, SB 644, CH 179)

**MANUEL, IAN D.** See: Memorial Resolutions

**MANUFACTURED HOUSING** See: Housing

**MANUFACTURERS** See: Trade and Commerce

**MARINAS** See: Game, Inland Fisheries and Boating

**MARINE PRODUCTS, MARINE SCIENCE AND MARINE RESOURCES** See: Fisheries and Habitat of Tidal Waters

**MARKS, RONALD H.** See: Judges Justices and Other Elective Officers

**MARRETTI, PAUL MICHAEL** See: Commending Resolutions

**MARRIAGE** See: Domestic Relations

**MARRINER, MELVIN O.** See: Commending Resolutions

**MARSH, HENRY L., III**

Added as co-patron:

S.B. 456. . . . . 293

S.J.R. 75 . . . . . 293

H.J.R. 492 . . . . . 1753

Certification of election, oath . . . . . 3,5

Leaves of absence . . . . . 734

Notified Clerk of presence . . . . . 4, 162, 257, 415

**MARSHALL, DANIEL W., III**

Added as co-patron:

S.B. 407. . . . . 273

**MARSHALL, ROBERT G.**

Added as co-patron:

S.B. 371. . . . . 453

**MARTIAL ARTS** See: Professions and Occupations

**MARTIN, RUBY GRANT** See: Memorial Resolutions

**MARTIN, STEPHEN H.**

Added as co-patron:

S.B. 371. . . . . 398

S.J.R. 29 . . . . . 256

H.J.R. 492 . . . . . 1753

Certification of election, oath . . . . . 3,5

Leaves of absence . . . . . 293, 1909

Notified Clerk of presence . . . . . 257, 415, 492, 1598

**MARTINSVILLE, CITY OF**

Martinsville-Henry County Dental Clinic and Health Fair; commending volunteers. (Patron-Hurt, HJR 490)

**MARY WASHINGTON COLLEGE** See: Educational Institutions

**MASSEY, JOSEPH P.** See: Judges Justices and Other Elective Officers

**MASTER SETTLEMENT AGREEMENT** See: Tobacco and Tobacco Products

**MATHEWS COUNTY**

Merchant Marine and Maritime Service from Mathews County; commending American seafarers. (Patron-Rerras, SJR 250)

**MATHEWS, JAMES S.** See: Judges Justices and Other Elective Officers

**MATTAPONI RIVER** See: Waters of the State, Ports and Harbors

**MAUPIN, ORA ANN** See: Memorial Resolutions

**MAY, JOE T.**

Added as co-patron:

S.B. 393. . . . . 292

**MAYERCHAK, PATRICK M.** See: Commending Resolutions

**MCALLISTER, MICHAEL L.** See: Commending Resolutions

**MCCAMY, SHARON GROVE** See: Commending Resolutions

**MCCRIMMON, TERESA N.** See: Judges Justices and Other Elective Officers

**MCDONNELL, ROBERT F.**

Added as co-patron:

S.B. 371. . . . . 453

**MCDOUGLE, RYAN T.**

Added as co-patron:

S.B. 311. . . . . 235

**MCKNIGHT, LINDA HINES** See: Memorial Resolutions

**MCLAIN, PATRICK S.** See: Commending Resolutions

**MCLEAN, JOSEPH D.** See: Commending Resolutions

**MCMAHON, TONI WINTERS** See: Memorial Resolutions

**MCNEIL, SAMUEL P.** See: Memorial Resolutions

**MCQUIGG, MICHELE B.**

Added as co-patron:

S.B. 371. . . . . 453

**MCWEENY, MICHAEL P.** See: Judges Justices and Other Elective Officers

**MECHANICS' AND CERTAIN OTHER LIENS**

Condominium and Property Owners' Association Acts; foreclosure on liens. Amending §§ 55-79.84 and 55-516. (Patron-Mims, SB 503, CH 779)

Condominium and Property Owners' Association Acts; unit or lot sold in a nonjudicial foreclosure proceeding shall be sold subject to prior liens. Amending §§ 55-79.84 and 55-516. (Patron-McQuigg, HB 449, CH 786; Whipple, SB 463, CH 778)

**MECHANICS' AND CERTAIN OTHER LIENS (continued)**

- Deed of trust or other lien; lien creditor to directly file a certificate of satisfaction. Amending § 55-66.3. (Patron-Mims, SB 505, CH 596)
- Mechanic’s lien; extent where owner has less than fee in land. Amending § 43-3. (Patron-Armstrong, HB 1410, CH 240)
- Mechanic’s lien; maximum for keeper of garage, hanger or marina. Amending § 43-32. (Patron-Hargrove, HB 220, CH 215)
- Nuisances; abatement shall constitute lien on property. Amending § 15.2-1115. (Patron-Suit, HB 438, CH 533)
- Real estate appraisers; lien for performance of appraisal. Adding § 43-3.1. (Patron-Quayle, SB 207)
- Towing of vehicles; changes in provisions, lien. Amending §§ 43-32, 46.2-649.1, 46.2-1231, 46.2-1600, 46.2-1601 and 46.2-1607. (Patron-O’Brien, SB 296)
- Workers’ compensation; lien by employer on settlement or verdict. Amending §§ 65.2-309 through 65.2-311. (Patron-Byron, HB 864, CH 914; Norment, SB 558, CH 941)

**MECKLENBURG COUNTY**

- Occoneechee State Park; Department of Conservation and Recreation to amend lease with Secretary of Army for purpose of providing additional recreational facilities in Mecklenburg County. Amending Chapter 809, 2002 Acts. (Patron-Ruff, SB 614, CH 825)

**MEDICAID AND MEDICARE PROGRAMS** See: Health

**MEDICAL MALPRACTICE AND MALPRACTICE INSURANCE** See: Insurance

**MEDICINE AND MEDICAL TREATMENT, CARE AND ASSISTANCE** See: Health

**MELVIN, KENNETH R.**

- Added as co-patron:
- S.J.R. 95 ..... 293

**MEMORIAL RESOLUTIONS**

- Adamowski, James; recording sorrow upon death. (Patron-Albo, HJR 106)
- Adams, Joseph H.; recording sorrow upon death. (Patron-Reynolds, SJR 141)
- Adkins, Lawrence E. “Sam”; recording sorrow upon death. (Patron-Armstrong, HJR 392)
- Alexander, Rosa Mae; recording sorrow upon death. (Patron-Miller, SJR 8)
- Altieri, Michael F.; recording sorrow upon death. (Patron-Callahan, HJR 343)
- Austin, Columbus Augustus “Joe”, Jr.; recording sorrow upon death. (Patron-Alexander, HJR 238)
- Backus, John L.; recording sorrow upon death. (Patron-Welch, HJR 407)
- Ballou, Ernest Wade; recording sorrow upon death. (Patron-Fralin, HJR 364)
- Barley, Johnnie Mae; recording sorrow upon death. (Patron-Lambert, SJR 129)
- Beatley, Charles E. “Chuck”, Jr.; recording sorrow upon death. (Patron-Moran, HJR 475)
- Beeton, William A., Jr.; recording sorrow upon death. (Patron-Athey, HJR 230)
- Bell, Nora Kizer; recording sorrow upon death. (Patron-Fralin, HJR 353)
- Bessent, Josie Cotton; recording sorrow upon death. (Patron-Miller, SJR 11)
- Blackford, Staige D., Jr.; recording sorrow upon death. (Patron-Van Yahres, HJR 95)
- Blanchard, Lawrence E., Jr.; recording sorrow upon death. (Patron-Lambert, SJR 92)
- Blankenship, William “Larry”; recording sorrow upon death. (Patron-Reynolds, SJR 208)
- Blanton, Taylor V.; recording sorrow upon death. (Patron-McDougle, HJR 345)
- Blanton, Wyndham Bolling, Jr.; recording sorrow upon death. (Patron-Hall, HJR 97)
- Bonds, Marshall O.; recording sorrow upon death. (Patron-Cox, HJR 418)
- Boswell, William L. “Billy”, Jr.; recording sorrow upon death. (Patron-Ruff, SJR 205)
- Brady, Marvin Donald; recording sorrow upon death. (Patron-Reynolds, SJR 150)
- Brooks, Joseph E.; recording sorrow upon death. (Patron-Hall, HJR 250)
- Brown, Theodore R. Coots, Sr.; recording sorrow upon death. (Patron-Lambert, SJR 148)
- Burke, James Patrick; recording sorrow upon death. (Patron-Black, HJR 113)
- Butler, James Robert; recording sorrow upon death. (Patron-Van Yahres, HJR 401; Deeds, SJR 51)
- Byrd, Duncan M., Jr.; recording sorrow upon death. (Patron-Deeds, SJR 2)

**MEMORIAL RESOLUTIONS (continued)**

- Campbell, Anthony Daryl; recording sorrow upon death. (Patron-Rerras, SJR 212)
- Campbell, Elizabeth Pfohl; recording sorrow upon death. (Patron-Whipple, SJR 174)
- Cappelletty, Ryan Eugene; recording sorrow upon death. (Patron-Watkins, SJR 127)
- Casas, Bradford Maurice "Brad"; recording sorrow upon death. (Patron-Cosgrove, HJR 383)
- Cash, June Carter and Johnny; recording sorrow upon deaths. (Patron-Wampler, SJR 221)
- Charnock, Charles "Puge"; recording sorrow upon death. (Patron-Rerras, SJR 251)
- Chittum, Edwin W.; recording sorrow upon death. (Patron-Blevins, SJR 171)
- Chrisman, Doris B.; recording sorrow upon death. (Patron-Fralin, HJR 419)
- Clark, Vernon Lee; recording sorrow upon death. (Patron-Miller, SJR 9)
- Claytor, Glenn L.; recording sorrow upon death. (Patron-Cline, HJR 480)
- Conger, Clement; recording sorrow upon death. (Patron-Ticer, SJR 187)
- Constant, Theodore F. "Ted"; recording sorrow upon death. (Patron-Rerras, SJR 220)
- Cook, Tecumseh Deerfoot; recording sorrow upon death. (Patron-McDougle, HJR 309)
- Corell, James E.; recording sorrow upon death. (Patron-Shuler, HJR 28; Deeds, SJR 34)
- Craw, Victoria Wesson "Vicki"; recording sorrow upon death. (Patron-Van Yahres, HJR 347)
- Cross, Robert D.; recording sorrow upon death. (Patron-Van Yahres, HJR 96)
- Croy, Lillian Bradford; recording sorrow upon death. (Patron-Shannon, HJR 402)
- Culbert, Kenneth W.; recording sorrow upon death. (Patron-Mims, SJR 233)
- Cumberledge, Harold B.; recording sorrow upon death. (Patron-Puckett, SJR 254)
- Cunningham, Roosevelt; recording sorrow upon death. (Patron-Lucas, SJR 240)
- Curl, Thelma D.; recording sorrow upon death. (Patron-Miller, SJR 10)
- Custalow, Webster "Little Eagle"; recording sorrow upon death. (Patron-McDougle, HJR 211)
- Davis, Rodney L.; recording sorrow upon death. (Patron-Bell, HJR 315)
- Davis, William Gravely "Bill"; recording sorrow upon death. (Patron-Dudley, HJR 459)
- Davis, Willis Fleming, Jr.; recording sorrow upon death. (Patron-Houck, SJR 227)
- Doggett, Frederick E., Sr.; recording sorrow upon death. (Patron-McDougle, HJR 212)
- Eddy, Lee; recording sorrow upon death. (Patron-Bell, SJR 199)
- Eure, John D.; recording sorrow upon death. (Patron-Jones, S.C., HJR 444)
- Evans, Geraldine Jackson; recording sorrow upon death. (Patron-Jones, D.C., HJR 137)
- Evans, Greta; recording sorrow upon death. (Patron-Ware, O., HJR 452)
- Evelyn, Charles H., Sr., and Lillian F.; recording sorrow upon death. (Patron-Miles, HJR 310)
- Fawson, E. Curtis; recording sorrow upon death. (Patron-Cline, HJR 434)
- Fleischmann, Isaac; recording sorrow upon death. (Patron-Hull, HJR 417)
- Forbes, Malcolm J., Sr.; recording sorrow upon death. (Patron-Cosgrove, HJR 458)
- Ford, Marian E.; recording sorrow upon death. (Patron-Lucas, SJR 68)
- Genuario, Louis Vincent, Sr.; recording sorrow upon death. (Patron-Amundson, HJR 311)
- Goodykoontz, Charles Alfred "Alf", Jr.; recording sorrow upon death. (Patron-Hall, HJR 44)
- Green, George Mason, Jr.; recording sorrow upon death. (Patron-Callahan, HJR 348)
- Grow, George David "Pidge"; recording sorrow upon death. (Patron-Cline, HJR 479)
- Hall, Clayton; recording sorrow upon death. (Patron-Reynolds, SJR 142)
- Hamlar, Lawrence H.; recording sorrow upon death. (Patron-Ware, O., HJR 249)
- Hardesty, Carter Meade Conley; recording sorrow upon death. (Patron-Potts, SJR 20)
- Harmon, Rudolph, Sr.; recording sorrow upon death. (Patron-Lambert, SJR 93)
- Hart, April Marie; recording sorrow upon death. (Patron-McDougle, HJR 213)
- Hellinger, Evelyn M.; recording sorrow upon death. (Patron-Miller, SJR 14)
- Henderson, Archie Warren, Jr.; recording sorrow upon death. (Patron-Lambert, SJR 44)
- Herndon, Anthony Kevin "Tony"; recording sorrow upon death. (Patron-Byron, HJR 457)
- Hicks, Robert L. "Bob", Sr.; recording sorrow upon death. (Patron-Rerras, SJR 211)
- Hirst, Omer Lee; recording sorrow upon death. (Patron-Saslaw, SJR 110)
- Hockaday, Wesley A. B.; recording sorrow upon death. (Patron-Alexander, HJR 239)
- Howell, Hannibal E.; recording sorrow upon death. (Patron-Howell, A.T., HJR 467)
- Hurley, Joshua Charles; recording sorrow upon death. (Patron-Lingamfelter, HJR 256)

**MEMORIAL RESOLUTIONS (continued)**

- Hutchinson, L. Harold; recording sorrow upon death. (Patron-Dudley, HJR 138)
- Hylton, Scott Allen; recording sorrow upon death. (Patron-Nutter, HJR 384; Reynolds, SJR 139)
- Ingram, James F.; recording sorrow upon death. (Patron-Marshall, D.W., HJR 406)
- Jackson, Alma Alverta Norris; recording sorrow upon death. (Patron-Lambert, SJR 222)
- Jackson, Ernestine; recording sorrow upon death. (Patron-Norment, SJR 152)
- Johnson, Gailya Chambers; recording sorrow upon death. (Patron-Quayle, SJR 225)
- Johnson, India Anna Taylor; recording sorrow upon death. (Patron-Alexander, HJR 241)
- Kaylor, Jeffrey J.; recording sorrow upon death. (Patron-Watkins, SJR 126)
- Keating, John A.; recording sorrow upon death. (Patron-Sickles, HJR 319)
- King, Martin Kirwan; recording sorrow upon death. (Patron-Pollard, HJR 460)
- King, Waverly G., Jr.; recording sorrow upon death. (Patron-O'Bannon, HJR 388)
- Knowles, John Fielder "Jack"; recording sorrow upon death. (Patron-Puller, SJR 98)
- Kranz, Patricia Ann; recording sorrow upon death. (Patron-Moran, HJR 474)
- Kroontje, Wybe; recording sorrow upon death. (Patron-Shuler, HJR 363)
- Lacy, Sam; recording sorrow upon death. (Patron-Marsh, SJR 113)
- Lawrence, David Burr; recording sorrow upon death. (Patron-Rerras, SR 16)
- Leavitt, Brooks Russell; recording sorrow upon death. (Patron-Reynolds, SJR 119)
- Lee, Wilbert Navarro; recording sorrow upon death. (Patron-Deeds, SJR 239)
- Lewis, Chester F.; recording sorrow upon death. (Patron-Miller, SJR 13)
- Lineberry, Warren G.; recording sorrow upon death. (Patron-Reynolds, SJR 255)
- Lockridge, B. K. "Bobby"; recording sorrow upon death. (Patron-Landes, HJR 15)
- Macbeth, Robert J., Jr.; recording sorrow upon death. (Patron-Lambert, SJR 31)
- Maestas, Mario G.; recording sorrow upon death. (Patron-Suit, HJR 267)
- Manuel, Ian D.; recording sorrow upon death. (Patron-Jones, S.C., HJR 408)
- Martin, Ruby Grant; recording sorrow upon death. (Patron-Hall, HJR 45; Marsh, SJR 23)
- Maupin, Ora Ann; recording sorrow upon death. (Patron-Van Yahres, HJR 37)
- McKnight, Linda Hines; recording sorrow upon death. (Patron-Carrico, HJR 320)
- McMahon, Toni Winters; recording sorrow upon death. (Patron-Plum, HJR 344)
- McNeil, Samuel P.; recording sorrow upon death. (Patron-Edwards, SJR 154)
- Menaker, Edward G.; recording sorrow upon death. (Patron-Landes, HJR 14)
- Middleton, Norwood C. "Woody"; recording sorrow upon death. (Patron-Griffith, HJR 470)
- Mills, Meredith Lee; recording sorrow upon death. (Patron-Shuler, HJR 10)
- Minter, J. Ronnie; recording sorrow upon death. (Patron-Reynolds, SJR 140)
- Minter, William Marvin; recording sorrow upon death. (Patron-Rerras, SJR 235)
- Moak, Samuel K.; recording sorrow upon death. (Patron-Baskerville, HJR 207)
- Mott, James; recording sorrow upon death. (Patron-Scott, J.M., HJR 266)
- Myatt, Emily W.; recording sorrow upon death. (Patron-Puller, SJR 198)
- Nelson, Captain O.; recording sorrow upon death. (Patron-McDougle, HJR 209)
- Netherton, Ann Rohrke "Nan"; recording sorrow upon death. (Patron-Scott, J.M., HJR 265; Whipple, SJR 70)
- Nunn, Floyd William; recording sorrow upon death. (Patron-Reynolds, SJR 138)
- Outlaw, Andrew B.; recording sorrow upon death. (Patron-Norment, SJR 151)
- Owens, David E., Jr.; recording sorrow upon death. (Patron-Potts, SJR 21)
- Pancake, Frank Robbins; recording sorrow upon death. (Patron-Hanger, SJR 83)
- Pandapas, James J.; recording sorrow upon death. (Patron-Shuler, HJR 11)
- Payne, Otis; recording sorrow upon death. (Patron-Shuler, HJR 18; Deeds, SJR 35)
- Peace, Nina K.; recording sorrow upon death. (Patron-McDougle, HJR 477)
- Pearce, Charles H.; recording sorrow upon death. (Patron-Miles, HJR 378)
- Pendleton, Eugene Barbour "Bob", Jr.; recording sorrow upon death. (Patron-Janis, HJR 365)
- Phelps, William T. "Willie", Sr.; recording sorrow upon death. (Patron-Cosgrove, HJR 472)
- Pickral, Edna Moore McCormick; recording sorrow upon death. (Patron-Cline, HJR 478)
- Pocceschi, Rodney F.; recording sorrow upon death. (Patron-Stolle, SJR 143)

**MEMORIAL RESOLUTIONS (continued)**

- Reel, Robert Morris "Bob"; recording sorrow upon death. (Patron-Cline, HJR 439)
- Retzer, Thomas E.; recording sorrow upon death. (Patron-Suit, HJR 268)
- Reynolds, Sylvia McDowell; recording sorrow upon death. (Patron-Deeds, SJR 52)
- Roberson, James C.; recording sorrow upon death. (Patron-Kilgore, HJR 329)
- Rosenwasser, Arthur; recording sorrow upon death. (Patron-Scott, J.M., HJR 263)
- Sale, Lucy Pannill; recording sorrow upon death. (Patron-Armstrong, HJR 473)
- Salter, Jacob Wesley Alexander; recording sorrow upon death. (Patron-O'Brien, SJR 213)
- Shacochis, John P.; recording sorrow upon death. (Patron-Callahan, HJR 441)
- Shaw, Frank B.; recording sorrow upon death. (Patron-Rerras, SJR 252)
- Shelor, Winton Warren, Sr.; recording sorrow upon death. (Patron-Griffith, HJR 471)
- Simmons, Richard M. "Dick", Jr.; recording sorrow upon death. (Patron-Armstrong, HJR 393)
- Simpson, J. Herbert, Sr.; recording sorrow upon death. (Patron-Joannou, HJR 330)
- Slayton, Paul C., Jr.; recording sorrow upon death. (Patron-Houck, SJR 202)
- Smith, Adele B.; recording sorrow upon death. (Patron-Stolle, SJR 136)
- Smith, Click D., Jr.; recording sorrow upon death. (Patron-Callahan, HJR 370)
- Smith, Howard Worth, Jr.; recording sorrow upon death. (Patron-Ticer, SJR 186)
- Smith, S. J. "Joe", Jr.; recording sorrow upon death. (Patron-Stolle, SJR 135)
- Smith, Stanley W.; recording sorrow upon death. (Patron-Petersen, HJR 354)
- Sprague, Nancy F.; recording sorrow upon death. (Patron-Scott, J.M., HJR 264)
- Stephenson, Sylvia A.; recording sorrow upon death. (Patron-Miller, SJR 7)
- Street, Mel; recording sorrow upon death. (Patron-Edwards, SJR 194)
- Sydnor, Eugene B., Jr.; recording sorrow upon death. (Patron-Hall, HJR 208)
- Tapper, David Martin; recording sorrow upon death. (Patron-Suit, HJR 269)
- Teal, John Robert "J.R."; recording sorrow upon death. (Patron-Hargrove, HJR 22)
- Tremblay, E. Gerald; recording sorrow upon death. (Patron-Van Yahres, HJR 36)
- Trollinger, Olga R.; recording sorrow upon death. (Patron-Scott, J.M., HJR 262)
- Wade, Mary B.; recording sorrow upon death. (Patron-McDougle, HJR 210)
- Walling, William Woodrow "Bud"; recording sorrow upon death. (Patron-Johnson, HJR 440)
- Watkins, William R., III; recording sorrow upon death. (Patron-Hogan, HJR 455)
- Watson, Leroy P.; recording sorrow upon death. (Patron-Alexander, HJR 240)
- Weatherford, Lloyd C.; recording sorrow upon death. (Patron-Cox, HJR 237)
- Webb, William F., Jr.; recording sorrow upon death. (Patron-Mims, SJR 234)
- Wells, Ollie B., Sr.; recording sorrow upon death. (Patron-Jones, D.C., HJR 456; Marsh, SJR 249)
- Wells, W. T. "Ham"; recording sorrow upon death. (Patron-Landes, HJR 323)
- Whitehead, Stephen Louis, Jr.; recording sorrow upon death. (Patron-Joannou, HJR 468)
- Whiting, Priscilla; recording sorrow upon death. (Patron-Van Yahres, HJR 35)
- Whitley, Lena; recording sorrow upon death. (Patron-Miller, SJR 12)
- Williams, James L. "Jim"; recording sorrow upon death. (Patron-Ward, HJR 422; Locke, SJR 176)
- Willis-Robinson, Shirley Mae Montague; recording sorrow upon death. (Patron-Lambert, SJR 226)
- Witt, C. P.; recording sorrow upon death. (Patron-Reynolds, SJR 137)
- Woltz, Robert W. "Bobby", Sr.; recording sorrow upon death. (Patron-Marrs, HJR 469)

**MENAKER, EDWARD G.** See: Memorial Resolutions

**MENDELSON, STUART** See: Commending Resolutions

**MENTAL HEALTH AND MENTAL RETARDATION** See: Institutions for the Mentally Ill; Mental Health Generally

**MERCHANT MARINE** See: Armed Forces

**MERCHANTS AND PEDDLERS** See: Professions and Occupations

**METHADONE** See: Narcotics and Drugs

**MIDDLEDITCH, LEIGH B., JR.** See: Commending Resolutions

**MIDDLETON, NORWOOD C. "WOODY"** See: Memorial Resolutions

**MIDWIVES** See: Professions and Occupations

**MIGRANT WORKERS** See: Labor and Employment

**MILES, FLOYD H., SR.**

Added as co-patron:

S.B. 456. . . . . 293

**MILITARY AND EMERGENCY LAWS**

See also: Armed Forces

Alert and warning system; localities to establish in event of emergency or disaster. Amending § 44-146.19. (Patron-Van Landingham, HB 873, CH 302)

Curfews; local authority may declare and enforce when a state of emergency has been declared by Governor. Amending § 44-146.19. (Patron-Rerras, SB 693)

Elections; postponement due to state of emergency. Amending § 24.2-603.1. (Patron-Hanger, SB 528, CH 205)

Emergencies and disasters; Governor to conduct an annual statewide drill on response thereto. Adding § 44-146.17:2. (Patron-Lewis, HB 415, CH 430)

Freedom of Information Act; exempts records and meetings of Commission on Military Bases. Amending §§ 2.2-3705 and 2.2-3711. (Patron-Cosgrove, HB 1396, CH 770)

Higher educational institutions; policies for required reinstatement of enrollment for certain military students. Amending § 23-9.6:2. (Patron-Oder, HB 712, CH 740)

Military Affairs, Board of; abolished. Amending §§ 44-14 and 44-114; repealing § 44-12. (Patron-Cox, HB 11, CH 12)

Military grave markers; prohibits sale or offers for sale. Adding § 18.2-511. (Patron-Eisenberg, HB 812, CH 299)

Military reserves; protection of job security of members. Amending § 44-93.5. (Patron-Carrico, HB 618, CH 147)

School term; provisions due to declaration of state of emergency. Amending § 22.1-98. (Patron-Hamilton, HB 575, CH 839)

School term; provisions due to severe weather conditions or other emergency situation. Amending § 22.1-98. (Patron-Van Landingham, HB 1256, CH 868; Whipple, SB 452, CH 887)

Unemployment compensation; benefit charges resulting from a temporary work closure forced by a disaster. Amending § 60.2-528. (Patron-Blevins, SB 179, CH 583)

**MILK COMMISSION** See: Agriculture, Horticulture and Food

**MILLER, DONNA** See: Commending Resolutions

**MILLER, DORIS D.** See: Commending Resolutions

**MILLER, LINDA** See: Commending Resolutions

**MILLER, LIZZIE MAE FUNKHOUSER** See: Commending Resolutions

**MILLER, NAN L.** See: Commending Resolutions

**MILLER SCHOOL OF ALBEMARLE** See: Education

**MILLER, YVONNE B.**

Added as co-patron:

S.B. 128. . . . . 292

H.J.R. 492. . . . . 1753

Certification of election, oath . . . . . 2,5

**MILLS GODWIN HIGH SCHOOL** See: Commending Resolutions

**MILLS, MEREDITH LEE** See: Memorial Resolutions

**MIMS, BILL**

Added as co-patron:

S.B. 123. . . . .	181
S.B. 371. . . . .	398
S.B. 393. . . . .	292
S.J.R. 79 . . . . .	597
H.J.R. 492 . . . . .	1753
Certification of election, oath . . . . .	4, 5
Leaves of absence . . . . .	328, 1781
Notified Clerk of presence . . . . .	167, 237, 294, 415, 525, 767, 789, 1141, 1464, 1909

**MINES AND MINING**

- Coal and gas road improvement tax; distribution of revenues for water and sewer system projects. Amending §§ 58.1-3713 and 58.1-3713.01. (Patron-Puckett, SB 642, CH 893)
- Coal and gas road improvement tax; distribution of revenues to local public service authority. Amending § 58.1-3713. (Patron-Phillips, HB 1426, CH 871)
- Erosion and Sediment Control Law; definition of land-disturbing activity includes certain surface or deep mining activities. Amending § 10.1-560. (Patron-Ware, R.L., HB 1283, CH 476)

**MINIBUS** See: Motor Vehicles

**MINISTERS** See: Professions and Occupations

**MINORITIES** See: Ethnic Groups

**MINORITY BUSINESSES** See: Trade and Commerce

**MINORS**

- Abandoned children; protection, affirmative defense to prosecution of parent. Amending §§ 16.1-228 and 63.2-100. (Patron-Williams, SB 114, CH 245)
- Adoption; requirements for agencies outside State. Amending §§ 63.2-903, 63.2-1200, 63.2-1221, 63.2-1222 and 63.2-1817. (Patron-Edwards, SB 62, CH 815)
- Adoption; requirements for parental placement. Amending §§ 63.2-1202, 63.2-1226 and 63.2-1230. (Patron-O'Brien, SB 616)
- Adoption; requirements for parental placement. Amending §§ 63.2-1230 and 63.2-1233. (Patron-Williams, SB 108)
- Adoption, marriage and divorce records; deletes statements indicating racial designations. Amending §§ 32.1-262, 32.1-267 and 32.1-268. (Patron-Marsh, SB 223, CH 88)
- Alcoholic beverages; penalty for illegal consumption by juveniles. Amending §§ 4.1-305 and 4.1-306. (Patron-Bell, HB 668)
- Alcoholic beverages; underage alcohol offenders may be placed on community-based probation. Amending § 4.1-305. (Patron-Hurt, HB 1309, CH 322)
- Child abuse or neglect; child protective services to notify parent. Amending § 63.2-1503. (Patron-Ruff, SB 409, CH 886)
- Child abuse or neglect; development of multidisciplinary consultation teams. Amending §§ 63.2-105 and 63.2-1503. (Patron-Watts, HB 420, CH 220; Wagner, SB 429, CH 114)
- Child abuse or neglect; reporting requirements by ministers of religion. Amending § 63.2-1509. (Patron-Howell, SB 314)
- Child custody and visitation; filing fee for appeals. Amending §§ 16.1-69.48:5 and 16.1-296; adding § 16.1-296.2. (Patron-Kilgore, HB 344, CH 727; Devolites, SB 103, CH 659)
- Child Day Care Centers, Standards for Licensed; Joint Legislative Audit and Review Commission to study potential impact on providers, parents and children. (Patron-Marrs, HJR 114; Newman, SJR 80)
- Child day centers; religious exemption from licensure. Amending § 63.2-1716. (Patron-Newman, SB 417, CH 113)

**MINORS (continued)**

- Child day programs; exempts certain martial arts programs from licensure. Amending § 63.2-1715. (Patron-Martin, SB 66)
- Child protective services; training and investigation procedures. Amending § 63.2-1502; adding § 63.2-1516.01. (Patron-McDonnell, HB 1135, CH 233; Bolling, SB 584, CH 93)
- Children and Adolescents with Mental Health Treatment Needs, Dissemination of Collection of Evidence-Based Treatment Modalities for; Report of Commission on Youth (SJR 358, 2003). (SD 5)
- Children with disabilities; special education services for those placed across jurisdictional lines. Amending § 2.2-5211. (Patron-Nixon, HB 1047, CH 631)
- Driver's license; issuance of restricted permit to certain youthful drivers for purpose of school attendance. Amending § 46.2-334.01. (Patron-O'Brien, SB 306)
- Foster care; lowers age of child for independent living. Amending § 63.2-100. (Patron-Ingram, HB 861)
- Guardianship of children; subsidy for relative caregivers. Amending § 63.2-100; adding § 63.2-913. (Patron-Miller, SB 35, CH 814)
- Health insurance; coverage for hearing aids for minors. Amending §§ 2.2-2818, 32.1-325 and 38.2-4319; adding § 38.2-3418.15. (Patron-Ticer, SB 641)
- Health records; access by guardians ad litem and attorneys representing minors and certain adults. Amending §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12 and 37.1-134.21. (Patron-O'Bannon, HB 878, CH 66)
- Infant screening program for metabolic disorders; Joint Commission on Health Care to collect information thereon. (Patron-Plum, HJR 164)
- Infants; screening tests required after delivery. Amending § 32.1-65. (Patron-McDonnell, HB 1133, CH 760)
- Involuntary commitment of minors; jurisdiction hearings. Amending §§ 16.1-340 and 16.1-341. (Patron-Hamilton, HB 580, CH 283)
- Juvenile court; duty to inform of right to counsel. Amending § 16.1-266. (Patron-Bell, HB 652; Colgan, SB 578)
- Juvenile court cases; appeals. Amending §§ 16.1-269.6 and 16.1-296. (Patron-McDonnell, HB 1146, CH 468)
- Juveniles placed in treatment programs; funding. Amending § 2.2-5211. (Patron-Dudley, HB 598, CH 286)
- Learner's permit; issuance to youthful drivers upon certification by foster parent. Amending § 46.2-335. (Patron-Byron, HB 866, CH 805)
- Library computers; juveniles' Internet access. Amending § 42.1-36.1. (Patron-Obenshain, SB 483)
- License plates, special; issuance to supporters of children with special needs. Adding § 46.2-749.101. (Patron-Miller, SB 16)
- Missing children; increases age allowed for reporting, information to be entered into Criminal Information Network. Amending §§ 15.2-1718 and 52-32. (Patron-Howell, SB 317, CH 248)
- Missing children; information to be entered into Criminal Information Network and National Crime Information Center Systems. Amending § 15.2-1718. (Patron-Shannon, HB 717, CH 443)
- Morning-after pill; parental consent for minors required. Amending § 54.1-2969; adding § 54.1-2969.1. (Patron-Byron, HB 1403)
- Nudist camps for juveniles; prohibited. Amending § 35.1-18. (Patron-Reid, HB 158, CH 987)
- Outreach Oversight Committee; name changed to Children's Health Insurance Program Advisory Committee. Amending § 32.1-351.2. (Patron-Brink, HB 836, CH 301)
- Personal flotation devices; required for children. Amending § 29.1-700; adding § 29.1-735.01. (Patron-Lucas, SB 554)
- Sex crimes against children; penalty. Amending §§ 18.2-63, 18.2-64.1 and 18.2-370.1. (Patron-Wagner, SB 423)

**MINTER, J. RONNIE** See: Memorial Resolutions

**MINTER, WILLIAM MARVIN** See: Memorial Resolutions

**MISDEMEANORS** See: Crimes and Offenses Generally

**MISSING CHILDREN** See: Minors

**MITCHELL, JAMES DOUGLAS “DOUG”** See: Commending Resolutions

**MITCHELL, LARRY AND VIRGINIA** See: Claims

**MITCHELL, LINDA** See: Commending Resolutions

**MIXED BEVERAGES, ALCOHOLIC** See: Alcoholic Beverage Control Act

**MOAK, SAMUEL K.** See: Memorial Resolutions

**MOBILE HOMES** See: Housing

**MONACAN BRIDGE** See: Highways, Bridges and Ferries

**MONROE, BEVERLY ANNE** See: Claims

**MONTICELLO HIGH SCHOOL** See: Commending Resolutions

**MONUMENTS AND MARKERS, HISTORICAL** See: Conservation

**MOORE, BECKY J.** See: Judges Justices and Other Elective Officers

**MOORE, HULLIHEN WILLIAMS** See: Commending Resolutions

**MOORE, WILLIAM S., JR.** See: Judges Justices and Other Elective Officers

**MOPEDS** See: Motor Vehicles

**MORAN, BRIAN J.**

Added as co-patron:

S.B. 100. ....	398
S.B. 456. ....	293
S.B. 648. ....	414
S.J.R. 86. ....	273

**MORGAN, HARVEY B.**

Added as co-patron:

S.B. 371. ....	453
S.J.R. 75. ....	293

**MORNING-AFTER PILL** See: Health

**MORRISON, JOHN C., JR.** See: Judges Justices and Other Elective Officers

**MOTHERS AGAINST DRUNK DRIVING** See: Crimes and Offenses Generally

**MOTOR CARRIERS**

Commercial motor vehicle safety; State Police to regulate hours of service. Amending § 52-8.4. (Patron-Orrock, HB 516, CH 23)

Commercial motor vehicles; limited use of certain lanes on certain interstate highways. Amending § 46.2-803.1. (Patron-Saxman, HB 1346, CH 809)

Commercial vehicles; parking regulations in Fairfax, Arlington and Prince William Counties. Amending § 46.2-1222.1. (Patron-Ticer, SB 471, CH 702)

Commercial vehicles; parking regulations in towns in Fairfax County. Amending § 46.2-1222.1. (Patron-Shannon, HB 721, CH 225; Devolites, SB 273, CH 108)

Motor carriers; penalty for violation of International Fuels Tax Agreement. Amending § 46.2-703. (Patron-Parrish, HB 1305, CH 376)

Motor vehicle carriers; appointment of inspectors for enforcement of laws. Amending §§ 9.1-101 and 9.1-400. (Patron-Landes, HB 23, CH 30)

**MOTOR CARRIERS (continued)**

Municipal solid waste vehicles; posting of penalties for transportation violations. Amending § 46.2-1156. (Patron-Morgan, HB 55)

Passenger carriers; definition of minibus. Amending § 46.2-2000. (Patron-Mims, SB 511, CH 780)

**MOTOR FUELS**

Motor carriers; penalty for violation of International Fuels Tax Agreement. Amending § 46.2-703. (Patron-Parrish, HB 1305, CH 376)

Motor fuels; penalty for failure to pay retail establishment after dispensing. Amending § 46.2-819.2. (Patron-Janis, HB 592, CH 795)

Motor fuels tax; additional imposition in Northern Virginia transportation district. Amending § 58.1-1720. (Patron-Whipple, SB 458)

Motor fuels tax; changes in reporting and payment requirements. Amending §§ 58.1-2201, 58.1-2204, 58.1-2216, 58.1-2237, 58.1-2266, 58.1-2271 and 58.1-2283. (Patron-Parrish, HB 17, CH 340)

Motor fuels tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701 and 58.1-2706; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 357)

Natural gas; direct sales to certain public schools. Amending § 56-265.1. (Patron-Phillips, HB 920, CH 748)

Natural gas companies; right of entry upon property. Adding § 56-49.01. (Patron-Wagner, SB 663, CH 829)

Tax reform; changes in provisions for income tax, sales and use tax, estate tax, local license taxes, motor fuels tax, etc. Amending §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706 and 58.1-3833; adding §§ 10.1-2135, 46.2-702.1, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395 and 58.1-2288.1; repealing tenth enactment of Chapters 1019 and 1044, 2000 Acts. (Patron-Chichester, SB 635)

**MOTOR HOMES** See: Motor Vehicles

**MOTOR VEHICLE INSURANCE** See: Insurance

**MOTOR VEHICLES**

Aggressive driving; penalties. Amending § 46.2-392. (Patron-Janis, HB 593, CH 361)

Amber lights on U.S. Mail vehicles; use. Amending § 46.2-892. (Patron-Hargrove, HB 556, CH 359)

Antique trailers; registration. Amending §§ 46.2-100, 46.2-730 and 46.2-1157. (Patron-Gear, HB 608, CH 796)

Arrest without warrant; applicable in drunk driving cases. Amending § 19.2-81. (Patron-Bell, HB 664, CH 949)

Automobile graveyards and junkyards; screening requirements in certain counties. Amending § 15.2-903. (Patron-Williams, SB 115, CH 493)

Bicycles, mopeds, etc.; restrictions on use on roadways. Amending §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015 and 46.2-1051. (Patron-Hargrove, HB 552, CH 947; Deeds, SB 252, CH 973)

Cell phones; prohibits use while driving. Adding § 46.2-819.3. (Patron-Ticer, SB 581)

Commercial driver's license; imposition of additional fees for hazmat endorsement. Amending § 46.2-341.16:1. (Patron-Williams, SB 345, CH 109)

Commercial motor vehicles; limited use of certain lanes on certain interstate highways. Amending § 46.2-803.1. (Patron-Saxman, HB 1346, CH 809)

Commercial vehicles; parking regulations in Fairfax, Arlington and Prince William Counties. Amending § 46.2-1222.1. (Patron-Ticer, SB 471, CH 702)

**MOTOR VEHICLES (continued)**

- Commercial vehicles; parking regulations in towns in Fairfax County. Amending § 46.2-1222.1. (Patron-Shannon, HB 721, CH 225; Devolites, SB 273, CH 108)
- Constitutional amendments; exempts certain motor vehicles from state and local taxation (first reference). Amending Sections 4 and 6 of Article X. (Patron-Hanger, SJR 84)
- Contract passenger carriers; use of tinting films on vehicle windows. Amending § 46.2-1052. (Patron-Hall, HB 232, CH 613)
- Cranes; certain exempt from motor vehicle registration. Amending §§ 46.2-700 and 46.2-1500. (Patron-Williams, SB 342)
- Cranes, mobile; definition. Amending § 46.2-1500. (Patron-Williams, SB 387, CH 111)
- Disabled parking license plates and placards; issuance to parents and legal guardians of persons with disabilities. Amending §§ 46.2-604 and 46.2-731. (Patron-Colgan, SB 362, CH 692)
- DMV driver documents; provisions for photographing or copying. Amending § 46.2-346. (Patron-Cosgrove, HB 86, CH 722)
- DMV records; access by insurance companies. Amending § 46.2-208. (Patron-McDougle, HB 1383, CH 811)
- Driver eligibility certificates; issuance when student in good academic standing. Amending §§ 46.2-320, 46.2-334 and 46.2-335. (Patron-Obenshain, SB 487)
- Driver improvement clinics; regulation by DMV. Amending § 46.2-490; adding §§ 46.2-490.3 through 46.2-490.11; repealing § 46.2-490.2. (Patron-Brink, HB 847, CH 622)
- Driver training schools; regulation by DMV. Amending §§ 46.2-1700, 46.2-1701, 46.2-1702, 46.2-1703, 46.2-1705 and 46.2-1707; adding §§ 46.2-1701.2 and 46.2-1701.3. (Patron-O'Brien, SB 288, CH 587)
- Drivers believed incompetent; suspension of license, confidentiality of source of information. Amending § 46.2-322. (Patron-Morgan, HB 272, CH 351)
- Driver's license; administrative suspension for persons charged with DUI. Amending § 46.2-391.2. (Patron-McDonnell, HB 1136, CH 960)
- Driver's license; driving after forfeiture for DUI conviction, penalty. Amending §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272. (Patron-Stolle, SB 329, CH 1013)
- Driver's license; driving after forfeiture of license for DUI conviction, penalty, use of restricted permit. Amending §§ 18.2-272, 46.2-301 and 46.2-329. (Patron-Sherwood, HB 557, CH 948)
- Driver's license; expiration of those issued to persons in armed services or diplomatic service. Amending §§ 46.2-330 and 46.2-1521; adding §§ 46.2-221.2, 46.2-221.3, 46.2-221.4 and 54.1-117; repealing § 46.2-331. (Patron-Cox, HB 319, CH 975)
- Driver's license; increases reinstatement fee due to suspension or revocation. Amending § 46.2-411. (Patron-Puller, SB 380)
- Driver's license; issuance of restricted permit to certain youthful drivers for purpose of school attendance. Amending § 46.2-334.01. (Patron-O'Brien, SB 306)
- Driver's license; issuance of restricted permit to travel for court appearance. Amending § 18.2-271.1. (Patron-Reese, HB 43, CH 720)
- Driver's license; requires vision exam for persons age 80 or older. Amending § 46.2-330. (Patron-Jones, D.C., HB 257, CH 218; O'Brien, SB 402, CH 112)
- Driver's license; suspension for nonpayment of certain judgments. Amending § 46.2-417. (Patron-McDonnell, HB 1137, CH 998)
- Driving under influence of alcohol or drugs; arrest may be reported to Central Criminal Records Exchange. Amending § 19.2-390. (Patron-Janis, HB 594, CH 284)
- Driving under influence of alcohol or drugs; damages for persons injured as a result. Amending § 8.01-44.5. (Patron-McDonnell, HB 1481)
- Driving under influence of alcohol or drugs; enhanced penalty for third and subsequent convictions. Amending § 18.2-270. (Patron-Mims, SB 488)
- Driving under influence of alcohol or drugs; forfeiture of vehicle for third offense. Amending § 18.2-270. (Patron-McDonnell, HB 1130, CH 958)
- Driving under influence of alcohol or drugs; implied consent to post-arrest chemical test. Amending § 18.2-268.2. (Patron-Bell, HB 669)
- Driving under influence of alcohol or drugs; mandatory ignition interlock upon conviction. Amending § 18.2-270.1. (Patron-McDonnell, HB 1138, CH 961)

**MOTOR VEHICLES (continued)**

- Driving under influence of alcohol or drugs; mandatory minimum fine for a first offense. Amending § 18.2-270. (Patron-Athey, HB 217, CH 946)
- Driving under influence of alcohol or drugs; mandatory minimum sentence for a second or third offense. Amending § 18.2-270. (Patron-McDonnell, HB 1147, CH 962)
- Driving under influence of alcohol or drugs; mandatory minimum sentence for third offense, joint prosecution of DUI and reckless driving, administrative license suspension. Amending §§ 18.2-270, 19.2-294.1, 46.2-391 and 46.2-391.2. (Patron-Norment, SB 384, CH 937)
- Driving under influence of alcohol or drugs; penalty for multiple offenses. Amending §§ 18.2-268.4 and 18.2-270. (Patron-Mims, SB 490)
- Driving under influence of alcohol or drugs; penalty for third conviction. Amending § 18.2-270. (Patron-Moran, HB 1107, CH 957; Rerras, SB 443)
- Driving under influence of alcohol or drugs; penalty while having Schedule I and II drugs in blood. Amending §§ 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9 and 18.2-268.10; adding § 18.2-266.2. (Patron-Carrico, HB 614)
- Driving under influence of alcohol or drugs; procedure due to refusal to submit to breath or blood test. Amending § 18.2-268.3. (Patron-Reynolds, SB 202, CH 1022)
- Driving under influence of alcohol or drugs; procedure due to refusal to submit to breath or blood test. Amending §§ 18.2-268.3 and 18.2-268.4. (Patron-Albo, HB 127, CH 985)
- Driving under influence of alcohol or drugs; procedure for taking blood samples. Amending §§ 18.2-268.5 and 46.2-341.26:5. (Patron-McDougle, HB 786, CH 150)
- Driving under influence of alcohol or drugs; qualifications of persons authorized to take blood samples. Amending §§ 18.2-268.5, 19.2-310.3 and 46.2-341.26:5. (Patron-Bell, HB 654, CH 440)
- Driving under influence of alcohol or drugs; reduces alcohol levels for mandatory confinement. Amending § 18.2-270. (Patron-Bell, HB 667, CH 950; Mims, SB 489)
- Driving under influence of alcohol or drugs; revocation of license for multiple convictions. Amending § 46.2-391. (Patron-Bell, HB 676, CH 951)
- Driving under influence of alcohol or drugs and reckless driving; dismissal of one of dual charges. Amending § 19.2-294.1. (Patron-Mims, SB 491)
- Driving while license suspended or revoked; mandatory punishment upon third or subsequent offense, exception. Amending § 46.2-301. (Patron-McDougle, HB 774, CH 801)
- Emissions inspections; exempts hybrid vehicles. Amending §§ 46.2-1176 and 46.2-1178. (Patron-Plum, HB 887, CH 915)
- Farm vehicles; registration fees for plant nurseries and Christmas tree farms. Amending § 46.2-698. (Patron-Watkins, SB 127, CH 663)
- Golf carts and utility vehicles; registration and operation. Amending §§ 46.2-100 and 46.2-676; adding §§ 46.2-916.1, 46.2-916.2 and 46.2-916.3. (Patron-Wardrup, HB 899, CH 746)
- Inoperable motor vehicles; civil penalties for violations. Amending § 15.2-904. (Patron-Norment, SB 395)
- Inoperable motor vehicles; definitions. Amending § 15.2-904. (Patron-Hanger, SB 529, CH 513)
- Inoperable motor vehicles; to be shielded or screened from view. Amending §§ 15.2-904 and 15.2-905. (Patron-Quayle, SB 204, CH 934)
- Inoperable motor vehicles; to be shielded or screened from view in certain localities. Amending § 15.2-905. (Patron-Locke, SB 437, CH 508)
- Learner's permit; issuance to youthful drivers upon certification by foster parent. Amending § 46.2-335. (Patron-Byron, HB 866, CH 805)
- License plates, special; abolishes issuance to various civic groups and employees due to expired authorizations. Amending §§ 46.2-746.7, 46.2-746.8 and 46.2-746.9; repealing §§ 46.2-736.01, 46.2-736.02, 46.2-746.2:2.1, 46.2-746.4:3, 46.2-746.6:2, 46.2-746.8:1, 46.2-749.5:1, 46.2-749.23:1, 46.2-749.28:1, 46.2-749.32 through 46.2-749.36, 46.2-749.39, 46.2-749.41, 46.2-749.42, 46.2-749.43, 46.2-749.47, 46.2-749.73:1, 46.2-749.84, 46.2-749.85, 46.2-749.87, 46.2-749.88, 46.2-749.93 and 46.2-749.95 through 46.2-749.100. (Patron-Landes, HB 2, CH 717)
- License plates, special; issuance commemorating 200th anniversary of Town of Occoquan. Adding § 46.2-749.101. (Patron-McQuigg, HB 254)

**MOTOR VEHICLES (continued)**

- License plates, special; issuance commemorating 275th anniversary of County of Prince William. Adding § 46.2-749.101. (Patron-Frederick, HB 1170; Colgan, SB 360)
- License plates, special; issuance commemorating 350th anniversary of New Kent County. Adding § 46.2-749.101. (Patron-McDougle, HB 778)
- License plates, special; issuance of those bearing legend: LANGLEY AIR FORCE BASE. Adding § 46.2-749.28:2; repealing § 46.2-749.28:1. (Patron-Gear, HB 606)
- License plates, special; issuance of those bearing legend: POW/MIA. Adding § 46.2-749.43:1; repealing § 46.2-749.43. (Patron-Puller, SB 52)
- License plates, special; issuance to barbershop quartet singing enthusiasts. Adding § 46.2-749.101. (Patron-Puller, SB 53)
- License plates, special; issuance to bicycle enthusiasts. Adding § 46.2-749.101. (Patron-Barlow, HB 964)
- License plates, special; issuance to encourage participation in the organ donor program. Adding § 46.2-749.101. (Patron-Hawkins, SB 258)
- License plates, special; issuance to general registrars. Amending §§ 46.2-737 and 46.2-746.9. (Patron-Cox, HB 233)
- License plates, special; issuance to hobbyists of reconstructed, restored, etc., vehicles. Amending § 46.2-734. (Patron-Hawkins, SB 259, CH 678)
- License plates, special; issuance to members and associates of court-appointed special advocate program. Amending § 46.2-749.59. (Patron-Watts, HB 427)
- License plates, special; issuance to members of American Legion. Amending § 46.2-746.4; adding § 46.2-746.4:01. (Patron-Lingamfelter, HB 379)
- License plates, special; issuance to retired law-enforcement officers. Adding § 46.2-746.8:2. (Patron-Moran, HB 1110)
- License plates, special; issuance to supporters of Blue Ridge Parkway Foundation. Adding § 46.2-749.101. (Patron-Edwards, SB 340)
- License plates, special; issuance to supporters of Boy Scouts of America. Adding § 46.2-749.30:2. (Patron-Phillips, HB 923)
- License plates, special; issuance to supporters of Boy Scouts of America, Virginia Motor Sports Initiative, adoption programs, court-appointed special advocate programs, Project Lifesaver, Mothers Against Drunk Driving, Juvenile Diabetes Research Foundation, Interdenominational Children's Foundation of Virginia, to certain constitutional officers, military veterans' organizations, retired law-enforcement officers, paratroopers, for various occupations, to members of American Legion, to U.S. Navy chief petty officers, bicycle enthusiasts, to persons awarded Combat Infantryman Badge, to commemorate 275th anniversary of County of Prince William, 200th anniversary of Town of Occoquan, 350th anniversary of County of New Kent, 150th anniversary of Burke's Station, those bearing legend: LANGLEY AIR FORCE BASE and flag of United States and legend: FIGHT TERRORISM. Amending §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59 and 46.2-749.62; adding §§ 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, 46.2-749.69:1, 46.2-749.98:1 and 46.2-749.101 through 46.2-749.109; repealing §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, 46.2-749.69 and 46.2-749.98. (Patron-Orrock, HB 38, CH 984)
- License plates, special; issuance to supporters of Canine Health Foundation. Adding § 46.2-749.101. (Patron-Howell, SB 41)
- License plates, special; issuance to supporters of children with special needs. Adding § 46.2-749.101. (Patron-Miller, SB 16)
- License plates, special; issuance to supporters of Interdenominational Children's Foundation of Virginia. Adding § 46.2-749.98:1; repealing § 46.2-749.98. (Patron-Howell, A.T., HB 1446)
- License plates, special; issuance to supporters of Juvenile Diabetes Research Foundation. Adding § 46.2-749.101. (Patron-O'Bannon, HB 634)
- License plates, special; issuance to supporters of Mothers Against Drunk Driving. Adding § 46.2-749.101. (Patron-Reid, HB 1295)
- License plates, special; issuance to supporters of Project Lifesaver. Adding § 46.2-749.101. (Patron-Hogan, HB 1285)
- License plates, special; issuance to supporters of Sheriffs' Institute. Adding § 46.2-749.101. (Patron-Rerras, SB 444, CH 700)

**MOTOR VEHICLES (continued)**

- License plates, special; issuance to supporters of Virginia agriculture. Adding § 46.2-749.101. (Patron-Rerras, SB 445)
- License plates, special; issuance to supporters of Virginia agriculture, Blue Ridge Parkway Foundation, Washington D.C. United soccer team, Canine Health Foundation, to barbershop quartet singing enthusiasts, to commemorate 200th anniversary of Town of Occoquan, 275th anniversary of County of Prince William, to encourage participation in organ donor program and issuance of logotype and those bearing legend: POW/MIA and CHILDREN WITH SPECIAL NEEDS. Adding §§ 46.2-749.43:1 and 46.2-749.101 through 46.2-749.109; repealing § 46.2-749.43. (Patron-Puller, SB 21, CH 653)
- License plates, special; issuance to supporters of Washington D.C. United soccer team. Adding § 46.2-749.101. (Patron-Howell, SB 42)
- License plates, special; issuance to U.S. Navy chief petty officers. Adding § 46.2-746.2:2.2. (Patron-Barlow, HB 965)
- License plates, special; issuance using names, numbers, etc., of professional stock car drivers. Amending § 46.2-749.69. (Patron-Dudley, HB 597)
- License plates, special; technical changes in various statutes. Amending §§ 46.2-725, 46.2-736.2, 46.2-742 through 46.2-742.2, 46.2-745, 46.2-746.3, 46.2-746.7, 46.2-749 and 46.2-749.4. (Patron-Wardrup, HB 900, CH 747)
- Manufactured or mobile homes; reclaiming those deemed abandoned, liability for payment of rent. Amending § 46.2-1208. (Patron-Cosgrove, HB 346, CH 353)
- Misdemeanors, traffic infractions, etc.; fixed fee in district court. Amending § 16.1-69.48:1. (Patron-McDonnell, HB 1141, CH 371)
- Mobile infrared transmitters; certain prohibited. Adding § 46.2-1077.1. (Patron-Lingamfelter, HB 87, CH 268)
- Mopeds; drivers to have identification. Amending § 46.2-914. (Patron-Weatherholtz, HB 1120, CH 758)
- Mopeds; operation. Amending § 46.2-301. (Patron-Obenshain, SB 79)
- Motor carriers; penalty for violation of International Fuels Tax Agreement. Amending § 46.2-703. (Patron-Parrish, HB 1305, CH 376)
- Motor fuels; penalty for failure to pay retail establishment after dispensing. Amending § 46.2-819.2. (Patron-Janis, HB 592, CH 795)
- Motor fuels tax; changes in reporting and payment requirements. Amending §§ 58.1-2201, 58.1-2204, 58.1-2216, 58.1-2237, 58.1-2266, 58.1-2271 and 58.1-2283. (Patron-Parrish, HB 17, CH 340)
- Motor vehicle dealers; exempts licensing persons who sell fire-fighting equipment, ambulances, etc. Amending §§ 46.2-733 and 46.2-1500. (Patron-McQuigg, HB 453, CH 788)
- Motor vehicle dealers; increases number of manual DMV transactions per month. Amending § 46.2-1530.2. (Patron-Stump, HB 1423, CH 812)
- Motor vehicle license decals; free issuance to volunteer fire department and rescue squad members. Amending § 46.2-752. (Patron-Orrock, HB 145, CH 723; Houck, SB 350, CH 689)
- Motor vehicle odometer readings; disclosure. Amending § 46.2-629. (Patron-Oder, HB 180, CH 724)
- Motor vehicle purchases; cure offers for consumer disputes. Amending §§ 59.1-198 and 59.1-204. (Patron-Stolle, SB 324, CH 90)
- Motor vehicle registrations; nonrenewal for nonpayment of parking citations, abolishes sunset provisions. Repealing second enactment of Chapter 326, 2003 Acts. (Patron-Wagner, SB 419, CH 698)
- Motor vehicle safety inspection stations; required to carry garage liability insurance. Amending § 46.2-1166. (Patron-Phillips, HB 1425, CH 383)
- Motor vehicle safety inspections; certain new vehicles exempt. Amending § 46.2-1157. (Patron-Cosgrove, HB 85, CH 267)
- Motor Vehicle Sales and Use Tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2402 and 58.1-2425; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 356)
- Motor vehicle warning lights; certain use on Department of Military Affairs and National Guard vehicles. Amending § 46.2-1022. (Patron-Spruill, HB 1335, CH 323)

**MOTOR VEHICLES (continued)**

- Motor vehicles; registration fees, changes formula for distribution of "four for life" fund. Amending § 46.2-694. (Patron-Orrock, HB 1002, CH 194)
- Motor vehicles; registration of those owned by regional jail authorities. Amending § 46.2-750. (Patron-Kilgore, HB 83, CH 721)
- Motor vehicles with nitrous oxygen-supplied engines; prohibited. Adding § 46.2-1088.4. (Patron-Albo, HB 564, CH 282)
- Motorcycle dealers, franchised; repurchase of motorcycles, parts and equipment by manufacturers. Adding § 46.2-1993.67:2. (Patron-Williams, SB 112, CH 107)
- Motorcycle learner's permits; issuance. Amending § 46.2-335. (Patron-Nixon, HB 477, CH 733)
- Motorcycle rider safety training centers; licensure. Amending §§ 46.2-1188 through 46.2-1192; adding §§ 46.2-1190.1 through 46.2-1190.7. (Patron-Stump, HB 532, CH 734)
- Ozone nonattainment areas; fees deposited in Vehicle Emissions Inspection Program Fund. Amending § 10.1-1300; adding § 10.1-1316.1. (Patron-Whipple, SB 454, CH 408)
- Parking Facilities Bond Bill of 2004; created. (Patron-Callahan, HB 32, CH 3; Chichester, SB 32, CH 490)
- Parking on secondary system highways; governing bodies in various counties authorized to restrict. Amending § 46.2-1222. (Patron-Rapp, HB 677, CH 797)
- Passenger carriers; definition of minibus. Amending § 46.2-2000. (Patron-Mims, SB 511, CH 780)
- Pedestrians; installation and maintenance of certain signs requiring motorists to yield right-of-way in towns located in Loudoun County. Amending § 46.2-924. (Patron-Devolites, SB 101, CH 658)
- Pedestrians; provisions when crossing a highway. Amending §§ 46.2-923 and 46.2-924. (Patron-Whipple, SB 451)
- Personal property exempt from taxation; includes vehicles owned by certain members of volunteer rescue and fire organizations. Amending § 58.1-3506. (Patron-Orrock, HB 143, CH 4; Houck, SB 349, CH 591)
- Personal property tax; rate on motor homes. Amending § 58.1-3506. (Patron-Mims, SB 502)
- Personal Property Tax Relief Act of 1998; payments when taxes paid in full. Amending § 58.1-3528. (Patron-Ingram, HB 926, CH 547)
- Racial Profiling and Traffic Statistics Reporting Act; created, report. Amending §§ 15.2-1704, 15.2-1722 and 52-4; adding §§ 8.01-226.2:1, 52-30.1 and 52-30.2. (Patron-Marsh, SB 225)
- Racing; conduct punishable as involuntary manslaughter due to death of another, punishment for injury of another. Amending § 46.2-867; adding § 46.2-865.1. (Patron-Hugo, HB 993, CH 859)
- Reckless driving; penalty. Amending § 46.2-393. (Patron-Mims, SB 499, CH 115)
- Reckless driving; penalty if convicted while license suspended and death or serious injury involved. Amending § 46.2-868. (Patron-McQuigg, HB 250, CH 349)
- Safety belts; required usage, prohibits search due to violation. Amending § 46.2-1094. (Patron-Norment, SB 235)
- Safety equipment, specialized mobile; use on job site. Amending § 46.2-700. (Patron-May, HB 1312, CH 478)
- Salvage and nonrepairable vehicles; disposition. Amending §§ 43-34, 46.2-1203 and 46.2-1603.1. (Patron-Weatherholtz, HB 1119, CH 369)
- School crossing guards; use of hand-held stop signs to control traffic. Amending § 46.2-834. (Patron-Howell, A.T., HB 1445, CH 575)
- Signs; posting in certain areas where yard sales, auctions, etc., are being held. Adding § 46.2-881.1. (Patron-Deeds, SB 246, CH 775)
- Smart driver's licenses and identification cards; joint subcommittee to study issuance. (Patron-Byron, HJR 162)
- Speed limits; maximum on Route 360. Amending § 46.2-870. (Patron-Ruff, SB 408, CH 696)
- Speed limits; may be set on nonsurface treated highways. Amending § 46.2-873.1. (Patron-Reynolds, SB 189)
- Speed limits; may be set on nonsurface treated highways in certain counties. Amending § 46.2-873.1. (Patron-Sherwood, HB 35, CH 719)
- Speeding; prepayable fines. Amending §§ 16.1-69.40:1 and 46.2-878.2. (Patron-McQuigg, HB 253, CH 350)

**MOTOR VEHICLES (continued)**

- State Vehicle Fleet, Review of Management of and Use by State Employees; Report of Joint Legislative Audit and Review Commission (HJR 518, 2003). (HD 5)
- Stolen vehicles; disposition of those that are recovered. Amending § 46.2-1209. (Patron-Wagner, SB 418)
- Street address signs; penalty for damaging. Amending § 46.2-832. (Patron-Bell, HB 658, CH 291)
- Toll facilities; allows operator or toll collection technology entities to obtain vehicle owner information from DMV. (Patron-Williams, SB 107, CH 660)
- Toll facilities; penalty for failure to pay toll. Amending §§ 46.2-819 and 46.2-819.1; adding § 46.2-819.3. (Patron-Rust, HB 1157, CH 924)
- Towing of vehicles; changes in provisions, lien. Amending §§ 43-32, 46.2-649.1, 46.2-1231, 46.2-1600, 46.2-1601 and 46.2-1607. (Patron-O'Brien, SB 296)
- Traffic incidents; increases payment of emergency response expenses due to certain serious traffic accidents. Amending § 15.2-1716. (Patron-Fralin, HB 303, CH 273)
- Traffic infractions; prepayment. Amending § 19.2-254.1. (Patron-Marsh, SB 23)
- Traffic signals; abolishes sunset on use of photo-monitoring systems. Amending § 46.2-833.01. (Patron-Stolle, SB 176)
- Traffic signals; penalty for violation. Amending § 46.2-833. (Patron-Wagner, SB 421, CH 252)
- Traffic signals; procedure when not in operation. Amending § 46.2-833. (Patron-McDougle, HB 777, CH 743)
- Traffic signals; use of photo-monitoring in any locality. Amending § 46.2-833.01. (Patron-Devolites, SB 92)
- Traffic signals; use of photo-monitoring in Roanoke City. Amending § 46.2-833.01. (Patron-Edwards, SB 132)
- Trailer dealers; certain exempt from zoning regulations in Fairfax County. Amending § 46.2-1992.8. (Patron-Howell, SB 88)
- Trailer dealers; exemptions from licensure. Amending § 46.2-1992. (Patron-Pollard, HB 340, CH 726)
- Trauma Center Fund; established to accept funds paid for DUI convictions. Adding § 18.2-270.01. (Patron-McDonnell, HB 1143, CH 999)
- Utility trailers; reflectors to be used on rear. Adding § 46.2-1088.4. (Patron-Reid, HB 429, CH 785)

**MOTORBOATS** See: Game, Inland Fisheries and Boating

**MOTORCYCLES** See: Motor Vehicles

**MOTORSPORTS COALITION** See: Commending Resolutions

**MOTT, JAMES** See: Memorial Resolutions

**MOUNT CROSS VOLUNTEER FIRE DEPARTMENT** See: Commending Resolutions

**MOUNT OLIVET UNITED METHODIST CHURCH** See: Commending Resolutions

**MOUNT VERNON-LEE CHAMBER OF COMMERCE** See: Commending Resolutions

**MS. VIRGINIA SENIOR AMERICA PAGEANT** See: Commending Resolutions

**MURDER** See: Crimes and Offenses Generally

**MUSEUMS** See: Arts and Humanities

**MUTNICK, MITCHELL I.** See: Judges Justices and Other Elective Officers

**MUZZLELOADING WEAPONS** See: Dangerous Weapons

**MYATT, EMILY W.** See: Memorial Resolutions

**NANDUA HIGH SCHOOL** See: Commending Resolutions

**NARCOTICS AND DRUGS**

- Controlled substances; eliminates certain required inventory by Division of Forensic Science. Amending § 54.1-3404. (Patron-McDougle, HB 783, CH 51)
- Counterfeit controlled substance; definition. Amending § 18.2-247. (Patron-Stolle, SB 325, CH 688)
- Criminal history records check; applicable to adult substance abuse treatment facilities. Amending §§ 37.1-183.3 and 37.1-197.2. (Patron-Devolites, SB 93)
- Drug Treatment Court Act; created, report. Adding § 18.2-254.1. (Patron-Lucas, SB 636)
- Drug Treatment Court Act; created, report. Amending §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8 and 18.2-251.02; adding § 18.2-254.1. (Patron-Kilgore, HB 1430, CH 1004)
- Drug treatment facility; jurisdiction when person charged with escape. Amending § 18.2-254. (Patron-Griffith, HB 324, CH 130)
- Health care and prescription drugs; Joint Commission on Health Care to study improving services and lowering costs to Medicaid recipients through public-private partnerships. (Patron-Bell, SJR 58)
- Health insurance; coverage for prescription contraceptives. Amending § 38.2-3407.5:1. (Patron-Howell, SB 594)
- Hospital pharmacies; filling and stocking of automated drug dispensing systems by pharmacy technicians. Amending § 54.1-3434.02. (Patron-Morgan, HB 690, CH 140)
- Mental health or substance abuse treatment initiative; Departments of Corrections and of Juvenile Justice to include an evaluation and reporting component that is established for offenders in their custody. (Patron-Martin, SJR 88)
- Methadone clinics; conditions for licensure of certain designed for treatment of persons with opiate addiction. Adding § 37.1-179.2. (Patron-Ware, O., HB 745, CH 845; Wampler, SB 607, CH 823)
- Methadone clinics; licensure conditions for certain. Adding § 37.1-179.2. (Patron-Bell, SB 312)
- Methadone clinics; licensure notice requirements for provider who treats person with opiate addiction. Adding § 37.1-179.1:01. (Patron-Edwards, SB 134)
- Nurse practitioner prescriptive authority; Board of Nursing to collect information thereon. (Patron-Bryant, HJR 205)
- Nurse Practitioners Prescriptive Authority; Report of Joint Commission on Health Care (Chapter 924, 2000 Acts). (HD 10)
- Pharmaceutical assistance programs and discount purchasing cards; development of a single application form, Commissioners of Health and of Department for Aging to report on development. Amending § 32.1-23.1. (Patron-Cline, HB 1202, CH 318)
- Pharmaceutical information; dissemination of Medicare benefits and training of senior citizen volunteers. Amending § 32.1-23.1. (Patron-Potts, SB 158, CH 73)
- Pharmacists; allowing collaborative agreements with practitioner of medicine, osteopathy, or podiatry to continue. Repealing second enactment of Chapters 895 and 1011, 1999 Acts. (Patron-Jones, S.C., HB 851, CH 853)
- Pharmacy, School of; established in Buchanan County. (Patron-Stump, HJR 118)
- Pharmacy technicians; registration of those who work in free clinics. Amending § 54.1-3321. (Patron-Orrock, HB 623, CH 47)
- Prescription Drug Payment Assistance Program; created, annual report on effectiveness. Adding §§ 32.1-366 through 32.1-372. (Patron-Deeds, SB 377)
- Prescription drugs; unlawful to assist individuals in procuring from a pharmacy or other source. Adding § 18.2-258.2. (Patron-O'Bannon, HB 632, CH 620)
- Sentencing guidelines; modification for use of methamphetamine. Adding § 17.1-807. (Patron-Obenshain, SB 484)
- Wildlife; prohibits use of drugs thereon. Adding § 29.1-508.1. (Patron-Hawkins, SB 261, CH 171)

**NATIONAL COURTESY WEEK** See: Holidays, Special Days, Etc.

**NATIONAL GUARD** See: Armed Forces

**NATIONWIDE INSURANCE** See: Commending Resolutions

**NATURAL GAS** See: Motor Fuels

**NATURAL RESOURCES, SECRETARY OF** See: Administration of the Government Generally

**NEIGHBORHOOD ASSISTANCE ACT** See: Welfare

**NELSON, CANDICE** See: Commending Resolutions

**NELSON, CAPTAIN O.** See: Memorial Resolutions

**NELSON COUNTY**

Admissions tax; imposition in Nelson County. Amending § 58.1-3818. (Patron-Deeds, SB 374)

Industrial access road funds; use in Colleen Industrial Park in Nelson County. Amending § 33.1-221. (Patron-Deeds, SB 373)

Transient occupancy tax; imposition in Nelson County. Amending § 58.1-3819. (Patron-Deeds, SB 375)

**NETHERTON, ANN ROHRKE “NAN”** See: Memorial Resolutions

**NEW KENT COUNTY**

License plates, special; issuance commemorating 350th anniversary of New Kent County. Adding § 46.2-749.101. (Patron-McDougle, HB 778)

New Kent County; commemorating its 350th anniversary. (Patron-McDougle, HJR 236)

**NEWMAN, STEPHEN D.**

Added as co-patron:

S.B. 371. . . . . 398

S.J.R. 79 . . . . . 597

H.J.R. 492 . . . . . 1753

Certification of election, oath . . . . . 3, 5

Notified Clerk of presence . . . . . 399

Statement on vote:

S.B. 30. . . . . 1065

**NEWPORT NEWS, CITY OF**

Newport News reservoir project; Marine Resources Commission to convey easement in bed of Mattaponi River to Newport News City. (Patron-Wagner, SB 420)

Public defender’s office; establishment in Newport News City. Amending § 19.2-163.2. (Patron-Hamilton, HB 583)

Retail Sales and Use Tax; entitles Newport News City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-BaCote, HB 1208, CH 566; Norment, SB 398, CH 506)

Urban system highway construction funds; increases allocation in Newport News City. Amending § 33.1-44. (Patron-Williams, SB 113)

**NEWS MEDIA**

Cable television services by certain localities; provisions. Amending § 15.2-2108.11. (Patron-Wampler, SB 280, CH 586)

Campaign advertisements; requirements for radio and television advertisements. Amending §§ 24.2-943 and 24.2-944. (Patron-Jones, S.C., HB 1363, CH 55)

Legal notices; publication in a newspaper. Amending § 8.01-324. (Patron-Devolites, SB 557)

Retail Sales and Use Tax; extends sunset provision for certain media-related businesses. Amending § 58.1-609.6. (Patron-Stosch, SB 533, CH 821)

Senate; prohibits use of television or other electronic signals generated thereby for political or commercial purpose. Adding § 30-9.1. (Patron-Wampler, SB 689)

Subdivision ordinances; provisions relating to cable television operators and public service corporations. Amending § 15.2-2241. (Patron-Oder, HB 715, CH 952)

**NEWSPAPERS** See: News Media

**NICHOLS, JOSEPH M.** See: Commending Resolutions

**NITROUS OXIDE** See: Dangerous or Hazardous Substances or Chemicals

**NIXON, SAMUEL A., JR.**

Added as co-patron:

S.B. 371 . . . . . 453

S.B. 428 . . . . . 256

**NONPROFIT ORGANIZATIONS** See: Charitable, Civic and Volunteer Institutions and Organizations

**NONSTOCK CORPORATIONS** See: Corporations

**NONSUPPORT** See: Domestic Relations

**NORFOLK, CITY OF**

Charter; amending. (Patron-Drake, HB 823, CH 52)

Elizabeth River; Governor to convey certain subaqueous lands to Norfolk City. (Patron-Howell, A.T., HB 949, CH 454)

House of Delegates districts; changes in boundaries in Norfolk City. Amending § 24.2-304.02. (Patron-Drake, HB 1320, CH 479)

Norfolk and Portsmouth Cities; joint subcommittee to study consolidation. (Patron-Joannou, HJR 142)

**NORFOLK SOUTHERN CORPORATION** See: Commending Resolutions

**NORMENT, THOMAS K., JR.**

Added as co-patron:

H.J.R. 492 . . . . . 1753

Certification of election, oath . . . . . 2, 5

**NORTH CAROLINA**

Virginia-North Carolina Interstate High-Speed Rail Compact; created. (Patron-Watkins, SB 126, CH 662)

**NORTHAMPTON COUNTY**

Northampton County; authorized to appropriate money from Glebe Fund for improvements to courthouse and related facilities. Amending § 57-3. (Patron-Rerras, SB 447, CH 595)

**NORTHERN VIRGINIA**

ABC stores; operation on Sunday in certain areas in Northern Virginia. Amending § 4.1-120. (Patron-Albo, HB 1314, CH 1002)

Dulles Corridor; issuance of transportation credit assistance revenue bonds for funding mass transit. Amending §§ 33.1-268, 33.1-269 and 33.1-277. (Patron-Callahan, HB 1005, CH 807)

High-occupancy vehicle (HOV) lanes; fines for violations in Northern Virginia. Amending § 33.1-46.2. (Patron-Mims, SB 508, CH 704)

Motor fuels tax; additional imposition in Northern Virginia transportation district. Amending § 58.1-1720. (Patron-Whipple, SB 458)

Northern Virginia Transportation Commission; commemorating its 40th anniversary. (Patron-Scott, J.M., HJR 481)

Real estate tax; allows Northern Virginia to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Colgan, SB 361, CH 503)

**NSTAR** See: Commending Resolutions

**NUISANCES**

Aquatic nuisance species, nonindigenous; control and eradication. Amending § 29.1-573. (Patron-McDonnell, HB 1142, CH 467)

Nuisances; abatement, sale of property for delinquent taxes, etc. Amending §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1. (Patron-Jones, D.C., HB 1456, CH 968)

**NUISANCES (continued)**

Nuisances; abatement shall constitute lien on property. Amending § 15.2-1115. (Patron-Suit, HB 438, CH 533)

**NUNN, FLOYD WILLIAM** See: Memorial Resolutions

**NURSES** See: Professions and Occupations

**NURSING HOMES** See: Health

**NUTTER, DAVID A.**

Added as co-patron:

S.B. 244. ....	181
S.B. 407. ....	273

**OAK KNOLL MIDDLE SCHOOL** See: Commending Resolutions

**OATHS, AFFIRMATIONS AND BONDS**

Pledge of Allegiance; encouraging Supreme Court to uphold public school district policy on recitation. (Patron-Cole, HJR 179)

**OATLANDS** See: Commending Resolutions

**O'BANNON, JOHN M., III**

Added as co-patron:

S.B. 124. ....	235
S.B. 367. ....	235
S.B. 368. ....	236

**OBENSHAIN, MARK D.**

Added as co-patron:

S.B. 139. ....	350
S.B. 346. ....	350
S.B. 371. ....	398
S.B. 445. ....	543
S.B. 579. ....	350
S.J.R. 91 . . . . .	350
H.J.R. 492 . . . . .	1753
Certification of election, oath; presented to Senate . . . . .	3, 5, 6
Leaves of absence. . . . .	1399, 1909
Notified Clerk of presence . . . . .	370, 415, 1076

**O'BRIEN, JAMES K., JR.**

Added as co-patron:

S.B. 181. ....	557
S.B. 360. ....	235
S.B. 361. ....	235
S.B. 371. ....	398
S.J.R. 79 . . . . .	597
S.J.R. 91 . . . . .	635
H.J.R. 492 . . . . .	1753
Addressed Senate in honor of former President Ronald Wilson Reagan; requested adjournment in honor. . . . .	481
Certification of election, oath . . . . .	4, 5
Leaves of absence. . . . .	1781, 1909
Notified Clerk of presence . . . . .	1698

**O'BRIEN, WILLIAM G.** See: Commending Resolutions

**OBSCENITY AND PORNOGRAPHY** See: Crimes and Offenses Generally

**OBSTRUCTION OF JUSTICE** See: Crimes and Offenses Generally

**OCCONEECHEE STATE PARK** See: Public Buildings, Facilities and Property

**OCCOQUAN, TOWN OF**

License plates, special; issuance commemorating 200th anniversary of Town of Occoquan. Adding § 46.2-749.101. (Patron-McQuigg, HB 254)

Occoquan, Town of; commemorating its 200th anniversary. (Patron-McQuigg, HJR 74)

**OCCUPATIONAL THERAPY** See: Professions and Occupations

**OGE ENERGY CORPORATION** See: Commending Resolutions

**OIL SPILLAGE** See: Waters of the State, Ports and Harbors

**O'NEIL, PINKY** See: Commending Resolutions

**OPIATE** See: Narcotics and Drugs

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Health insurance; abolishes optional supplemental insurance credit for retired state employees. Repealing § 51.1-1404 and second enactment of Chapter 385, 1999 Acts. (Patron-Miles, HB 16, CH 76)

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- Retirement System; credit for prior service as a substitute teacher. Amending § 51.1-142.2. (Patron-Ticer, SB 476)
- Retirement System; creditable compensation of certain law-enforcement officers employed at airports. Amending § 51.1-124.3. (Patron-Wagner, SB 422)
- Retirement System; electronic communication to State and local members. Amending §§ 51.1-1000 through 51.1-1003; adding § 51.1-1004. (Patron-Lambert, SB 599, CH 209)
- Retirement System; includes Breaks Interstate Park Commission. Amending § 51.1-124.3. (Patron-Puckett, SB 254)
- Retirement System; joint subcommittee to study and review benefits of public safety officers who are injured in line of duty. (Patron-Putney, HJR 34)
- Retirement System; procedure when employer in default. Amending § 51.1-139. (Patron-Stosch, SB 541, CH 207)
- Retirement System; purchase of prior service credit by certain local government chief executive officers. Adding § 51.1-142.4. (Patron-Potts, SB 157)
- Retirement System; recouping of overpayments of benefits. Amending § 51.1-124.22. (Patron-Tata, HB 200, CH 80)
- Retirement System; service credit for state employees when no general salary increase. Amending § 51.1-142.2. (Patron-Wagner, SB 431)
- Retirement System Board of Trustees; confirming appointments. (Patron-Howell, W.J., HJR 518)
- School boards; employment of turnaround specialists for identification of factors that may impede academic success, retirement benefits. Amending § 22.1-199.1; adding §§ 51.1-617 and 51.1-618. (Patron-Hamilton, HB 576, CH 436)
- Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending § 51.1-1112. (Patron-Ingram, HB 699, CH 96)
- Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending §§ 51.1-1113 and 51.1-1124. (Patron-Ingram, HB 701, CH 97)
- Sickness and Disability Program; changes in short-term coverage for state employees. Amending § 51.1-1110. (Patron-Devolites, SB 628, CH 1019)
- Sickness and Disability Program; collection of disability overpayments. Amending § 51.1-1114. (Patron-Ingram, HB 703, CH 99)
- Sickness and Disability Program; program actuary. Amending §§ 51.1-1117, 51.1-1123 and 51.1-1133. (Patron-Ingram, HB 702, CH 98)
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- State Police Officers' and Law Officers' Retirement Systems; service requirements. Amending §§ 51.1-138, 51.1-205 and 51.1-216. (Patron-Pollard, HB 334, CH 83)
- State Police Officers' Retirement System; increases retirement allowance for service rendered in hazardous position. Amending §§ 51.1-138, 51.1-202, 51.1-205, 51.1-206, 51.1-207, 51.1-208 and 51.1-217. (Patron-Stolle, SB 332)
- Unemployment compensation; eliminates offset for retirement benefits. Amending § 60.2-604. (Patron-Watkins, SB 128)

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- Income tax, corporate; extends sunset provision for tax credit for machinery and equipment used to produce personal property from recyclable materials. Amending § 58.1-439.7. (Patron-Hawkins, SB 690, CH 611)
- Mobile property tax, local; appeal for correction of assessment. Amending §§ 58.1-3103 and 58.1-3983.1. (Patron-Drake, HB 464, CH 534)
- Personal property exempt from taxation; includes trailers used to transport farm animals or other farm products. Amending §§ 58.1-3505 and 58.1-3506. (Patron-Cole, HB 1030, CH 556)
- Personal property exempt from taxation; includes vehicles owned by certain members of volunteer rescue and fire organizations. Amending § 58.1-3506. (Patron-Orrock, HB 143, CH 4; Houck, SB 349, CH 591)

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- Personal Property Tax Relief Act of 1998; payments when taxes paid in full. Amending § 58.1-3528. (Patron-Ingram, HB 926, CH 547)
- Property exempt from taxation; provisions for certain charitable and other related organizations. Amending §§ 58.1-3400 and 58.1-3651. (Patron-Parrish, HB 1076, CH 557)
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- Tax information; release to aid in locating holders of unclaimed property. Amending § 58.1-3. (Patron-Colgan, SB 166, CH 582)
- Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 3.1-1111, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-339.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3833 and 58.1-3840; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395, 58.1-628.2 and 58.1-1017.1; repealing §§ 58.1-611.1, 58.1-627, 58.1-628, 58.1-3536, 58.1-3830, 58.1-3831 and 58.1-3832. (Patron-Hanger, SB 530)
- Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840 and 58.1-3912; adding §§ 32.1-366, 32.1-367, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-390, 58.1-394 and 58.1-3831. (Patron-Chichester, SB 467)

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- Assistive Technology Loan Fund Authority; powers. Amending §§ 51.5-53 and 51.5-56. (Patron-Bryant, HB 354, CH 728)
- Blind, Advisory Boards for Industries for; combining of regional boards. Amending § 51.5-72; adding § 51.5-72.1. (Patron-Cox, HB 12, CH 13)
- Children with disabilities; special education services for those placed across jurisdictional lines. Amending § 2.2-5211. (Patron-Nixon, HB 1047, CH 631)
- Disability Commission; created, report. Adding §§ 30-226 through 30-233. (Patron-Van Landingham, HB 817, CH 992; Puller, SB 381, CH 1015)
- Disabled children; school divisions to identify those placed in a mental health facility. Amending § 22.1-215. (Patron-O'Brien, SB 299)
- Disabled, Interagency Coordinating Council on Housing for; abolished. Repealing §§ 2.2-2640 and 2.2-2641. (Patron-Athey, HB 206, CH 16; Ruff, SB 8, CH 153)
- Disabled parking license plates and placards; issuance to parents and legal guardians of persons with disabilities. Amending §§ 46.2-604 and 46.2-731. (Patron-Colgan, SB 362, CH 692)
- Disabled persons; allows use of various motorized vehicles along trail of Buffalo Mountain in Floyd County. (Patron-Reynolds, SB 193)
- Interpreters for non-English speaking persons in mental commitment proceedings; provisions. Adding § 37.1-67.5:01. (Patron-Marsh, SB 24, CH 243)
- Line of Duty Act; definition of disabled employee. Amending §§ 9.1-400 and 9.1-404. (Patron-Potts, SB 28)
- Medical assistance services; eligibility for aged and disabled individuals. Amending § 32.1-325. (Patron-Reynolds, SB 195)
- Protection and Advocacy, Office for; confirming appointments. (Patron-Ingram, HJR 275)
- Real estate tax; allows Charlottesville City to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Van Yahres, HB 154, CH 5)
- Real estate tax; allows Goochland County to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Janis, HB 403, CH 6; Watkins, SB 122, CH 494)

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- Real estate tax; allows Northern Virginia to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Colgan, SB 361, CH 503)
- Real estate tax; alternative payment schedules for elderly and handicapped. Adding § 58.1-3916.02. (Patron-Colgan, SB 645)
- Real estate tax; alternative payment schedules for elderly and handicapped persons in Prince William County. Adding § 58.1-3916.02. (Patron-Frederick, HB 928, CH 548)
- Real estate tax; deferral for certain disabled military veterans. Amending § 58.1-3211. (Patron-Deeds, SB 248)
- Real estate tax; increases amount of land acreage owned by elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 97, CH 78)
- Real estate tax; increases certain asset threshold amounts for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 94, CH 77)
- Rehabilitation Providers, Advisory Board on; abolished. Amending § 54.1-3510; repealing §§ 54.1-3511 and 54.1-3512. (Patron-Cox, HB 7, CH 10)
- Richmond Metropolitan Authority; free use of toll facilities by quadriplegics. Amending § 33.1-252. (Patron-Martin, SB 57, CH 655)
- Students With Disabilities, Ratios of Those With Individualized Education Plans in School Divisions to General Student Population; Report of Department of Education (SJR 305, 2003). (SD 3)
- Telephonic reading services; created. Adding §§ 56-484.7:5 and 56-484.7:6. (Patron-Petersen, HB 798, CH 849)

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Cigarettes; tax increased, use for funding police and teacher salaries and Medicaid. Amending §§ 58.1-1001, 58.1-3830, 58.1-3831 and 58.1-3840. (Patron-Potts, SB 269)

Concealed weapons; carrying by certain law-enforcement officers. Amending § 18.2-308. (Patron-Cline, HB 1205, CH 926)

Concealed weapons; exempts certain retired law-enforcement officers from permit fees. Amending § 18.2-308. (Patron-Devolites, SB 99, CH 876)

Concealed weapons; exempts retired officers from U.S. Marshals Service from permit fees. Amending § 18.2-308. (Patron-O'Brien, SB 287)

Concealed weapons; reciprocity agreements for law-enforcement officers. Amending § 18.2-308. (Patron-Williams, SB 341, CH 885)

Freedom of Information Act; exempts numbers for cell phones, pagers, etc., of law-enforcement personnel. Amending § 2.2-3706. (Patron-May, HB 538, CH 735; O'Brien, SB 297, CH 685)

Law Officers' Retirement System; includes juvenile probation and parole officers. Amending § 51.1-212. (Patron-Colgan, SB 164)

Law Officers' Retirement System; includes managers of political subdivisions. Amending § 51.1-138. (Patron-Wampler, SB 279)

Law Officers' Retirement System; retirement benefits of persons in a hazardous position. Amending § 51.1-206. (Patron-Hawkins, SB 311, CH 687)

Law-enforcement officer; definition. Amending § 18.2-433.1. (Patron-Sherwood, HB 67, CH 263)

Law-enforcement officer certification examination; waiver based on previous experience. Amending § 15.2-1706. (Patron-Weatherholtz, HB 1299, CH 477)

Law-enforcement officers; issuance of photo identification cards for those retired. Adding § 9.1-1000. (Patron-Houck, SB 648, CH 419)

Liability insurance for localities; includes fire department and police department operational medical directors, and physician course directors. Amending § 15.2-1518. (Patron-Sickles, HB 1485, CH 648)

License plates, special; issuance to retired law-enforcement officers. Adding § 46.2-746.8:2. (Patron-Moran, HB 1110)

Missing children; increases age allowed for reporting, information to be entered into Criminal Information Network. Amending §§ 15.2-1718 and 52-32. (Patron-Howell, SB 317, CH 248)

Police; allows private higher educational institutions to enter into reciprocal agreements with outside localities. Amending § 15.2-1727. (Patron-Weatherholtz, HB 1392, CH 769)

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- Racial Profiling and Traffic Statistics Reporting Act; created, report. Amending §§ 15.2-1704, 15.2-1722 and 52-4; adding §§ 8.01-226.2:1, 52-30.1 and 52-30.2. (Patron-Marsh, SB 225)
- Retirement System; creditable compensation of certain law-enforcement officers employed at airports. Amending § 51.1-124.3. (Patron-Wagner, SB 422)
- State Police Officers' and Law Officers' Retirement Systems; service requirements. Amending §§ 51.1-138, 51.1-205 and 51.1-216. (Patron-Pollard, HB 334, CH 83)

**POLICE, STATE**

- Amber Alert system; use. Amending § 52-34.3. (Patron-Athey, HB 214, CH 270)
- Applicant Fingerprint Database; created for State Police to use in criminal background checks. Adding § 52-46. (Patron-Saslaw, SB 634, CH 826)
- Campbell, Anthony Daryl; widow awarded service handgun which he used as a member of Department of State Police. (Patron-Rerras, SB 623, CH 257)
- Commercial motor vehicle safety; State Police to regulate hours of service. Amending § 52-8.4. (Patron-Orrock, HB 516, CH 23)
- Motor vehicle insurance; assessment for State Police Training and Retention Fund. Adding § 38.2-401.2. (Patron-Deeds, SB 376)
- Racial Profiling and Traffic Statistics Reporting Act; created, report. Amending §§ 15.2-1704, 15.2-1722 and 52-4; adding §§ 8.01-226.2:1, 52-30.1 and 52-30.2. (Patron-Marsh, SB 225)
- State police officers; salary increases, review by Department of Human Resource Management. Amending § 2.2-1202; adding § 2.2-1509.3. (Patron-Potts, SB 559)
- State Police Officers' and Law Officers' Retirement Systems; service requirements. Amending §§ 51.1-138, 51.1-205 and 51.1-216. (Patron-Pollard, HB 334, CH 83)
- State Police Officers' Retirement System; increases retirement allowance for service rendered in hazardous position. Amending §§ 51.1-138, 51.1-202, 51.1-205, 51.1-206, 51.1-207, 51.1-208 and 51.1-217. (Patron-Stolle, SB 332)
- Statewide Agencies Radio System (STARS); financing through bonds. (Patron-Stolle, SB 39, CH 491)
- Statewide Agencies Radio System (STARS); financing through bonds and vehicle rental fees. Amending §§ 58.1-2402 and 58.1-2425. (Patron-Sherwood, HB 106, CH 522)
- Statewide Agencies Radio System (STARS); Secretary of Public Safety to implement. (Patron-Stolle, SB 608, CH 824)
- Unclaimed property; sale and disposal by State Police. Adding §§ 52-11.4 and 52-11.5. (Patron-Miles, HB 360, CH 427)

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- York County Circuit Court; name changed to York County-Poquoson Circuit Court. (Patron-Gear, HB 605, CH 618)

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- Industrial development authorities; Portsmouth City authorized to refer thereto as an economic development authority. Amending § 15.2-4903. (Patron-Melvin, HB 1369)
- Norfolk and Portsmouth Cities; joint subcommittee to study consolidation. (Patron-Joannou, HJR 142)

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**POWHATAN COUNTY**

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**PRINCE EDWARD COUNTY**

Prince Edward County; commemorating its 250th anniversary. (Patron-Hogan, HJR 139)

**PRINCE WILLIAM COUNTY**

- Action in Community through Service of Prince William County; commemorating its 35th anniversary. (Patron-McQuigg, HJR 214)
- Commercial vehicles; parking regulations in Fairfax, Arlington and Prince William Counties. Amending § 46.2-1222.1. (Patron-Ticer, SB 471, CH 702)
- License plates, special; issuance commemorating 275th anniversary of County of Prince William. Adding § 46.2-749.101. (Patron-Frederick, HB 1170; Colgan, SB 360)
- Real estate tax; alternative payment schedules for elderly and handicapped persons in Prince William County. Adding § 58.1-3916.02. (Patron-Frederick, HB 928, CH 548)
- Route 1 corridor in Fairfax and Prince William Counties; recognizing need for various transit options therein. (Patron-Puller, SJR 39)

**PRISONERS** See: Prisons and Other Methods of Correction

**PRISONS AND OTHER METHODS OF CORRECTION**

- Adult Offenders, Interstate Compact for Supervision of; created. Amending §§ 53.1-172 and 53.1-174; adding §§ 53.1-176.1, 53.1-176.2 and 53.1-176.3. (Patron-Rerras, SB 448, CH 407)
- Community-based programs for adults; Board of Correctional Education to develop. Amending §§ 22.1-340, 22.1-342 and 22.1-343. (Patron-Moran, HB 1108, CH 465)
- Compulsory school attendance; not applicable to certain persons in an adult correctional facility. Amending §§ 22.1-254 and 22.1-254.2. (Patron-Reynolds, SB 404, CH 251)
- Constitutional amendment; restoration of civil rights for certain felons (second reference). Amending Section 1 of Article II. (Patron-Miller, SJR 4)
- Constitutional amendment; restoration of civil rights for certain felons (submitting to qualified voters). Amending Section 1 of Article II. (Patron-Miller, SB 17)
- Correctional facilities; use of store profits for pre-release and post-release employment and housing assistance. Amending §§ 53.1-27, 53.1-115.2 and 53.1-127.1. (Patron-Ticer, SB 613)
- Correctional facilities; use of store profits for pre-release and post-release reentry and transition services. Amending § 53.1-27. (Patron-Bell, SB 615, CH 417)
- Correctional facilities; utilization of private contracts. (Patron-Saxman, HB 1042, CH 861)
- Corrections, Board of; membership. Amending §§ 53.1-2, 53.1-4 and 53.1-6. (Patron-Locke, SB 441)
- Courthouse and courtroom security; funds from fees to be used for equipment. Amending § 53.1-120. (Patron-Keister, HB 504, CH 432; Edwards, SB 214, CH 390)

**PRISONS AND OTHER METHODS OF CORRECTION (continued)**

- Death penalty; moratorium on executions. (Patron-Marsh, SB 47)
- Felons; restoration of civil rights to be eligible to register to vote. Amending § 53.1-231.2. (Patron-Puller, SB 82)
- Felony cases; transmission of prisoner orders. Amending § 19.2-310. (Patron-Norment, SB 238)
- Highway maintenance and construction projects; use of jail inmates. Adding § 33.1-223.2:9. (Patron-Norment, SB 637)
- Inmate Data System; maintenance by Compensation Board, recouping costs associated with incarcerating undocumented aliens. (Patron-Cox, HB 235, CH 82)
- Inmates; allows sheriff or jail superintendent to charge for keep. Amending § 53.1-131.3. (Patron-Albo, HB 150)
- Jail deputies; number. Adding § 15.2-1609.1:01. (Patron-Stolle, SB 170)
- Law Officers' Retirement System; includes juvenile probation and parole officers. Amending § 51.1-212. (Patron-Colgan, SB 164)
- Mandatory minimum punishment; definition. Amending §§ 4.1-305, 18.2-36.1, 18.2-51.1, 18.2-53.1, 18.2-57, 18.2-121, 18.2-154, 18.2-248, 18.2-248.01, 18.2-248.1, 18.2-248.5, 18.2-255, 18.2-255.2, 18.2-270, 18.2-308.1, 18.2-308.2, 18.2-308.2:2, 18.2-308.4, 19.2-120, 30-19.1:4, 46.2-301, 46.2-341.28, 46.2-357, 46.2-391, 53.1-116 and 53.1-203; adding § 18.2-12.1. (Patron-McDonnell, HB 1059, CH 461)
- Mental health or substance abuse treatment initiative; Departments of Corrections and of Juvenile Justice to include an evaluation and reporting component that is established for offenders in their custody. (Patron-Martin, SJR 88)
- Motor vehicles; registration of those owned by regional jail authorities. Amending § 46.2-750. (Patron-Kilgore, HB 83, CH 721)
- Offenders with mental illness or substance abuse disorders; Department of Mental Health, Mental Retardation and Substance Abuse Services to provide nonfinancial assistance in developing projects designed to divert individuals from jail or secure detention. (Patron-Mims, SJR 81)
- Pardons, Commutations, Reprieves and Other Forms of Clemency; List of. (SD 2)
- Parenting programs; created within Department of Correctional Education. Adding § 22.1-345.1. (Patron-Watts, HB 792, CH 912; Devolites, SB 98, CH 875)
- Parole; mandatory release. Amending § 53.1-159. (Patron-Ticer, SB 474; Quayle, SB 658)
- Prisoner Litigation Reform Act; changes in provisions. Amending § 8.01-690. (Patron-Marsh, SB 49)
- Prisoners; earning of good conduct credit. Amending § 53.1-116. (Patron-Norment, SB 389, CH 400)
- Prisoners; good conduct allowance for Reading for Good Time credits program. Adding § 53.1-151.1. (Patron-Marsh, SB 89)
- Prisoners; good conduct allowance, mandatory functional literacy requirement. Adding § 53.1-151.1. (Patron-Marsh, SB 75)
- Prisoners; participation in residential community programs prior to release. Amending § 53.1-155.1. (Patron-Miller, SB 43; Puller, SB 83)
- Roadway litter pick-up; civil immunity of officials and volunteers who participate in programs for probationers. Adding § 8.01-226.8. (Patron-Stump, HB 534, CH 434)
- Roadway litter pick-up; civil immunity of officials who participate in programs for probationers and persons on community service. Adding § 8.01-226.8. (Patron-Puckett, SB 72, CH 387)
- Staunton Correctional Center; Governor to sell and convey. (Patron-Hanger, SB 516, CH 705)
- Unemployment compensation; definition of employment services as it relates to prison inmates. Amending §§ 60.2-219, 60.2-528 and 60.2-618. (Patron-Hogan, HB 529, CH 977)

**PRIVATE DETECTIVES AND PRIVATE SECURITY** See: Professions and Occupations

**PRIVILEGES AND ELECTIONS, COMMITTEE ON**

Members listed . . . . . 35, 177

**PROBATION AND PAROLE** See: Prisons and Other Methods of Correction

**PROCESS** See: Civil Remedies and Procedure

**PROCUREMENT ACT, PUBLIC** See: Contracts

**PROFESSIONAL AND OCCUPATIONAL REGULATION** See: Professions and Occupations

**PROFESSIONS AND OCCUPATIONS**

- Accountancy Trust Account, Board of; established as supplemental source funding for Board of Accountancy. Amending §§ 54.1-4400, 54.1-4402, 54.1-4403, 54.1-4407, 54.1-4409, 54.1-4410, 54.1-4412, 54.1-4413 and 54.1-4414; adding §§ 54.1-4405.1 and 54.1-4413.1. (Patron-Stosch, SB 539, CH 602)
- Asbestos, Lead, and Home Inspectors, Board for; summary suspension of licenses or approvals. Adding § 54.1-516.1. (Patron-Drake, HB 462, CH 222)
- Asbestos or lead abatement activities; necessity for license. Amending § 54.1-503. (Patron-Drake, HB 463, CH 133)
- Athletic trainers; licensure. Amending §§ 54.1-2957.4, 54.1-2957.5 and 54.1-2957.6. (Patron-Potts, SB 159, CH 669)
- Auctioneers; continuing education. Adding § 54.1-603.1. (Patron-Dillard, HB 1022, CH 956)
- Barbers and Cosmetologists, Board for; membership. Amending § 54.1-702. (Patron-Albo, HB 124, CH 945)
- Barbers, cosmetologist or nail technicians; designation of shop or salon prior to issuance of license. Amending § 54.1-703; adding § 54.1-703.01. (Patron-O'Brien, SB 624)
- Birth-Related Neurological Injury Compensation Act; increases participating physician and hospital assessment. Amending §§ 38.2-5001, 38.2-5009 and 38.2-5020. (Patron-Tata, HB 1407, CH 931; Devolites, SB 687, CH 896)
- Career and technical education; recognizing leadership and contributions of local advisory councils. (Patron-Hamilton, HJR 126)
- Career and technical education; to be included in curriculum. Amending § 22.1-253.13:1. (Patron-Hurt, HB 769, CH 848)
- Career-training schools; regulation. Amending §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11 and 54.1-3029; adding §§ 23-276.13, 23-276.14 and 23-276.15; repealing §§ 22.1-326.1, 22.1-333, 22.1-334 and 22.1-335. (Patron-Tata, HB 637, CH 991)
- Cemeteries; authorization for interment. Amending §§ 54.1-2313, 54.1-2324 and 54.1-2333; adding § 57-27.3. (Patron-O'Brien, SB 303, CH 247)
- Certified Practices, Advisory Committee on; abolished. Amending §§ 54.1-3600 and 54.1-3605; repealing §§ 54.1-3609 and 54.1-3610. (Patron-Cox, HB 8, CH 11)
- Child abuse or neglect; reporting requirements by ministers of religion. Amending § 63.2-1509. (Patron-Howell, SB 314)
- Child day programs; exempts certain martial arts programs from licensure. Amending § 63.2-1715. (Patron-Martin, SB 66)
- Contractors; certification, debarment procedures. Amending § 2.2-4321; adding § 2.2-4312.1. (Patron-Reese, HB 73)
- Contractors; classification of those engaged in business of storing, maintaining, or repairing vessels for local license tax purposes. Amending § 58.1-3714. (Patron-Norment, SB 424)
- Contractors, Board for; exemptions from licensure. Amending § 54.1-1101. (Patron-Drake, HB 831, CH 189)
- Contractors, Board for; prohibited acts, misrepresentation, penalty. Amending § 54.1-1115. (Patron-Watts, HB 422, CH 131)
- Controlled substances; eliminates certain required inventory by Division of Forensic Science. Amending § 54.1-3404. (Patron-McDougle, HB 783, CH 51)
- Death; pronouncement by physician assistants. Amending § 54.1-2972. (Patron-Lucas, SB 555, CH 92)
- Dental amalgams containing mercury; regulations. Adding § 54.1-2711.1. (Patron-Miller, SB 187)
- Dental hygienists; continuing education. Amending § 54.1-2729. (Patron-Hogan, HB 524, CH 137)
- Dental plan organizations; provisions. Amending §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800 and 58.1-2501; adding §§ 38.2-6100 through 38.2-6113. (Patron-Potts, SB 156, CH 668)

**PROFESSIONS AND OCCUPATIONS (continued)**

- Dentistry or dental hygiene; temporary licenses to persons enrolled in advanced dental education programs. Amending § 54.1-2712; adding § 54.1-2711.1. (Patron-Hamilton, HB 1049, CH 754)
- Dentists; practice in certain dental clinics. Amending §§ 54.1-2715, 54.1-2717 and 54.1-2718. (Patron-O'Bannon, HB 626, CH 48)
- Design-build contracts; license requirements. Amending § 54.1-1103. (Patron-Jones, S.C., HB 849, CH 190)
- Design-build contracts; license requirements. Amending § 54.1-406. (Patron-Jones, S.C., HB 854, CH 191)
- Elevator mechanics; certification. Adding §§ 54.1-1140 through 54.1-1143. (Patron-Drake, HB 829, CH 188)
- Health care provider professional services; civil recovery of payment. Adding § 8.01-27.3. (Patron-Albo, HB 565, CH 909)
- Health insurance; includes physicians in prohibition against refusing to accept assignments. Amending §§ 2.2-2818 and 38.2-3407.13. (Patron-Williams, SB 105)
- Health professionals; disciplinary proceedings and reporting requirements. Amending §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480; adding §§ 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8; repealing §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615. (Patron-Hamilton, HB 577, CH 64)
- Hospital pharmacies; filling and stocking of automated drug dispensing systems by pharmacy technicians. Amending § 54.1-3434.02. (Patron-Morgan, HB 690, CH 140)
- Involuntary mental commitment hearing; petitioner may be represented by certain law students. Amending § 54.1-3900. (Patron-Cuccinelli, SB 674)
- Itinerant merchants; regulation. Adding § 54.1-4306. (Patron-Cosgrove, HB 283, CH 127)
- Legal aid societies; contributions. Amending § 54.1-3916. (Patron-Kilgore, HB 1173)
- Legal aid societies; funding. Amending § 17.1-278. (Patron-Kilgore, HB 1172, CH 925)
- Licensure by Board for Contractors; Department of Professional and Occupational Regulation and Board for Contractors to establish pilot program for local enforcement. (Patron-McQuigg, HB 454, CH 789; O'Brien, SB 285, CH 776)
- Medical complaint investigation committees and medical and psychological practices audit committees; abolished. Repealing §§ 54.1-2922, 54.1-2923 and 54.1-3613. (Patron-Athey, HB 211, CH 40; Martin, SB 5, CH 68)
- Medical equipment supplier; exempts license requirement as a wholesale distributor. Amending § 54.1-3435.02. (Patron-Jones, S.C., HB 852, CH 854)
- Medical treatment options; physician disclosure. Amending § 38.2-3405; adding § 54.1-2963.1. (Patron-Marsh, SB 224, CH 675)
- Midwifery; licensing. Adding §§ 54.1-2957.7 through 54.1-2957.13. (Patron-Hamilton, HB 581)
- Morning-after pill; parental consent for minors required. Amending § 54.1-2969; adding § 54.1-2969.1. (Patron-Byron, HB 1403)
- Neighborhood Assistance Act; tax credit for donations of professional services. Amending § 63.2-2004. (Patron-Cosgrove, HB 285, CH 725; Obenshain, SB 81, CH 657)
- Nurse practitioner prescriptive authority; Board of Nursing to collect information thereon. (Patron-Bryant, HJR 205)
- Nurse practitioners; authorized to sign various forms and certificates. Amending §§ 2.2-2818, 32.1-46, 32.1-50, 32.1-60, 32.1-64.1, 32.1-138, 32.1-325, 32.1-331.15, 45.1-161.35, 45.1-161.70, 45.1-161.292:43, 46.2-208, 46.2-322, 53.1-22, 54.1-3812, 59.1-297, 59.1-298, 59.1-310.4 and 63.2-1808; adding § 54.1-2957.02. (Patron-Jones, S.C., HB 855, CH 855)
- Nurse Practitioners Prescriptive Authority; Report of Joint Commission on Health Care (Chapter 924, 2000 Acts). (HD 10)
- Nurses; multistate licensure privilege. Amending §§ 32.1-127.1:03, 32.1-127.3, 54.1-105, 54.1-106, 54.1-111, 54.1-2400, 54.1-2400.2, 54.1-2401, 54.1-2403.01, 54.1-2403.1, 54.1-2403.2, 54.1-2408.1, 54.1-2409, 54.1-2409.1, 54.1-2906, 54.1-2907, 54.1-3000, 54.1-3005, 54.1-3008, 54.1-3009, 54.1-3016, 54.1-3019 and 63.2-1805. (Patron-O'Bannon, HB 633, CH 49)
- Occupational therapy; certification requirements. Amending §§ 54.1-2956.1, 54.1-2956.3, 54.1-2956.4 and 54.1-2956.5. (Patron-Purkey, HB 309, CH 61)

**PROFESSIONS AND OCCUPATIONS (continued)**

- Optometrists; causes for revocation or suspension of license or reprimand. Amending § 54.1-3215. (Patron-Quayle, SB 272)
- Optometry; practice and licensure. Amending §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303. (Patron-Jones, S.C., HB 856, CH 744)
- Oral health care; joint subcommittee to study access to and costs thereof. (Patron-Marsh, SJR 24)
- Patient records; transfer or copies in conjunction with sale or relocation of practice. Amending § 54.1-2405. (Patron-O'Bannon, HB 875, CH 53)
- Perpetual care trust funds and preneed burial contracts; Cemetery Board to appoint a receiver to oversee cemetery operations. Amending §§ 54.1-2316 and 54.1-2322; adding § 54.1-2313.1. (Patron-Jones, S.C., HB 857, CH 192)
- Pharmacists; allowing collaborative agreements with practitioner of medicine, osteopathy, or podiatry to continue. Repealing second enactment of Chapters 895 and 1011, 1999 Acts. (Patron-Jones, S.C., HB 851, CH 853)
- Pharmacy, School of; established in Buchanan County. (Patron-Stump, HJR 118; Puckett, SJR 49)
- Pharmacy technicians; registration of those who work in free clinics. Amending § 54.1-3321. (Patron-Orrrock, HB 623, CH 47)
- Physician-patient relationships; effect of certain emergency department treatment. Adding § 54.1-2962.2. (Patron-Potts, SB 160, CH 878)
- Podiatry; practice, definition. Amending § 54.1-2900. (Patron-Welch, HB 409, CH 731)
- Podiatry; specialty board certification. Amending § 54.1-2910.1. (Patron-Mims, SB 498, CH 703)
- Private security services professionals; includes certified detector canine handlers. Amending §§ 9.1-138 and 9.1-139. (Patron-Scott, J.M., HB 1193, CH 470)
- Procurement Act, Public; contracts for architectural or professional engineering services. Amending § 2.2-4301. (Patron-Saxman, HB 1039, CH 458)
- Professional and Occupational Regulation, Department of; consideration of complaint information from public sources. Amending § 54.1-307.1. (Patron-Shannon, HB 716, CH 297)
- Professional licensees; expiration of continuing education requirements for regulants who are on active military duty. Amending third enactment of Chapter 998, 2003 Acts. (Patron-Bolling, SB 573, CH 1017)
- Registered nurses; Secretary of Health and Human Resources to establish task force to examine issues relating to screening and testing pursuant to Medicaid program. (Patron-Lambert, SJR 45)
- Rehabilitation Providers, Advisory Board on; abolished. Amending § 54.1-3510; repealing §§ 54.1-3511 and 54.1-3512. (Patron-Cox, HB 7, CH 10)
- Retail Sales and Use Tax; exemptions for certain contractors. Amending § 58.1-610. (Patron-Devolites, SB 91)
- Risk management plans; coverage for claims against attorneys. Amending § 2.2-1839. (Patron-Melvin, HB 69, CH 121)
- Risk management plans; includes medical malpractice liability insurance for physicians and sole community hospitals. Amending § 2.2-1839; adding § 2.2-1839.1. (Patron-Newman, SB 601, CH 822)
- Vocational rehabilitation counselors; certification. Amending §§ 54.1-3513 and 65.2-603. (Patron-Morgan, HB 270, CH 271)
- Workers' compensation; allows choice of physician. Amending §§ 65.2-101 and 65.2-603. (Patron-Miller, SB 56)

**PROGRESS ENERGY, INC.** See: Commending Resolutions

**PROJECT LIFESAVER** See: Emergency Services and Vehicles

**PROPERTY AND CONVEYANCES**

- Blighted or deteriorated properties; Housing Study Commission to study impact on older urban communities. (Patron-Lucas, SJR 95)
- Building Code; inspection of rental property, including elevators. Amending § 36-105; adding § 36-105.1:1. (Patron-Drake, HB 828, CH 851)
- Civil cases; judgment in cases arising out of a trustee's deed following foreclosure. Amending § 8.01-129. (Patron-Reese, HB 46, CH 343)

**PROPERTY AND CONVEYANCES (continued)**

- Condominium Act; responsibility for insurance deductibles. Amending § 55-79.81. (Patron-Hargrove, HB 555, CH 281)
- Condominium and Property Owners' Association Acts; fees related to providing statements of assurance, resale certificate or disclosure packet. Amending §§ 55-79.97 and 55-512. (Patron-Whipple, SB 449)
- Condominium and Property Owners' Association Acts; foreclosure on liens. Amending §§ 55-79.84 and 55-516. (Patron-Mims, SB 503, CH 779)
- Condominium and Property Owners' Association Acts; unit or lot sold in a nonjudicial foreclosure proceeding shall be sold subject to prior liens. Amending §§ 55-79.84 and 55-516. (Patron-McQuigg, HB 449, CH 786; Whipple, SB 463, CH 778)
- Constitutional amendment; exempts certain property from taxation (first reference). Amending Section 6 of Article X. (Patron-Edwards, SJR 17)
- Deed of trust or other lien; lien creditor to directly file a certificate of satisfaction. Amending § 55-66.3. (Patron-Mims, SB 505, CH 596)
- Deeds of trust; notice of sale shall include instrument number or deed book and page numbers. Amending § 55-59.1. (Patron-Athey, HB 1264, CH 1001)
- Deeds of trust; those that secure a loan deemed purchase money trusts. Amending § 55-60. (Patron-Mims, SB 504, CH 253)
- Divorce; property distribution. Amending § 20-107.3. (Patron-Moran, HB 1111, CH 757; Puller, SB 51, CH 654)
- Elizabeth River; Governor to convey certain subaqueous lands to Norfolk City. (Patron-Howell, A.T., HB 949, CH 454)
- Elizabeth River; Marine Resources Commission to grant easement to VEPCO for electrical transmission lines. (Patron-Suit, HB 1436, CH 483)
- Eminent domain; remedies of certain landowners whose property is condemned. Amending § 33.1-132. (Patron-Drake, HB 835, CH 804)
- Employment Commission; conveying certain real property in Petersburg City to such City. (Patron-Bland, HB 1261, CH 571)
- Land records; use of secure remote access, increases Technology Trust Fund Fee. Amending §§ 2.2-3808.2 and 17.1-279. (Patron-Norment, SB 241, CH 676)
- Land use permit; release of surety in association with performance of work. Amending § 2.2-1151.1. (Patron-Scott, J.M., HB 1194, CH 636)
- Landlord and tenant; termination of tenancies, security deposit, purchase of damage insurance. Amending §§ 55-222, 55-248.4 and 55-248.37; adding § 55-248.7:2. (Patron-Albo, HB 153, CH 123)
- Natural gas companies; right of entry upon property. Adding § 56-49.01. (Patron-Wagner, SB 663, CH 829)
- Newport News reservoir project; Marine Resources Commission to convey easement in bed of Mattaponi River to Newport News City. (Patron-Wagner, SB 420)
- Norfolk Southern Corporation; Department of Conservation and Recreation to accept title to abandoned railroad lines in several counties. (Patron-Abbitt, HB 643, CH 290)
- Pleadings and other actions by parties not represented by attorneys; provisions. Amending §§ 16.1-88.03 and 55-246.1. (Patron-Reese, HB 976, CH 365; Quayle, SB 630, CH 338)
- Private landowners; Board of Forestry to study provision of incentives to hold and preserve their forestland. (Patron-Ticer, SJR 75)
- Property Owners' Association Act; access to association records. Amending § 55-510. (Patron-Sickles, HB 894, CH 193)
- Property Owners' Association Act; access to committee and subcommittee meetings of board of directors. Amending § 55-510.1. (Patron-Houck, SB 348, CH 333)
- Real Estate Cooperative Act; changes in provisions. Amending §§ 55-429, 55-460, 55-462, 55-467, 55-478, 55-479, 55-484 and 55-486; adding § 55-473.1. (Patron-Suit, HB 1435, CH 242)
- Real Estate Time-Share Act; use of reverter deed in lieu of foreclosure. Amending §§ 55-362 and 55-374; adding § 55-376.1. (Patron-Suit, HB 448, CH 143)
- Real property owned by State; certain restricted use may be satisfied if used for tourism in Virginia Beach City. (Patron-Blevins, SB 661, CH 1020)

**PROPERTY AND CONVEYANCES (continued)**

- Residential Landlord and Tenant Act; access by landlord to correct nonemergency property condition. Amending § 55-248.18. (Patron-Reese, HB 974, CH 307)
- Residential Landlord and Tenant Act; disclosure of mold in dwelling unit. Amending §§ 55-248.13 and 55-248.16; adding § 55-248.11:2. (Patron-Drake, HB 824, CH 226)
- Residential Landlord and Tenant Act; noncompliance of rental agreement, award of attorneys' fees. Amending § 55-248.31. (Patron-Reese, HB 981, CH 232)
- Staunton Correctional Center; Governor to sell and convey. (Patron-Hanger, SB 516, CH 705)
- Tax information; release to aid in locating holders of unclaimed property. Amending § 58.1-3. (Patron-Colgan, SB 166, CH 582)
- Timber; penalty for theft. Amending §§ 55-331, 55-332 and 55-334; adding § 55-334.1; repealing § 55-333. (Patron-Kilgore, HB 493, CH 615; Puckett, SB 548, CH 604)
- Trusts; provisions for total return investing. Adding § 55-277.4:1. (Patron-Janis, HB 1388, CH 639)
- Unclaimed property; electronically filing of reports. Amending § 55-210.12. (Patron-Purkey, HB 276, CH 524)
- Unclaimed property; interest paid to owners. Amending § 55-210.21. (Patron-Purkey, HB 275, CH 523)
- Unclaimed property; notice of public sale through post, print, electronic media, etc. Amending § 55-210.18. (Patron-Drake, HB 466, CH 535)
- Unclaimed property; sale and disposal by State Police. Adding §§ 52-11.4 and 52-11.5. (Patron-Miles, HB 360, CH 427)
- Uniform Trust Code; created. Adding §§ 55-541 through 55-632. (Patron-Mims, SB 506)

**PROPERTY, GROUNDS AND BUILDINGS, STATE-OWNED**

- Capitol Square Preservation Act of 2003; changes in provisions. Amending first and second enactments of Chapter 955, 2003 Acts; adding third and fourth enactments of Chapter 955, 2003 Acts. (Patron-Morgan, HB 105, CH 897; Trumbo, SB 36)
- Chamberlin Hotel at Fort Monroe; extends lease for operation. Amending Chapter 809, 1998 Acts. (Patron-Williams, SB 602, CH 713)
- Real property owned by State; certain restricted use may be satisfied if used for tourism in Virginia Beach City. (Patron-Blevins, SB 661, CH 1020)
- State Buildings, Radio Communications for Emergency Personnel; Report of Department of Fire Programs (HJR 588, 2003). (HD 2)
- State property management; Division of Engineering and Buildings to establish and report on performance standards to determine effectiveness. Adding § 2.2-1131.1. (Patron-Reese, HB 985, CH 750; O'Brien, SB 289, CH 684)
- Surplus real property; state agencies to identify and report. Amending §§ 2.2-1153 and 2.2-1156. (Patron-McDonnell, HB 1124, CH 997)

**PROPERTY OWNERS** See: Property and Conveyances

**PROPERTY TAX**

See: Personal Property and Personal Property Tax  
Taxation

**PROTECTION AND ADVOCACY** See: Persons With Disabilities

**PROTECTIVE ORDERS**

See: Criminal Procedure  
Domestic Relations

**PUBLIC BUILDINGS, FACILITIES AND PROPERTY**

- Breaks Interstate Park; commemorating its 50th anniversary. (Patron-Phillips, HJR 352)
- Exterior lighting; allows James City County to regulate illumination levels of buildings and property. (Patron-Barlow, HB 963, CH 550)
- Freedom of Information Act; exempts certain park and recreation records. Amending § 2.2-3705. (Patron-Sherwood, HB 168, CH 832)

**PUBLIC BUILDINGS, FACILITIES AND PROPERTY (continued)**

- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; Department of General Services to use in state and local practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 108)
- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; local school boards and governing bodies to use in practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 110)
- Leadership in Energy and Environmental Design (LEED) Green Building Rating System; public institutions of higher education, et al., to use in practices for design and procurement of construction projects. (Patron-Van Yahres, HJR 109)
- License plates, special; issuance to supporters of Blue Ridge Parkway Foundation. Adding § 46.2-749.101. (Patron-Edwards, SB 340)
- Oconeechee State Park; Department of Conservation and Recreation to amend lease with Secretary of Army for purpose of providing additional recreational facilities in Mecklenburg County. Amending Chapter 809, 2002 Acts. (Patron-Ruff, SB 614, CH 825)
- Parking Facilities Bond Bill of 2004; created. (Patron-Callahan, HB 32, CH 3; Chichester, SB 32, CH 490)
- Parks and Natural Areas Bond Act of 2002; issuance of bonds. (Patron-Hanger, SB 531)
- Public Building Authority and College Building Authority; issuance of bonds for capital projects. (Patron-Chichester, SB 37)
- Retirement System; includes Breaks Interstate Park Commission. Amending § 51.1-124.3. (Patron-Puckett, SB 254)

**PUBLIC DEFENDERS** See: Criminal Procedure

**PUBLIC DRUNKENNESS** See: Crimes and Offenses Generally

**PUBLIC FUNDS** See: Administration of the Government Generally

**PUBLIC RECORDS** See: Records Retention

**PUBLIC SAFETY, SECRETARY OF** See: Administration of the Government Generally

**PUBLIC SCHOOLS** See: Education

**PUBLIC SERVICE COMPANIES**

- Assisted living facilities; regulations for emergency electrical systems. Amending § 63.2-1732. (Patron-Blevins, SB 181, CH 673)
- Cell phones; prohibits use while driving. Adding § 46.2-819.3. (Patron-Ticer, SB 581)
- Coal and gas road improvement tax; distribution of revenues to local public service authority. Amending § 58.1-3713. (Patron-Phillips, HB 1426, CH 871)
- Electric utility providers; minimum stay requirement by commercial and industrial customers. Amending §§ 56-577 and 56-583. (Patron-Watkins, SB 117)
- Electric utility restructuring; changes in provisions for rate caps, fuel factors, electrical generating facility certificates, etc. Amending §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-585, 56-589 and 56-594. (Patron-Norment, SB 651, CH 827)
- Electric utility restructuring; municipal and state aggregation. Amending § 56-589. (Patron-Watkins, SB 116)
- Electrical generating facilities; certificates. Amending § 56-580. (Patron-Parrish, HB 59, CH 262; Norment, SB 239)
- Elizabeth River; Marine Resources Commission to grant easement to VEPCO for electrical transmission lines. (Patron-Suit, HB 1436, CH 483)
- Emergency electrical systems; required in hospitals, nursing homes, etc. Amending §§ 32.1-127 and 63.2-1732. (Patron-O'Brien, SB 292)
- Freedom of Information Act; exempts numbers for cell phones, pagers, etc., of law-enforcement personnel. Amending § 2.2-3706. (Patron-May, HB 538, CH 735; O'Brien, SB 297, CH 685)
- Natural gas; direct sales to certain public schools. Amending § 56-265.1. (Patron-Phillips, HB 920, CH 748)

**PUBLIC SERVICE COMPANIES (continued)**

- Natural gas companies; right of entry upon property. Adding § 56-49.01. (Patron-Wagner, SB 663, CH 829)
- Nursing homes and assisted living facilities; notification to electric utilities. Amending §§ 32.1-126 and 63.2-1800. (Patron-Sickles, HB 891, CH 304)
- Public service companies; definition includes limited liability companies. Amending §§ 56-1, 56-49 and 56-265.1. (Patron-May, HB 754, CH 1028)
- Public service corporations; filing of annual report. Amending § 58.1-2628. (Patron-Watkins, SB 120, CH 661)
- Public service corporations; locality to determine taxation of real and tangible personal property. Amending § 58.1-2606. (Patron-Watkins, SB 121; Watkins, SB 366, CH 504)
- Public service corporations; requires certain electric suppliers to pay a minimum tax rather than corporate tax. Amending §§ 58.1-2628 and 58.1-2674.1; adding § 58.1-400.3. (Patron-Watkins, SB 681, CH 716)
- Public utilities; mutual aid agreements between localities. Adding § 15.2-2109.2. (Patron-Watkins, SB 369, CH 693)
- Public-Private Education Facilities and Infrastructure Act of 2002; provisions for performance and payment bonds. Amending §§ 56-575.9 and 56-575.16. (Patron-Hargrove, HB 148, CH 986; Edwards, SB 688)
- Recordation tax; leases on oil, gas and mineral rights and communications towers. Amending § 58.1-807. (Patron-Williams, SB 111; Norment, SB 399, CH 974)
- Retail Sales and Use Tax; applicable to telephone calling cards. Amending § 58.1-602. (Patron-Petersen, HB 246, CH 60)
- Retail Sales and Use Tax; exemptions for certain public service corporations. Amending § 58.1-609.3. (Patron-Watkins, SB 682)
- Subdivision ordinances; provisions relating to cable television operators and public service corporations. Amending § 15.2-2241. (Patron-Oder, HB 715, CH 952)
- Telephone companies; basic services regulation. Amending § 56-1; adding § 56-235.5:1. (Patron-Norment, SB 383)
- Telephone companies; filing a cost allocation manual. Amending § 56-265.4:4. (Patron-Wampler, SB 282)
- Telephone companies; local exchange service competition policy. Adding § 56-235.5:1. (Patron-Kilgore, HB 938, CH 151)
- Telephone Privacy Protection Act; prohibits telephone solicitation to persons on a Do-Not-Call Registry. Amending §§ 59.1-510, 59.1-511, 59.1-513 and 59.1-514; adding § 59.1-513.1. (Patron-Morgan, HB 689, CH 224; Williams, SB 344, CH 202)
- Telephonic reading services; created. Adding §§ 56-484.7:5 and 56-484.7:6. (Patron-Petersen, HB 798, CH 849)
- Translation contracts; Department of General Services to establish for telephonic language interpretation services. (Patron-Cox, HB 302, CH 129)
- Underground utility distribution lines; State Corporation Commission to study placement thereof. (Patron-Drake, HJR 153)
- Utility tax; imposition on local consumers in Town of Iron Gate for mobile phone usage. Amending § 58.1-3812. (Patron-Deeds, SB 14, CH 489)
- Utility tax; imposition on local consumers in Towns of Herndon and Vienna for mobile phone usage. Amending § 58.1-3812. (Patron-Rust, HB 372, CH 43; Howell, SB 316, CH 172)
- Utility tax; imposition on local consumers in Towns of Vienna and Clifton for mobile phone usage. Amending § 58.1-3812. (Patron-Devolites, SB 627, CH 516)
- Utility tax, local consumer; exemption for churches. Amending §§ 58.1-3814 and 58.1-3816.2. (Patron-Stump, HB 743, CH 8; Puckett, SB 71, CH 159)
- Voice-over-Internet Protocol (VoIP); exempt from regulation by State Corporation Commission. Amending §§ 56-1 and 58.1-3812. (Patron-Cuccinelli, SB 673)
- Wireless E-911 Fund; provisions for payments. Amending § 56-484.17. (Patron-Stolle, SB 171, CH 167)

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**PUBLIC UTILITY COMPANIES** See: Public Service Companies

**PUBLICATIONS, STATE**

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**PUCKETT, PHILLIP P.**

Added as co-patron:

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**PULLER, LINDA T.**

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**PUTNEY, LACEY E.**

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**QUAYLE, FREDERICK M.**

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**RADFORD, CITY OF**

Charter; amending. (Patron-Nutter, HB 1088, CH 632)

**RADIATION AND RADIOACTIVE MATERIALS** See: Dangerous or Hazardous Substances or Chemicals

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**RAGER, ARLENE** See: Commending Resolutions

**RAILROADS**

- Buchanan County Tourist Train Development Authority; membership. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Stump, HB 533, CH 35)
- Buchanan County Tourist Train Development Authority; membership, powers. Amending §§ 15.2-6701 and 15.2-6703. (Patron-Puckett, SB 69, CH 158)
- Norfolk Southern Corporation; Department of Conservation and Recreation to accept title to abandoned railroad lines in several counties. (Patron-Abbitt, HB 643, CH 290)
- Rail Transportation Development Authority; membership, powers, etc. Amending § 2.2-2101; adding §§ 33.1-391.6 through 33.1-391.10; repealing Chapter 1041, 2003 Acts. (Patron-Edwards, SB 413)
- Rail Transportation Development Authority, Study of; Report of Transportation Research Council (SJR 354, 2003). (SD 4)
- Railway Preservation and Development Fund; created. Adding § 33.1-221.1:1.1. (Patron-Abbitt, HB 644, CH 621)
- Virginia-North Carolina Interstate High-Speed Rail Compact; created. (Patron-Watkins, SB 126, CH 662)

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**RAPP, MELANIE L.**

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**REAL ESTATE AND REAL ESTATE TAX**

- Constitutional amendment; assessment of real property (first reference). Amending Section 2 of Article X. (Patron-Hanger, SJR 85)
- Constitutional amendment; exempts certain property from taxation (first reference). Amending Section 6 of Article X. (Patron-Edwards, SJR 17)
- Consumer Real Estate Settlement Protection Act; issuance of summonses and subpoenas. Amending §§ 6.1-2.25 and 6.1-2.27. (Patron-Mims, SB 509, CH 597)
- Enterprise zones; business and real property investment tax credit. Amending §§ 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.3. (Patron-Martin, SB 64)
- Enterprise zones; real property investment tax credit. Amending § 59.1-280.1. (Patron-Martin, SB 65)
- Real estate; nonjudicial sale of tax delinquent property. Adding § 58.1-3975. (Patron-Ingram, HB 925, CH 100)
- Real estate appraisers; lien for performance of appraisal. Adding § 43-3.1. (Patron-Quayle, SB 207)
- Real estate assessments; establishment of department in Powhatan County. Amending § 58.1-3274. (Patron-Ware, R.L., HB 1461, CH 576)
- Real Estate Cooperative Act; changes in provisions. Amending §§ 55-429, 55-460, 55-462, 55-467, 55-478, 55-479, 55-484 and 55-486; adding § 55-473.1. (Patron-Suit, HB 1435, CH 242)
- Real estate tax; allows Charlottesville City to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Van Yahres, HB 154, CH 5)

**REAL ESTATE AND REAL ESTATE TAX (continued)**

- Real estate tax; allows Goochland County to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Janis, HB 403, CH 6; Watkins, SB 122, CH 494)
- Real estate tax; allows Northern Virginia to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Colgan, SB 361, CH 503)
- Real estate tax; alternative payment schedules for elderly and handicapped. Adding § 58.1-3916.02. (Patron-Colgan, SB 645)
- Real estate tax; alternative payment schedules for elderly and handicapped persons in Prince William County. Adding § 58.1-3916.02. (Patron-Frederick, HB 928, CH 548)
- Real estate tax; collection proceedings for delinquent taxes. Amending § 58.1-3967. (Patron-Gear, HB 1453, CH 645)
- Real estate tax; credit for permanent easements. Adding § 58.1-3206. (Patron-Deeds, SB 247)
- Real estate tax; deferral for certain disabled military veterans. Amending § 58.1-3211. (Patron-Deeds, SB 248)
- Real estate tax; exemptions on certain leasehold interests. Amending § 58.1-3203. (Patron-Puller, SB 188)
- Real estate tax; increases amount of land acreage owned by elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 97, CH 78)
- Real estate tax; increases certain asset threshold amounts for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 94, CH 77)
- Real estate tax; limitation on tax rate. Amending § 58.1-3321; adding § 58.1-3322. (Patron-Cuccinelli, SB 140)
- Real Estate Time-Share Act; use of reverter deed in lieu of foreclosure. Amending §§ 55-362 and 55-374; adding § 55-376.1. (Patron-Suit, HB 448, CH 143)
- Recordation tax; exemptions include contracts on real or personal property. Amending § 58.1-811. (Patron-Reese, HB 975, CH 626)
- Transportation projects; Department of Transportation to maintain property acquired for construction thereof. Adding § 33.1-223.2:9. (Patron-Wampler, SB 277, CH 682)

**REAPPORTIONMENT** See: General Assembly

**RECKLESS DRIVING** See: Crimes and Offenses Generally

**RECORDATION TAX** See: Taxation

**RECORDS RETENTION**

- Adoption, marriage and divorce records; deletes statements indicating racial designations. Amending §§ 32.1-262, 32.1-267 and 32.1-268. (Patron-Marsh, SB 223, CH 88)
- Circuit court records; fees allowed for remote access. Amending § 17.1-276. (Patron-Reese, HB 977, CH 230)
- Health records; patient's executor or administrator may obtain copies. Amending § 8.01-413. (Patron-Joannou, HB 733, CH 742)
- Health records; privacy, access, etc. Amending §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230 and 38.2-608. (Patron-Stolle, SB 337, CH 1014)
- Health records; privacy provisions. Amending § 32.1-127.1:03. (Patron-O'Bannon, HB 879, CH 67)
- Health records; procedure for certain patients to obtain access to their records. Amending §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230 and 38.2-608. (Patron-O'Bannon, HB 877, CH 65)
- Juvenile records; may be obtained for use in pending criminal prosecution. Amending § 16.1-305. (Patron-Hurt, HB 787, CH 446)
- Land records; use of secure remote access, increases Technology Trust Fund Fee. Amending §§ 2.2-3808.2 and 17.1-279. (Patron-Norment, SB 241, CH 676)
- Patient records; transfer or copies in conjunction with sale or relocation of practice. Amending § 54.1-2405. (Patron-O'Bannon, HB 875, CH 53)
- Property Owners' Association Act; access to association records. Amending § 55-510. (Patron-Sickles, HB 894, CH 193)

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- Public records; treasurer may impose a remote access fee to cover operational expenses. Amending § 58.1-3172.1. (Patron-Drake, HB 465, CH 223)
- Public Records Act; joint subcommittee to study, including electronic records and effect on state depository system. (Patron-Cox, HJR 6; Martin, SJR 1)
- Vital records; filing of death certificates. Amending § 32.1-263. (Patron-Reid, HB 159, CH 124)

**RECYCLED PRODUCTS** See: Energy Conservation and Resources

**REDD, NANCY AMANDA** See: Commending Resolutions

**REDEVELOPMENT AND HOUSING AUTHORITIES** See: Authorities

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**REESE, GARY A.**

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- Cemeteries; authorization for interment. Amending §§ 54.1-2313, 54.1-2324 and 54.1-2333; adding § 57-27.3. (Patron-O’Brien, SB 303, CH 247)
- Cemeteries; penalty for damage to property. Amending § 18.2-127; adding § 8.01-44.6. (Patron-Mims, SB 494, CH 203)
- Cemeteries or gravesites; access to those located on private property. Amending § 57-27.1. (Patron-Putney, HB 162, CH 831)
- Child day centers; religious exemption from licensure. Amending § 63.2-1716. (Patron-Newman, SB 417, CH 113)
- Churches; joint subcommittee to study issues attendant to incorporation thereof. (Patron-Mims, SJR 89)
- Churches; those incorporated exempt from recordation and property taxes. Amending §§ 58.1-811 and 58.1-3606. (Patron-Howell, SB 73, CH 492)
- Emergency medical services councils, regional; exempt from consumer affairs registration requirements. Amending § 57-60. (Patron-Edwards, SB 61, CH 580)
- Federal burial allowance for veterans; urging Congress to increase. (Patron-Pollard, HJR 286)
- License plates, special; issuance to supporters of Interdenominational Children’s Foundation of Virginia. Adding § 46.2-749.98:1; repealing § 46.2-749.98. (Patron-Howell, A.T., HB 1446)
- Lovettsville Union Cemetery Company; updating incorporation thereof. Amending Chapter 1, 1879 Acts. (Patron-May, HB 1432, CH 642)
- Natural cut Christmas trees; use in certain places of worship and apartment dwelling units. (Patron-Orrock, HB 622, CH 138)

**RELIGIOUS AND CHARITABLE MATTERS; CEMETERIES (continued)**

- Northampton County; authorized to appropriate money from Glebe Fund for improvements to courthouse and related facilities. Amending § 57-3. (Patron-Rerras, SB 447, CH 595)
- Perpetual care trust funds and preneed burial contracts; Cemetery Board to appoint a receiver to oversee cemetery operations. Amending §§ 54.1-2316 and 54.1-2322; adding § 54.1-2313.1. (Patron-Jones, S.C., HB 857, CH 192)
- Religious faith; urging Congress to continue to preserve State’s sovereignty in matters related thereto. (Patron-Black, HJR 285)
- Retail Sales and Use Tax; exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11. (Patron-Orrrock, HB 515, CH 536; Colgan, SB 585, CH 515)
- Utility tax, local consumer; exemption for churches. Amending §§ 58.1-3814 and 58.1-3816.2. (Patron-Stump, HB 743, CH 8; Puckett, SB 71, CH 159)

**RENTAL PROPERTY** See: Property and Conveyances

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**RERRAS, NICK**

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**RESTON, COMMUNITY OF**

- Reston community; requesting various boards and departments of State to implement transportation plan therein. (Patron-Plum, HJR 163)

**RETAIL SALES AND USE TAX** See: Sales and Use Tax

**RETIREMENT AND RETIREMENT SYSTEMS** See: Pensions, Benefits and Retirement

**RETZER, THOMAS E.** See: Memorial Resolutions

**REVENUE, COMMISSIONERS OF** See: Taxation

**REYES, SIDNEY A.** See: Commending Resolutions

**REYNOLDS, SYLVIA MCDOWELL** See: Memorial Resolutions

**REYNOLDS, WM. ROSCOE**

Added as co-patron:

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**RICHMOND, CITY OF**

Charter; amending. (Patron-Baskerville, HB 176, CH 898; Watkins, SB 124, CH 877; Watkins, SB 368; Lambert, SB 561, CH 514)

**RICHMOND METROPOLITAN AREA**

Richmond Metropolitan Authority; free use of toll facilities by quadriplegics. Amending § 33.1-252. (Patron-Martin, SB 57, CH 655)

**RIDEOUT, STEPHEN W.** See: Commending Resolutions

**RIDGE, HENRY** See: Claims

**RISK MANAGEMENT** See: Administration of the Government Generally

**RIVANNA RIVER** See: Waters of the State, Ports and Harbors

**RIVER'S EDGE CAFE** See: Commending Resolutions

**ROADS** See: Highways, Bridges and Ferries

**ROANOKE, CITY OF**

Charter; amending. (Patron-Edwards, SB 133)

Traffic signals; use of photo-monitoring in Roanoke City. Amending § 46.2-833.01. (Patron-Edwards, SB 132)

**ROANOKE COUNTY**

Bird sanctuary; abolishes establishment in Roanoke County. Repealing Chapter 303, 1954 Acts. (Patron-Landes, HB 76, CH 265)

Charter; amending. (Patron-Edwards, SB 478)

**ROANOKE RIVER** See: Waters of the State, Ports and Harbors

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**ROBBINS, DIANA "DEANNIE"** See: Commending Resolutions

**ROBERSON, JAMES C.** See: Memorial Resolutions

**ROBERT E. LEE HIGH SCHOOL** See: Commending Resolutions

**ROCKBRIDGE COUNTY**

Transient occupancy tax; additional imposition in Rockbridge County, and Lexington and Buena Vista Cities. Adding § 58.1-3824. (Patron-Hanger, SB 517, CH 598)

**ROSENWASSER, ARTHUR** See: Memorial Resolutions

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**RUBIN, LOUIS D., JR.** See: Commending Resolutions

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**RUDEE INLET** See: Waters of the State, Ports and Harbors

**RUFF, FRANK M., JR.**

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**SALARIES** See: Costs, Fees, Salaries and Allowances

**SALE, LUCY PANNILL** See: Memorial Resolutions

**SALEM, CITY OF**

Retail Sales and Use Tax; entitles Salem City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-Griffith, HB 1243, CH 568)

**SALEM SWIFT WATER RESCUE TEAM** See: Commending Resolutions

**SALES AND USE TAX**

Income tax, state; Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced such revenues with sales and use tax revenues. (Patron-Lingamfelter, HJR 172)

Motor Vehicle Sales and Use Tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2402 and 58.1-2425; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 356)

**SALES AND USE TAX (continued)**

- Retail Sales and Use Tax; allows dealer to file and pay taxes he collects with local commissioner of revenue, etc. Amending § 58.1-615. (Patron-Griffith, HB 1241, CH 567)
- Retail Sales and Use Tax; applicable to telephone calling cards. Amending § 58.1-602. (Patron-Petersen, HB 246, CH 60)
- Retail Sales and Use Tax; constitutional nexus for imposition. Adding § 8.01-184.1. (Patron-Hugo, HB 1463, CH 647; Mims, SB 668, CH 609)
- Retail Sales and Use Tax; eliminates numerous commercial and industrial exemptions. Amending § 58.1-609.3. (Patron-Hamilton, HB 1488)
- Retail Sales and Use Tax; entitles Hampton City to allocable revenues from watercraft business and sales. Amending §§ 58.1-638 and 58.1-1410. (Patron-Locke, SB 439)
- Retail Sales and Use Tax; entitles Newport News City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-BaCote, HB 1208, CH 566; Norment, SB 398, CH 506)
- Retail Sales and Use Tax; entitles Salem City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-Griffith, HB 1243, CH 568)
- Retail Sales and Use Tax; exemptions for certain contractors. Amending § 58.1-610. (Patron-Devolites, SB 91)
- Retail Sales and Use Tax; exemptions for certain public service corporations. Amending § 58.1-609.3. (Patron-Watkins, SB 682)
- Retail Sales and Use Tax; exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11. (Patron-Orrock, HB 515, CH 536; Colgan, SB 585, CH 515)
- Retail Sales and Use Tax; exemptions include Citizens United for Rehabilitation of Errants-Virginia, Inc. Adding § 58.1-609.10:01. (Patron-Puller, SB 84)
- Retail Sales and Use Tax; exemptions include Clinch Independent Living Services Inc. Adding § 58.1-609.10.01. (Patron-Puckett, SB 253)
- Retail Sales and Use Tax; exemptions include Farmwell Hunt Homeowners Association, Inc. Adding § 58.1-609.10.01. (Patron-Mims, SB 501)
- Retail Sales and Use Tax; exemptions include Loudoun Healthcare Foundation. Adding § 58.1-609.10.01. (Patron-Mims, SB 500)
- Retail Sales and Use Tax; exemptions include Pilot Club International Luncheon Pilot Club of Chesapeake. Adding § 58.1-609.10.01. (Patron-Blevins, SB 692)
- Retail Sales and Use Tax; exemptions include software and content delivered electronically. Amending § 58.1-609.5. (Patron-Devolites, SB 632, CH 607)
- Retail Sales and Use Tax; extends sunset provision for certain media-related businesses. Amending § 58.1-609.6. (Patron-Stosch, SB 533, CH 821)
- Retail Sales and Use Tax; extends sunset provision for film and audiovisual works. Amending § 58.1-609.6. (Patron-Janis, HB 1262, CH 101; Lambert, SB 571, CH 606)
- Retail Sales and Use Tax; extends sunset provision for textbooks for free distribution to professors. Amending § 58.1-609.6. (Patron-Scott, E.T., HB 1084, CH 63; Houck, SB 347, CH 590)
- Retail Sales and Use Tax; limits certain percentage of revenues from a nonprofit entity to be used for administrative costs in order to maintain exempt status. Amending § 58.1-609.11. (Patron-Purkey, HB 311)
- Retail Sales and Use Tax Act; renamed Streamlined Retail Sales and Use Tax Act to conform with national agreement. Amending §§ 58.1-600 through 58.1-604, 58.1-605, 58.1-606, 58.1-609.3, 58.1-609.5, 58.1-609.10, 58.1-609.13, 58.1-610, 58.1-610.1, 58.1-611.1, 58.1-612 through 58.1-615, 58.1-618, 58.1-621, 58.1-622, 58.1-623, 58.1-626, 58.1-635, 58.1-3833 and 58.1-3840; adding §§ 58.1-606.1, 58.1-606.2, 58.1-628.2, 58.1-635.1, 58.1-635.2 and 58.1-639.1; repealing §§ 58.1-627 and 58.1-628. (Patron-Hanger, SB 514)
- Retail Sales and Use Tax, remote; joint subcommittee to study impact of collection on economy. (Patron-Hugo, HJR 176; Devolites, SJR 53)

**SALES AND USE TAX (continued)**

Tax reform; changes in provisions for income tax, sales and use tax and corporate tax. Amending §§ 58.1-302, 58.1-320, 58.1-322, 58.1-391, 58.1-392, 58.1-400, 58.1-402, 58.1-415, 58.1-441, 58.1-602, 58.1-603 and 58.1-609.10; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-339.8, 58.1-390, 58.1-394 and 58.1-611.1. (Patron-Lucas, SB 589)

Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 3.1-1111, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-339.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3833 and 58.1-3840; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395, 58.1-628.2 and 58.1-1017.1; repealing §§ 58.1-611.1, 58.1-627, 58.1-628, 58.1-3536, 58.1-3830, 58.1-3831 and 58.1-3832. (Patron-Hanger, SB 530)

Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840 and 58.1-3912; adding §§ 32.1-366, 32.1-367, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-390, 58.1-394 and 58.1-3831. (Patron-Chichester, SB 467)

Tax reform; changes in provisions for income tax, sales and use tax, estate tax, local license taxes, motor fuels tax, etc. Amending §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706 and 58.1-3833; adding §§ 10.1-2135, 46.2-702.1, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395 and 58.1-2288.1; repealing tenth enactment of Chapters 1019 and 1044, 2000 Acts. (Patron-Chichester, SB 635)

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- Biotechnology Commercialization Loan Fund; created, report. Adding § 2.2-2233.2. (Patron-Howell, SB 646, CH 942)
- Biotechnology Research Park Authority; renamed Biotechnology Research Partnership Authority. Amending Chapter 731, 2000 Acts. (Patron-Watts, HB 1386)
- Educational Technology and Technology Support Personnel, State Funding Formula for; Report of Joint Legislative Audit and Review Commission (SJR 87, 2002). (SD 6)
- Educational technology funding; joint subcommittee to review feasibility and appropriateness of implementation thereof. (Patron-Puller, SJR 28)
- Information technology and telecommunications procurement; exempts UVa Medical Center. Amending §§ 2.2-2006, 2.2-4343 and 23-77.4. (Patron-Nixon, HB 478, CH 145)
- Information technology and telecommunications procurement; shall be in accordance with accessibility standards. Amending § 2.2-2012. (Patron-Nixon, HB 1360, CH 237)
- Land records; use of secure remote access, increases Technology Trust Fund Fee. Amending §§ 2.2-3808.2 and 17.1-279. (Patron-Norment, SB 241, CH 676)
- Nanotechnology research and related economic development opportunities; Joint Commission on Technology and Science to identify. (Patron-May, HJR 120)

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Country Music Highway; designating portion of Route 23 lying within Wise, Lee, and Scott Counties. (Patron-Phillips, HB 910, CH 625)

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- President of the Senate, Timothy M. Kaine
- President pro tempore, John H. Chichester
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- Building Code; standards for fire detection and suppression systems in assisted living facilities, residential dwelling units for senior citizens, nursing homes and facilities. Amending § 36-99.5:1. (Patron-Blevins, SB 183, CH 584)
- Donations by localities; authorized for organizations providing recreational or daycare to certain senior citizens. Amending § 15.2-953. (Patron-Ware, R.L., HB 300, CH 272)
- Driver’s license; requires vision exam for persons age 80 or older. Amending § 46.2-330. (Patron-Jones, D.C., HB 257, CH 218; O’Brien, SB 402, CH 112)
- Income tax, state; credit for purchase of long-term care insurance. Amending § 58.1-322; adding § 58.1-339.11. (Patron-Lambert, SB 263)
- Long-term care insurance; development for state employees. Adding § 2.2-1208. (Patron-Bryant, HB 1179, CH 312)
- Medical assistance services; eligibility for aged and disabled individuals. Amending § 32.1-325. (Patron-Reynolds, SB 195)
- Medical assistance services; includes long-term care partnership program. Amending § 32.1-325. (Patron-Edwards, SB 266, CH 246)
- Public-Private Long-Term Care Insurance Partnership Programs; Department of Medical Assistance Services to study. (Patron-Edwards, SJR 50)
- Real estate tax; allows Charlottesville City to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Van Yahres, HB 154, CH 5)
- Real estate tax; allows Goochland County to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Janis, HB 403, CH 6; Watkins, SB 122, CH 494)
- Real estate tax; allows Northern Virginia to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Colgan, SB 361, CH 503)
- Real estate tax; alternative payment schedules for elderly and handicapped. Adding § 58.1-3916.02. (Patron-Colgan, SB 645)
- Real estate tax; alternative payment schedules for elderly and handicapped persons in Prince William County. Adding § 58.1-3916.02. (Patron-Frederick, HB 928, CH 548)
- Real estate tax; increases amount of land acreage owned by elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 97, CH 78)
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Sheriffs' fees; clarified for service, execution of writ, etc. Amending §§ 8.01-293 and 15.2-1609.3. (Patron-Blevins, SB 619, CH 210)

Sheriffs' vehicles; use of unmarked vehicles. Amending § 15.2-1610. (Patron-Lambert, SB 135; Quayle, SB 592)

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**SOUTHWEST VIRGINIA**

Economic development; joint subcommittee to study measures to improve and enhance in Southwest region. (Patron-Puckett, SJR 111)

Heritage Music Trail: The Crooked Road; designating as certain highways in Southwest Virginia. (Patron-Phillips, HB 909, CH 624)

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Admissions tax; imposition in Nelson County. Amending § 58.1-3818. (Patron-Deeds, SB 374)

License plates, special; issuance to supporters of Washington D.C. United soccer team. Adding § 46.2-749.101. (Patron-Howell, SB 42)

License plates, special; issuance using names, numbers, etc., of professional stock car drivers. Amending § 46.2-749.69. (Patron-Dudley, HB 597)

Racing Commission; authorized to increase number of satellite facilities. Amending § 59.1-369. (Patron-Stolle, SB 167, CH 774)

Retail Sales and Use Tax; exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11. (Patron-Orock, HB 515, CH 536; Colgan, SB 585, CH 515)

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**STOLLE, KENNETH W.**

Added as co-patron:

H.J.R. 492 . . . . . 1753

Certification of election, oath . . . . . 2, 5

Leave of absence. . . . . 1075

Statement on vote:

S.B. 688. . . . . 586

**STONEWALL JACKSON HOSPITAL** See: Commending Resolutions

**STORMWATER MANAGEMENT PROGRAMS** See: Conservation

**STORY, JESSICA** See: Commending Resolutions

**STOSCH, WALTER A.**

Added as co-patron:  
 H.J.R. 492 . . . . . 1753  
 Appointment of Pages . . . . . 32  
 Certification of election, oath . . . . . 3,5  
 Leave of absence . . . . . 1909  
 Notified Clerk of presence . . . . . 1598,1782  
 Statement on vote:  
 S.B. 30 . . . . . 1065

**STREET, MEL** See: Memorial Resolutions

**STREETS AND ALLEYS** See: Counties, Cities and Towns

**STUART FINLEY BRIDGE** See: Highways, Bridges and Ferries

**STUDENTS** See: Education

**STUDY COMMISSIONS, COMMITTEES AND REPORTS**

- Adult protective services; changes in provisions, Commissioner of Department of Social Services to report on certain aspects of adult abuse, neglect and exploitation. Amending §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609 and 63.2-1610; repealing § 63.2-1607. (Patron-Ebbin, HB 952, CH 749; Howell, SB 318, CH 1011)
- African-American students; Dr. Martin Luther King, Jr. Memorial Commission to consider status and educational needs thereof. (Patron-Marsh, SJR 71)
- Aging population; Joint Legislative Audit and Review Commission to study impact thereof on demand for and cost of state agency services, policies and program management. (Patron-Reid, HJR 103)
- Biotechnology Commercialization Loan Fund; created, report. Adding § 2.2-2233.2. (Patron-Howell, SB 646, CH 942)
- Blighted or deteriorated properties; Housing Study Commission to study impact on older urban communities. (Patron-Lucas, SJR 95)
- Blood-lead testing issues; Division of Consolidated Laboratory Services and Secretary of Health and Human Resources to establish a task force to facilitate communication and cooperation thereon, report. (Patron-Lambert, SJR 46)
- Brown v. Board of Education Scholarship Program and Fund; created, report. Adding §§ 23-38.53:21 through 23-38.53:24 and 30-226 through 30-231. (Patron-Baskerville, HB 846; Lambert, SB 230, CH 935)
- Campus safety; Crime Commission to study at public and private institutions of higher education. (Patron-Hamilton, HJR 122)
- Career and technical education; Board of Education, et al., to develop a template for a statewide articulation agreement therefor. (Patron-Hamilton, HJR 125)
- Child Day Care Centers, Standards for Licensed; Joint Legislative Audit and Review Commission to study potential impact on providers, parents and children. (Patron-Marrs, HJR 114; Newman, SJR 80)
- Churches; joint subcommittee to study issues attendant to incorporation thereof. (Patron-Mims, SJR 89)
- Commerce and Trade, Secretary of; duties include review of urban issues. Amending § 2.2-206. (Patron-Bland, HB 1398, CH 238)
- Commonwealth's Attorneys; Crime Commission to study operations of offices. (Patron-McDonnell, HJR 225)
- Community health workers; James Madison University to study status, impact, and utilization thereof. (Patron-Landes, HJR 195; Howell, SJR 19)
- Companion animals; State Veterinarian to study means to address issue of overpopulation and high rates of euthanasia. (Patron-Potts, SJR 37)
- Competitive Government Act; created, reports. Adding §§ 2.2-5512 and 2.2-5513. (Patron-Saxman, HB 1043, CH 994)

**STUDY COMMISSIONS, COMMITTEES AND REPORTS (continued)**

- Conflicts of interests and lobbyist disclosure filings; joint subcommittee to study. (Patron-McDonnell, HJR 186)
- Criminal code; Crime Commission to develop plan for revisions to Title 18.2. (Patron-McDonnell, HJR 196)
- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 58.1-2402, 58.1-2425, 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Wampler, SB 676)
- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Callahan, HB 1390)
- Cultural institutions, nonstate agency; Department of Taxation to collect sales tax data pertaining to economic impact thereof. (Patron-Fralin, HJR 82)
- Disability Commission; created, report. Adding §§ 30-226 through 30-233. (Patron-Van Lanningham, HB 817, CH 992; Puller, SB 381, CH 1015)
- Drug Treatment Court Act; created, report. Adding § 18.2-254.1. (Patron-Lucas, SB 636)
- Drug Treatment Court Act; created, report. Amending §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8 and 18.2-251.02; adding § 18.2-254.1. (Patron-Kilgore, HB 1430, CH 1004)
- Economic development; joint subcommittee to study measures to improve and enhance in Southwest region. (Patron-Puckett, SJR 111)
- Educational Leadership, Commission to Review, Study and Reform; continued. (Patron-Hamilton, HJR 124)
- Educational technology funding; joint subcommittee to review feasibility and appropriateness of implementation thereof. (Patron-Puller, SJR 28)
- Emergencies and disasters; Governor to conduct an annual statewide drill on response thereto. Adding § 44-146.17:2. (Patron-Lewis, HB 415, CH 430)
- English proficiency, limited; Secretary of Health and Human Resources to develop a plan for increasing awareness of requirements to provide meaningful access to information and services. (Patron-Cox, HJR 71)
- Equal Education Opportunity Plan; development by Secretary of Education, report. Adding §§ 2.2-209.1 and 2.2-209.2. (Patron-Marsh, SB 220)
- Firearms hunting ordinances; Department of Game and Inland Fisheries to study. (Patron-Stolle, SJR 38)
- Frontier Culture Museum; deemed an educational institution, reduces membership of Board of Trustees, report. Amending §§ 23-296 and 23-297. (Patron-Wardrup, HB 1228)
- General registrars; joint subcommittee to study appointment, responsibilities, and oversight thereof. (Patron-Martin, SJR 41)
- Governor, two-term; joint subcommittee to study appropriate balance of power between legislative and executive branches to support. (Patron-Landes, HJR 13)
- Growth and Economic Development, Commission on; continued. (Patron-Hall, HJR 170)
- Health care and prescription drugs; Joint Commission on Health Care to study improving services and lowering costs to Medicaid recipients through public-private partnerships. (Patron-Bell, SJR 58)
- Health records; Joint Commission on Health Care to study use and disclosure thereof. (Patron-O'Bannon, HJR 134)
- Higher education; Council of Higher Education to consider establishing a 4-year degree granting institution in South Central Virginia. (Patron-Reynolds, SJR 86)
- Higher education; joint subcommittee to study public funding thereof. (Patron-Stosch, SJR 74)
- Higher educational institutions; Council of Higher Education to consider establishing in South Central Virginia. (Patron-Armstrong, HJR 197)
- Higher educational institutions; joint subcommittee to study administrative and financial relationships between State and its institutions. (Patron-Chichester, SJR 90)
- Higher educational institutions; joint subcommittee to study future thereof. (Patron-Mims, SJR 87)
- Higher educational institutions and industry; Council of Higher Education to develop policies and strategies to eliminate barriers between. (Patron-May, HB 547, CH 537)
- Horse industry; Department of Agriculture and Consumer Services to study ways to enhance economic development thereof. (Patron-Hawkins, SJR 57)

**STUDY COMMISSIONS, COMMITTEES AND REPORTS (continued)**

- Housing-related issues; Housing Study Commission to study certain. (Patron-Drake, HJR 152)
- Income tax, corporate; Tiered Incentive Program created to provide tax credit for creation of jobs in economically distressed localities, report. Adding §§ 58.1-514 through 58.1-519.1. (Patron-Ruff, SB 411)
- Income tax, state; Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced such revenues with sales and use tax revenues. (Patron-Lingamfelter, HJR 172)
- Infant screening program for metabolic disorders; Joint Commission on Health Care to collect information thereon. (Patron-Plum, HJR 164)
- Integrated research and academic campuses; Research and Technology Advisory Commission (VRTAC) shall continue its examination of establishment thereof. (Patron-May, HB 545, CH 616)
- Kinship care program; Joint Legislative Audit and Review Commission to study need for and efficacy of establishing. (Patron-Miller, SJR 22)
- Lead-Poisoning Prevention, Joint Subcommittee Studying; continued. (Patron-Lambert, SJR 43)
- Licensure by Board for Contractors; Department of Professional and Occupational Regulation and Board for Contractors to establish pilot program for local enforcement. (Patron-McQuigg, HB 454, CH 789; O'Brien, SB 285, CH 776)
- Manufacturing; joint subcommittee to study needs and future thereof. (Patron-Wagner, SJR 64)
- Medicaid-eligible persons with limited English proficiency; Department of Medical Assistance Services to seek reimbursement for translation and interpretation services provided thereto, report. (Patron-Lucas, SJR 122)
- Minority young adults; Joint Commission on Health Care to study mental health needs and treatment thereof. (Patron-Marsh, SJR 25)
- Mistaken identification in criminal cases; Crime Commission to study. (Patron-Purkey, HJR 79)
- Nanotechnology research and related economic development opportunities; Joint Commission on Technology and Science to identify. (Patron-May, HJR 120)
- Natural and Historic Resources Fund and Commission; created, report. Adding §§ 10.1-2135 through 10.1-2138. (Patron-Deeds, SB 569)
- Natural aquatic resources; Institute of Marine Science, et al., to study those associated with available water resources. (Patron-Morgan, HJR 226)
- Norfolk and Portsmouth Cities; joint subcommittee to study consolidation. (Patron-Joannou, HJR 142)
- Nurse practitioner prescriptive authority; Board of Nursing to collect information thereon. (Patron-Bryant, HJR 205)
- Nutrient Management Plans; Joint Legislative Audit and Review Commission to study effectiveness of implementation, performance and enforcement thereof. (Patron-Cox, HJR 72)
- Oral health care; joint subcommittee to study access to and costs thereof. (Patron-Marsh, SJR 24)
- Pharmaceutical assistance programs and discount purchasing cards; development of a single application form, Commissioners of Health and of Department for Aging to report on development. Amending § 32.1-23.1. (Patron-Cline, HB 1202, CH 318)
- Pre-hospital emergency medical services; Joint Legislative Audit and Review Commission to study. (Patron-O'Bannon, HJR 133)
- Prescription Drug Payment Assistance Program; created, annual report on effectiveness. Adding §§ 32.1-366 through 32.1-372. (Patron-Deeds, SB 377)
- Principals and assistant principals; Board of Education to review its regulations to incorporate an alternative licensure route. (Patron-Hamilton, HJR 123)
- Private landowners; Board of Forestry to study provision of incentives to hold and preserve their forestland. (Patron-Ticer, SJR 75)
- Public Records Act; joint subcommittee to study, including electronic records and effect on state depository system. (Patron-Cox, HJR 6; Martin, SJR 1)
- Public school divisions; Joint Legislative Audit and Review Commission to study outsourcing opportunities for noninstructional services. (Patron-O'Brien, SJR 56)
- Public school teachers and administrators; Board of Education to study granting state employee status. (Patron-Ruff, SJR 63)

**STUDY COMMISSIONS, COMMITTEES AND REPORTS (continued)**

- Public-Private Long-Term Care Insurance Partnership Programs; Department of Medical Assistance Services to study. (Patron-Edwards, SJR 50)
- Racial Profiling and Traffic Statistics Reporting Act; created, report. Amending §§ 15.2-1704, 15.2-1722 and 52-4; adding §§ 8.01-226.2:1, 52-30.1 and 52-30.2. (Patron-Marsh, SB 225)
- Rappahannock River Basin Commission; created as an independent local entity without political subdivision status, membership. Amending §§ 62.1-69.26, 62.1-69.29 and 62.1-69.30; adding §§ 62.1-69.33:1 and 62.1-69.33:2. (Patron-Wardrup, HB 1227, CH 471)
- Redistricting process; joint subcommittee to study. (Patron-Williams, SJR 27)
- Registered nurses; Secretary of Health and Human Resources to establish task force to examine issues relating to screening and testing pursuant to Medicaid program. (Patron-Lambert, SJR 45)
- Retail Sales and Use Tax, remote; joint subcommittee to study impact of collection on economy. (Patron-Hugo, HJR 176; Devolites, SJR 53)
- Retirement System; joint subcommittee to study and review benefits of public safety officers who are injured in line of duty. (Patron-Putney, HJR 34)
- Route 460 Communications Committee; continued. (Patron-McDonnell, HJR 185)
- School infrastructure for K-12; joint subcommittee to study level of assistance to localities necessary for adequate development. (Patron-Drake, HJR 105)
- Sexual assault; Department of Health to study statewide response to victims and prevention thereof. (Patron-Watkins, SJR 131)
- Smart driver's licenses and identification cards; joint subcommittee to study issuance. (Patron-Byron, HJR 162)
- Social services system; Joint Legislative Audit and Review Commission to study operation and performance thereof. (Patron-Landes, HJR 193)
- State police officers; salary increases, review by Department of Human Resource Management. Amending § 2.2-1202; adding § 2.2-1509.3. (Patron-Potts, SB 559)
- State property management; Division of Engineering and Buildings to establish and report on performance standards to determine effectiveness. Adding § 2.2-1131.1. (Patron-Reese, HB 985, CH 750; O'Brien, SB 289, CH 684)
- Surplus real property; state agencies to identify and report. Amending §§ 2.2-1153 and 2.2-1156. (Patron-McDonnell, HB 1124, CH 997)
- Tax code and policy issues; Senate and House Committees on Finance to continue study thereof. (Patron-Hanger, SJR 82)
- Technology programs; Secretary of Technology to monitor, and to report on broadband communication service trends. Amending §§ 2.2-205, 2.2-225, 2.2-2651, 23-231.9 and 30-198. (Patron-May, HB 546, CH 989)
- Transportation maintenance and construction program and funding; joint subcommittee to study. (Patron-Hanger, SJR 78)
- Trauma centers in hospitals; Joint Legislative Audit and Review Commission to study use and financing thereof. (Patron-McDonnell, HJR 183)
- Underground utility distribution lines; State Corporation Commission to study placement thereof. (Patron-Drake, HJR 153)
- Veterans care centers; Department of Veterans Services to study need for and cost of additional. (Patron-Puller, SJR 29)
- Voting equipment; joint subcommittee to study certification process, performance, and deployment thereof. (Patron-Hugo, HJR 174)
- Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1, 2.2-435.2 and 2.2-435.3. (Patron-Whipple, SB 460)
- Workforce Development, Special Advisor to the Governor for; created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1 through 2.2-435.5 and 37.1-207.1. (Patron-O'Brien, SB 304, CH 686)
- Workforce, Joint Commission on Management of; reestablished. (Patron-Lambert, SJR 48)

**STUMP, JACKIE T.**

Added as co-patron:

S.B. 407. . . . . 273

**SUBAQUEOUS BEDS** See: Waters of the State, Ports and Harbors

**SUBDIVISION OF LAND** See: Counties, Cities and Towns

**SUBPOENAS** See: Criminal Procedure

**SUBSTANCE ABUSE** See: Narcotics and Drugs

**SUEHS, KATIE** See: Commending Resolutions

**SULLIVAN, LAURIE J.** See: Commending Resolutions

**SULLIVAN, WALTER F.** See: Commending Resolutions

**SUMMONS AND PROCESS** See: Civil Remedies and Procedure

**SUPERVISORS, BOARDS OF** See: Counties, Cities and Towns

**SUPREME COURT OF VIRGINIA**

Judges and justices of Supreme Court and Court of Appeals; designation as a senior justice after retirement. Amending §§ 17.1-302 and 17.1-401. (Patron-Melvin, HB 70, CH 346)

Magistrate System; Report of Supreme Court of Virginia (HJR 32, 2002). (HD 7)

Supreme Court; designation of judges to serve on appeal panels. Amending § 17.1-300. (Patron-Stolle, SB 610)

Supreme Court of Virginia; encouraged to amend Rules of Court on electronic filing. (Patron-Phillips, HJR 288; Devolites, SJR 130)

**SUSCO, NANCY** See: Commending Resolutions

**SWEET POTATOES** See: Agriculture, Horticulture and Food

**SYDNOR, EUGENE B., JR.** See: Memorial Resolutions

**TAKE YOUR KIDS TO VOTE DAY** See: Holidays, Special Days, Etc.

**TALBOT PARK BAPTIST CHURCH** See: Commending Resolutions

**TAMPA ELECTRIC COMPANY** See: Commending Resolutions

**TAPPER, DAVID MARTIN** See: Memorial Resolutions

**TATA, ROBERT**

Added as co-patron:

S.B. 371. . . . . 453

**TATE, JOSEPH S.** See: Judges Justices and Other Elective Officers

**TAX EXEMPT ORGANIZATIONS**

Property exempt from taxation; provisions for certain charitable and other related organizations. Amending §§ 58.1-3400 and 58.1-3651. (Patron-Parrish, HB 1076, CH 557)

**TAXATION**

Admissions tax; imposition in Nelson County. Amending § 58.1-3818. (Patron-Deeds, SB 374)

Business license tax; phase-out in all localities. Adding § 58.1-3736; repealing §§ 58.1-3700 through 58.1-3735. (Patron-Norment, SB 655)

Business taxes; appeal of local assessments. Amending §§ 58.1-3703.1 and 58.1-3983.1. (Patron-Lingamfelter, HB 1122)

Business taxes; written opinions prior to filing of an appeal of local assessment. Amending § 58.1-3983.1. (Patron-Ware, R.L., HB 295, CH 527)

Businesses; electronic confirmation of receipt of tax returns. Amending § 58.1-9. (Patron-Mims, SB 667)

**TAXATION (continued)**

- Churches; those incorporated exempt from recordation and property taxes. Amending §§ 58.1-811 and 58.1-3606. (Patron-Howell, SB 73, CH 492)
- Cigarettes; imposition of fee on manufacturers who are not participating in Master Settlement Agreement. Adding § 58.1-1001.1. (Patron-Puckett, SB 675)
- Cigarettes; tax increased, use for funding police and teacher salaries and Medicaid. Amending §§ 58.1-1001, 58.1-3830, 58.1-3831 and 58.1-3840. (Patron-Potts, SB 269)
- Cigarettes and tobacco products; tax increased. Amending §§ 58.1-1000 through 58.1-1010, 58.1-1012 through 58.1-1015, 58.1-1017, 58.1-1018, 58.1-1019 and 58.1-1021. (Patron-Whipple, SB 455)
- Cigarettes and tobacco products; tax increased, revenue deposited in Health Care Fund. Amending §§ 58.1-1001, 58.1-1009 and 58.1-1018; adding §§ 32.1-366, 32.1-367 and 58.1-1021.01 through 58.1-1021.05. (Patron-Chichester, SB 465)
- Coal and gas road improvement tax; distribution of revenues for water and sewer system projects. Amending §§ 58.1-3713 and 58.1-3713.01. (Patron-Puckett, SB 642, CH 893)
- Coal and gas road improvement tax; distribution of revenues to local public service authority. Amending § 58.1-3713. (Patron-Phillips, HB 1426, CH 871)
- Constitutional amendment; General Assembly to establish special fund for specified purposes (first reference). Adding Section 7-B in Article X. (Patron-Norment, SJR 123)
- Constitutional amendment; limit on appropriations (first reference). Adding Section 7-B in Article X. (Patron-Cuccinelli, SJR 33)
- Constitutional amendments; exempts certain motor vehicles from state and local taxation (first reference). Amending Sections 4 and 6 of Article X. (Patron-Hanger, SJR 84)
- Contractors; classification of those engaged in business of storing, maintaining, or repairing vessels for local license tax purposes. Amending § 58.1-3714. (Patron-Norment, SB 424)
- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 58.1-2402, 58.1-2425, 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Wampler, SB 676)
- Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116. (Patron-Callahan, HB 1390)
- Cultural institutions, nonstate agency; Department of Taxation to collect sales tax data pertaining to economic impact thereof. (Patron-Fralin, HJR 82)
- Delinquent taxes; collection by local government treasurers. Amending § 58.1-1803. (Patron-Johnson, HB 924, CH 546)
- Enterprise zones; business and real property investment tax credit. Amending §§ 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.3. (Patron-Martin, SB 64)
- Enterprise zones; designations and business and real property investment tax credit. Amending §§ 59.1-274, 59.1-280, 59.1-280.1 and 59.1-280.2. (Patron-Dudley, HB 599)
- Enterprise zones; real property investment tax credit. Amending § 59.1-280.1. (Patron-Martin, SB 65)
- Estate tax; conformity of state and federal statutes. Amending § 58.1-901. (Patron-Tata, HB 4; Norment, SB 392)
- Estate tax; exemptions for closely held businesses or property used for agricultural purposes. Amending § 58.1-902. (Patron-Deeds, SB 378)
- Food and beverage tax; imposition in Fairfax County. Amending § 58.1-3833. (Patron-Saslaw, SB 643)
- Food and beverage tax; imposition in Giles County. Amending § 58.1-3833. (Patron-Edwards, SB 213)
- Fraud Against Taxpayers Act; not applicable to claims, records or statements relating to state or local taxes. Amending § 8.01-216.3. (Patron-Williams, SB 343, CH 589)
- Income tax, corporate; changes in provisions for permissible and impermissible transactions between interrelated companies. Amending §§ 58.1-302 and 58.1-402. (Patron-Nixon, HB 1361; Watkins, SB 683)
- Income tax, corporate; credit against cigarettes manufactured and exported to a foreign country. Adding § 58.1-439.12:01. (Patron-Stosch, SB 537)

**TAXATION (continued)**

- Income tax, corporate; credit for land preservation. Amending § 58.1-513. (Patron-Bryant, HB 1185, CH 635)
- Income tax, corporate; extends sunset in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Lambert, SB 231, CH 170)
- Income tax, corporate; extends sunset provision for tax credit for machinery and equipment used to produce personal property from recyclable materials. Amending § 58.1-439.7. (Patron-Hawkins, SB 690, CH 611)
- Income tax, corporate; reduces new employee threshold in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Carrico, HB 615, CH 619)
- Income tax, corporate; Tiered Incentive Program created to provide tax credit for creation of jobs in economically distressed localities, report. Adding §§ 58.1-514 through 58.1-519.1. (Patron-Ruff, SB 411)
- Income tax, state; credit for purchase of long-term care insurance. Amending § 58.1-322; adding § 58.1-339.11. (Patron-Lambert, SB 263)
- Income tax, state; electronic filing by tax preparers. Amending § 58.1-9. (Patron-Hull, HB 1159, CH 562)
- Income tax, state; filing of returns. Amending §§ 58.1-305 and 58.1-306. (Patron-Wardrup, HB 902, CH 544)
- Income tax, state; includes distributions from qualified tuition programs. Amending § 58.1-322. (Patron-Puller, SB 85)
- Income tax, state; increases personal exemption. Amending § 58.1-322. (Patron-Wampler, SB 281; Rerras, SB 446)
- Income tax, state; Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced such revenues with sales and use tax revenues. (Patron-Lingamfelter, HJR 172)
- Income tax, state; limiting legislation creating voluntary contribution of refunds to charitable organizations. Adding §§ 30-19.1:10 and 58.1-344.3. (Patron-Purkey, HB 1486, CH 649)
- Income tax, state; qualified equity and subordinated debt investment tax credit. Amending § 58.1-339.4. (Patron-Purkey, HB 282, CH 614)
- Income tax, state; subtractions include certain salary of local school board employees. Amending § 58.1-322. (Patron-Hanger, SB 515)
- Income tax, state; system of taxation and conformity of terms. Amending § 58.1-301. (Patron-Chichester, SB 466; Hanger, SB 526, CH 512)
- Income tax, state; tax forms to be included with filing instructions. Amending § 58.1-306. (Patron-Callahan, HB 104, CH 521)
- Income tax, state; voluntary contribution to Dr. Martin Luther King, Jr. Commission Fund. Adding § 58.1-346.25. (Patron-Marsh, SB 221)
- Income tax, state and corporate; limits land preservation tax credits. Amending § 58.1-512. (Patron-Hanger, SB 678)
- Local government taxing authority; equalizing county and city powers. Amending §§ 4.1-128, 15.2-204, 15.2-1200, 15.2-5814, 55-248.5 and 58.1-3840; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3830 through 58.1-3834 and 58.1-3842. (Patron-Whipple, SB 453)
- Local taxes; authority concerning increase in excise tax on cigarettes, admissions, transient occupancy, etc. Amending §§ 4.1-128, 15.2-5814, 55-248.5 and 58.1-3840; adding § 58.1-3322; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819 through 58.1-3823, 58.1-3830, 58.1-3831, 58.1-3832, 58.1-3833, 58.1-3834 and 58.1-3842. (Patron-Cuccinelli, SB 147)
- Local taxes; effect of application for correction of assessment or appeal upon applications for local permits and licenses. Adding § 58.1-3994. (Patron-Ware, R.L., HB 298, CH 902)
- Local taxes; offers in compromise to settle disputed assessments. Adding § 58.1-3994. (Patron-Ware, R.L., HB 293, CH 526)
- Lottery Board; criminal background checks for members, officers and employees of lottery vendors. Amending §§ 58.1-4008 and 58.1-4009. (Patron-Albo, HB 1028, CH 555)
- Lottery Law; changes in provisions giving department and director more authority. Amending §§ 58.1-4004, 58.1-4006, 58.1-4007, 58.1-4010, 58.1-4014 and 58.1-4020.1. (Patron-Albo, HB 1027, CH 630)

**TAXATION (continued)**

- Mobile property tax, local; appeal for correction of assessment. Amending §§ 58.1-3103 and 58.1-3983.1. (Patron-Drake, HB 464, CH 534)
- Motor fuels tax; additional imposition in Northern Virginia transportation district. Amending § 58.1-1720. (Patron-Whipple, SB 458)
- Motor fuels tax; changes in reporting and payment requirements. Amending §§ 58.1-2201, 58.1-2204, 58.1-2216, 58.1-2237, 58.1-2266, 58.1-2271 and 58.1-2283. (Patron-Parrish, HB 17, CH 340)
- Motor fuels tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701 and 58.1-2706; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 357)
- Motor Vehicle Sales and Use Tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2402 and 58.1-2425; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 356)
- Neighborhood Assistance Act; extends tax credit. Amending § 63.2-2002. (Patron-Nutter, HB 237, CH 216; Locke, SB 436, CH 699)
- Neighborhood Assistance Act; tax credit for donations of professional services. Amending § 63.2-2004. (Patron-Cosgrove, HB 285, CH 725; Obenshain, SB 81, CH 657)
- Nuisances; abatement, sale of property for delinquent taxes, etc. Amending §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1. (Patron-Jones, D.C., HB 1456, CH 968)
- Open-space preservation; imposition of additional fee for distribution to Outdoors Foundation. Amending § 58.1-812; adding § 58.1-817. (Patron-May, HB 549, CH 990)
- Personal property exempt from taxation; includes trailers used to transport farm animals or other farm products. Amending §§ 58.1-3505 and 58.1-3506. (Patron-Cole, HB 1030, CH 556)
- Personal property exempt from taxation; includes vehicles owned by certain members of volunteer rescue and fire organizations. Amending § 58.1-3506. (Patron-Orrrock, HB 143, CH 4; Houck, SB 349, CH 591)
- Personal property tax; rate on motor homes. Amending § 58.1-3506. (Patron-Mims, SB 502)
- Personal Property Tax Relief Act of 1998; payments when taxes paid in full. Amending § 58.1-3528. (Patron-Ingram, HB 926, CH 547)
- Property exempt from taxation; provisions for certain charitable and other related organizations. Amending §§ 58.1-3400 and 58.1-3651. (Patron-Parrish, HB 1076, CH 557)
- Public records; treasurer may impose a remote access fee to cover operational expenses. Amending § 58.1-3172.1. (Patron-Drake, HB 465, CH 223)
- Public service corporations; filing of annual report. Amending § 58.1-2628. (Patron-Watkins, SB 120, CH 661)
- Public service corporations; locality to determine taxation of real and tangible personal property. Amending § 58.1-2606. (Patron-Watkins, SB 121; Watkins, SB 366, CH 504)
- Public service corporations; requires certain electric suppliers to pay a minimum tax rather than corporate tax. Amending §§ 58.1-2628 and 58.1-2674.1; adding § 58.1-400.3. (Patron-Watkins, SB 681, CH 716)
- Real estate; nonjudicial sale of tax delinquent property. Adding § 58.1-3975. (Patron-Ingram, HB 925, CH 100)
- Real estate assessments; establishment of department in Powhatan County. Amending § 58.1-3274. (Patron-Ware, R.L., HB 1461, CH 576)
- Real estate tax; allows Charlottesville City to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Van Yahres, HB 154, CH 5)
- Real estate tax; allows Goochland County to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Janis, HB 403, CH 6; Watkins, SB 122, CH 494)
- Real estate tax; allows Northern Virginia to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Colgan, SB 361, CH 503)
- Real estate tax; alternative payment schedules for elderly and handicapped. Adding § 58.1-3916.02. (Patron-Colgan, SB 645)
- Real estate tax; alternative payment schedules for elderly and handicapped persons in Prince William County. Adding § 58.1-3916.02. (Patron-Frederick, HB 928, CH 548)

**TAXATION (continued)**

- Real estate tax; collection proceedings for delinquent taxes. Amending § 58.1-3967. (Patron-Gear, HB 1453, CH 645)
- Real estate tax; credit for permanent easements. Adding § 58.1-3206. (Patron-Deeds, SB 247)
- Real estate tax; deferral for certain disabled military veterans. Amending § 58.1-3211. (Patron-Deeds, SB 248)
- Real estate tax; exemptions on certain leasehold interests. Amending § 58.1-3203. (Patron-Puller, SB 188)
- Real estate tax; increases amount of land acreage owned by elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 97, CH 78)
- Real estate tax; increases certain asset threshold amounts for elderly or disabled prior to reduced imposition. Amending § 58.1-3211. (Patron-Cole, HB 94, CH 77)
- Real estate tax; limitation on tax rate. Amending § 58.1-3321; adding § 58.1-3322. (Patron-Cuccinelli, SB 140)
- Recordation tax; exemptions include contracts on real or personal property. Amending § 58.1-811. (Patron-Reese, HB 975, CH 626)
- Recordation tax; leases on oil, gas and mineral rights and communications towers. Amending § 58.1-807. (Patron-Williams, SB 111; Norment, SB 399, CH 974)
- Retail Sales and Use Tax; allows dealer to file and pay taxes he collects with local commissioner of revenue, etc. Amending § 58.1-615. (Patron-Griffith, HB 1241, CH 567)
- Retail Sales and Use Tax; applicable to telephone calling cards. Amending § 58.1-602. (Patron-Petersen, HB 246, CH 60)
- Retail Sales and Use Tax; constitutional nexus for imposition. Adding § 8.01-184.1. (Patron-Hugo, HB 1463, CH 647; Mims, SB 668, CH 609)
- Retail Sales and Use Tax; eliminates numerous commercial and industrial exemptions. Amending § 58.1-609.3. (Patron-Hamilton, HB 1488)
- Retail Sales and Use Tax; entitles Hampton City to allocable revenues from watercraft business and sales. Amending §§ 58.1-638 and 58.1-1410. (Patron-Locke, SB 439)
- Retail Sales and Use Tax; entitles Newport News City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-BaCote, HB 1208, CH 566; Norment, SB 398, CH 506)
- Retail Sales and Use Tax; entitles Salem City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3. (Patron-Griffith, HB 1243, CH 568)
- Retail Sales and Use Tax; exemptions for certain contractors. Amending § 58.1-610. (Patron-Devolites, SB 91)
- Retail Sales and Use Tax; exemptions for certain public service corporations. Amending § 58.1-609.3. (Patron-Watkins, SB 682)
- Retail Sales and Use Tax; exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11. (Patron-Orrick, HB 515, CH 536; Colgan, SB 585, CH 515)
- Retail Sales and Use Tax; exemptions include Citizens United for Rehabilitation of Errants-Virginia, Inc. Adding § 58.1-609.10:01. (Patron-Puller, SB 84)
- Retail Sales and Use Tax; exemptions include Clinch Independent Living Services Inc. Adding § 58.1-609.10.01. (Patron-Puckett, SB 253)
- Retail Sales and Use Tax; exemptions include Farmwell Hunt Homeowners Association, Inc. Adding § 58.1-609.10.01. (Patron-Mims, SB 501)
- Retail Sales and Use Tax; exemptions include Loudoun Healthcare Foundation. Adding § 58.1-609.10.01. (Patron-Mims, SB 500)
- Retail Sales and Use Tax; exemptions include Pilot Club International Luncheon Pilot Club of Chesapeake. Adding § 58.1-609.10.01. (Patron-Blevins, SB 692)
- Retail Sales and Use Tax; exemptions include software and content delivered electronically. Amending § 58.1-609.5. (Patron-Devolites, SB 632, CH 607)
- Retail Sales and Use Tax; extends sunset provision for certain media-related businesses. Amending § 58.1-609.6. (Patron-Stosch, SB 533, CH 821)

**TAXATION (continued)**

- Retail Sales and Use Tax; extends sunset provision for film and audiovisual works. Amending § 58.1-609.6. (Patron-Janis, HB 1262, CH 101; Lambert, SB 571, CH 606)
- Retail Sales and Use Tax; extends sunset provision for textbooks for free distribution to professors. Amending § 58.1-609.6. (Patron-Scott, E.T., HB 1084, CH 63; Houck, SB 347, CH 590)
- Retail Sales and Use Tax; limits certain percentage of revenues from a nonprofit entity to be used for administrative costs in order to maintain exempt status. Amending § 58.1-609.11. (Patron-Purkey, HB 311)
- Retail Sales and Use Tax Act; renamed Streamlined Retail Sales and Use Tax Act to conform with national agreement. Amending §§ 58.1-600 through 58.1-604, 58.1-605, 58.1-606, 58.1-609.3, 58.1-609.5, 58.1-609.10, 58.1-609.13, 58.1-610, 58.1-610.1, 58.1-611.1, 58.1-612 through 58.1-615, 58.1-618, 58.1-621, 58.1-622, 58.1-623, 58.1-626, 58.1-635, 58.1-3833 and 58.1-3840; adding §§ 58.1-606.1, 58.1-606.2, 58.1-628.2, 58.1-635.1, 58.1-635.2 and 58.1-639.1; repealing §§ 58.1-627 and 58.1-628. (Patron-Hanger, SB 514)
- Statewide Agencies Radio System (STARS); financing through bonds and vehicle rental fees. Amending §§ 58.1-2402 and 58.1-2425. (Patron-Sherwood, HB 106, CH 522)
- Tax bills; certain prohibited from being amended during 2004 Session. (Patron-Cuccinelli, SJR 42)
- Tax code and policy issues; Senate and House Committees on Finance to continue study thereof. (Patron-Hanger, SJR 82)
- Tax information; does not prohibit release of information to persons who are subject thereof. Amending § 58.1-3. (Patron-O'Brien, SB 305)
- Tax information; may be provided to assist in collecting overpayments of income to injured workers. Amending § 58.1-3. (Patron-Colgan, SB 403, CH 594)
- Tax information; release to aid in locating holders of unclaimed property. Amending § 58.1-3. (Patron-Colgan, SB 166, CH 582)
- Tax information; release to help facilitate collection of unpaid wages. Amending § 58.1-3. (Patron-Colgan, SB 165, CH 166)
- Tax reform; changes in provisions for income tax, sales and use tax and corporate tax. Amending §§ 58.1-302, 58.1-320, 58.1-322, 58.1-391, 58.1-392, 58.1-400, 58.1-402, 58.1-415, 58.1-441, 58.1-602, 58.1-603 and 58.1-609.10; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-339.8, 58.1-390, 58.1-394 and 58.1-611.1. (Patron-Lucas, SB 589)
- Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 3.1-1111, 58.1-302, 58.1-302, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-393.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3833 and 58.1-3840; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395, 58.1-628.2 and 58.1-1017.1; repealing §§ 58.1-611.1, 58.1-627, 58.1-628, 58.1-3536, 58.1-3830, 58.1-3831 and 58.1-3832. (Patron-Hanger, SB 530)
- Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840 and 58.1-3912; adding §§ 32.1-366, 32.1-367, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-390, 58.1-394 and 58.1-3831. (Patron-Chichester, SB 467)
- Tax reform; changes in provisions for income tax, sales and use tax, estate tax, local license taxes, motor fuels tax, etc. Amending §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706 and 58.1-3833; adding §§ 10.1-2135, 46.2-702.1, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395 and 58.1-2288.1; repealing tenth enactment of Chapters 1019 and 1044, 2000 Acts. (Patron-Chichester, SB 635)
- Telecommunications services; proposed taxation changes. (Patron-Bryant, HB 1174, CH 634)

**TAXATION (continued)**

- Tobacco products; tax increased, revenue deposited in Health Care Fund and Local Government School Construction Fund. Amending §§ 58.1-1001, 58.1-3830 and 58.1-3840; adding §§ 32.1-366 and 32.1-367; repealing § 58.1-3831. (Patron-Howell, SB 74)
- Transient occupancy and food and beverage taxes; technical changes in provisions. Amending §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842. (Patron-Watkins, SB 684, CH 610)
- Transient occupancy tax; additional imposition in certain counties or cities. Adding § 58.1-3824. (Patron-Watkins, SB 367)
- Transient occupancy tax; additional imposition in Fairfax County. Adding § 58.1-3824. (Patron-Hugo, HB 1001, CH 9; Mims, SB 512)
- Transient occupancy tax; additional imposition in Greater Williamsburg area. Amending § 58.1-3823. (Patron-Norment, SB 652, CH 828)
- Transient occupancy tax; additional imposition in Rockbridge County, and Lexington and Buena Vista Cities. Adding § 58.1-3824. (Patron-Hanger, SB 517, CH 598)
- Transient occupancy tax; imposition in Floyd County. Amending § 58.1-3819. (Patron-Dudley, HB 739, CH 7)
- Transient occupancy tax; imposition in Nelson County. Amending § 58.1-3819. (Patron-Deeds, SB 375)
- Transient occupancy tax; increased in certain counties, revenues for Performing Arts Foundation. Amending § 58.1-3823. (Patron-O'Bannon, HB 741, CH 50)
- Utility tax; imposition on local consumers in Town of Iron Gate for mobile phone usage. Amending § 58.1-3812. (Patron-Deeds, SB 14, CH 489)
- Utility tax; imposition on local consumers in Towns of Herndon and Vienna for mobile phone usage. Amending § 58.1-3812. (Patron-Rust, HB 372, CH 43; Howell, SB 316, CH 172)
- Utility tax; imposition on local consumers in Towns of Vienna and Clifton for mobile phone usage. Amending § 58.1-3812. (Patron-Devolites, SB 627, CH 516)
- Utility tax, local consumer; exemption for churches. Amending §§ 58.1-3814 and 58.1-3816.2. (Patron-Stump, HB 743, CH 8; Puckett, SB 71, CH 159)

**TAYLOR, JOI J.** See: Judges Justices and Other Elective Officers

**TAYLOR, LYDIA C.** See: Judges Justices and Other Elective Officers

**TAZEWELL, TOWN OF**

- C. Don Dunford Bridge; designating bridge on Route 19/460 bypass around Town of Tazewell. (Patron-Puckett, SB 545)
- George F. Barnes Bridge; designating as bridge on Route 19/460 bypass around Town of Tazewell. (Patron-Puckett, SB 544)

**TEACHERS** See: Education

**TEAL, JOHN ROBERT "J.R."** See: Memorial Resolutions

**TECHNOLOGY** See: Science and Technology

**TECHNOLOGY, SECRETARY OF** See: Administration of the Government Generally

**TECHNOLOGY STUDENT ASSOCIATION** See: Commending Resolutions

**TELECOMMUNICATIONS** See: Administration of the Government Generally

**TELECOMMUTING** See: Computer Services and Uses

**TELEMEDICINE** See: Health

**TELEPHONE AND TELEGRAPH COMPANIES** See: Public Service Companies

**TELEVISION** See: News Media

**TERRORISM** See: Crimes and Offenses Generally

**TESTA, ROBERT M., JR.** See: Commending Resolutions

**THEATERS AND OTHER PLACES OF AMUSEMENT**

Admissions tax; imposition in Nelson County. Amending § 58.1-3818. (Patron-Deeds, SB 374)

Dance halls; regulation. Amending § 18.2-433. (Patron-Edwards, SB 245)

Motion pictures; penalty for audiovisual recording. Adding § 18.2-187.2. (Patron-McDonnell, HB 1129, CH 759)

**THOESEN, RICHARD C.** See: Commending Resolutions

**THOMAS, A. VICTOR** See: Commending Resolutions

**THOMAS JEFFERSON HIGH SCHOOL** See: Commending Resolutions

**THOMAS, NORMAN ALLAN** See: Judges Justices and Other Elective Officers

**THOMAS, R. B., JR.** See: Commending Resolutions

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**TINTED WINDOWS ON AUTOMOBILES** See: Motor Vehicles

**TITLE INSURANCE** See: Insurance

**TOBACCO AND TOBACCO PRODUCTS**

Cigarettes; affixing stamps thereto, reporting requirements. Amending §§ 3.1-336.2, 3.1-336.3, 58.1-1000, 58.1-1003, 58.1-1009, 58.1-1010, 58.1-1011 and 58.1-1013; repealing §§ 58.1-1004, 58.1-1005 and 58.1-1014. (Patron-Ware, R.L., HB 862, CH 1029)

Cigarettes; imposition of fee on manufacturers who are not participating in Master Settlement Agreement. Adding § 58.1-1001.1. (Patron-Puckett, SB 675)

Cigarettes; tax increased, use for funding police and teacher salaries and Medicaid. Amending §§ 58.1-1001, 58.1-3830, 58.1-3831 and 58.1-3840. (Patron-Potts, SB 269)

Cigarettes and tobacco products; tax increased. Amending §§ 58.1-1000 through 58.1-1010, 58.1-1012 through 58.1-1015, 58.1-1017, 58.1-1018, 58.1-1019 and 58.1-1021. (Patron-Whipple, SB 455)

Cigarettes and tobacco products; tax increased, revenue deposited in Health Care Fund. Amending §§ 58.1-1001, 58.1-1009 and 58.1-1018; adding §§ 32.1-366, 32.1-367 and 58.1-1021.01 through 58.1-1021.05. (Patron-Chichester, SB 465)

Income tax, corporate; credit against cigarettes manufactured and exported to a foreign country. Adding § 58.1-439.12:01. (Patron-Stosch, SB 537)

**TOBACCO AND TOBACCO PRODUCTS (continued)**

Local taxes; authority concerning increase in excise tax on cigarettes, admissions, transient occupancy, etc. Amending §§ 4.1-128, 15.2-5814, 55-248.5 and 58.1-3840; adding § 58.1-3322; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819 through 58.1-3823, 58.1-3830, 58.1-3831, 58.1-3832, 58.1-3833, 58.1-3834 and 58.1-3842. (Patron-Cuccinelli, SB 147)

Master Settlement Agreement; release of escrow funds to cigarette manufacturers. Amending § 3.1-336.2. (Patron-Puckett, SB 649)

Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 3.1-1111, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-339.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706, 58.1-3523, 58.1-3524, 58.1-3833 and 58.1-3840; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395, 58.1-628.2 and 58.1-1017.1; repealing §§ 58.1-611.1, 58.1-627, 58.1-628, 58.1-3536, 58.1-3830, 58.1-3831 and 58.1-3832. (Patron-Hanger, SB 530)

Tax reform; changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840 and 58.1-3912; adding §§ 32.1-366, 32.1-367, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-390, 58.1-394 and 58.1-3831. (Patron-Chichester, SB 467)

Tobacco Indemnification and Community Revitalization Commission; confirming appointments. (Patron-Martin, SJR 209)

Tobacco products; tax increased, revenue deposited in Health Care Fund and Local Government School Construction Fund. Amending §§ 58.1-1001, 58.1-3830 and 58.1-3840; adding §§ 32.1-366 and 32.1-367; repealing § 58.1-3831. (Patron-Howell, SB 74)

**TOLL FACILITIES** See: Highways, Bridges and Ferries

**TOLLS** See: Highways, Bridges and Ferries

**TOURISTS AND TOURIST INDUSTRY** See: Conservation

**TOWING SERVICES AND TOW TRUCKS** See: Motor Vehicles

**TOWNS AND TOWN OFFICIALS** See: Counties, Cities and Towns

**TOXIC SUBSTANCES** See: Dangerous or Hazardous Substances or Chemicals

**TRADE AND COMMERCE**

Business entities; changes in provisions. Amending §§ 13.1-754, 13.1-916, 13.1-1008, 13.1-1009, 13.1-1019, 13.1-1022, 13.1-1023.1, 13.1-1024, 13.1-1048, 13.1-1050.1, 13.1-1059, 13.1-1064, 13.1-1070, 13.1-1239, 13.1-1254, 50-73.69, 50-73.83, 50-73.132, 50-73.134 and 50-73.137:1; adding §§ 13.1-1041.1, 13.1-1049.1, 50-73.46:1, 50-73.52:1 and 50-73.137:2; repealing §§ 13.1-1041 and 50-73.46. (Patron-Stosch, SB 538, CH 601)

Business entities; changes in requirements for fictitious names. Amending §§ 59.1-69, 59.1-70 and 59.1-74. (Patron-Norment, SB 240)

Business license tax; phase-out in all localities. Adding § 58.1-3736; repealing §§ 58.1-3700 through 58.1-3735. (Patron-Norment, SB 655)

Business taxes; appeal of local assessments. Amending §§ 58.1-3703.1 and 58.1-3983.1. (Patron-Lingamfelter, HB 1122)

Business taxes; written opinions prior to filing of an appeal of local assessment. Amending § 58.1-3983.1. (Patron-Ware, R.L., HB 295, CH 527)

Business-Education Partnership Program and Advisory Council on; abolished. Amending § 2.2-2101; repealing §§ 2.2-209, 2.2-210, 2.2-2600, 2.2-2601 and 2.2-2602. (Patron-Cox, HB 9, CH 37)

Businesses; electronic confirmation of receipt of tax returns. Amending § 58.1-9. (Patron-Mims, SB 667)

**TRADE AND COMMERCE (continued)**

- Career and technical education; to be included in curriculum. Amending § 22.1-253.13:1. (Patron-Hurt, HB 769, CH 848)
- Consumer Protection Act; admissibility of cure offers for consumer disputes involving consumer purchases. Amending §§ 59.1-198 and 59.1-204. (Patron-Athey, HB 231, CH 41)
- Contractors; classification of those engaged in business of storing, maintaining, or repairing vessels for local license tax purposes. Amending § 58.1-3714. (Patron-Norment, SB 424)
- Enterprise zones; business and real property investment tax credit. Amending §§ 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.3. (Patron-Martin, SB 64)
- Enterprise zones; designations. Amending § 59.1-274. (Patron-Armstrong, HB 1067)
- Enterprise zones; designations and business and real property investment tax credit. Amending §§ 59.1-274, 59.1-280, 59.1-280.1 and 59.1-280.2. (Patron-Dudley, HB 599)
- Enterprise zones; real property investment tax credit. Amending § 59.1-280.1. (Patron-Martin, SB 65)
- False discount coupon; penalty for use, definition. Amending § 18.2-178. (Patron-Wright, HB 170)
- Firearms; abolishes provisions regulating sales and purchases in contiguous states. Repealing §§ 59.1-148.1 and 59.1-148.2. (Patron-Lingamfelter, HB 1302, CH 929)
- Handguns; purchase by Departments of Conservation and Recreation and of Forestry officers. Amending § 59.1-148.3. (Patron-Keister, HB 503, CH 136)
- Health Spa Act; requirement for bond or letter of credit. Amending §§ 59.1-296.2:1 and 59.1-306. (Patron-Amundson, HB 390, CH 988)
- Higher educational institutions and industry; Council of Higher Education to develop policies and strategies to eliminate barriers between. (Patron-May, HB 547, CH 537)
- Income tax, corporate; extends sunset in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Lambert, SB 231, CH 170)
- Income tax, corporate; reduces new employee threshold in order to receive major business facility job tax credit. Amending § 58.1-439. (Patron-Carrico, HB 615, CH 619)
- Income tax, corporate; Tiered Incentive Program created to provide tax credit for creation of jobs in economically distressed localities, report. Adding §§ 58.1-514 through 58.1-519.1. (Patron-Ruff, SB 411)
- Itinerant merchants; regulation. Adding § 54.1-4306. (Patron-Cosgrove, HB 283, CH 127)
- Legal service plans; moves regulation to Department of Agriculture and Consumer Services. Amending §§ 38.2-1800 and 59.1-200; adding §§ 59.1-441.1 through 59.1-441.6; repealing § 38.2-4415. (Patron-Hargrove, HB 363, CH 784)
- Manufacturing; joint subcommittee to study needs and future thereof. (Patron-Wagner, SJR 64)
- Minority- and Women-Owned Business Participation in Procurement Transactions, Disparity Assessment on Status of; Report of Department of Minority Business Enterprise (HJR 646 and SJR 359, 2003). (SD 7)
- Motor vehicle purchases; cure offers for consumer disputes. Amending §§ 59.1-198 and 59.1-204. (Patron-Stolle, SB 324, CH 90)
- Nanotechnology research and related economic development opportunities; Joint Commission on Technology and Science to identify. (Patron-May, HJR 120)
- North American Free Trade Agreement and World Trade Organization; memorializing President and Congress to withdraw United States therefrom. (Patron-Reynolds, SJR 40)
- Personal Information Privacy Act; restricting use of date of birth as condition for accepting checks. Amending §§ 59.1-443 and 59.1-444; adding § 59.1-443.1. (Patron-Dudley, HB 1424, CH 241)
- Petroleum Storage Tank Fund; reimbursements. Amending § 62.1-44.34:11. (Patron-Oder, HB 1450, CH 485)
- Post-Disaster Anti-Price Gouging Act; created. Amending § 59.1-200; adding §§ 59.1-525 through 59.1-529. (Patron-Rapp, HB 686, CH 798; Norment, SB 242, CH 817)
- Procurement Act, Public; small, and women- and minority-owned business participation. Amending §§ 2.2-4310 and 2.2-4343; adding § 15.2-965.1. (Patron-McDonnell, HB 1145, CH 865; Williams, SB 598, CH 891)
- Procurement from commercial vendors; regulations for outsourcing. Amending § 2.2-1111. (Patron-Cline, HB 1201)
- Product liability; exemption for products containing open and obvious dangers. Adding § 8.01-44.6. (Patron-Janis, HB 1372)

**TRADE AND COMMERCE (continued)**

- Racing Commission; authorized to increase number of satellite facilities. Amending § 59.1-369. (Patron-Stolle, SB 167, CH 774)
- Restaurants; exemptions include convenience stores and gas stations. Amending § 35.1-25. (Patron-Phillips, HB 918, CH 227)
- Retail Sales and Use Tax; extends sunset provision for certain media-related businesses. Amending § 58.1-609.6. (Patron-Stosch, SB 533, CH 821)
- Small Business Financing Authority; membership, voting privileges. Amending § 2.2-2282. (Patron-Plum, HB 1405, CH 239)
- Telephone Privacy Protection Act; prohibits telephone solicitation to persons on a Do-Not-Call Registry. Amending §§ 59.1-510, 59.1-511, 59.1-513 and 59.1-514; adding § 59.1-513.1. (Patron-Morgan, HB 689, CH 224; Williams, SB 344, CH 202)
- Uniform Computer Information Transactions Act (UCITA); changes in provisions. Amending §§ 59.1-501.2, 59.1-501.3, 59.1-501.5, 59.1-501.6, 59.1-501.12, 59.1-502.7, 59.1-502.9, 59.1-503.7, 59.1-504.1, 59.1-504.4 and 59.1-504.5; adding §§ 59.1-501.4:1, 59.1-501.13:1, 59.1-501.14:1, 59.1-501.15, 59.1-501.16, 59.1-501.17 and 59.1-504.10; repealing §§ 59.1-501.4, 59.1-501.13, 59.1-501.14, 59.1-502.11 and 59.1-503.8. (Patron-May, HB 548, CH 794)

**TRAFFIC REGULATIONS AND VIOLATIONS** See: Motor Vehicles

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**TRANSPORTATION**

- See also: Highways, Bridges and Ferries
- Billboard signs; maintenance and repair governed by Transportation Commissioner. Adding § 33.1-370.2. (Patron-Martin, SB 58, CH 656)
- Comprehensive roadside management program; established within Department of Transportation. Adding § 33.1-223.2:9. (Patron-Hawkins, SB 260, CH 679)
- Constitutional amendment; Highway Maintenance and Operating Fund and Transportation Trust Fund continued (first reference). Adding Section 7-B in Article X. (Patron-Howell, SJR 18)
- Constitutional amendment; Transportation Trust Fund (first reference). Adding Section 7-B in Article X. (Patron-O'Brien, SJR 54; Williams, SJR 60)
- Design-build contracts; use by Director of Department of Rail and Public Transportation. Amending § 33.1-12. (Patron-Watkins, SB 364, CH 110)
- Dulles Corridor; issuance of transportation credit assistance revenue bonds for funding mass transit. Amending §§ 33.1-268, 33.1-269 and 33.1-277. (Patron-Callahan, HB 1005, CH 807)
- Engineering functions; limiting performance within Department of Transportation. Adding § 33.1-190.01. (Patron-Williams, SB 106)
- Entrepreneurial Education Region; posting of appropriate markers at entrances thereto. (Patron-Carrico, HJR 132)
- High-occupancy toll (HOT) lanes; Department of Transportation when making improvements to Interstate Route 66 to include these lanes. (Patron-Cuccinelli, SB 139, CH 664)
- Interstate Route 81; Transportation Board and Department of Transportation to review ways to address congestion and safety problems. (Patron-Cline, HJR 291)
- Motor fuels tax; additional imposition in Northern Virginia transportation district. Amending § 58.1-1720. (Patron-Whipple, SB 458)
- Motor fuels tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701 and 58.1-2706; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 357)
- Motor Vehicle Sales and Use Tax; increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2402 and 58.1-2425; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840. (Patron-Colgan, SB 356)
- Rail Transportation Development Authority; membership, powers, etc. Amending § 2.2-2101; adding §§ 33.1-391.6 through 33.1-391.10; repealing Chapter 1041, 2003 Acts. (Patron-Edwards, SB 413)

**TRANSPORTATION (continued)**

- Rail Transportation Development Authority, Study of; Report of Transportation Research Council (SJR 354, 2003). (SD 4)
- Reston community; requesting various boards and departments of State to implement transportation plan therein. (Patron-Plum, HJR 163)
- Route 1 corridor in Fairfax and Prince William Counties; recognizing need for various transit options therein. (Patron-Puller, SJR 39)
- Transportation Commissioner; may enter into agreements with cities and towns. Adding § 33.1-12.1. (Patron-Wardrup, HB 904, CH 623)
- Transportation, Department of, Improvement in Cash-Flow and Project Management within; Report of Transportation Commissioner (HJR 685, 2003). (HD 12)
- Transportation district; created within Charlottesville City and Albemarle County. Adding §§ 33.1-447 through 33.1-463. (Patron-Marshall, D.W., HB 1419, CH 966)
- Transportation impact fees; applicable in certain counties. Adding § 15.2-2328. (Patron-Watkins, SB 123)
- Transportation infrastructure; provisions in comprehensive plan. Amending § 15.2-2223. (Patron-Houck, SB 353, CH 691)
- Transportation maintenance and construction program and funding; joint subcommittee to study. (Patron-Hanger, SJR 78)
- Transportation projects; Department of Transportation to maintain property acquired for construction thereof. Adding § 33.1-223.2:9. (Patron-Wampler, SB 277, CH 682)
- Transportation Trust Fund; allocation of proceeds. Amending § 33.1-23.03:1; repealing §§ 33.1-23.03:4, 33.1-23.1:1, 33.1-221, 33.1-221.1:1, 33.1-221.1:3, 33.1-221.1:6 and 33.1-223. (Patron-O'Brien, SB 307)
- Washington Metropolitan Area Transit Authority; Congress to undertake new commitment to meet funding needs thereof. (Patron-Whipple, SJR 69)
- Woodlawn Road; Department of Transportation to assert property rights of State with respect thereto in Fairfax County and Fort Belvoir. (Patron-Amundson, HB 1291, CH 235; Puller, SB 590, CH 119)

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**UNEMPLOYMENT COMPENSATION**

Employment Commission; eliminates requirement for development of a workforce plan during times of economic recession, etc. Amending § 60.2-113. (Patron-Ruff, SB 9, CH 154)

Unemployment compensation; allowed two weeks of benefits if terminated before resignation date. Amending § 60.2-612. (Patron-Reynolds, SB 194, CH 496)

Unemployment compensation; applicable to a military spouse. Amending §§ 60.2-528 and 60.2-618. (Patron-Tata, HB 1288)

Unemployment compensation; benefit charges resulting from a temporary work closure forced by a disaster. Amending § 60.2-528. (Patron-Blevins, SB 179, CH 583)

Unemployment compensation; definition of employment services as it relates to prison inmates. Amending §§ 60.2-219, 60.2-528 and 60.2-618. (Patron-Hogan, HB 529, CH 977)

Unemployment compensation; disqualification for benefits. Amending § 60.2-618. (Patron-Griffith, HB 288, CH 525)

Unemployment compensation; eliminates offset for retirement benefits. Amending § 60.2-604. (Patron-Watkins, SB 128)

Unemployment compensation; introduction of legislation affecting State revenue. Adding § 30-19.03:1.2. (Patron-Wagner, SB 664, CH 895)

Unemployment compensation; minimum qualifying earnings. Amending § 60.2-602. (Patron-Wagner, SB 621)

Unemployment compensation; penalties for late filing. Amending § 60.2-513. (Patron-Watkins, SB 130, CH 495)

Unemployment compensation; representation at hearings. Amending § 60.2-500. (Patron-Watkins, SB 129)

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Amber lights on U.S. Mail vehicles; use. Amending § 46.2-892. (Patron-Hargrove, HB 556, CH 359)

Constitution of U.S.; General Assembly rescinds and withdraws all past resolutions applying to Congress to call a convention to amend. (Patron-Landes, HJR 194)

Constitution of U.S.; ratification of Equal Rights Amendment. (Patron-Ticer, SJR 94)

Constitutional amendment; effective dates of legislative and congressional redistricting (second reference). Amending Section 6 of Article II. (Patron-O'Brien, SJR 6, CH 981)

Constitutional amendment; effective dates of legislative and congressional redistricting (submitting to qualified voters). Amending Section 6 of Article II. (Patron-O'Brien, SB 18, CH 873)

Constitutional amendment; establishes a Redistricting Commission to redraw boundaries of congressional and legislative districts (first reference). Amending Section 6 of Article II. (Patron-Deeds, SJR 3; Whipple, SJR 59)

Federal burial allowance for veterans; urging Congress to increase. (Patron-Pollard, HJR 286)

Marriage; urging Congress to propose constitutional amendment to protect fundamental institution thereof. (Patron-McDonnell, HJR 187; Cuccinelli, SJR 91)

No Child Left Behind Act; memorializing Congress to include a mechanism for automatic waiver for school accountability for states. (Patron-Landes, HJR 192; Hanger, SJR 77)

North American Free Trade Agreement and World Trade Organization; memorializing President and Congress to withdraw United States therefrom. (Patron-Reynolds, SJR 40)

Pledge of Allegiance; encouraging Supreme Court to uphold public school district policy on recitation. (Patron-Cole, HJR 179)

**UNITED STATES GOVERNMENT (continued)**

Religious faith; urging Congress to continue to preserve State’s sovereignty in matters related thereto. (Patron-Black, HJR 285)

State Waste Empowerment and Enforcement Provision Act of 2003; urging Congress to enact. (Patron-Louderback, HJR 247; Obenshain, SJR 79)

**UNIVERSITY OF VIRGINIA** See: Educational Institutions

**USE TAX** See: Sales and Use Tax

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Filming, videotaping or photographing of another; penalty when permission not given. Amending § 18.2-386.1. (Patron-Bell, HB 663, CH 844)

Motion pictures; penalty for audiovisual recording. Adding § 18.2-187.2. (Patron-McDonnell, HB 1129, CH 759)

Retail Sales and Use Tax; extends sunset provision for film and audiovisual works. Amending § 58.1-609.6. (Patron-Janis, HB 1262, CH 101; Lambert, SB 571, CH 606)

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Utility tax; imposition on local consumers in Towns of Vienna and Clifton for mobile phone usage. Amending § 58.1-3812. (Patron-Devolites, SB 627, CH 516)

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**VIRGINIA BEACH, CITY OF**

Real property owned by State; certain restricted use may be satisfied if used for tourism in Virginia Beach City. (Patron-Blevins, SB 661, CH 1020)  
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Career and technical education; to be included in curriculum. Amending § 22.1-253.13:1. (Patron-Hurt, HB 769, CH 848)  
Career-training schools; regulation. Amending §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11 and 54.1-3029; adding §§ 23-276.13, 23-276.14 and 23-276.15; repealing §§ 22.1-326.1, 22.1-333, 22.1-334 and 22.1-335. (Patron-Tata, HB 637, CH 991)

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Washington County Service Authority; commemorating its 50th anniversary. (Patron-Johnson, HJR 89)

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License plates, special; issuance to supporters of Washington D.C. United soccer team. Adding § 46.2-749.101. (Patron-Howell, SB 42)

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**WASTE DISPOSAL**

- Environmental permit fees; applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1. (Patron-Orrock, HB 1350, CH 324; Watkins, SB 365, CH 249)
- Green schools program; to promote waste reduction and resource efficiency. Adding § 22.1-212.1:2. (Patron-Howell, SB 315, CH 882)
- Hazardous waste; temporary storage. Amending § 10.1-1426. (Patron-Oder, HB 713, CH 442)
- Landfill gas pipelines; notification to counties of location. Adding § 33.1-223.2:9. (Patron-Ingram, HB 1263, CH 808)
- Landfills; siting in Appomattox County, submission of environmental impact reports. Amending §§ 10.1-1408.4 and 10.1-1408.5. (Patron-Abbitt, HB 639)
- Municipal solid waste vehicles; posting of penalties for transportation violations. Amending § 46.2-1156. (Patron-Morgan, HB 55)
- State Waste Empowerment and Enforcement Provision Act of 2003; urging Congress to enact. (Patron-Louderback, HJR 247; Obenshain, SJR 79)

**WATER AND SEWER SYSTEMS**

- Coal and gas road improvement tax; distribution of revenues for water and sewer system projects. Amending §§ 58.1-3713 and 58.1-3713.01. (Patron-Puckett, SB 642, CH 893)
- Environmental permit fees; applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1. (Patron-Orrock, HB 1350, CH 324; Watkins, SB 365, CH 249)
- Public water supplies; emergency plans for safe handling during any extended power outage. Amending § 32.1-170. (Patron-Jones, D.C., HB 1198, CH 317)
- Septic systems; validity of septic tank permits. Amending § 32.1-164.1:1. (Patron-Suit, HB 930, CH 916)
- Stormwater; regulation of billing charges. Amending § 15.2-2114. (Patron-Wagner, SB 426, CH 507)
- Subdivision ordinances; provisions to allow locality to determine adequate water supply sources. Amending § 15.2-2242. (Patron-Houck, SB 351)
- Water and sewage systems; mandatory connection in Franklin County. Amending §§ 15.2-2110 and 15.2-2118. (Patron-Dudley, HB 737, CH 24; Hawkins, SB 600, CH 712)
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- Water and sewer authorities; conduits for fiber optic cable. Amending § 15.2-5114. (Patron-Phillips, HB 919, CH 545)
- Water supplies; inspection. Amending § 15.2-2144. (Patron-Dudley, HB 601, CH 438)
- Water supply plan regulations; effective date. Amending second enactment of Chapter 227, 2003 Acts. (Patron-Williams, SB 110, CH 244)
- Water wells; location and testing in Goochland County. Amending § 32.1-176.4. (Patron-Watkins, SB 125, CH 72)
- Water-saving ordinances; localities may impose. Amending § 15.2-923. (Patron-Norment, SB 400, CH 402)

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**WATERS OF THE STATE, PORTS AND HARBORS**

- Animal feeding operations; penalty for violation. Amending §§ 62.1-44.17:1 and 62.1-44.17:1.1. (Patron-Barlow, HB 955, CH 455)
- Big Sandy River watershed; provisions for removing obstructions. Amending § 62.1-194.3. (Patron-Stump, HB 535; Puckett, SB 549)
- Bottomlands, state-owned; permits and royalties for use. Amending §§ 28.2-1205, 28.2-1206 and 28.2-1208. (Patron-Oder, HB 182, CH 899; Bolling, SB 606, CH 1018)

**WATERS OF THE STATE, PORTS AND HARBORS (continued)**

- Bottomlands, state-owned; permits for use. Amending § 28.2-1205. (Patron-Wagner, SB 432, CH 405)
- Elizabeth River; Governor to convey certain subaqueous lands to Norfolk City. (Patron-Howell, A.T., HB 949, CH 454)
- Elizabeth River; Marine Resources Commission to grant easement to VEPCO for electrical transmission lines. (Patron-Suit, HB 1436, CH 483)
- Environmental permit fees; applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1. (Patron-Orrrock, HB 1350, CH 324; Watkins, SB 365, CH 249)
- Erosion and sediment control and stormwater management inspectors; certificate of competence. Amending §§ 10.1-561 and 62.1-44.15. (Patron-Suit, HB 445, CH 431)
- Land and Water Conservation Trust Fund; established. Amending §§ 10.1-1020 and 10.1-2128; adding §§ 10.1-2135 through 10.1-2138. (Patron-Hanger, SB 527)
- Monacan Bridge; designating as Lynchburg bypass bridge across James River between Amherst County and Lynchburg City. (Patron-Bryant, HB 1182, CH 763; Newman, SB 560, CH 117)
- Newport News reservoir project; Marine Resources Commission to convey easement in bed of Mattaponi River to Newport News City. (Patron-Wagner, SB 420)
- No discharge zones; regulations. Amending § 62.1-44.33. (Patron-Dudley, HB 603, CH 287)
- Nutrient Management Plans; Joint Legislative Audit and Review Commission to study effectiveness of implementation, performance and enforcement thereof. (Patron-Cox, HJR 72)
- Oil discharge plans; changes in provisions. Amending §§ 62.1-44.34:15 and 62.1-44.34:16. (Patron-Suit, HB 440, CH 276)
- Petroleum Storage Tank Fund; reimbursements. Amending § 62.1-44.34:11. (Patron-Oder, HB 1450, CH 485)
- Pollutant Discharge Elimination System permits; changes duration of issuance. Amending § 62.1-44.15. (Patron-Bolling, SB 603)
- Pollutant loading allocations; adoption of nitrogen and phosphorous levels in Chesapeake Bay tributaries. Adding § 62.1-44.15:02. (Patron-Whipple, SB 639)
- Poultry Waste, Effectiveness of Plans Implemented by Commercial Poultry Processors; Report of Department of Environmental Quality (§ 62.1-44.17:1.1G4 of Code of Virginia). (HD 8)
- Rappahannock River Basin Commission; created as an independent local entity without political subdivision status, membership. Amending §§ 62.1-69.26, 62.1-69.29 and 62.1-69.30; adding §§ 62.1-69.33:1 and 62.1-69.33:2. (Patron-Wardrup, HB 1227, CH 471)
- Rivanna River Basin Commission; created. Adding §§ 62.1-69.45 through 62.1-69.52. (Patron-Deeds, SB 267, CH 394)
- Roanoke River Basin Advisory Committee; membership. Amending § 62.1-69.34. (Patron-Ruff, SB 406, CH 403)
- Rudee Inlet Authority; abolished. Repealing Chapter 227, 1960 Acts. (Patron-Landes, HB 24, CH 15)
- Sailing vessel "Virginia"; authorizing Governor to enter into an agreement with Maritime Heritage Foundation for operation thereof. (Patron-Rerras, SB 686)
- Submerged land permit; exemptions. Amending §§ 28.2-1203 and 62.1-44.15:5. (Patron-Williams, SB 109)
- Water Protection Permit; provisions. Amending § 62.1-44.15:5. (Patron-Rapp, HB 685, CH 293)
- Water supply plan regulations; effective date. Amending second enactment of Chapter 227, 2003 Acts. (Patron-Williams, SB 110, CH 244)
- Watershed Coordination Program; established. Amending § 10.1-2124. (Patron-Hanger, SB 523, CH 413)
- Wetlands boards; members. Amending § 28.2-1303. (Patron-Tata, HB 489, CH 277)
- Wetlands mitigation bank; island in Potomac River adjacent to Virginia to be used thereas. Amending § 62.1-44.15:5. (Patron-Mims, SB 629, CH 94)

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 Homeowners insurance; notices outlining flood coverage. Amending § 38.2-2125. (Patron-Gear, HB 609, CH 288)  
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- Adult protective services; changes in provisions, Commissioner of Department of Social Services to report on certain aspects of adult abuse, neglect and exploitation. Amending §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609 and 63.2-1610; repealing § 63.2-1607. (Patron-Ebbin, HB 952, CH 749; Howell, SB 318, CH 1011)
- Assisted living facilities; exception to regulatory requirement for those with Alzheimer's care units. (Patron-O'Bannon, HB 635, CH 910)
- Assisted living facilities; regulations for emergency electrical systems. Amending § 63.2-1732. (Patron-Blevins, SB 181, CH 673)
- Building Code; standards for fire detection and suppression systems in assisted living facilities, residential dwelling units for senior citizens, nursing homes and facilities. Amending § 36-99.5:1. (Patron-Blevins, SB 183, CH 584)
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- Child abuse or neglect; definition. Amending §§ 16.1-228 and 63.2-100. (Patron-Saxman, HB 1041, CH 753; Obenshain, SB 486)
- Child abuse or neglect; development of multidisciplinary consultation teams. Amending §§ 63.2-105 and 63.2-1503. (Patron-Watts, HB 420, CH 220; Wagner, SB 429, CH 114)
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- Child Day Care Centers, Standards for Licensed; Joint Legislative Audit and Review Commission to study potential impact on providers, parents and children. (Patron-Marrs, HJR 114; Newman, SJR 80)
- Child day centers; religious exemption from licensure. Amending § 63.2-1716. (Patron-Newman, SB 417, CH 113)
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- Child protective services; training and investigation procedures. Amending § 63.2-1502; adding § 63.2-1516.01. (Patron-McDonnell, HB 1135, CH 233; Bolling, SB 584, CH 93)
- Emergency electrical systems; required in hospitals, nursing homes, etc. Amending §§ 32.1-127 and 63.2-1732. (Patron-O'Brien, SB 292)
- Foster care; establishment of independent living services for persons transitioning to self sufficiency. Amending § 63.2-100; adding § 63.2-905.1. (Patron-Moran, HB 1109, CH 196)
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- Foster parents; approval of applicant even if exonerated for statutory burglary for breaking and entering. Amending § 63.2-1721. (Patron-Ticer, SB 612, CH 714)
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- Homeless children; public school enrollment. Amending §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270 and 22.1-271.2. (Patron-Quayle, SB 270, CH 500)
- Kinship care; definition. Amending §§ 63.2-100 and 63.2-900. (Patron-Miller, SB 78, CH 70)
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- Workers' compensation; eligibility of AmeriCorps members and certain Food Stamp Employment and Training Program participants. Amending §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512. (Patron-Puckett, SB 547, CH 888)
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- Transient occupancy tax; additional imposition in Greater Williamsburg area. Amending § 58.1-3823. (Patron-Norment, SB 652, CH 828)

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“Take Back the Night”; commending University of Virginia chapter of the National Organization for Women and All Women Attaining Knowledge and Enrichment Organization for their sponsorship. (Patron-Deeds, SJR 242)

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 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Co-patron added . . . . . 165  
 Read second time and engrossed . . . . . 177, 179  
 Read third time and passed . . . . . 209  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 155 (effective 7/1/04)

**S.B. 11. State agencies;** eliminates requirement to report on costs of federal mandates. Amending § 2.2-603.

Patrons: Ruff, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 57  
 Reported . . . . . 158  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Co-patron added . . . . . 166  
 Read second time and engrossed . . . . . 177, 179  
 Read third time and passed . . . . . 209  
 Passed House . . . . . 1111  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 488 (effective 7/1/04)

**S.B. 12. Recycling Markets Development Council;** duties. Amending §§ 2.2-2667 and 2.2-2668.

Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 57  
 Co-patron added . . . . . 166  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 282, 287  
 Read third time and passed . . . . . 301, 302

**S.B. 12 (continued)**

Passed House . . . . .	1467
Signed by President . . . . .	1823
Approved by Governor-Chapter 385 (effective 7/1/04)	

**S.B. 13. Sam Snead Memorial Highway;** designating as Route 220 in Bath County.

Patrons: Deeds, et al.	
Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . .	57
Co-patron added . . . . .	161
Reported . . . . .	163
Constitutional reading dispensed, passed by for day . . . . .	180
Read second time and engrossed . . . . .	210
Read third time and passed . . . . .	230
Passed House . . . . .	1111
Signed by President . . . . .	1827
Approved by Governor-Chapter 578 (effective 7/1/04)	

**S.B. 14. Utility tax;** imposition on local consumers in Town of Iron Gate for mobile phone usage. Amending § 58.1-3812.

Patrons: Deeds, et al.	
Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . .	57
Co-patron added . . . . .	161
Reported . . . . .	299
Constitutional reading dispensed, passed by for day . . . . .	324, 325
Read second time and engrossed . . . . .	345
Read third time and passed . . . . .	358
Reconsideration of vote on passage . . . . .	359
Passed Senate . . . . .	359
Passed House with amendment . . . . .	818
House amendment agreed to . . . . .	1083
Signed by President . . . . .	1807
Approved by Governor-Chapter 489 (effective 7/1/04)	

**S.B. 15. Marriage rites;** persons who may perform. Amending § 20-25.

Patron: Edwards	
Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . .	57
Reported with amendment . . . . .	157
Constitutional reading dispensed, passed by for day . . . . .	164, 165
Read second time . . . . .	178
Reading of amendment waived . . . . .	178
Committee amendment agreed to . . . . .	178
Engrossed . . . . .	179
Read third time and passed . . . . .	209

**S.B. 16. License plates, special;** issuance to supporters of children with special needs. Adding § 46.2-749.101.

Patron: Miller	
Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . .	57

**S.B. 17. Constitutional amendment;** restoration of civil rights for certain felons (submitting to qualified voters). Amending Section 1 of Article II.

Patron: Miller	
Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . .	57
Reported . . . . .	227
Constitutional reading dispensed, passed by for day . . . . .	247, 248
Read second time and engrossed . . . . .	270
Read third time and passed . . . . .	281

**S.B. 18. Constitutional amendment;** effective dates of legislative and congressional redistricting (submitting to qualified voters). Amending Section 6 of Article II.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 57  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 1433  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 873 (effective 7/1/04)

**S.B. 19. Guardians of incapacitated persons;** prohibited from seeking a change in a person's marital status without prior court approval. Amending § 37.1-137.4.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 58  
 Reported . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 282, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1467  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 652 (effective 7/1/04)

**S.B. 20. School Construction Grant Act of 2004;** created. Amending §§ 22.1-166.1 and 22.1-166.2.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 58  
 Reported with substitute . . . . . 435  
 Rereferred to Committee on Finance . . . . . 435

**S.B. 21. License plates, special;** issuance to supporters of Virginia agriculture, Blue Ridge Parkway Foundation, Washington D.C. United soccer team, Canine Health Foundation, to barbershop quartet singing enthusiasts, to commemorate 200th anniversary of Town of Occoquan, 275th anniversary of County of Prince William, to encourage participation in organ donor program and issuance of logotype and those bearing legend: POW/MIA and CHILDREN WITH SPECIAL NEEDS. Adding §§ 46.2-749.43:1 and 46.2-749.101 through 46.2-749.109; repealing § 46.2-749.43.  
 Patrons: Puller, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 58  
 Reported with substitute . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 650  
 Reading of substitute waived . . . . . 651  
 Committee substitute agreed to . . . . . 651  
 Engrossed . . . . . 651  
 Constitutional reading dispensed . . . . . 651  
 Passed Senate . . . . . 651  
 Passed House with amendments . . . . . 1431  
 House amendments agreed to . . . . . 1472  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 653 (effective 7/1/04)

**S.B. 22. Minimum wage;** increased. Amending § 40.1-28.10.  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 58

**S.B. 23. Traffic infractions; prepayment. Amending § 19.2-254.1.**  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 58  
 Reported . . . . . 157  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time and engrossed . . . . . 178, 179  
 Read third time and passed . . . . . 209  
 Defeated by House . . . . . 792

**S.B. 24. Interpreters for non-English speaking persons in mental commitment proceedings; provisions. Adding § 37.1-67.5:01.**  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 58  
 Reported with amendments . . . . . 157  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time . . . . . 178  
 Reading of amendments waived . . . . . 178  
 Committee amendments agreed to . . . . . 178  
 Engrossed . . . . . 179  
 Read third time and passed . . . . . 209  
 Passed House with substitute . . . . . 1465  
 House substitute agreed to . . . . . 1498  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 243 (effective 7/1/04)

**S.B. 25. Detention orders, temporary; technical correction to cross reference. Amending § 37.1-134.21.**  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 58  
 Reported . . . . . 157  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time and engrossed . . . . . 178, 179  
 Read third time and passed . . . . . 209  
 Passed House . . . . . 768  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 104 (effective 7/1/04)

**S.B. 26. Littering; offense for which use of summons may be issued in juvenile court. Amending § 16.1-260.**  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 58  
 Reported with amendment . . . . . 157  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time . . . . . 178  
 Reading of amendment waived. . . . . 179  
 Committee amendment agreed to . . . . . 179  
 Engrossed . . . . . 179  
 Read third time and passed . . . . . 209  
 Passed House . . . . . 768  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 105 (effective 7/1/04)

**S.B. 27. Parental leave for school involvement; employer requirement. Amending §§ 40.1-28.1 through 40.1-28.5.**  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 59

**S.B. 27 (continued)**  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Passed by for day . . . . . 521  
 Read second time and engrossed . . . . . 540  
 Read third time and passed . . . . . 551

**S.B. 28. Line of Duty Act;** definition of disabled employee. Amending §§ 9.1-400 and 9.1-404.  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 59

**S.B. 29. Budget bill;** additional appropriations for 2002-2004 biennium. Amending Chapter 1042, 2003 Acts.  
 Patron: Chichester  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 59  
 Reported with amendments . . . . . 741  
 Read first time. . . . . 786  
 Special and Continuing Order. . . . . 794  
 Passed by for day . . . . . 816  
 Privileges of the floor for Senate Finance Committee Staff. . . . . 825  
 Read second time . . . . . 826  
 Reading of amendments waived. . . . . 835  
 Committee amendments agreed to . . . . . 835  
 Constitutional reading dispensed . . . . . 835  
 Passed Senate . . . . . 835

**S.B. 30. Budget bill;** appropriations for 2004-2006 biennium.  
 Patron: Chichester  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 59  
 Reported with amendments . . . . . 741  
 Read first time. . . . . 786  
 Special and Continuing Order. . . . . 794  
 Passed by for day . . . . . 816  
 Read second time . . . . . 836  
 Reading of amendments waived. . . . . 1001  
 Committee amendments agreed to . . . . . 1001  
 Committee amendment passed by temporarily. . . . . 1001  
 Reading of amendment waived. . . . . 1002  
 Committee amendment agreed to . . . . . 1002  
 Reading of amendment waived. . . . . 1002  
 Committee amendment agreed to . . . . . 1002  
 Reading of amendment waived. . . . . 1002  
 Committee amendment agreed to . . . . . 1002  
 Reading of amendment waived. . . . . 1002  
 Committee amendment agreed to . . . . . 1003  
 Reading of amendment waived. . . . . 1003  
 Committee amendment rejected . . . . . 1003  
 Reading of amendment waived. . . . . 1008  
 Parliamentary inquiry . . . . . 1008  
 Ruling of the Chair . . . . . 1008  
 Ruling of Chair Sustained. . . . . 1008  
 Committee amendment agreed to . . . . . 1008  
 Reading of amendment waived. . . . . 1060  
 Committee amendment agreed to . . . . . 1060  
 Committee amendment reconsidered . . . . . 1060

**S.B. 30 (continued)**

Committee amendment agreed to . . . . . 1060

Reading of amendment waived. . . . . 1061

Committee amendment agreed to . . . . . 1061

Reading of amendments waived . . . . . 1061

Amendments by Senator Bell rejected . . . . . 1061

Reading of amendment waived. . . . . 1062

Amendment by Senator Reynolds rejected. . . . . 1062

Amendment by Senator Marsh withdrawn . . . . . 1062

Reading of amendment waived. . . . . 1062

Amendment by Senator Obenshain rejected. . . . . 1063

Statement on vote . . . . . 1063

Reading of amendment waived. . . . . 1063

Amendment by Senator Devolites rejected . . . . . 1063

Amendments Nos. 1, 2, and 3 by Senator Cuccinelli withdrawn . . . . . 1064

Reading of amendment waived. . . . . 1064

Amendment No. 4 by Senator Cuccinelli rejected . . . . . 1064

Constitutional reading dispensed . . . . . 1065

Passed Senate . . . . . 1065

Statements on votes. . . . . 1065

**S.B. 31. Higher Educational Institutions Bond Bill of 2004; created.**

Patron: Chichester

Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 59

Reported . . . . . 403

Constitutional reading dispensed, passed by for day . . . . . 424, 425

Read second time and engrossed . . . . . 442, 448

Read third time and passed . . . . . 460, 461

Reconsideration of vote on passage . . . . . 462

Passed Senate . . . . . 462

Passed House . . . . . 1655

Signed by President . . . . . 1845

Approved by Governor—Chapter 813 (effective 7/1/04)

**S.B. 32. Parking Facilities Bond Bill of 2004; created.**

Patron: Chichester

Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 59

Reported . . . . . 403

Constitutional reading dispensed, passed by for day . . . . . 424, 425

Read second time and engrossed . . . . . 442, 448

Read third time and passed . . . . . 460, 461

Reconsideration of vote on passage . . . . . 462

Passed Senate . . . . . 462

Passed House . . . . . 1655

Signed by President . . . . . 1842

Approved by Governor—Chapter 490 (effective 7/1/04)

**S.B. 33. Primary elections; required for statewide offices of Governor, Lieutenant Governor and Attorney General. Amending §§ 24.2-508, 24.2-509, 24.2-517, 24.2-526 and 24.2-528.**

Patron: Potts

Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . . 60

Reported . . . . . 316

Constitutional reading dispensed, passed by for day . . . . . 346, 347

Read second time and engrossed . . . . . 364

Read third time . . . . . 382

**S.B. 33 (continued)**  
 Engrossment reconsidered . . . . . 382  
 Passed by for day . . . . . 383  
 Reconsideration of passed by for day . . . . . 392  
 Engrossed . . . . . 392  
 Constitutional reading dispensed . . . . . 392  
 Passed Senate . . . . . 393

**S.B. 34. Jack and Carter Hardesty Bridge;** designating as Route 340 bridge in Clarke County.  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 60  
 Reported with substitute . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 393, 394  
 Read second time . . . . . 407  
 Reading of substitute waived . . . . . 409  
 Committee substitute agreed to . . . . . 409  
 Engrossed . . . . . 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 1111  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 579 (effective 7/1/04)

**S.B. 35. Guardianship of children;** subsidy for relative caregivers. Amending § 63.2-100; adding § 63.2-913.  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 60  
 Reported with substitute . . . . . 457  
 Rereferred to Committee on Finance . . . . . 458  
 Reported . . . . . 575  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 643  
 Committee substitute agreed to . . . . . 643  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 649  
 Passed Senate . . . . . 650  
 Passed House with substitute . . . . . 1142  
 House substitute agreed to . . . . . 1411  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 814 (effective 7/1/04)

**S.B. 36. Capitol Square Preservation Act of 2003;** changes in provisions. Amending first and second enactments of Chapter 955, 2003 Acts; adding third and fourth enactments of Chapter 955, 2003 Acts.  
 Patron: Trumbo  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 60  
 Reported with substitute . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time . . . . . 706  
 Reading of substitute waived . . . . . 706  
 Committee substitute agreed to . . . . . 706

**S.B. 36 (continued)**  
 Engrossed . . . . . 706  
 Read third time and passed . . . . . 726

**S.B. 37. Public Building Authority and College Building Authority; issuance of bonds for capital projects.**  
 Patron: Chichester  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 60

**S.B. 38. Jury service; exempts certain legislative employees. Amending § 8.01-341.1.**  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 60  
 Reported with substitute . . . . . 157  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time . . . . . 178  
 Reading of substitute waived . . . . . 179  
 Committee substitute agreed to . . . . . 179  
 Engrossed . . . . . 180  
 Read third time and passed . . . . . 209  
 Passed House . . . . . 768  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 106 (effective 7/1/04)

**S.B. 39. Statewide Agencies Radio System (STARS); financing through bonds.**  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 60  
 Reported with substitute . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time . . . . . 706  
 Reading of substitute waived . . . . . 707  
 Committee substitute agreed to . . . . . 707  
 Engrossed . . . . . 707  
 Read third time and passed . . . . . 726  
 Passed House with substitute . . . . . 1653  
 House substitute agreed to . . . . . 1667  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 491 (effective 7/1/04)

**S.B. 40. Profane swearing and intoxication in public; penalty. Amending § 18.2-388.**  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 61  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 41. License plates, special; issuance to supporters of Canine Health Foundation. Adding § 46.2-749.101.**  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 61

**S.B. 42. License plates, special; issuance to supporters of Washington D.C. United soccer team. Adding § 46.2-749.101.**  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 61

**S.B. 43. Prisoners; participation in residential community programs prior to release. Amending § 53.1-155.1.**  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 61

**S.B. 44. Health insurance;** coverage for biologically based mental illness. Repealing fifth enactment of Chapter 941, 1999 Acts.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 61  
 Reported . . . . . 182  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 156 (effective 7/1/04)

**S.B. 45. Health departments, state and local;** Chesterfield County may supplement salaries and expenses of employees. Amending § 15.2-1508.3.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 61  
 Reported . . . . . 226  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 157 (effective 7/1/04)

**S.B. 46. Line of Duty Act;** coverage for booking technicians. Amending § 9.1-400.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 61  
 Rereferred to Committee on Finance . . . . . 336  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 47. Death penalty;** moratorium on executions.  
 Patrons: Marsh, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 61  
 Co-patrons added . . . . . 273, 292

**S.B. 48. Firearms;** criminal history records check required to obtain from firearms show vendor. Amending § 54.1-4200; adding §§ 18.2-308.2:4 and 54.1-4201.2.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 62  
 Reported with amendment . . . . . 239  
 Rereferred to Committee on Finance . . . . . 241  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 475  
 Reading of amendment waived. . . . . 475  
 Committee amendment agreed to . . . . . 475  
 Engrossed . . . . . 475  
 Read third time . . . . . 506  
 Defeated by Senate . . . . . 506  
 Reconsideration of vote by which bill was defeated . . . . . 506  
 Motion; substitute motion . . . . . 507  
 Passed by for day . . . . . 507, 532  
 Defeated by Senate . . . . . 550  
 Statement on vote . . . . . 550

**S.B. 49. Prisoner Litigation Reform Act;** changes in provisions. Amending § 8.01-690.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 62  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 50. Child Abuse and Neglect, Advisory Board on;** duties. Amending § 63.2-1528.  
 Patrons: Martin, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social  
 Services. . . . . 62  
 Reported . . . . . 163  
 Constitutional reading dispensed, passed by for day . . . . . 180  
 Read second time and engrossed . . . . . 210  
 Read third time and passed . . . . . 230  
 Passed House . . . . . 768  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 69 (effective 7/1/04)

**S.B. 51. Divorce;** property distribution. Amending § 20-107.3.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 62  
 Reported with amendment . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 282  
 Reading of amendment waived. . . . . 283  
 Committee amendment agreed to . . . . . 283  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1467  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 654 (effective 7/1/04)

**S.B. 52. License plates, special;** issuance of those bearing legend: POW/MIA. Adding  
 § 46.2-749.43:1; repealing § 46.2-749.43.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 62

**S.B. 53. License plates, special;** issuance to barbershop quartet singing enthusiasts. Adding  
 § 46.2-749.101.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 62

**S.B. 54. Waterfowl, migratory and nonmigratory;** allows certain localities to prohibit  
 feeding, penalty. Adding § 29.1-527.1.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and  
 Natural Resources. . . . . 62  
 Reported with substitute . . . . . 173  
 Read first time. . . . . 211  
 Read second time . . . . . 233  
 Reading of substitute waived . . . . . 233  
 Committee substitute agreed to. . . . . 233  
 Reading of amendment waived. . . . . 233  
 Amendment by Senator Hanger agreed to . . . . . 233  
 Engrossed . . . . . 233  
 Read third time and passed . . . . . 246  
 Passed House with amendment. . . . . 736  
 House amendment agreed to. . . . . 772

**S.B. 54 (continued)**  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 386 (effective 7/1/04)

**S.B. 55. Polling places; prohibited campaign areas. Amending § 24.2-604.**  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . 62  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Defeated by House . . . . . 1404

**S.B. 56. Workers' compensation; allows choice of physician. Amending §§ 65.2-101 and 65.2-603.**  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 63

**S.B. 57. Richmond Metropolitan Authority; free use of toll facilities by quadriplegics. Amending § 33.1-252.**  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 63  
 Reported . . . . . 163  
 Constitutional reading dispensed, passed by for day . . . . . 180  
 Read second time . . . . . 210  
 Reading of amendment waived. . . . . 210  
 Amendment by Senator Martin agreed to. . . . . 210  
 Engrossed . . . . . 210  
 Read third time and passed . . . . . 230  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 655 (effective 7/1/04)

**S.B. 58. Billboard signs; maintenance and repair governed by Transportation Commissioner. Adding § 33.1-370.2.**  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 63  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Passed by for day . . . . . 309, 323, 345, 364, 393, 411  
 Read second time . . . . . 423  
 Amendment by Senator Stolle withdrawn . . . . . 424  
 Reading of substitute waived . . . . . 424  
 Substitute by Senator Martin agreed to. . . . . 424  
 Passed by for day . . . . . 424  
 Reading of amendment waived. . . . . 449  
 Amendment by Senator Stolle agreed to . . . . . 449  
 Engrossed . . . . . 449  
 Read third time and passed . . . . . 464  
 Statement on vote . . . . . 464  
 Reconsideration of vote on passage . . . . . 464  
 Passed Senate . . . . . 465  
 Statement on vote . . . . . 465  
 Passed House with amendments . . . . . 1108  
 House amendments rejected . . . . . 1149  
 Statement on vote . . . . . 1149

**S.B. 58 (continued)**

House insisted on amendments and requested committee of conference . . . . . 1432  
 Senate acceded to request . . . . . 1472  
 Conferees appointed . . . . . 1486  
 Conference report adopted by Senate . . . . . 1705  
 Conference report adopted by House . . . . . 1717  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 656 (effective 7/1/04)

**S.B. 59. Charitable Gaming Board;** membership. Amending § 2.2-2455.

Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 63

**S.B. 60. Health insurance;** credits for retired teachers. Amending § 51.1-1401.

Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 63

**S.B. 61. Emergency medical services councils, regional;** exempt from consumer affairs registration requirements. Amending § 57-60.

Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 63  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 282, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1655  
 Signed by President . . . . . 1845  
 Approved by Governor-Chapter 580 (effective 7/1/04)

**S.B. 62. Adoption;** requirements for agencies outside State. Amending §§ 63.2-903, 63.2-1200, 63.2-1221, 63.2-1222 and 63.2-1817.

Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 63  
 Reported with amendment . . . . . 163  
 Constitutional reading dispensed, passed by for day . . . . . 180  
 Read second time . . . . . 210  
 Reading of amendment waived . . . . . 211  
 Committee amendment agreed to . . . . . 211  
 Passed by for day . . . . . 211  
 Committee amendment reconsidered . . . . . 232  
 Committee amendment rejected . . . . . 232  
 Reading of substitute waived . . . . . 232  
 Substitute by Senator Edwards agreed to . . . . . 232  
 Engrossed . . . . . 232  
 Read third time and passed . . . . . 245  
 Passed House with amendments . . . . . 767  
 House amendments agreed to . . . . . 796  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 815 (effective 7/1/04)

**S.B. 63. Character education;** requirements. Amending § 22.1-208.01.

Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 63  
 Reported . . . . . 158  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time and engrossed . . . . . 178, 180

**S.B. 63 (continued)**  
 Read third time and passed . . . . . 209  
 Defeated by House . . . . . 822

**S.B. 64. Enterprise zones;** business and real property investment tax credit. Amending §§ 59.1-280, 59.1-280.1, 59.1-282.1 and 59.1-282.3.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 64  
 Rereferred to Committee on Finance . . . . . 183  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 65. Enterprise zones;** real property investment tax credit. Amending § 59.1-280.1.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 64  
 Rereferred to Committee on Finance . . . . . 183  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 66. Child day programs;** exempts certain martial arts programs from licensure. Amending § 63.2-1715.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 64

**S.B. 67. Health insurance;** coverage for biologically based mental illness. Repealing fifth enactment of Chapter 941, 1999 Acts.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 64

**S.B. 68. Fire Programs Fund;** assessment on motor vehicle insurance. Amending § 38.2-401.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 64

**S.B. 69. Buchanan County Tourist Train Development Authority;** membership, powers. Amending §§ 15.2-6701 and 15.2-6703.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 64  
 Reported . . . . . 226  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 158 (effective 7/1/04)

**S.B. 70. H. Edward Steele Memorial Tunnel;** redesignates Route 77 tunnel.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 64

**S.B. 71. Utility tax, local consumer;** exemption for churches. Amending §§ 58.1-3814 and 58.1-3816.2.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 64  
 Reported with substitute . . . . . 183  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time . . . . . 246  
 Reading of substitute waived . . . . . 247  
 Committee substitute agreed to. . . . . 247  
 Engrossed . . . . . 247  
 Read third time and passed . . . . . 268  
 Passed House . . . . . 819

**S.B. 71 (continued)**

Signed by President . . . . . 1774  
 Approved by Governor-Chapter 159 (effective 7/1/04)

**S.B. 72. Roadway litter pick-up;** civil immunity of officials who participate in programs for probationers and persons on community service. Adding § 8.01-226.8.

Patron: Puckett

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 65  
 Reported with amendment . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 282  
 Reading of amendment waived. . . . . 284  
 Committee amendment agreed to . . . . . 284  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendments . . . . . 1465  
 House amendments agreed to . . . . . 1498  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 387 (effective 7/1/04)

**S.B. 73. Churches;** those incorporated exempt from recordation and property taxes. Amending §§ 58.1-811 and 58.1-3606.

Patron: Howell

Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 65  
 Reported with substitute . . . . . 419  
 Rereferred to Committee for Courts of Justice . . . . . 420  
 Reported with substitute . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time . . . . . 552  
 Reading of substitute waived . . . . . 552  
 Committee substitute rejected. . . . . 552  
 Reading of substitute waived . . . . . 552  
 Committee substitute agreed to. . . . . 552  
 Engrossed . . . . . 553  
 Read third time and passed . . . . . 564, 565  
 Passed House . . . . . 819  
 Signed by President . . . . . 1774  
 Approved by Governor-Chapter 492 (effective 4/12/04)

**S.B. 74. Tobacco products;** tax increased, revenue deposited in Health Care Fund and Local Government School Construction Fund. Amending §§ 58.1-1001, 58.1-3830 and 58.1-3840; adding §§ 32.1-366 and 32.1-367; repealing § 58.1-3831.

Patron: Howell

Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 65

**S.B. 75. Prisoners;** good conduct allowance, mandatory functional literacy requirement. Adding § 53.1-151.1.

Patron: Marsh

Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 65  
 Continued to 2005 Session in Senate Committee on Rehabilitation and Social Services . . . . . 1794

**S.B. 76. Campaign signs;** regulations. Adding § 15.2-109.

Patron: Potts

Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 65  
 Reported with substitute . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time . . . . . 361

**S.B. 76 (continued)**

Reading of substitute waived . . . . . 364  
 Committee substitute agreed to . . . . . 364  
 Passed by for day . . . . . 364  
 Reading of amendment waived . . . . . 385  
 Amendment by Senator Marsh agreed to . . . . . 385  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with amendments . . . . . 1465  
 House amendments agreed to . . . . . 1499  
 Signed by President . . . . . 1825  
 Approved by Governor—Chapter 388 (effective 7/1/04)

**S.B. 77. Industrial development authorities;** Chesapeake City authorized to refer thereto as an economic development authority. Amending § 15.2-4903.

Patron: Miller

Filed, presented, ordered printed, and referred to Committee on Local Government . . . . . 65

**S.B. 78. Kinship care;** definition. Amending §§ 63.2-100 and 63.2-900.

Patron: Miller

Filed, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 65  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time . . . . . 305  
 Reading of amendments waived . . . . . 306  
 Committee amendments agreed to . . . . . 306  
 Engrossed . . . . . 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House . . . . . 768  
 Signed by President . . . . . 1487  
 Approved by Governor—Chapter 70 (effective 7/1/04)

**S.B. 79. Mopeds;** operation. Amending § 46.2-301.

Patron: Obenshain

Filed, presented, ordered printed, and referred to Committee on Transportation . . . . . 66  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 80. Harrisonburg, City of, charter;** amending.

Patron: Obenshain

Filed, presented, ordered printed, and referred to Committee on Local Government . . . . . 66  
 Reported . . . . . 226  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281

**S.B. 81. Neighborhood Assistance Act;** tax credit for donations of professional services. Amending § 63.2-2004.

Patron: Obenshain

Filed, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 66  
 Reported . . . . . 163  
 Constitutional reading dispensed, passed by for day . . . . . 180  
 Read second time and engrossed . . . . . 210, 211  
 Read third time and passed . . . . . 230  
 Reconsideration of vote on passage . . . . . 231

**S.B. 81 (continued)**

Passed Senate . . . . . 231  
 Passed House with amendments . . . . . 790  
 Passed by for day . . . . . 1065  
 House amendments agreed to . . . . . 1079  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 657 (effective 7/1/04)

**S.B. 82. Felons;** restoration of civil rights to be eligible to register to vote. Amending § 53.1-231.2.

Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 66  
 Reported . . . . . 163  
 Constitutional reading dispensed, passed by for day . . . . . 180  
 Read second time and engrossed . . . . . 211  
 Read third time . . . . . 231  
 Rereferred to Committee for Courts of Justice . . . . . 231  
 Reported with amendments . . . . . 434  
 Engrossment reconsidered . . . . . 463  
 Reading of amendments waived . . . . . 463  
 Committee amendments agreed to . . . . . 463  
 Engrossed . . . . . 463  
 Constitutional reading dispensed . . . . . 463  
 Passed Senate . . . . . 464  
 Continued to 2005 Session in House Committee on Militia, Police and Public Safety . . . . . 1795

**S.B. 83. Prisoners;** participation in residential community programs prior to release. Amending § 53.1-155.1.

Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 66  
 Continued to 2005 Session in Senate Committee on Rehabilitation and Social Services . . . . . 1794

**S.B. 84. Retail Sales and Use Tax;** exemptions include Citizens United for Rehabilitation of Errants-Virginia, Inc. Adding § 58.1-609.10:01.

Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 66  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357

**S.B. 85. Income tax, state;** includes distributions from qualified tuition programs. Amending § 58.1-322.

Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 66

**S.B. 86. Medical care facilities certificate of public need;** criteria for determining need. Amending §§ 32.1-102.3 and 32.1-102.6.

Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 66  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 511  
 Committee substitute agreed to . . . . . 511  
 Engrossed . . . . . 519

**S.B. 86 (continued)**  
 Read third time and passed . . . . . 530, 531  
 Passed House . . . . . 768  
 Signed by President . . . . . 1487  
 Approved by Governor—Chapter 71 (effective 7/1/04)

**S.B. 87. Public School Authority;** grants for school construction. Amending §§ 22.1-166.1 and 22.1-166.2.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 67

**S.B. 88. Trailer dealers;** certain exempt from zoning regulations in Fairfax County. Amending § 46.2-1992.8.  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 67  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 89. Prisoners;** good conduct allowance for Reading for Good Time credits program.  
 Adding § 53.1-151.1.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 67  
 Continued to 2005 Session in Senate Committee on Rehabilitation and Social Services . . . . . 1794

**S.B. 90. Criminal history records check;** locality may require applicant or licensee to pay cost of fingerprinting. Amending § 15.2-1503.1.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 67  
 Reported . . . . . 226  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor—Chapter 160 (effective 7/1/04)

**S.B. 91. Retail Sales and Use Tax;** exemptions for certain contractors. Amending § 58.1-610.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 67

**S.B. 92. Traffic signals;** use of photo-monitoring in any locality. Amending § 46.2-833.01.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 67  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time . . . . . 309  
 Reading of amendments waived. . . . . 309  
 Committee amendments agreed to . . . . . 309  
 Engrossed . . . . . 309  
 Passed by for day . . . . . 318  
 Read third time and passed . . . . . 337  
 Continued to 2005 Session in House Committee on Militia, Police and Public Safety . . . . . 1795

**S.B. 93. Criminal history records check;** applicable to adult substance abuse treatment facilities. Amending §§ 37.1-183.3 and 37.1-197.2.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 67  
 Reported with substitute . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283

**S.B. 93 (continued)**

Reading of substitute waived . . . . . 284  
 Committee substitute agreed to . . . . . 284  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Defeated by House . . . . . 1404

**S.B. 94. Polling places;** voting equipment must remain in plain view of officers of election.

Amending §§ 24.2-638 and 24.2-642.

Patrons: Devolites, et al.

Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . 67  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Passed by for day . . . . . 466  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 510  
 Committee substitute agreed to . . . . . 511  
 Engrossed . . . . . 519  
 Co-patron added . . . . . 524  
 Read third time and passed . . . . . 530, 531  
 Passed House . . . . . 1402  
 Signed by President . . . . . 1816  
 Senate concurred in Governor's recommendation . . . . . 1851  
 House concurred in Governor's recommendation . . . . . 1903  
 Signed by President as reenrolled . . . . . 1906  
 Enacted, Chapter 1006 (effective 7/1/04)

**S.B. 95. Procurement Act, Public;** includes online auctions and U.S. General Services Administration. Amending §§ 2.2-4303 and 2.2-4304.

Patron: Devolites

Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 68  
 Reported with amendments . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of amendments waived . . . . . 511  
 Committee amendments agreed to . . . . . 511  
 Engrossed . . . . . 519  
 Read third time and passed . . . . . 530, 531  
 Passed House with amendment . . . . . 1108  
 House amendment agreed to . . . . . 1150  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 874 (effective 7/1/04)

**S.B. 96. Support orders;** portion may be appealed. Amending § 16.1-296.

Patron: Devolites

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 68

**S.B. 97. Fairfax, City of, charter;** amending.

Patrons: Devolites, et al.

Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 68  
 Reported . . . . . 226  
 Co-patron added . . . . . 235  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 791

**S.B. 97 (continued)**

Signed by President . . . . . 1728  
 Approved by Governor-Chapter 161 (effective 7/1/04)

**S.B. 98. Parenting programs;** created within Department of Correctional Education. Adding § 22.1-345.1.

Patrons: Devolites, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 68  
 Reported with substitute . . . . . 435  
 Rereferred to Committee on Finance . . . . . 435  
 Reported with amendment . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 587  
 Reading of substitute waived . . . . . 588  
 Committee substitute agreed to. . . . . 588  
 Reading of amendment waived. . . . . 588  
 Committee amendment agreed to. . . . . 588  
 Engrossed . . . . . 591  
 Read third time and passed. . . . . 614, 615  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 875 (effective 7/1/04)

**S.B. 99. Concealed weapons;** exempts certain retired law-enforcement officers from permit fees. Amending § 18.2-308.

Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 68  
 Reported with substitute . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of substitute waived . . . . . 284  
 Committee substitute agreed to. . . . . 284  
 Engrossed . . . . . 287  
 Read third time and passed. . . . . 301, 302  
 Passed House . . . . . 1594  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 876 (effective 7/1/04)

**S.B. 100. Criminal Justice Services Board;** membership. Amending § 9.1-108.

Patrons: Devolites, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 68  
 Co-patron added . . . . . 398  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 511  
 Committee substitute agreed to. . . . . 511  
 Engrossed . . . . . 519  
 Read third time and passed. . . . . 530, 531  
 Passed House with substitute with amendments. . . . . 1402  
 House substitute with amendments rejected. . . . . 1436  
 House insisted on substitute with amendments and requested committee of conference . . . . . 1492  
 Senate acceded to request . . . . . 1551  
 Conferees appointed . . . . . 1589

**S.B. 101. Pedestrians;** installation and maintenance of certain signs requiring motorists to yield right-of-way in towns located in Loudoun County. Amending § 46.2-924.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 68  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 535  
 Committee substitute agreed to. . . . . 535  
 Reading of amendment waived. . . . . 535  
 Amendment by Senator Mims agreed to . . . . . 535  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549  
 Passed House with substitute . . . . . 1109  
 House substitute agreed to . . . . . 1150  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 658 (effective 7/1/04)

**S.B. 102. Electronic voting systems;** to be equipped with paper copy record of votes. Amending § 24.2-629.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 68  
 Continued to 2005 Session in Senate Committee on Privileges and Elections . . . . . 1794

**S.B. 103. Child custody and visitation;** filing fee for appeals. Amending §§ 16.1-69.48:5 and 16.1-296; adding § 16.1-296.2.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 69  
 Reported with substitute . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 288  
 Reading of substitute waived . . . . . 288  
 Committee substitute agreed to. . . . . 288  
 Engrossed . . . . . 288  
 Read third time and passed . . . . . 304  
 Passed House . . . . . 1422  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 659 (effective 7/1/04)

**S.B. 104. Chesapeake Bay Preservation Act;** requires Attorney General to defend a locality if any private legal action is brought. Amending § 10.1-2100.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 69

**S.B. 105. Health insurance;** includes physicians in prohibition against refusing to accept assignments. Amending §§ 2.2-2818 and 38.2-3407.13.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 69

**S.B. 106. Engineering functions;** limiting performance within Department of Transportation. Adding § 33.1-190.01.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 69

**S.B. 107. Toll facilities;** allows operator or toll collection technology entities to obtain vehicle owner information from DMV.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 69  
 Reported with substitute . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 643  
 Committee substitute agreed to. . . . . 643  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 649  
 Passed Senate . . . . . 650  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 660 (effective 7/1/04)

**S.B. 108. Adoption;** requirements for parental placement. Amending §§ 63.2-1230 and 63.2-1233.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 69

**S.B. 109. Submerged land permit;** exemptions. Amending §§ 28.2-1203 and 62.1-44.15:5.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 69

**S.B. 110. Water supply plan regulations;** effective date. Amending second enactment of Chapter 227, 2003 Acts.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 69  
 Reported . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time and engrossed . . . . . 321, 323  
 Read third time and passed. . . . . 337  
 Passed House . . . . . 1494  
 Signed by President . . . . . 1822  
 Approved by Governor-Chapter 244 (effective - see bill)

**S.B. 111. Recordation tax;** leases on oil, gas and mineral rights and communications towers. Amending § 58.1-807.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 70

**S.B. 112. Motorcycle dealers, franchised;** repurchase of motorcycles, parts and equipment by manufacturers. Adding § 46.2-1993.67:2.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 70  
 Reported . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 393, 394  
 Read second time and engrossed . . . . . 407, 410  
 Read third time and passed. . . . . 420  
 Passed House . . . . . 769

**S.B. 112 (continued)**  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 107 (effective 7/1/04)

**S.B. 113. Urban system highway construction funds;** increases allocation in Newport News City. Amending § 33.1-44.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 70

**S.B. 114. Abandoned children;** protection, affirmative defense to prosecution of parent. Amending §§ 16.1-228 and 63.2-100.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 70  
 Reported with amendments . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 365, 366  
 Read second time . . . . . 384  
 Reading of amendments waived . . . . . 386  
 Committee amendments agreed to . . . . . 386  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 245 (effective 7/1/04)

**S.B. 115. Automobile graveyards and junkyards;** screening requirements in certain counties. Amending § 15.2-903.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 70  
 Reported with amendment . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 466  
 Reading of amendment waived . . . . . 467  
 Committee amendment agreed to . . . . . 467  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with substitute . . . . . 1401  
 House substitute agreed to . . . . . 1436  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 493 (effective 7/1/04)

**S.B. 116. Electric utility restructuring;** municipal and state aggregation. Amending § 56-589.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 70  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 117. Electric utility providers;** minimum stay requirement by commercial and industrial customers. Amending §§ 56-577 and 56-583.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 70  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 118. Pleadings;** notice to agent on amendment. Amending § 8.01-6.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 70  
 Reported with amendments . . . . . 157  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time . . . . . 178  
 Reading of amendments waived . . . . . 179  
 Committee amendments agreed to . . . . . 179

**S.B. 118 (continued)**  
 Engrossed . . . . . 180  
 Read third time and passed . . . . . 209  
 Passed House with amendments . . . . . 1533  
 House amendments agreed to . . . . . 1612  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 326 (effective 7/1/04)

**S.B. 119. Uniform Commercial Code;** revisions concerning electronic documents of title.  
 Amending §§ 8.1A-201, 8.2-103, 8.2-104, 8.2-310, 8.2-323, 8.2-401, 8.2-503, 8.2-505,  
 8.2-506, 8.2-509, 8.2-605, 8.2-705, 8.2A-103, 8.2A-514, 8.2A-526, 8.4-104, 8.4-208,  
 8.7-102, 8.7-103, 8.7-104, 8.7-202, 8.7-203, 8.7-204, 8.7-205, 8.7-206, 8.7-208, 8.7-209,  
 8.7-210, 8.7-301, 8.7-302, 8.7-303, 8.7-305, 8.7-307, 8.7-309, 8.7-401, 8.7-402, 8.7-403,  
 8.7-404, 8.7-501, 8.7-502, 8.7-503, 8.7-504, 8.7-505, 8.7-506, 8.7-507, 8.7-509, 8.7-601,  
 8.7-602, 8.7-603, 8.8A-103, 8.9A-102, 8.9A-203, 8.9A-207, 8.9A-208, 8.9A-301,  
 8.9A-310, 8.9A-312, 8.9A-313, 8.9A-314, 8.9A-317, 8.9A-338 and 8.9A-601; adding  
 §§ 8.7-105.1 and 8.7-106; repealing § 8.7-105.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 70  
 Reported . . . . . 182  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 200 (effective 7/1/04)

**S.B. 120. Public service corporations;** filing of annual report. Amending § 58.1-2628.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 71  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381  
 Passed House . . . . . 819  
 Signed by President . . . . . 1774  
 Approved by Governor-Chapter 661 (effective 4/12/04)

**S.B. 121. Public service corporations;** locality to determine taxation of real and tangible  
 personal property. Amending § 58.1-2606.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 71

**S.B. 122. Real estate tax;** allows Goochland County to increase amount of income for elderly  
 or disabled prior to reduced imposition. Amending § 58.1-3211.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 71  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 819  
 Signed by President . . . . . 1774  
 Approved by Governor-Chapter 494 (effective 7/1/04)

**S.B. 123. Transportation impact fees;** applicable in certain counties. Adding § 15.2-2328.  
 Patrons: Watkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 71

**S.B. 123 (continued)**

Co-patron added . . . . . 181  
 Continued to 2005 Session in Senate Committee on Local Government. . . . . 1794

**S.B. 124. Richmond, City of, charter; amending.**

Patrons: Watkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 71  
 Co-patron added . . . . . 235  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time and engrossed . . . . . 587, 591  
 Read third time and passed . . . . . 614, 615  
 Passed House with substitute . . . . . 1401  
 House substitute rejected . . . . . 1437  
 House insisted on substitute and requested committee of conference . . . . . 1492  
 Senate acceded to request . . . . . 1551  
 Conferees appointed . . . . . 1589  
 Conference report adopted by Senate . . . . . 1706  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 877

**S.B. 125. Water wells; location and testing in Goochland County. Amending § 32.1-176.4.**

Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 71  
 Reported . . . . . 158  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time and engrossed . . . . . 180  
 Read third time and passed . . . . . 210  
 Passed House . . . . . 769  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 72 (effective 7/1/04)

**S.B. 126. Virginia-North Carolina Interstate High-Speed Rail Compact; created.**

Patrons: Watkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 71  
 Co-patron added . . . . . 161  
 Reported with amendments . . . . . 227  
 Rereferred to Committee on Transportation . . . . . 227  
 Reported with substitute . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of amendments waived . . . . . 644  
 Committee amendments rejected . . . . . 644  
 Reading of substitute waived . . . . . 644  
 Committee substitute agreed to . . . . . 644  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 649  
 Passed Senate . . . . . 650  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 662 (effective 7/1/04)

**S.B. 127. Farm vehicles;** registration fees for plant nurseries and Christmas tree farms.

Amending § 46.2-698.

Patron: Watkins

Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 72  
 Reported with substitute . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Passed by for day . . . . . 305  
 Read second time . . . . . 321  
 Reading of substitute waived . . . . . 321  
 Committee substitute rejected . . . . . 321  
 Reading of substitute waived . . . . . 322  
 Substitute by Senator Watkins agreed to . . . . . 322  
 Engrossed . . . . . 323  
 Read third time and passed . . . . . 337  
 Passed House . . . . . 1143  
 Signed by President . . . . . 1828  
 Approved by Governor—Chapter 663 (effective 7/1/04)

**S.B. 128. Unemployment compensation;** eliminates offset for retirement benefits. Amending § 60.2-604.

Patrons: Watkins, et al.

Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 72  
 Co-patrons added . . . . . 181, 292, 328  
 Reported with amendments . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time . . . . . 442  
 Reading of amendments waived . . . . . 447  
 Committee amendments agreed to . . . . . 447  
 Engrossed . . . . . 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Continued to 2005 Session in House Committee on Commerce and Labor . . . . . 1794

**S.B. 129. Unemployment compensation;** representation at hearings. Amending § 60.2-500.

Patron: Watkins

Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 72

**S.B. 130. Unemployment compensation;** penalties for late filing. Amending § 60.2-513.

Patron: Watkins

Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 72  
 Reported . . . . . 182  
 Constitutional reading dispensed, passed by for day . . . . . 234, 235  
 Read second time and engrossed . . . . . 247  
 Read third time and passed . . . . . 269  
 Passed House with amendments . . . . . 1142  
 House amendments agreed to . . . . . 1411  
 Signed by President . . . . . 1804  
 Approved by Governor—Chapter 495 (effective 7/1/04)

**S.B. 131. Corporations;** articles of termination of corporate existence. Amending §§ 13.1-750 and 13.1-912.

Patron: Miller

Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 72  
 Reported . . . . . 182  
 Constitutional reading dispensed, passed by for day . . . . . 234

**S.B. 131 (continued)**  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor—Chapter 162 (effective 7/1/04)

**S.B. 132. Traffic signals;** use of photo-monitoring in Roanoke City. Amending § 46.2-833.01.  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 72  
 Reported with amendment . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time . . . . . 309  
 Reading of amendment waived. . . . . 310  
 Committee amendment agreed to . . . . . 310  
 Engrossed . . . . . 310  
 Read third time and passed . . . . . 318  
 Reconsideration of vote on passage . . . . . 318  
 Passed Senate . . . . . 319  
 Continued to 2005 Session in House Committee on Militia, Police and Public Safety . . . . . 1795

**S.B. 133. Roanoke, City of, charter;** amending.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 72  
 Continued to 2005 Session in Senate Committee on Local Government. . . . . 1794

**S.B. 134. Methadone clinics;** licensure notice requirements for provider who treats person with opiate addiction. Adding § 37.1-179.1:01.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 72  
 Reported with substitute . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 386  
 Committee substitute agreed to. . . . . 386  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405

**S.B. 135. Sheriffs' vehicles;** use of unmarked vehicles. Amending § 15.2-1610.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 72

**S.B. 136. Health records;** release of certain patient information to Commissioner of Department of Labor and Industry due to death or injury while on a work site. Amending §§ 32.1-127.1:03 and 40.1-8.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 73  
 Reported with substitute . . . . . 298  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of substitute waived . . . . . 341  
 Committee substitute agreed to. . . . . 341  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor—Chapter 163 (effective 7/1/04)

**S.B. 137. Electronic voting systems;** to be equipped with paper copy record of votes.  
 Amending § 24.2-629.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 73  
 Continued to 2005 Session in Senate Committee on Privileges and Elections . . . . . 1794

**S.B. 138. School calendar;** abolishes required school year to begin after Labor Day. Repealing § 22.1-79.1.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 73

**S.B. 139. High-occupancy toll (HOT) lanes;** Department of Transportation when making improvements to Interstate Route 66 to include these lanes.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 73  
 Co-patrons added . . . . . 255, 350  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time . . . . . 305  
 Reading of amendments waived . . . . . 306  
 Committee amendments agreed to . . . . . 306  
 Engrossed . . . . . 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House with amendments . . . . . 768  
 House amendments agreed to . . . . . 796  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 664 (effective 7/1/04)

**S.B. 140. Real estate tax;** limitation on tax rate. Amending § 58.1-3321; adding § 58.1-3322.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 73  
 Co-patron added . . . . . 255

**S.B. 141. Trials;** dismissal of action by nonsuit. Amending § 8.01-380.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 73  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 142. Polling places;** voting equipment must remain in clear view of officers of election.  
 Amending §§ 24.2-638 and 24.2-642.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . . 73

**S.B. 143. Concealed handguns;** denial or revocation of permit, appeals. Amending § 18.2-308.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 73

**S.B. 144. Judgment;** rate of interest. Amending § 6.1-330.54.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 74  
 Rereferred to Committee for Courts of Justice. . . . . 299  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 145. Teachers;** hearing and recommendation for dismissal and revocation of license.  
 Amending §§ 22.1-311 and 22.1-312.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 74

**S.B. 145 (continued)**

Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 512  
 Committee substitute agreed to. . . . . 512  
 Engrossed . . . . . 519  
 Read third time and passed. . . . . 531  
 Passed House with substitute with amendments. . . . . 1492  
 House substitute with amendments agreed to. . . . . 1542  
 Signed by President . . . . . 1842  
 Senate concurred in Governor's recommendation . . . . . 1854  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1906  
 Enacted, Chapter 1007 (effective 7/1/04)

**S.B. 146. Hospitals;** includes certain abortion clinics. Amending § 32.1-123.

Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 74  
 Co-patron added . . . . . 255

**S.B. 147. Local taxes;** authority concerning increase in excise tax on cigarettes, admissions, transient occupancy, etc. Amending §§ 4.1-128, 15.2-5814, 55-248.5 and 58.1-3840; adding § 58.1-3322; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819 through 58.1-3823, 58.1-3830, 58.1-3831, 58.1-3832, 58.1-3833, 58.1-3834 and 58.1-3842.

Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 74

**S.B. 148. Toll facilities;** disclosure of data generated by automated electronic toll collection systems. Adding § 33.1-252.2.

Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 74  
 Reported with substitute . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 644  
 Committee substitute agreed to. . . . . 644  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 649  
 Passed Senate . . . . . 650  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 665 (effective 7/1/04)

**S.B. 149. Freedom of Information Act;** exempts certain client lists of persons receiving transportation services. Amending § 2.2-3705.

Patrons: Deeds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 74  
 Co-patron added . . . . . 235  
 Reported with amendments . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of amendments waived . . . . . 512  
 Committee amendments agreed to . . . . . 512  
 Engrossed . . . . . 520

**S.B. 149 (continued)**  
 Read third time and passed . . . . . 531  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 666 (effective 7/1/04)

**S.B. 150. Sheep Board; composition. Amending § 3.1-1075.**  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and  
 Natural Resources . . . . . 74  
 Reported . . . . . 173  
 Read first time . . . . . 211  
 Read second time . . . . . 232  
 Reading of amendments waived . . . . . 233  
 Amendments by Senator Deeds agreed to . . . . . 233  
 Engrossed . . . . . 233  
 Read third time and passed . . . . . 245  
 Passed House . . . . . 737  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 56 (effective 7/1/04)

**S.B. 151. Procurement Act, Public; preference for goods made in United States. Adding  
 § 2.2-4328.1.**  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 74  
 Continued to 2005 Session in Senate Committee on General Laws . . . . . 1793

**S.B. 152. Industrial development authorities; any locality authorized to refer thereto as an  
 economic development authority. Amending § 15.2-4903.**  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 75  
 Reported with substitute . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Passed by for day . . . . . 269, 282, 305, 321  
 Read second time . . . . . 340  
 Reading of substitute waived . . . . . 341  
 Committee substitute rejected . . . . . 341  
 Reading of substitute waived . . . . . 341  
 Substitute by Senator Quayle agreed to . . . . . 341  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 933 (effective 7/1/04)

**S.B. 153. Roanoke Higher Education Authority; Board of Trustees. Amending § 23-231.15.**  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 75  
 Reported . . . . . 158  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time and engrossed . . . . . 178, 180  
 Read third time and passed . . . . . 209  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 667 (effective 7/1/04)

**S.B. 154. Fire Programs Fund; use.** Amending § 38.2-401.

Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 75  
 Reported . . . . . 298  
 Rereferred to Committee on Finance . . . . . 299  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 442, 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 164 (effective 7/1/04)

**S.B. 155. George Fortune, Jr., Memorial Bridges;** designating as Interstate Route 66 bridges over Route 29 in Fairfax County.

Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 75  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time and engrossed . . . . . 305, 309  
 Read third time and passed . . . . . 317, 318  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 581 (effective 7/1/04)

**S.B. 156. Dental plan organizations;** provisions. Amending §§ 38.2-100, 38.2-316, 38.2-1401, 38.2-1700, 38.2-1800 and 58.1-2501; adding §§ 38.2-6100 through 38.2-6113.

Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 75  
 Reported with amendments . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366  
 Read second time . . . . . 384  
 Reading of amendments waived . . . . . 387  
 Committee amendments agreed to . . . . . 387  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with substitute . . . . . 1492  
 Passed by temporarily . . . . . 1543  
 House substitute agreed to . . . . . 1551  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 668 (effective 7/1/04)

**S.B. 157. Retirement System;** purchase of prior service credit by certain local government chief executive officers. Adding § 51.1-142.4.

Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 75  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 158. Pharmaceutical information;** dissemination of Medicare benefits and training of senior citizen volunteers. Amending § 32.1-23.1.

Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 75  
 Reported with amendments . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272

**S.B. 158 (continued)**  
 Read second time . . . . . 283  
 Reading of amendments waived . . . . . 284  
 Committee amendments agreed to . . . . . 284  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 769  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 73 (effective 7/1/04)

**S.B. 159. Athletic trainers; licensure. Amending §§ 54.1-2957.4, 54.1-2957.5 and 54.1-2957.6.**  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 75  
 Reported . . . . . 240  
 Rereferred to Committee on Education and Health . . . . . 241  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Passed by for day . . . . . 521  
 Read second time and engrossed . . . . . 540  
 Read third time and passed . . . . . 551  
 Passed House . . . . . 1467  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 669

**S.B. 160. Physician-patient relationships; effect of certain emergency department treatment. Adding § 54.1-2962.2.**  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 76  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Passed by for day . . . . . 509  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 535  
 Committee substitute agreed to . . . . . 535  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 878 (effective 7/1/04)

**S.B. 161. Computers; disposition of surplus equipment. Amending § 2.2-1124.**  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 76  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1594  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 670 (effective 7/1/04)

**S.B. 162. Magistrates; abolishes training requirements by attorneys for the Commonwealth. Repealing § 19.2-42.**  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 76  
 Reported . . . . . 239

**S.B. 162 (continued)**  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1143  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 327 (effective 7/1/04)

**S.B. 163. Financial Institutions, State Corporation Commission's Bureau of;** submission of confidential information pursuant to grand jury subpoenas. Amending § 6.1-1.1.  
 Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 76  
 Reported . . . . . 182  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 165 (effective 7/1/04)

**S.B. 164. Law Officers' Retirement System;** includes juvenile probation and parole officers. Amending § 51.1-212.  
 Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 76  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 165. Tax information;** release to help facilitate collection of unpaid wages. Amending § 58.1-3.  
 Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 76  
 Reported . . . . . 183  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 166 (effective 7/1/04)

**S.B. 166. Tax information;** release to aid in locating holders of unclaimed property. Amending § 58.1-3.  
 Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 76  
 Reported . . . . . 183  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 582 (effective 7/1/04)

**S.B. 167. Racing Commission;** authorized to increase number of satellite facilities. Amending § 59.1-369.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 76  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time and engrossed . . . . . 521  
 Read third time and passed . . . . . 534

**S.B. 167 (continued)**  
 Passed House . . . . . 1143  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 774 (effective 7/1/04)

**S.B. 168. Judges;** increases number in 1st, 14th, 15th, 22nd and 29th circuit court. Amending § 17.1-507.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 77  
 Rereferred to Committee on Finance . . . . . 241  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381

**S.B. 169. Judges;** increases number in 15th and 27th juvenile and domestic relations district court. Amending § 16.1-69.6:1.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 77  
 Rereferred to Committee on Finance . . . . . 241  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382

**S.B. 170. Jail deputies;** number. Adding § 15.2-1609.1:01.  
 Patrons: Stolle, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 77  
 Co-patron added . . . . . 273  
 Reported with substitute . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time . . . . . 361  
 Reading of substitute waived . . . . . 362  
 Committee substitute agreed to . . . . . 362  
 Engrossed . . . . . 363  
 Read third time and passed . . . . . 381, 382  
 Continued to 2005 Session in House Committee on Appropriations . . . . . 1794

**S.B. 171. Wireless E-911 Fund;** provisions for payments. Amending § 56-484.17.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 77  
 Reported . . . . . 182  
 Constitutional reading dispensed, passed by for day . . . . . 234, 235  
 Read second time and engrossed . . . . . 247  
 Read third time and passed . . . . . 269  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 167 (effective 7/1/04)

**S.B. 172. Appeal bonds;** ceiling. Amending § 8.01-676.1.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 77  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time . . . . . 616  
 Reading of amendments waived . . . . . 622  
 Committee amendments agreed to . . . . . 622  
 Committee amendments reconsidered . . . . . 622

**S.B. 172 (continued)**

Passed by temporarily . . . . . 623  
 Committee amendments Nos. 3, 4, and 5 rejected . . . . . 629  
 Committee amendments Nos. 1, 2, and 6 agreed to . . . . . 629  
 Reading of amendment waived. . . . . 630  
 Amendment by Senator Mims agreed to . . . . . 630  
 Engrossed . . . . . 630  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 630  
 Passed House with amendments . . . . . 1465  
 Passed by for day . . . . . 1499, 1542  
 House amendments agreed to . . . . . 1611  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 328 (effective 7/1/04)

**S.B. 173. Higher educational institutions;** definition includes a governmental instrumentality.

Amending §§ 23-276.1 and 23-276.2.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 77  
 Reported with substitute . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of substitute waived . . . . . 285  
 Committee substitute agreed to. . . . . 285  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 671 (effective 7/1/04)

**S.B. 174. Judicial Retirement System;** maximum credit a former judge may transfer.

Amending § 51.1-303.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 77  
 Reported . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1655  
 Signed by President . . . . . 1845  
 Approved by Governor-Chapter 672 (effective 7/1/04)

**S.B. 175. Hunting;** allowed during certain hours on Sunday. Amending § 29.1-521.

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 77  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 176. Traffic signals;** abolishes sunset on use of photo-monitoring systems. Amending § 46.2-833.01.

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 78  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time . . . . . 310  
 Reading of amendments waived . . . . . 310

**S.B. 176 (continued)**  
 Committee amendments agreed to . . . . . 310  
 Engrossed . . . . . 310  
 Read third time and passed . . . . . 318  
 Reconsideration of vote on passage . . . . . 320  
 Passed Senate . . . . . 321  
 Continued to 2005 Session in House Committee on Militia, Police and Public Safety . . . . . 1795

**S.B. 177. Capital cases; appointment of counsel. Amending § 19.2-163.7.**  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 78  
 Reported with amendments . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendments waived . . . . . 285  
 Committee amendments agreed to . . . . . 285  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 329 (effective 7/1/04)

**S.B. 178. Drawbridges; payments for maintenance in Chesapeake City. Amending § 33.1-41.1.**  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 78  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 179. Unemployment compensation; benefit charges resulting from a temporary work closure forced by a disaster. Amending § 60.2-528.**  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 78  
 Reported with amendment . . . . . 298  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of amendment waived . . . . . 341  
 Committee amendment agreed to . . . . . 342  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 583 (effective 7/1/04)

**S.B. 180. Zoning appeals, boards of; appointment in Chesapeake City. Amending § 15.2-2308.**  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 78

**S.B. 181. Assisted living facilities; regulations for emergency electrical systems. Amending § 63.2-1732.**  
 Patrons: Blevins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 78  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 536  
 Committee substitute agreed to . . . . . 536

**S.B. 181 (continued)**  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549  
 Co-patron added . . . . . 557  
 Passed House with substitute . . . . . 1432  
 House substitute agreed to . . . . . 1473  
 Signed by President . . . . . 1822  
 Approved by Governor-Chapter 673 (effective 7/1/04)

**S.B. 182. Freedom of Information Act;** exempts certain maps in geographic information systems. Amending §§ 2.2-3704 and 2.2-3705.  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 78  
 Continued to 2005 Session in Senate Committee on General Laws. . . . . 1793

**S.B. 183. Building Code;** standards for fire detection and suppression systems in assisted living facilities, residential dwelling units for senior citizens, nursing homes and facilities. Amending § 36-99.5:1.  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 78  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 387  
 Committee substitute agreed to. . . . . 387  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with substitute . . . . . 1466  
 Passed by temporarily. . . . . 1499  
 House substitute agreed to . . . . . 1527  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 584 (effective 7/1/04)

**S.B. 184. Senatorial districts;** changes in boundaries in Chesapeake City. Amending § 24.2-303.2.  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . . 79  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 1402  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 389 (effective 7/1/04)

**S.B. 185. Child abuse or neglect;** includes Childhelp USA in list of volunteer organizations subject to search of central registry of founded complaints. Amending § 63.2-1515.  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 79  
 Reported . . . . . 163  
 Constitutional reading dispensed, passed by for day . . . . . 180  
 Read second time and engrossed . . . . . 210, 211  
 Read third time and passed . . . . . 230  
 Passed House . . . . . 769  
 Signed by President . . . . . 1487  
 Approved by Governor-Chapter 74 (effective 7/1/04)

**S.B. 186. Virginia-Asian Advisory Board; purpose.** Amending § 2.2-2448.  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 79  
 Reported . . . . . 158  
 Constitutional reading dispensed, passed by for day . . . . . 164, 165  
 Read second time and engrossed . . . . . 178, 180  
 Read third time and passed . . . . . 209  
 Passed House with amendments . . . . . 1108  
 House amendments agreed to . . . . . 1151  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 971 (effective 7/1/04)

**S.B. 187. Dental amalgams containing mercury; regulations.** Adding § 54.1-2711.1.  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 79  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 188. Real estate tax; exemptions on certain leasehold interests.** Amending § 58.1-3203.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 79

**S.B. 189. Speed limits; may be set on nonsurface treated highways.** Amending § 46.2-873.1.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 79  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time . . . . . 305  
 Reading of amendments waived . . . . . 306  
 Committee amendments agreed to . . . . . 306  
 Engrossed . . . . . 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House with substitute . . . . . 1142  
 House substitute rejected . . . . . 1412  
 Reconsideration of vote on House substitute agreed to . . . . . 1419  
 House substitute rejected . . . . . 1420  
 House insisted on substitute and requested committee of conference . . . . . 1466  
 Senate acceded to request . . . . . 1508  
 Conferees appointed . . . . . 1530

**S.B. 190. Water and sewage systems; mandatory connection in Wythe County.** Amending § 15.2-2110.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 79  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 270  
 Read third time and passed . . . . . 281  
 Passed House . . . . . 1402  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 816 (effective 7/1/04)

**S.B. 191. Relief; Mitchell, Larry and Virginia.**  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 79

**S.B. 192. Embezzlement by public official of public funds; penalty.** Adding § 18.2-112.1.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 79  
 Reported . . . . . 239  
 Rereferred to Committee on Finance . . . . . 241  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time and engrossed . . . . . 475  
 Read third time and passed . . . . . 507  
 Continued to 2005 Session in House Committee for Courts of Justice . . . . . 1794

**S.B. 193. Disabled persons;** allows use of various motorized vehicles along trail of Buffalo Mountain in Floyd County.  
 Patrons: Reynolds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 80  
 Rereferred to Committee on Agriculture, Conservation and Natural Resources . . . . . 259  
 Co-patron added . . . . . 292  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 194. Unemployment compensation;** allowed two weeks of benefits if terminated before resignation date. Amending § 60.2-612.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 80  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 442, 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor—Chapter 496 (effective 7/1/04)

**S.B. 195. Medical assistance services;** eligibility for aged and disabled individuals. Amending § 32.1-325.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 80  
 Reported . . . . . 240  
 Rereferred to Committee on Finance . . . . . 241  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 196. Health Access Plan;** created. Adding §§ 32.1-366 through 32.1-371.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 80  
 Reported . . . . . 240  
 Rereferred to Committee on Finance . . . . . 241  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 197. Medical care facilities certificate of public need;** not applicable to certain intermediate care facilities for mentally retarded. Amending § 32.1-102.1.  
 Patrons: Reynolds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 80  
 Co-patron added . . . . . 235  
 Reported with amendments . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366  
 Passed by for day . . . . . 384

**S.B. 197 (continued)**  
 Read second time . . . . . 407  
 Reading of amendments waived . . . . . 408  
 Committee amendments rejected . . . . . 408  
 Reading of amendments waived . . . . . 408  
 Amendments by Senator Reynolds agreed to . . . . . 408  
 Engrossed . . . . . 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 769  
 Signed by President . . . . . 1487  
 Approved by Governor—Chapter 75 (effective 7/1/04)

**S.B. 198. Bear damage stamp;** established. Adding §§ 29.1-359, 29.1-360 and 29.1-361.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 80  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 199. Damage stamp program;** extends coverage to beekeepers. Amending §§ 29.1-352 and 29.1-355.  
 Patrons: Reynolds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 80  
 Co-patron added . . . . . 273  
 Reported . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time and engrossed . . . . . 321, 323  
 Read third time and passed . . . . . 337  
 Passed House . . . . . 737  
 Signed by President . . . . . 1429  
 Approved by Governor—Chapter 87 (effective 7/1/04)

**S.B. 200. Beekeeper assistance program;** established. Amending § 3.1-610.26:1.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 80  
 Reported . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time and engrossed . . . . . 323  
 Read third time and passed . . . . . 338  
 Reconsideration of vote on passage . . . . . 338  
 Passed Senate . . . . . 339  
 Passed House with amendment . . . . . 736  
 House amendment agreed to . . . . . 773  
 Signed by President . . . . . 1780  
 Approved by Governor—Chapter 201 (effective 7/1/04)

**S.B. 201. Grievance procedures;** revision of state guidelines. Amending §§ 2.2-3000, 2.2-3003 and 2.2-3005; adding § 2.2-3005.1.  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 81  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 388  
 Committee substitute agreed to . . . . . 388

**S.B. 201 (continued)**

Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with amendments . . . . . 1465  
 House amendments agreed to . . . . . 1499  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 674 (effective 7/1/04)

**S.B. 202. Driving under influence of alcohol or drugs; procedure due to refusal to submit to breath or blood test. Amending § 18.2-268.3.**

Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 81  
 Reported with substitute . . . . . 380  
 Rereferred to Committee on Finance . . . . . 381  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 466  
 Reading of substitute waived . . . . . 467  
 Committee substitute agreed to . . . . . 467  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with amendment . . . . . 1533  
 House amendment agreed to . . . . . 1612  
 Signed by President . . . . . 1838  
 Senate rejected Governor's recommendation . . . . . 1855  
 Approved by Governor-Chapter 1022 (effective 7/1/04)

**S.B. 203. Falls Church, City of, charter; amending.**

Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 81  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 791  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 497 (effective 7/1/04)

**S.B. 204. Inoperable motor vehicles; to be shielded or screened from view. Amending §§ 15.2-904 and 15.2-905.**

Patrons: Quayle, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 81  
 Co-patrons added . . . . . 235, 398  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Passed by for day . . . . . 475, 521, 539, 555  
 Read second time . . . . . 569  
 Reading of substitute waived . . . . . 569  
 Committee substitute agreed to . . . . . 569  
 Reading of amendments waived . . . . . 569  
 Amendments by Senator Quayle agreed to . . . . . 569  
 Engrossed . . . . . 570  
 Read third time and passed . . . . . 584  
 Passed House with substitute . . . . . 1492  
 House substitute rejected . . . . . 1543  
 House insisted on substitute and requested committee of conference . . . . . 1653

**S.B. 204 (continued)**  
 Senate acceded to request . . . . . 1670  
 Reconsideration of Senate acceding to request. . . . . 1673  
 Senate acceded to request . . . . . 1673  
 Conferees appointed . . . . . 1686  
 Conference report adopted by Senate . . . . . 1707  
 Reconsideration of Conference report agreed to . . . . . 1711  
 Conference report adopted by Senate . . . . . 1711  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 934 (effective 7/1/04)

**S.B. 205. Professional librarians; qualifications. Amending § 42.1-15.1.**  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 81

**S.B. 206. Annexation; moratorium on city and county immunity notices and proceedings.**  
 Amending § 15.2-3201.  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 81  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 270  
 Read third time and passed . . . . . 282  
 Passed House . . . . . 1402  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 879 (effective 7/1/04)

**S.B. 207. Real estate appraisers; lien for performance of appraisal. Adding § 43-3.1.**  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 81  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 208. Child support; guidelines not to include calculations from income from second job, payment of medical expenses. Amending §§ 20-60.3, 20-108.1 and 20-108.2.**  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 82  
 Reported with amendment . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time . . . . . 552  
 Reading of amendment waived. . . . . 553  
 Committee amendment agreed to . . . . . 553  
 Engrossed . . . . . 553  
 Read third time and passed . . . . . 564, 565  
 Passed House with substitute . . . . . 1533  
 House substitute rejected . . . . . 1613  
 House insisted on substitute and requested committee of conference . . . . . 1662  
 Senate acceded to request . . . . . 1670  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1757  
 Conference report adopted by Senate . . . . . 1763  
 Signed by President . . . . . 1847  
 Senate concurred in Governor's recommendation . . . . . 1856  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1906  
 Enacted, Chapter 1008 (effective 7/1/04)

**S.B. 209. Zoning appeals, boards of;** appointment in Chesapeake City. Amending § 15.2-2308.  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 82

**S.B. 210. Industrial development authorities;** Chesapeake City authorized to refer thereto as an economic development authority. Amending § 15.2-4903.  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 82

**S.B. 211. Franklin, City of, charter;** amending.  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 82  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 168 (effective 7/1/04)

**S.B. 212. Mental Health, Mental Retardation and Substance Abuse Services, Inspector General for;** duties. Amending §§ 37.1-255, 37.1-256 and 37.1-256.1; repealing § 37.1-257.  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 82  
 Reported with amendments . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of amendments waived . . . . . 512  
 Committee amendments agreed to . . . . . 512  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 169 (effective 7/1/04)

**S.B. 213. Food and beverage tax;** imposition in Giles County. Amending § 58.1-3833.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 82  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 449  
 Read third time and passed . . . . . 465  
 Parliamentary inquiry . . . . . 465  
 Reconsideration of vote on passage . . . . . 465  
 Passed Senate . . . . . 466

**S.B. 214. Courthouse and courtroom security;** funds from fees to be used for equipment.  
 Amending § 53.1-120.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 82  
 Co-patron added . . . . . 161  
 Reported with amendments . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time . . . . . 321  
 Reading of amendments waived . . . . . 322

**S.B. 214 (continued)**  
 Committee amendments agreed to . . . . . 322  
 Engrossed . . . . . 323  
 Read third time and passed . . . . . 337  
 Passed House with amendment. . . . . 1401  
 House amendment agreed to. . . . . 1437  
 Signed by President . . . . . 1823  
 Approved by Governor—Chapter 390 (effective 7/1/04)

**S.B. 215. Voter registrars;** appointment, term, and removal. Amending §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230 and 24.2-234; adding § 24.2-109.1.  
 Patrons: Martin, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . . 82  
 Reported . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1594  
 Signed by President . . . . . 1842  
 Approved by Governor—Chapter 391

**S.B. 216. Medical malpractice;** limitation on recovery and on noneconomic damage awards.  
 Amending § 8.01-581.15; adding § 8.01-581.15:1.  
 Patrons: Potts, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 83

**S.B. 217. Ultralight aircraft;** licensure. Amending §§ 5.1-88.1 and 5.1-88.2.  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 83

**S.B. 218. Felony conviction;** issuance of writ of actual innocence based on nonbiological evidence. Adding §§ 19.2-327.10 through 19.2-327.14.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 83  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 219. Higher educational institutions;** admission policies. Adding § 23-2.3.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 83

**S.B. 220. Equal Education Opportunity Plan;** development by Secretary of Education, report. Adding §§ 2.2-209.1 and 2.2-209.2.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 83  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531

**S.B. 221. Income tax, state;** voluntary contribution to Dr. Martin Luther King, Jr. Commission Fund. Adding § 58.1-346.25.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 83  
 Reported . . . . . 183  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed . . . . . 266, 267  
 Continued to 2005 Session in House Committee on Finance. . . . . 1794

**S.B. 222. Cultural diversity policies;** establishment for local school boards and institutions of higher education. Amending § 23-215; adding §§ 22.1-16.3, 22.1-86.2 and 23-1.02.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 83  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366  
 Read second time and engrossed . . . . . 384, 391  
 Read third time and passed . . . . . 404, 405

**S.B. 223. Adoption, marriage and divorce records;** deletes statements indicating racial designations. Amending §§ 32.1-262, 32.1-267 and 32.1-268.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 83  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Engrossment reconsidered . . . . . 302  
 Reading of amendments waived . . . . . 303  
 Amendments by Senator Cuccinelli rejected . . . . . 303  
 Engrossed . . . . . 303  
 Constitutional reading dispensed . . . . . 303  
 Passed Senate . . . . . 303  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 88 (effective 7/1/04)

**S.B. 224. Medical treatment options;** physician disclosure. Amending § 38.2-3405; adding § 54.1-2963.1.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 84  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendments . . . . . 1533  
 House amendments agreed to . . . . . 1613  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 675 (effective 7/1/04)

**S.B. 225. Racial Profiling and Traffic Statistics Reporting Act;** created, report. Amending §§ 15.2-1704, 15.2-1722 and 52-4; adding §§ 8.01-226.2:1, 52-30.1 and 52-30.2.  
 Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 84  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 226. Conflict of Interests Act, State and Local Government;** orientation programs for state government personnel. Amending § 2.2-3101; adding §§ 2.2-3100.1 and 2.2-3128 through 2.2-3131.  
 Patron: Bolling  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 84  
 Reported with amendments . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of amendments waived . . . . . 513  
 Committee amendments agreed to . . . . . 513  
 Engrossed . . . . . 520

**S.B. 226 (continued)**  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendment. . . . . 790  
 Passed by for day . . . . . 1065  
 House amendment agreed to. . . . . 1079  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 392 (effective 7/1/04)

**S.B. 227. Firearms; permit to sell or purchase in certain counties. Amending § 15.2-1208; repealing Chapter 297, 1944 Acts.**  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 84  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time and engrossed . . . . . 475  
 Read third time and passed . . . . . 507  
 Reconsideration of vote on passage . . . . . 507  
 Passed Senate . . . . . 508  
 Passed House . . . . . 1594  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 393 (effective 7/1/04)

**S.B. 228. Land use proceedings; disclosures. Amending § 15.2-852.**  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 84  
 Reported with amendments . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time . . . . . 364  
 Reading of amendments waived. . . . . 364  
 Committee amendments agreed to . . . . . 364  
 Engrossed . . . . . 364  
 Passed by for day . . . . . 383  
 Read third time and passed . . . . . 405  
 Passed House with amendments . . . . . 1401  
 House amendments agreed to . . . . . 1438  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 498 (effective 1/1/05)

**S.B. 229. Higher educational institutions; admission policies. Adding § 23-2.3.**  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 84

**S.B. 230. Brown v. Board of Education Scholarship Program and Fund; created, report.**  
 Adding §§ 23-38.53:21 through 23-38.53:24 and 30-226 through 30-231.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 84  
 Reported with amendment . . . . . 315  
 Rereferred to Committee on Education and Health . . . . . 316  
 Reported . . . . . 562  
 Rereferred to Committee on Finance . . . . . 563  
 Reported . . . . . 597  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of amendment waived. . . . . 645  
 Committee amendment agreed to . . . . . 645  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648

**S.B. 230 (continued)**  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 649  
 Passed Senate . . . . . 650  
 Passed House with substitute . . . . . 1533  
 House substitute agreed to . . . . . 1613  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 935 (effective 7/1/04)

**S.B. 231. Income tax, corporate;** extends sunset in order to receive major business facility job tax credit. Amending § 58.1-439.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 85  
 Reported with amendment . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 466  
 Reading of amendment waived. . . . . 468  
 Committee amendment agreed to . . . . . 468  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 170 (effective 7/1/04)

**S.B. 232. Economic Development Incentive Act;** created. Adding §§ 2.2-5105 through 2.2-5108.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 85  
 Reported with substitute . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 588  
 Reading of substitute waived . . . . . 588  
 Committee substitute agreed to. . . . . 588  
 Reading of amendment waived. . . . . 589  
 Amendment by Senator Lambert agreed to . . . . . 589  
 Engrossed . . . . . 591  
 Read third time and passed . . . . . 614, 615  
 Continued to 2005 Session in House Committee on Appropriations . . . . . 1794

**S.B. 233. Housing authorities;** development of a “no trespass” policy. Adding § 36-22.1.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 85  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House with substitute . . . . . 1592  
 House substitute agreed to . . . . . 1614  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 585 (effective 1/1/05)

**S.B. 234. Relief;** Ruffin, Julius Earl.  
 Patrons: Lambert, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 85  
 Co-patron added . . . . . 235  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450

**S.B. 234 (continued)**  
 Read second time . . . . . 466  
 Reading of amendments waived . . . . . 468  
 Committee amendments agreed to . . . . . 468  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with substitute . . . . . 1466  
 House substitute rejected . . . . . 1500  
 House insisted on substitute and requested committee of conference . . . . . 1592  
 Senate acceded to request . . . . . 1631  
 Conferees appointed . . . . . 1652  
 Conference report adopted by House . . . . . 1718  
 Conference report adopted by Senate . . . . . 1723  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 880 (effective 7/1/04)

**S.B. 235. Safety belts;** required usage, prohibits search due to violation. Amending § 46.2-1094.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 85  
 Reported . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Read second time and engrossed . . . . . 541  
 Read third time and passed . . . . . 551  
 Continued to 2005 Session in House Committee on Transportation . . . . . 1795

**S.B. 236. Domestic violence, sexual assault, stalking and violation of protective orders;** training of personnel to handle. Amending §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4 and 63.2-1502.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 85  
 Reported with substitute . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 466  
 Reading of substitute waived . . . . . 468  
 Committee substitute rejected. . . . . 468  
 Reading of substitute waived . . . . . 469  
 Committee substitute agreed to. . . . . 469  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with substitute . . . . . 1653  
 House substitute agreed to . . . . . 1667  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 972 (effective 7/1/04)

**S.B. 237. Domestic Violence Victim Fund;** created. Amending §§ 16.1-69.48:1 and 20-15; adding § 9.1-116.1.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 85  
 Reported with amendment . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 475

**S.B. 237 (continued)**  
 Reading of amendment waived. . . . . 475  
 Committee amendment agreed to . . . . . 475  
 Reading of amendments waived. . . . . 476  
 Committee amendments agreed to . . . . . 476  
 Engrossed . . . . . 476  
 Read third time and passed . . . . . 507

**S.B. 238. Felony cases; transmission of prisoner orders. Amending § 19.2-310.**  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 85  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 239. Electrical generating facilities; certificates. Amending § 56-580.**  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 86  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 240. Business entities; changes in requirements for fictitious names. Amending §§ 59.1-69, 59.1-70 and 59.1-74.**  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 86  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 241. Land records; use of secure remote access, increases Technology Trust Fund Fee. Amending §§ 2.2-3808.2 and 17.1-279.**  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 86  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 617  
 Committee substitute agreed to. . . . . 617  
 Engrossed . . . . . 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631  
 Passed House with amendments. . . . . 1491  
 House amendments agreed to . . . . . 1544  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 676 (effective 7/1/04)

**S.B. 242. Post-Disaster Anti-Price Gouging Act; created. Amending § 59.1-200; adding §§ 59.1-525 through 59.1-529.**  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 86  
 Reported with amendments . . . . . 529  
 Constitutional reading dispensed, passed by for day . . . . . 556  
 Read second time . . . . . 567  
 Reading of amendments waived. . . . . 568  
 Committee amendments agreed to . . . . . 568  
 Engrossed . . . . . 568  
 Read third time and passed . . . . . 582  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 817 (effective 7/1/04)

**S.B. 243. Ballots;** political party designation. Amending §§ 24.2-613 and 24.2-640.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . 86  
 Co-patron added . . . . . 255

**S.B. 244. Community college boards and boards of visitors;** appointment of faculty representatives. Adding § 23-9.2:4.1.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 86  
 Co-patrons added . . . . . 181, 225  
 Reported with amendments . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Passed by for day . . . . . 384, 407  
 Read second time . . . . . 422  
 Reading of amendments waived. . . . . 423  
 Committee amendments agreed to . . . . . 423  
 Engrossed . . . . . 423  
 Read third time and passed. . . . . 437, 438  
 Reconsideration of vote on passage . . . . . 440  
 Passed Senate . . . . . 440  
 Passed House with amendments. . . . . 818  
 House amendments agreed to . . . . . 1084  
 Reconsideration of vote on House amendments agreed to. . . . . 1085  
 Passed by for day . . . . . 1085  
 House amendments agreed to . . . . . 1120  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 499 (effective 7/1/04)

**S.B. 245. Dance halls;** regulation. Amending § 18.2-433.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 86

**S.B. 246. Signs;** posting in certain areas where yard sales, auctions, etc., are being held. Adding § 46.2-881.1.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 86  
 Reported with amendments . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of amendments waived. . . . . 536  
 Committee amendments agreed to . . . . . 536  
 Engrossed . . . . . 539  
 Read third time and passed. . . . . 549  
 Passed House with amendments. . . . . 1491  
 House amendments agreed to . . . . . 1544  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 775

**S.B. 247. Real estate tax;** credit for permanent easements. Adding § 58.1-3206.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 87

**S.B. 248. Real estate tax;** deferral for certain disabled military veterans. Amending § 58.1-3211.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 87  
 Reported with substitute . . . . . 299

**S.B. 248 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of substitute waived . . . . . 342  
 Committee substitute agreed to . . . . . 342  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Continued to 2005 Session in House Committee on Finance . . . . . 1794

**S.B. 249. Duck blinds;** abolishes prohibited hunting in certain localities. Repealing Chapter 334, 1928 Acts and Chapter 39, 1942 Acts.

Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 87  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 250. Wire, electronic or oral communications;** no penalty if parties consent to interception. Amending § 19.2-62.

Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 87

**S.B. 251. Spousal support;** award duration. Amending § 20-107.1.

Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 87

**S.B. 252. Bicycles, mopeds, etc.;** restrictions on use on roadways. Amending §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015 and 46.2-1051.

Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 87  
 Reported with amendments . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 393, 394  
 Passed by for day . . . . . 407, 422  
 Read second time . . . . . 445  
 Reading of amendments waived . . . . . 446  
 Committee amendments rejected . . . . . 446  
 Reading of substitute waived . . . . . 446  
 Substitute by Senator Deeds agreed to . . . . . 446  
 Engrossed . . . . . 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House with substitute . . . . . 1142  
 House substitute agreed to . . . . . 1412  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 973 (effective 7/1/04)

**S.B. 253. Retail Sales and Use Tax;** exemptions include Clinch Independent Living Services Inc. Adding § 58.1-609.10.01.

Patrons: Puckett, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 87  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357

**S.B. 254. Retirement System;** includes Breaks Interstate Park Commission. Amending § 51.1-124.3.  
 Patrons: Puckett, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 87

**S.B. 255. Health insurance;** coverage for infertility. Amending §§ 2.2-2818 and 38.2-4319; adding § 38.2-3418.15.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 88

**S.B. 256. Relief;** Lineberry, Marshall and Allison.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 88

**S.B. 257. Subdivision streets;** taking into secondary highway system. Amending § 33.1-72.1.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 88  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 536  
 Committee substitute agreed to. . . . . 536  
 Engrossed . . . . . 539  
 Read third time and passed. . . . . 549  
 Passed House with amendment. . . . . 1142  
 House amendment agreed to. . . . . 1413  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 677 (effective 7/1/04)

**S.B. 258. License plates, special;** issuance to encourage participation in the organ donor program. Adding § 46.2-749.101.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 88

**S.B. 259. License plates, special;** issuance to hobbyists of reconstructed, restored, etc., vehicles. Amending § 46.2-734.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 88  
 Reported with substitute . . . . . 458  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 536  
 Committee substitute agreed to. . . . . 537  
 Engrossed . . . . . 539  
 Read third time and passed. . . . . 549  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 678 (effective 7/1/04)

**S.B. 260. Comprehensive roadside management program;** established within Department of Transportation. Adding § 33.1-223.2:9.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 88  
 Reported with substitute . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 393, 394  
 Read second time . . . . . 407  
 Reading of substitute waived . . . . . 409  
 Committee substitute agreed to. . . . . 409

**S.B. 260 (continued)**  
 Engrossed . . . . . 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 1112  
 Signed by President . . . . . 1828  
 Approved by Governor-Chapter 679 (effective 7/1/04)

**S.B. 261. Wildlife;** prohibits use of drugs thereon. Adding § 29.1-508.1.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and  
 Natural Resources . . . . . 88  
 Reported . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time and engrossed . . . . . 321, 323  
 Read third time and passed . . . . . 337  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 171 (effective 7/1/04)

**S.B. 262. Milk Commission;** continued within Department of Agriculture and Consumer  
 Services. Amending §§ 2.2-204 and 3.1-426.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and  
 Natural Resources . . . . . 88  
 Reported . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time and engrossed . . . . . 321, 323  
 Read third time and passed . . . . . 337  
 Passed House . . . . . 737  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 57 (effective 7/1/04)

**S.B. 263. Income tax, state;** credit for purchase of long-term care insurance. Amending  
 § 58.1-322; adding § 58.1-339.11.  
 Patrons: Lambert, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 89  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 264. Firearms;** permit to sell or purchase in certain counties. Amending § 15.2-1208;  
 repealing Chapter 297, 1944 Acts.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 89

**S.B. 265. Primary elections;** voter registration by political party. Amending §§ 24.2-530 and  
 24.2-535; adding §§ 24.2-418.1, 24.2-423.1 and 24.2-516.1.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 89  
 Co-patrons added . . . . . 255

**S.B. 266. Medical assistance services;** includes long-term care partnership program.  
 Amending § 32.1-325.  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 89  
 Reported with substitute . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 388  
 Committee substitute agreed to . . . . . 388  
 Engrossed . . . . . 391

**S.B. 266 (continued)**  
 Read third time and passed . . . . . 404, 405  
 Passed House with amendments . . . . . 1142  
 House amendments agreed to . . . . . 1413  
 Signed by President . . . . . 1804  
 Approved by Governor—Chapter 246 (effective 7/1/04)

**S.B. 267. Rivanna River Basin Commission;** created. Adding §§ 62.1-69.45 through 62.1-69.52.  
 Patrons: Deeds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 89  
 Co-patrons added . . . . . 255  
 Reported with substitute . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 645  
 Committee substitute agreed to . . . . . 645  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House with amendment . . . . . 1109  
 House amendment agreed to . . . . . 1151  
 Signed by President . . . . . 1828  
 Approved by Governor—Chapter 394 (effective 7/1/04)

**S.B. 268. Campaign finance disclosure;** provisions for in-kind contributions and independent expenditures. Amending §§ 24.2-901, 24.2-914 and 24.2-929; adding § 24.2-919.1.  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 89  
 Reported with substitute . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 588  
 Reading of substitute waived . . . . . 589  
 Committee substitute agreed to . . . . . 589  
 Engrossed . . . . . 591  
 Read third time and passed . . . . . 614, 615  
 Continued to 2005 Session in House Committee on Privileges and Elections . . . . . 1795

**S.B. 269. Cigarettes;** tax increased, use for funding police and teacher salaries and Medicaid.  
 Amending §§ 58.1-1001, 58.1-3830, 58.1-3831 and 58.1-3840.  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 89

**S.B. 270. Homeless children;** public school enrollment. Amending §§ 22.1-3, 22.1-3.1, 22.1-4.1, 22.1-270 and 22.1-271.2.  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 89  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 513  
 Committee substitute agreed to . . . . . 513  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1113

**S.B. 270 (continued)**

Signed by President . . . . . 1829  
 Approved by Governor-Chapter 500 (effective 7/1/04)

**S.B. 271. Felony conviction; compensation for wrongful incarceration. Adding §§ 8.01-195.10, 8.01-195.11 and 8.01-195.12.**

Patron: Quayle

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 90  
 Reported with substitute . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 476  
 Reading of substitute waived . . . . . 476  
 Committee substitute agreed to . . . . . 476  
 Engrossed . . . . . 476  
 Read third time and passed Senate . . . . . 508  
 Passed House with substitute . . . . . 1466  
 House substitute rejected . . . . . 1500  
 House insisted on substitute and requested committee of conference . . . . . 1592  
 Senate acceded to request . . . . . 1631  
 Conferees appointed . . . . . 1652  
 Conference report adopted by Senate . . . . . 1724  
 Conference report adopted by House . . . . . 1758  
 Signed by President . . . . . 1845  
 Approved by Governor-Chapter 818 (effective 7/1/04)

**S.B. 272. Optometrists; causes for revocation or suspension of license or reprimand. Amending § 54.1-3215.**

Patron: Quayle

Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 90  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 273. Commercial vehicles; parking regulations in towns in Fairfax County. Amending § 46.2-1222.1.**

Patron: Devolites

Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 90  
 Reported . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 393, 394  
 Read second time and engrossed . . . . . 407, 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 108 (effective 7/1/04)

**S.B. 274. Marriage rites; persons who may perform. Amending § 20-25.**

Patron: Devolites

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 90  
 Reported with amendments . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendments waived . . . . . 285  
 Committee amendments agreed to . . . . . 286  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House with substitute . . . . . 1109  
 House substitute agreed to . . . . . 1151

**S.B. 274 (continued)**  
 Signed by President . . . . . 1829  
 Approved by Governor–Chapter 680 (effective 7/1/04)

**S.B. 275. Computer trespass;** applicable by means of a computer virus. Adding § 18.2-152.4:1.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 90  
 Reported with substitute . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 513  
 Committee substitute agreed to . . . . . 513  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Continued to 2005 Session in House Committee on Science and Technology . . . . . 1795

**S.B. 276. Assault and battery;** reporting of spousal abuse by active members of Armed Forces. Adding § 18.2-57.4.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 90  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 623  
 Reading of amendments waived . . . . . 624  
 Committee amendments agreed to . . . . . 624  
 Engrossed . . . . . 624  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 631  
 Passed House with substitute . . . . . 1533  
 House substitute agreed to . . . . . 1614  
 Signed by President . . . . . 1839  
 Approved by Governor–Chapter 681 (effective 7/1/04)

**S.B. 277. Transportation projects;** Department of Transportation to maintain property acquired for construction thereof. Adding § 33.1-223.2:9.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 90  
 Reported with substitute . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 651  
 Reading of substitute waived . . . . . 652  
 Committee substitute agreed to . . . . . 652  
 Engrossed . . . . . 652  
 Constitutional reading dispensed . . . . . 652  
 Passed Senate . . . . . 652  
 Passed House . . . . . 1143  
 Signed by President . . . . . 1829  
 Approved by Governor–Chapter 682 (effective 7/1/04)

**S.B. 278. Telemedicine initiatives;** abolishes reporting requirements by Commissioner of Health. Repealing § 32.1-19.1.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 90  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287

**S.B. 278 (continued)**  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1829  
 Approved by Governor—Chapter 683 (effective 7/1/04)

**S.B. 279. Law Officers' Retirement System;** includes managers of political subdivisions.  
 Amending § 51.1-138.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 91

**S.B. 280. Cable television services by certain localities;** provisions. Amending § 15.2-2108.11.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 91  
 Reported with amendment . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendment waived. . . . . 286  
 Committee amendment agreed to . . . . . 286  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1829  
 Approved by Governor—Chapter 586 (effective 7/1/04)

**S.B. 281. Income tax, state;** increases personal exemption. Amending § 58.1-322.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 91

**S.B. 282. Telephone companies;** filing a cost allocation manual. Amending § 56-265.4:4.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 91  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 283. University of Virginia's College at Wise;** reduced tuition. Amending § 23-7.4:2.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 91  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendments . . . . . 818  
 House amendments agreed to . . . . . 1084  
 Signed by President . . . . . 1807  
 Approved by Governor—Chapter 501 (effective 7/1/04)

**S.B. 284. Line of Duty Act;** funding of continued health insurance and death payment benefits thereunder. Amending §§ 9.1-400 through 9.1-404, 27-40.1:1 and 51.1-815; adding § 9.1-407; repealing §§ 9.1-405 and 9.1-406.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 91  
 Reported with substitute . . . . . 575  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 652  
 Reading of substitute waived . . . . . 652  
 Committee substitute agreed to. . . . . 653  
 Engrossed . . . . . 653  
 Constitutional reading dispensed . . . . . 653

**S.B. 284 (continued)**  
 Passed Senate . . . . . 653  
 Continued to 2005 Session in House Committee on Appropriations . . . . . 1794

**S.B. 285. Licensure by Board for Contractors;** Department of Professional and Occupational Regulation and Board for Contractors to establish pilot program for local enforcement.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 91  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 388  
 Committee substitute agreed to . . . . . 388  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with amendment. . . . . 790  
 Passed by for day . . . . . 1065  
 House amendment agreed to. . . . . 1080  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 776

**S.B. 286. Ballots;** names printed only for one office, exception. Amending §§ 24.2-504 and 24.2-525.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 91  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 270  
 Read third time and passed . . . . . 282  
 Passed House with amendment. . . . . 1653  
 House amendment rejected. . . . . 1668  
 House insisted on amendment and requested committee of conference . . . . . 1687  
 Senate acceded to request . . . . . 1691  
 Conferees appointed . . . . . 1693  
 Conference report adopted by Senate . . . . . 1708  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 881 (effective 7/1/04)

**S.B. 287. Concealed weapons;** exempts retired officers from U.S. Marshals Service from permit fees. Amending § 18.2-308.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 92

**S.B. 288. Driver training schools;** regulation by DMV. Amending §§ 46.2-1700, 46.2-1701, 46.2-1702, 46.2-1703, 46.2-1705 and 46.2-1707; adding §§ 46.2-1701.2 and 46.2-1701.3.  
 Patrons: O'Brien, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 92  
 Reported . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 393, 394  
 Read second time and engrossed . . . . . 407, 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1829  
 Approved by Governor-Chapter 587 (effective 7/1/04)

**S.B. 289. State property management;** Division of Engineering and Buildings to establish and report on performance standards to determine effectiveness. Adding § 2.2-1131.1.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 92  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 388  
 Committee substitute agreed to. . . . . 388  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with substitute . . . . . 1109  
 House substitute agreed to . . . . . 1152  
 Signed by President . . . . . 1829  
 Approved by Governor-Chapter 684 (effective 7/1/04)

**S.B. 290. "Living wage" provisions;** no local governing body may establish without approval of General Assembly.  
 Patrons: O'Brien, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 92  
 Co-patron added . . . . . 255  
 Continued to 2005 Session in Senate Committee on Rules . . . . . 1794

**S.B. 291. Health insurance;** reimbursement rates to health care providers. Amending § 38.2-3407.10.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 92

**S.B. 292. Emergency electrical systems;** required in hospitals, nursing homes, etc. Amending §§ 32.1-127 and 63.2-1732.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 92  
 Rereferred to Committee on Rehabilitation and Social Services . . . . . 336

**S.B. 293. Foreign personal identification cards;** acceptance. Adding §§ 2.2-5512 and 2.2-5513.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 92

**S.B. 294. Schools or day care centers;** to provide noncustodial parent with information on child's activities, progress, etc. Amending § 22.1-4.3.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 92  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 295. Government Fee Disclosure Act;** created. Adding §§ 2.2-5512, 2.2-5513 and 2.2-5514.  
 Patrons: O'Brien, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 93  
 Reported with amendment . . . . . 241  
 Rereferred to Committee on Finance . . . . . 241  
 Co-patron added . . . . . 255

**S.B. 296. Towing of vehicles;** changes in provisions, lien. Amending §§ 43-32, 46.2-649.1, 46.2-1231, 46.2-1600, 46.2-1601 and 46.2-1607.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 93  
 Rereferred to Committee on Transportation . . . . . 336  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 297. Freedom of Information Act;** exempts numbers for cell phones, pagers, etc., of law-enforcement personnel. Amending § 2.2-3706.

Patron: O'Brien

Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 93  
 Reported with amendments . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 624  
 Reading of amendments waived . . . . . 624  
 Committee amendments agreed to . . . . . 624  
 Engrossed . . . . . 624  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 632  
 Passed House . . . . . 1467  
 Signed by President . . . . . 1845  
 Approved by Governor—Chapter 685 (effective 7/1/04)

**S.B. 298. Conservators of the peace;** includes special agents of Department of Homeland Security. Amending § 19.2-12.

Patron: O'Brien

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 93  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1402  
 Signed by President . . . . . 1817  
 Senate concurred in Governor's recommendation . . . . . 1857  
 House concurred in Governor's recommendation . . . . . 1903  
 Signed by President as reenrolled . . . . . 1906  
 Enacted, Chapter 1009 (effective 4/21/04)

**S.B. 299. Disabled children;** school divisions to identify those placed in a mental health facility. Amending § 22.1-215.

Patron: O'Brien

Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 93

**S.B. 300. Standards of Quality in public schools;** computation of composite index. Adding § 22.1-253.13:9.

Patron: O'Brien

Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 93

**S.B. 301. Eminent domain;** condemned property be put to use within 10 years, exception. Adding § 25.1-107.

Patron: O'Brien

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 93  
 Reported with amendments . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of amendments waived . . . . . 514  
 Committee amendments agreed to . . . . . 514  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Continued to 2005 Session in House Committee for Courts of Justice . . . . . 1794

**S.B. 302. Procurement Act, Public;** cooperative procurement with U.S. General Services Administration. Amending § 2.2-4304.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 93  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 384  
 Reading of substitute waived . . . . . 388  
 Committee substitute agreed to. . . . . 388  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with substitute . . . . . 1466  
 House substitute agreed to . . . . . 1501  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 936 (effective 7/1/04)

**S.B. 303. Cemeteries;** authorization for interment. Amending §§ 54.1-2313, 54.1-2324 and 54.1-2333; adding § 57-27.3.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 94  
 Reported . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 385, 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 247

**S.B. 304. Workforce Development, Special Advisor to the Governor for;** created, reports. Amending § 2.2-2670; adding §§ 2.2-435.1 through 2.2-435.5 and 37.1-207.1.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 94  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of substitute waived . . . . . 389  
 Committee substitute agreed to. . . . . 389  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with substitute . . . . . 1466  
 House substitute agreed to . . . . . 1501  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 686 (effective 7/1/04)

**S.B. 305. Tax information;** does not prohibit release of information to persons who are subject thereof. Amending § 58.1-3.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 94  
 Reported with amendment . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of amendment waived. . . . . 342  
 Committee amendment agreed to . . . . . 342  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357

**S.B. 306. Driver's license;** issuance of restricted permit to certain youthful drivers for purpose of school attendance. Amending § 46.2-334.01.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 94  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Passed by for day . . . . . 310  
 Read second time . . . . . 323  
 Reading of amendment waived. . . . . 323  
 Amendment by Senator O'Brien agreed to. . . . . 323  
 Engrossed . . . . . 323  
 Read third time and passed. . . . . 338  
 Reconsideration of vote on passage . . . . . 339  
 Passed Senate . . . . . 340

**S.B. 307. Transportation Trust Fund;** allocation of proceeds. Amending § 33.1-23.03:1; repealing §§ 33.1-23.03:4, 33.1-23.1:1, 33.1-221, 33.1-221.1:1, 33.1-221.1:3, 33.1-221.1:6 and 33.1-223.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 94

**S.B. 308. Community criminal justice boards;** representation at meetings. Amending § 9.1-178.  
 Patron: Blevins  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 94  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed. . . . . 280, 281  
 Passed House with amendments. . . . . 1401  
 House amendments agreed to . . . . . 1438  
 Signed by President . . . . . 1823  
 Approved by Governor—Chapter 395 (effective 7/1/04)

**S.B. 309. Medical malpractice joint underwriting association;** activation. Amending § 38.2-2801.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 94  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 310. Wine Board and Wine Promotion Fund;** created, abolishes Winegrowers Advisory Board. Amending § 3.1-6.1; adding §§ 3.1-1064.1 through 3.1-1064.7; repealing §§ 3.1-1057 through 3.1-1064.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 94  
 Co-patrons added . . . . . 273  
 Reported . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 466  
 Reading of substitute waived . . . . . 469  
 Committee substitute agreed to. . . . . 469  
 Reading of amendment waived. . . . . 469  
 Amendment by Senator Hawkins agreed to . . . . . 469

**S.B. 310 (continued)**  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House . . . . . 737  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 89 (effective 7/1/04)

**S.B. 311. Law Officers' Retirement System;** retirement benefits of persons in a hazardous position. Amending § 51.1-206.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 95  
 Co-patron added . . . . . 235  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 442, 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 687 (effective 7/1/04)

**S.B. 312. Methadone clinics;** licensure conditions for certain. Adding § 37.1-179.2.  
 Patron: Bell  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 95  
 Co-patron added . . . . . 235  
 Co-patron removed . . . . . 368

**S.B. 313. Election laws;** changes in voter equipment and technology. Amending §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009 and 24.2-1010; repealing § 24.2-660.  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . . 95  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 469  
 Committee substitute agreed to. . . . . 469  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with amendment. . . . . 1432  
 House amendment agreed to. . . . . 1473  
 Signed by President . . . . . 1822  
 Senate concurred in Governor's recommendation . . . . . 1858  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1907  
 Enacted, Chapter 1010 (effective 7/1/04)

**S.B. 314. Child abuse or neglect;** reporting requirements by ministers of religion. Amending § 63.2-1509.  
 Patrons: Howell, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 95  
 Reported with amendment . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Passed by for day . . . . . 310  
 Read second time . . . . . 323

**S.B. 314 (continued)**  
 Reading of amendment waived. . . . . 323  
 Committee amendment agreed to . . . . . 323  
 Reading of substitute waived . . . . . 323  
 Committee amendment reconsidered . . . . . 325  
 Parliamentary inquiry . . . . . 326  
 Committee amendment agreed to . . . . . 326  
 Motion, substitute motion . . . . . 326  
 Point of order . . . . . 326  
 Substitute by Senator Cuccinelli rejected . . . . . 327  
 Engrossed . . . . . 327  
 Engrossment reconsidered . . . . . 327  
 Substitute by Senator Cuccinelli reconsidered . . . . . 327  
 Substitute by Senator Cuccinelli rejected . . . . . 328  
 Engrossed . . . . . 328  
 Read third time and passed . . . . . 338

**S.B. 315. Green schools program;** to promote waste reduction and resource efficiency.  
 Adding § 22.1-212.1:2.  
 Patrons: Howell, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 95  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1494  
 Signed by President . . . . . 1822  
 Approved by Governor-Chapter 882 (effective 7/1/04)

**S.B. 316. Utility tax;** imposition on local consumers in Towns of Herndon and Vienna for mobile phone usage. Amending § 58.1-3812.  
 Patrons: Howell, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 95  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 345  
 Read third time and passed . . . . . 358  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 172 (effective 7/1/04)

**S.B. 317. Missing children;** increases age allowed for reporting, information to be entered into Criminal Information Network. Amending §§ 15.2-1718 and 52-32.  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 95  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1402  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 248 (effective 7/1/04)

**S.B. 318. Adult protective services;** changes in provisions, Commissioner of Department of Social Services to report on certain aspects of adult abuse, neglect and exploitation.

**S.B. 318 (continued)**

Amending §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609 and 63.2-1610; repealing § 63.2-1607.  
 Patrons: Howell, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 96  
 Co-patron added . . . . . 255  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 537  
 Committee substitute agreed to . . . . . 537  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549  
 Passed House with substitute . . . . . 790  
 Passed by for day . . . . . 1066  
 House substitute rejected . . . . . 1080  
 House insisted on substitute and requested committee of conference . . . . . 1142  
 Senate acceded to request . . . . . 1410  
 Conferees appointed . . . . . 1435  
 Conference report adopted by Senate . . . . . 1683  
 Conference report adopted by House . . . . . 1687  
 Signed by President . . . . . 1839  
 Senate concurred in Governor's recommendation . . . . . 1858  
 House concurred in Governor's recommendation . . . . . 1903  
 Signed by President as reenrolled . . . . . 1907  
 Enacted, Chapter 1011 (effective 7/1/04)

**S.B. 319. Feticide;** penalty. Adding § 18.2-32.2.

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 96  
 Rereferred to Committee for Courts of Justice . . . . . 241  
 Reported with amendments . . . . . 380  
 Rereferred to Committee on Finance . . . . . 381  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 476  
 Reading of amendments waived . . . . . 476  
 Committee amendments agreed to . . . . . 477  
 Engrossed . . . . . 477  
 Read third time and passed Senate . . . . . 508  
 Passed House with substitute . . . . . 768  
 House substitute agreed to . . . . . 796  
 Signed by President . . . . . 1817  
 Senate rejected Governor's recommendation . . . . . 1859  
 Approved by Governor—Chapter 1023 (effective 7/1/04)

**S.B. 320. Racketeer Influenced and Corrupt Organization (RICO) Act;** created. Amending §§ 2.2-511, 19.2-10.1 and 58.1-1017; adding §§ 18.2-511 through 18.2-516.

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 96  
 Reported with substitute . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451

**S.B. 320 (continued)**  
 Read second time . . . . . 477  
 Reading of substitute waived . . . . . 477  
 Committee substitute agreed to . . . . . 477  
 Reading of amendments waived . . . . . 477  
 Committee amendments agreed to . . . . . 477  
 Engrossed . . . . . 477  
 Passed by for day . . . . . 508  
 Engrossment reconsidered . . . . . 532  
 Reading of amendment waived . . . . . 533  
 Amendment by Senator Stolle agreed to . . . . . 533  
 Engrossed . . . . . 533  
 Rules suspended . . . . . 533  
 Constitutional reading dispensed . . . . . 533  
 Passed Senate . . . . . 533  
 Passed House with substitute . . . . . 1466  
 Passed by temporarily . . . . . 1501  
 House substitute agreed to . . . . . 1528  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 883 (effective 7/1/04)

**S.B. 321. Gangs;** definition, penalty upon conviction of criminal activity, forfeiture of property, etc. Amending §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1; adding §§ 18.2-46.3:1 and 18.2-46.3:2.  
 Patrons: Stolle, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 96  
 Reported with substitute . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Co-patrons added . . . . . 328, 414  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 470  
 Committee substitute agreed to . . . . . 470  
 Reading of amendments waived . . . . . 470  
 Committee amendments agreed to . . . . . 470  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with substitute . . . . . 1466  
 Passed by temporarily . . . . . 1501  
 House substitute agreed to . . . . . 1528  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 396 (effective 7/1/04)

**S.B. 322. Natural resources;** recovery of damages to State. Amending § 2.2-510.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 96  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 323. Workers' compensation;** deposit to be made by self-insurers in order to secure payment for liabilities. Amending § 65.2-801.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 96  
 Reported . . . . . 403

**S.B. 323 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 442, 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 173 (effective 7/1/04)

**S.B. 324. Motor vehicle purchases; cure offers for consumer disputes. Amending §§ 59.1-198 and 59.1-204.**

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 96  
 Reported with substitute . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time . . . . . 442  
 Reading of substitute waived . . . . . 447  
 Committee substitute agreed to . . . . . 447  
 Engrossed . . . . . 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 90 (effective 7/1/04)

**S.B. 325. Counterfeit controlled substance; definition. Amending § 18.2-247.**

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 97  
 Reported . . . . . 240  
 Rereferred to Committee for Courts of Justice . . . . . 241  
 Reported . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Reported with amendment . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of amendment waived . . . . . 470  
 Committee amendment agreed to . . . . . 470  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 504, 505  
 Passed House with substitute . . . . . 1533  
 House substitute agreed to . . . . . 1614  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 688 (effective 7/1/04)

**S.B. 326. Concealed weapons; applicability while engaged in hunting. Amending § 18.2-308.**

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 97  
 Reported . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time and engrossed . . . . . 552, 553  
 Read third time and passed . . . . . 564, 565  
 Passed House with substitute . . . . . 1592  
 House substitute agreed to . . . . . 1615  
 Reconsideration of vote on House substitute agreed to . . . . . 1616

**S.B. 326 (continued)**  
 House substitute agreed to . . . . . 1616  
 Signed by President . . . . . 1839  
 Senate concurred in Governor's recommendation . . . . . 1860  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1907  
 Enacted, Chapter 1012 (effective 7/1/04)

**S.B. 327. District Courts, Committee on;** Chief Justice a member and chairman. Amending § 16.1-69.33.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 97  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 385, 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with amendments . . . . . 768  
 House amendments agreed to . . . . . 797  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 330 (effective 7/1/04)

**S.B. 328. Judges;** notice of retirement. Amending §§ 16.1-69.9:3 and 17.1-511.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 97  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 385, 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 331 (effective 7/1/04)

**S.B. 329. Driver's license;** driving after forfeiture for DUI conviction, penalty. Amending §§ 18.2-267, 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9, 18.2-268.10 and 18.2-272.  
 Patrons: Stolle, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 97  
 Co-patron added . . . . . 328  
 Reported with substitute . . . . . 380  
 Rereferred to Committee on Finance . . . . . 381  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 471  
 Committee substitute agreed to. . . . . 471  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 505  
 Passed House with substitute . . . . . 1534  
 House substitute rejected . . . . . 1615  
 House insisted on substitute and requested committee of conference . . . . . 1662  
 Senate acceded to request . . . . . 1671  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1757  
 Conference report adopted by Senate . . . . . 1764  
 Signed by President . . . . . 1847  
 Senate concurred in Governor's recommendation . . . . . 1861

**S.B. 329 (continued)**

House concurred in Governor's recommendation. . . . . 1903  
Signed by President as reenrolled. . . . . 1907  
Enacted, Chapter 1013 (effective 7/1/04)

**S.B. 330. Public Defender Commission;** name changed to Indigent Defense Commission.

Amending §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124; adding §§ 19.2-163.01 through 19.2-163.04 and 19.2-163.4:1; repealing §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6.

Patrons: Stolle, et al.

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 97  
Reported with amendments . . . . . 380  
Rereferred to Committee on Finance . . . . . 381  
Reported . . . . . 547  
Constitutional reading dispensed, passed by for day . . . . . 570  
Read second time . . . . . 588  
Reading of amendments waived. . . . . 589  
Committee amendments agreed to . . . . . 589  
Engrossed . . . . . 591  
Read third time and passed . . . . . 614, 615  
Passed House with amendments . . . . . 1592  
House amendments rejected . . . . . 1617  
House insisted on amendments and requested committee of conference. . . . . 1662  
Senate acceded to request . . . . . 1671  
Conferees appointed . . . . . 1693  
Conference report adopted by House . . . . . 1757  
Conference report adopted by Senate . . . . . 1766  
Signed by President . . . . . 1845  
Approved by Governor-Chapter 884 (effective 7/1/05)

**S.B. 331. Assault and battery;** penalty in commission of larceny. Adding § 18.2-106.1.

Patrons: Stolle, et al.

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 97

**S.B. 332. State Police Officers' Retirement System;** increases retirement allowance for

service rendered in hazardous position. Amending §§ 51.1-138, 51.1-202, 51.1-205, 51.1-206, 51.1-207, 51.1-208 and 51.1-217.

Patrons: Stolle, et al.

Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 98  
Co-patron added . . . . . 398  
Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 333. Felony conviction;** issuance of writ of actual innocence based on nonbiological

evidence. Adding §§ 19.2-327.10 through 19.2-327.14.

Patrons: Stolle, et al.

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 98  
Reported with amendments . . . . . 335  
Constitutional reading dispensed, passed by for day . . . . . 366, 367  
Passed by for day . . . . . 384, 407, 422  
Read second time . . . . . 442  
Reading of amendments waived. . . . . 444  
Committee amendments agreed to . . . . . 444  
Reading of amendments waived. . . . . 445  
Parliamentary inquiry . . . . . 445  
Amendments by Senator Lambert rejected. . . . . 445  
Engrossed . . . . . 448  
Read third time and passed . . . . . 460, 461

**S.B. 333 (continued)**

Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House with amendments . . . . . 1533  
 House amendments Nos. 1, 3, 4, 5, 6, 7, and 8 agreed to . . . . . 1618  
 House amendment No. 2 agreed to . . . . . 1618  
 Signed by President . . . . . 1839  
 Senate concurred in Governor's recommendation . . . . . 1861  
 House rejected Governor's recommendation . . . . . 1902  
 Approved by Governor-Chapter 1024 (effective 7/1/04)

**S.B. 334. Bail enforcement agents; regulation and licensure. Amending § 9.1-102; adding §§ 9.1-185 through 9.1-199.**

Patrons: Stolle, et al.

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 98  
 Reported with amendments . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of amendments waived . . . . . 471  
 Committee amendments agreed to . . . . . 471  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 505  
 Passed House with substitute . . . . . 1109  
 House substitute agreed to . . . . . 1152  
 Signed by President . . . . . 1829  
 Approved by Governor-Chapter 397

**S.B. 335. Child custody or visitation; service of summons on teacher or school personnel for attendance and testimony. Amending §§ 8.01-293, 16.1-241, 16.1-264 and 17.1-272.**

Patron: Stolle

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 98  
 Reported with amendments . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time . . . . . 552  
 Reading of amendments waived . . . . . 554  
 Committee amendments agreed to . . . . . 554  
 Committee amendments reconsidered . . . . . 554  
 Committee amendments rejected . . . . . 554  
 Reading of substitute waived . . . . . 555  
 Substitute by Senator Stolle agreed to . . . . . 555  
 Engrossed . . . . . 555  
 Read third time and passed . . . . . 564, 565  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 588 (effective 7/1/04)

**S.B. 336. Judicial Inquiry and Review Commission; removes confidentiality of evidence concerning a judge. Amending § 17.1-918.**

Patron: Stolle

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 98  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 624  
 Reading of substitute waived . . . . . 624

**S.B. 336 (continued)**

Committee substitute agreed to. . . . . 624  
 Engrossed . . . . . 624  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 632  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 332 (effective 7/1/04)

**S.B. 337. Health records;** privacy, access, etc. Amending §§ 2.2-3705, 8.01-413, 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12, 37.1-134.21, 37.1-226 through 37.1-230 and 38.2-608.

Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 98  
 Rereferred to Committee on Education and Health . . . . . 299  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 480  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 514  
 Committee substitute agreed to. . . . . 514  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendments . . . . . 1491  
 House amendments agreed to . . . . . 1545  
 Signed by President . . . . . 1846  
 Senate concurred in Governor's recommendation . . . . . 1862  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1907  
 Enacted, Chapter 1014 (effective 7/1/04)

**S.B. 338. Higher educational institutions;** duties of Council of Higher Education include facilitating development of dual admissions and articulation agreements between 2- and 4-year institutions. Amending § 23-9.6:1.

Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 98  
 Reported with amendment . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendment waived. . . . . 286  
 Committee amendment agreed to . . . . . 286  
 Engrossed . . . . . 287  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendment. . . . . 1653  
 House amendment agreed to. . . . . 1668  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 502(effective 7/1/04)

**S.B. 339. Juveniles;** disposition for those who are delinquent. Amending § 16.1-278.8.

Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 98  
 Co-patron added . . . . . 235  
 Reported . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Reported with amendment . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 477

**S.B. 339 (continued)**  
 Reading of amendment waived. . . . . 477  
 Committee amendment agreed to . . . . . 477  
 Engrossed . . . . . 478  
 Read third time and passed . . . . . 508

**S.B. 340. License plates, special;** issuance to supporters of Blue Ridge Parkway Foundation.  
 Adding § 46.2-749.101.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 99  
 Co-patrons added . . . . . 225, 235, 292, 328, 350

**S.B. 341. Concealed weapons;** reciprocity agreements for law-enforcement officers.  
 Amending § 18.2-308.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 99  
 Reported . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time and engrossed . . . . . 552, 553  
 Read third time and passed . . . . . 564, 565  
 Passed House . . . . . 1594  
 Signed by President . . . . . 1842  
 Approved by Governor—Chapter 885 (effective 7/1/04)

**S.B. 342. Cranes;** certain exempt from motor vehicle registration. Amending §§ 46.2-700 and 46.2-1500.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 99

**S.B. 343. Fraud Against Taxpayers Act;** not applicable to claims, records or statements relating to state or local taxes. Amending § 8.01-216.3.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 99  
 Reported . . . . . 380  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time and engrossed . . . . . 422, 423  
 Read third time and passed . . . . . 437  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1807  
 Approved by Governor—Chapter 589 (effective 7/1/04)

**S.B. 344. Telephone Privacy Protection Act;** prohibits telephone solicitation to persons on a Do-Not-Call Registry. Amending §§ 59.1-510, 59.1-511, 59.1-513 and 59.1-514; adding § 59.1-513.1.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 99  
 Reported with amendments . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time . . . . . 442  
 Reading of amendments waived . . . . . 447  
 Committee amendments agreed to . . . . . 447  
 Engrossed . . . . . 448  
 Read third time and passed . . . . . 460, 461  
 Passed House . . . . . 1494  
 Signed by President . . . . . 1822  
 Approved by Governor—Chapter 202 (effective 7/1/04)

**S.B. 345. Commercial driver's license;** imposition of additional fees for hazmat endorsement.  
 Amending § 46.2-341.16:1.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 99  
 Reported . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 394  
 Read second time and engrossed . . . . . 407, 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 109 (effective 3/15/04)

**S.B. 346. Budget Reform Act of 2004;** provisions. Amending §§ 2.2-1508 and 2.2-1509;  
 adding § 2.2-1509.01.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 99  
 Co-patrons added . . . . . 256, 350

**S.B. 347. Retail Sales and Use Tax;** extends sunset provision for textbooks for free  
 distribution to professors. Amending § 58.1-609.6.  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 99  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 590 (effective 7/1/04)

**S.B. 348. Property Owners' Association Act;** access to committee and subcommittee  
 meetings of board of directors. Amending § 55-510.1.  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 100  
 Reported with amendment . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of amendment waived. . . . . 389  
 Committee amendment agreed to . . . . . 389  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 333 (effective 7/1/04)

**S.B. 349. Personal property exempt from taxation;** includes vehicles owned by certain  
 members of volunteer rescue and fire organizations. Amending § 58.1-3506.  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 100  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Passed House with amendment. . . . . 818  
 House amendment agreed to . . . . . 1085

**S.B. 349 (continued)**  
 Signed by President ..... 1808  
 Approved by Governor-Chapter 591 (effective 7/1/04)

**S.B. 350. Motor vehicle license decals; free issuance to volunteer fire department and rescue squad members. Amending § 46.2-752.**  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation ..... 100  
 Reported ..... 458  
 Constitutional reading dispensed, passed by for day ..... 523  
 Read second time and engrossed ..... 534, 539  
 Read third time and passed ..... 549  
 Passed House ..... 1113  
 Signed by President ..... 1829  
 Approved by Governor-Chapter 689 (effective 7/1/04)

**S.B. 351. Subdivision ordinances; provisions to allow locality to determine adequate water supply sources. Amending § 15.2-2242.**  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government ..... 100  
 Continued to 2005 Session in Senate Committee on Local Government ..... 1794

**S.B. 352. Freedom of Information Act; reorganization of record exemptions. Amending §§ 2.2-3703, 2.2-3711, 2.2-3714, 2.2-3806, 22.1-279.8, 23-50.16:32, 32.1-283.1, 32.1-283.2, 44-146.18, 44-146.22, 52-8.3, 54.1-2517, 54.1-2523 and 56-575.4; adding §§ 2.2-3705.1 through 2.2-3705.8; repealing § 2.2-3705.**  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws ..... 100  
 Reported ..... 435  
 Constitutional reading dispensed, passed by for day ..... 479, 480  
 Read second time and engrossed ..... 510, 520  
 Read third time and passed ..... 531, 532  
 Passed House with amendments ..... 1109  
 House amendments agreed to ..... 1154  
 Signed by President ..... 1829  
 Approved by Governor-Chapter 690 (effective 7/1/04)

**S.B. 353. Transportation infrastructure; provisions in comprehensive plan. Amending § 15.2-2223.**  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government ..... 100  
 Reported with amendment ..... 315  
 Constitutional reading dispensed, passed by for day ..... 346, 347  
 Read second time ..... 361  
 Reading of amendment waived ..... 362  
 Committee amendment agreed to ..... 362  
 Engrossed ..... 363  
 Read third time and passed ..... 381, 382  
 Passed House with amendments ..... 1401  
 House amendments agreed to ..... 1439  
 Signed by President ..... 1823  
 Approved by Governor-Chapter 691 (effective 7/1/04)

**S.B. 354. Freedom of Information Act; exempts records of sexually violent predator commitment review committee. Amending §§ 2.2-3703, 2.2-3705 and 2.2-3711.**  
 Patron: Houck  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws ..... 100  
 Reported ..... 435

**S.B. 354 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 398 (effective 7/1/04)

**S.B. 355. Insurance;** domestic reciprocals. Amending § 38.2-1230.

Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 100  
 Reported . . . . . 298  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 174 (effective 7/1/04)

**S.B. 356. Motor Vehicle Sales and Use Tax;** increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2402 and 58.1-2425; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840.

Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 101

**S.B. 357. Motor fuels tax;** increased, revenue deposited in Transportation Authorities of Commonwealth. Amending §§ 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701 and 58.1-2706; adding §§ 15.2-4850 through 15.2-4862; repealing §§ 15.2-4829 through 15.2-4840.

Patrons: Colgan, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 101

**S.B. 358. Relief;** Ridge, Henry.

Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 101  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 359. Referenda;** local distribution of information. Amending § 24.2-687.

Patrons: Colgan, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . 101  
 Reported with substitute . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time . . . . . 361  
 Reading of substitute waived . . . . . 362  
 Committee substitute agreed to. . . . . 362  
 Engrossed . . . . . 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 399 (effective 7/1/04)

**S.B. 360. License plates, special;** issuance commemorating 275th anniversary of County of Prince William. Adding § 46.2-749.101.

Patrons: Colgan, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 101  
 Co-patron added . . . . . 235

**S.B. 361. Real estate tax;** allows Northern Virginia to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211.  
 Patrons: Colgan, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 101  
 Co-patrons added . . . . . 235, 328  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 503 (effective 7/1/04)

**S.B. 362. Disabled parking license plates and placards;** issuance to parents and legal guardians of persons with disabilities. Amending §§ 46.2-604 and 46.2-731.  
 Patrons: Colgan, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 102  
 Reported with substitute . . . . . 458  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 534  
 Reading of substitute waived . . . . . 537  
 Committee substitute agreed to . . . . . 537  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549, 550  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 692 (effective 7/1/04)

**S.B. 363. Migrant and Seasonal Farmworkers Board and Migrant Worker Policy Committee;** under auspices of Employment Commission. Amending §§ 2.2-2407, 40.1-6 and 60.2-113.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 102  
 Reported . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 287  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 592 (effective 7/1/04)

**S.B. 364. Design-build contracts;** use by Director of Department of Rail and Public Transportation. Amending § 33.1-12.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 102  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time and engrossed . . . . . 305, 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 110 (effective 7/1/04)

**S.B. 365. Environmental permit fees;** applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 102  
 Reported with substitute . . . . . 503  
 Rereferred to Committee on Finance . . . . . 503  
 Reported with amendments . . . . . 575  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 645  
 Committee substitute agreed to . . . . . 645  
 Reading of amendments waived . . . . . 646  
 Committee amendments agreed to . . . . . 646  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 249

**S.B. 366. Public service corporations;** locality to determine taxation of real and tangible personal property. Amending § 58.1-2606.  
 Patron: Watkins  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 102  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 504 (effective 7/1/04)

**S.B. 367. Transient occupancy tax;** additional imposition in certain counties or cities. Adding § 58.1-3824.  
 Patrons: Watkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 102  
 Co-patron added . . . . . 235  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Defeated by House . . . . . 822

**S.B. 368. Richmond, City of, charter;** amending.  
 Patrons: Watkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 102  
 Co-patron added . . . . . 236

**S.B. 369. Public utilities;** mutual aid agreements between localities. Adding § 15.2-2109.2.  
 Patrons: Watkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 102  
 Reported with substitute . . . . . 315

**S.B. 369 (continued)**  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time . . . . . 361  
 Reading of substitute waived . . . . . 362  
 Committee substitute agreed to. . . . . 362  
 Engrossed . . . . . 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 693 (effective 7/1/04)

**S.B. 370. Inspector General, Office of State;** created. Amending § 2.2-3705; adding §§ 2.2-304 through 2.2-310.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 103

**S.B. 371. Abortion;** procedure if performed after first trimester. Adding § 18.2-73.1.  
 Patrons: Cuccinelli, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 103  
 Co-patrons added . . . . . 398, 453

**S.B. 372. Health maintenance organizations;** definition of net worth. Amending §§ 38.2-4300, 38.2-4301 and 38.2-4302.  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 103  
 Reported . . . . . 298  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 175 (effective 7/1/04)

**S.B. 373. Industrial access road funds;** use in Colleen Industrial Park in Nelson County.  
 Amending § 33.1-221.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 103  
 Rereferred to Committee on Finance . . . . . 356

**S.B. 374. Admissions tax;** imposition in Nelson County. Amending § 58.1-3818.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 103  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 375. Transient occupancy tax;** imposition in Nelson County. Amending § 58.1-3819.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 103  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 376. Motor vehicle insurance;** assessment for State Police Training and Retention Fund.  
 Adding § 38.2-401.2.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 103

**S.B. 377. Prescription Drug Payment Assistance Program;** created, annual report on effectiveness. Adding §§ 32.1-366 through 32.1-372.  
 Patrons: Deeds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 103  
 Co-patron added . . . . . 236  
 Reported . . . . . 240

**S.B. 377 (continued)**  
 Rereferred to Committee on Finance . . . . . 241  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 378. Estate tax;** exemptions for closely held businesses or property used for agricultural purposes. Amending § 58.1-902.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 104

**S.B. 379. Marriage license;** waiver of tax if parties have received counseling. Amending § 20-15.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 104  
 Reported . . . . . 503  
 Rereferred to Committee on Finance . . . . . 503

**S.B. 380. Driver's license;** increases reinstatement fee due to suspension or revocation.  
 Amending § 46.2-411.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 104  
 Rereferred to Committee for Courts of Justice . . . . . 259  
 Rereferred to Committee on Finance . . . . . 435

**S.B. 381. Disability Commission;** created, report. Adding §§ 30-226 through 30-233.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 104  
 Reported with substitute . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 646  
 Committee substitute agreed to . . . . . 646  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House with substitute . . . . . 1109  
 House substitute rejected . . . . . 1154  
 House insisted on substitute and requested committee of conference . . . . . 1432  
 Senate acceded to request . . . . . 1474  
 Conferees appointed . . . . . 1486  
 Conference report adopted by Senate . . . . . 1684  
 Conference report adopted by House . . . . . 1687  
 Signed by President . . . . . 1839  
 Senate concurred in Governor's recommendation . . . . . 1863  
 House concurred in Governor's recommendation . . . . . 1903  
 Signed by President as reenrolled . . . . . 1907  
 Enacted, Chapter 1015 (effective 7/1/04)

**S.B. 382. Aging, Department for;** powers and duties of Commissioner and Department.  
 Amending §§ 2.2-700 and 2.2-703.  
 Patrons: Puller, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 104  
 Reported with amendment . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendment waived . . . . . 286  
 Committee amendment agreed to . . . . . 286

**S.B. 382 (continued)**  
 Engrossed . . . . . 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1823  
 Approved by Governor—Chapter 694 (effective 7/1/04)

**S.B. 383. Telephone companies;** basic services regulation. Amending § 56-1; adding § 56-235.5:1.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 104  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 384. Driving under influence of alcohol or drugs;** mandatory minimum sentence for third offense, joint prosecution of DUI and reckless driving, administrative license suspension. Amending §§ 18.2-270, 19.2-294.1, 46.2-391 and 46.2-391.2.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 104  
 Reported with substitute . . . . . 380  
 Rereferred to Committee on Finance . . . . . 381  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 471  
 Committee substitute agreed to. . . . . 471  
 Reading of amendments waived . . . . . 472  
 Committee amendments agreed to . . . . . 472  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 505  
 Passed House with substitute . . . . . 1534  
 House substitute rejected . . . . . 1620  
 House insisted on substitute and requested committee of conference . . . . . 1662  
 Senate acceded to request . . . . . 1671  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1757  
 Conference report adopted by Senate . . . . . 1767  
 Reconsideration of Conference report agreed to . . . . . 1767  
 Conference report adopted by Senate . . . . . 1767  
 Signed by President . . . . . 1848  
 Approved by Governor—Chapter 937 (effective 7/1/04)

**S.B. 385. Medical malpractice;** privileged communications of peer review entities. Amending § 8.01-581.17.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 104  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 617  
 Committee substitute agreed to. . . . . 617  
 Engrossed . . . . . 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631  
 Passed House with amendment. . . . . 1465  
 House amendment agreed to. . . . . 1502

**S.B. 385 (continued)**  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 250 (effective 7/1/04)

**S.B. 386. Air emissions trading; prohibited. Amending § 10.1-1322.3.**  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and  
 Natural Resources . . . . . 105  
 Reported . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Reported . . . . . 575  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time and engrossed . . . . . 653  
 Constitutional reading dispensed . . . . . 653  
 Passed Senate . . . . . 653  
 Passed House with amendments . . . . . 1533  
 House amendments agreed to . . . . . 1621  
 Signed by President . . . . . 1846  
 Approved by Governor-Chapter 334 (effective 7/1/04)

**S.B. 387. Cranes, mobile; definition. Amending § 46.2-1500.**  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 105  
 Reported with substitute . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 394  
 Read second time . . . . . 407  
 Reading of substitute waived . . . . . 409  
 Committee substitute agreed to . . . . . 410  
 Engrossed . . . . . 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 111 (effective 7/1/04)

**S.B. 388. Nursing home bed projects; conditions for issuance of an amended certificate of  
 public need. Amending Chapter 912, 2000 Acts.**  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 105  
 Co-patrons added . . . . . 225, 236, 368  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 393  
 Passed by for day . . . . . 406, 421  
 Engrossment reconsidered . . . . . 438  
 Reading of amendments waived . . . . . 439  
 Amendments by Senator Norment agreed to . . . . . 439  
 Engrossed . . . . . 439  
 Constitutional reading dispensed . . . . . 439  
 Passed Senate . . . . . 439  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 91 (effective 7/1/04)

**S.B. 389. Prisoners; earning of good conduct credit. Amending § 53.1-116.**  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social  
 Services . . . . . 105

**S.B. 389 (continued)**  
 Reported . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time and engrossed . . . . . 534, 539  
 Read third time and passed . . . . . 549, 550  
 Passed House with amendment . . . . . 1401  
 House amendment agreed to . . . . . 1439  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 400 (effective 7/1/04)

**S.B. 390. Conservators of the peace;** registration. Amending § 19.2-13.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 105  
 Reported . . . . . 380  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time and engrossed . . . . . 422, 423  
 Read third time and passed . . . . . 437  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1823  
 Approved by Governor-Chapter 401 (effective 7/1/04)

**S.B. 391. Absentee ballots;** applications may be made online. Amending §§ 24.2-701 and 24.2-706.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . 105  
 Co-patrons added . . . . . 181, 225, 236, 328  
 Reported with amendments . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time . . . . . 361  
 Reading of amendments waived . . . . . 363  
 Committee amendments agreed to . . . . . 363  
 Engrossed . . . . . 363  
 Read third time and passed . . . . . 381, 382  
 Continued to 2005 Session in House Committee on Privileges and Elections . . . . . 1795

**S.B. 392. Estate tax;** conformity of state and federal statutes. Amending § 58.1-901.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 105  
 Co-patron added . . . . . 256

**S.B. 393. Educational facilities;** adequate levels of service needed in comprehensive plan.  
 Adding §§ 15.2-2230.2, 15.2-2242.1, 22.1-18.2 and 22.1-79.4.  
 Patrons: Quayle, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 105  
 Co-patrons added . . . . . 225, 292  
 Continued to 2005 Session in Senate Committee on Local Government . . . . . 1794

**S.B. 394. Freedom of Information Act;** exempts proprietary information related to economic development. Amending § 2.2-3705.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 106  
 Co-patron added . . . . . 166  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1594

**S.B. 394 (continued)**  
 Signed by President . . . . . 1842  
 Approved by Governor-Chapter 593 (effective 7/1/04)

**S.B. 395. Inoperable motor vehicles;** civil penalties for violations. Amending § 15.2-904.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 106  
 Co-patron added . . . . . 166  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time and engrossed . . . . . 467, 474  
 Read third time and passed . . . . . 505  
 Defeated by House . . . . . 1404

**S.B. 396. Williamsburg, City of, charter;** amending.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 106  
 Co-patron added . . . . . 166  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 505 (effective 7/1/04)

**S.B. 397. William and Mary, College of;** board of visitors. Amending § 23-41.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 106  
 Co-patron added . . . . . 166  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time and engrossed . . . . . 616, 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631  
 Passed House with amendment. . . . . 1465  
 House amendment agreed to. . . . . 1502  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 695 (effective 7/1/04)

**S.B. 398. Retail Sales and Use Tax;** entitles Newport News City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 106  
 Co-patron added . . . . . 256  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 449  
 Read third time and passed . . . . . 466  
 Passed House . . . . . 819  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 506 (effective 7/1/04)

**S.B. 399. Recordation tax;** leases on oil, gas and mineral rights and communications towers.  
 Amending § 58.1-807.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 106

**S.B. 399 (continued)**  
 Reported with substitute . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346  
 Read second time . . . . . 364  
 Reading of substitute waived . . . . . 365  
 Committee substitute agreed to. . . . . 365  
 Engrossed . . . . . 365  
 Read third time and passed. . . . . 383  
 Passed House with amendment. . . . . 818  
 Passed by for day . . . . . 1085  
 House amendment agreed to. . . . . 1120  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 974 (effective 7/1/04)

**S.B. 400. Water-saving ordinances;** localities may impose. Amending § 15.2-923.  
 Patrons: Norment, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 106  
 Co-patron added . . . . . 166  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed. . . . . 381, 382  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 402 (effective 7/1/04)

**S.B. 401. Medical Malpractice Joint Underwriting Association;** changes in provisions.  
 Amending §§ 38.2-2800, 38.2-2801, 38.2-2804, 38.2-2806, 38.2-2812 and 38.2-2814;  
 repealing §§ 38.2-2802 and 38.2-2807.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 106  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 402. Driver's license;** requires vision exam for persons age 80 or older. Amending  
 § 46.2-330.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 107  
 Reported with substitute . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 394  
 Read second time . . . . . 407  
 Reading of substitute waived . . . . . 410  
 Committee substitute agreed to. . . . . 410  
 Engrossed . . . . . 410  
 Read third time and passed. . . . . 420  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 112 (effective 7/1/04)

**S.B. 403. Tax information;** may be provided to assist in collecting overpayments of income to  
 injured workers. Amending § 58.1-3.  
 Patron: Colgan  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 107  
 Reported . . . . . 183  
 Constitutional reading dispensed, passed by for day . . . . . 234  
 Read second time and engrossed . . . . . 246  
 Read third time and passed. . . . . 266, 267  
 Reconsideration of vote on passage . . . . . 268

**S.B. 403 (continued)**  
 Passed Senate . . . . . 268  
 Passed House . . . . . 820  
 Signed by President . . . . . 1775  
 Approved by Governor—Chapter 594 (effective 7/1/04)

**S.B. 404. Compulsory school attendance;** not applicable to certain persons in an adult correctional facility. Amending §§ 22.1-254 and 22.1-254.2.  
 Patrons: Reynolds, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 107  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 514  
 Committee substitute agreed to. . . . . 514  
 Engrossed . . . . . 520  
 Read third time and passed. . . . . 531, 532  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor—Chapter 251 (effective 7/1/04)

**S.B. 405. Livestock and poultry killed by dogs;** increases compensation. Amending § 3.1-796.118.  
 Patron: Quayle  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 107

**S.B. 406. Roanoke River Basin Advisory Committee;** membership. Amending § 62.1-69.34.  
 Patrons: Ruff, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 107  
 Co-patron added . . . . . 236  
 Reported with substitute . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 646  
 Committee substitute agreed to. . . . . 646  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House with amendment. . . . . 1109  
 House amendment agreed to. . . . . 1154  
 Signed by President . . . . . 1829  
 Approved by Governor—Chapter 403 (effective 7/1/04)

**S.B. 407. Rural Virginia, Center for;** created. Adding §§ 2.2-2720 through 2.2-2724.  
 Patrons: Ruff, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 107  
 Co-patrons added . . . . . 273, 328  
 Reported with substitute . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 646  
 Committee substitute agreed to. . . . . 646  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648

**S.B. 407 (continued)**  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 938 (effective 7/1/04)

**S.B. 408. Speed limits; maximum on Route 360. Amending § 46.2-870.**  
 Patron: Ruff  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 107  
 Reported with substitute . . . . . 458  
 Constitutional reading dispensed, passed by for day . . . . . 523  
 Read second time . . . . . 535  
 Reading of substitute waived . . . . . 537  
 Committee substitute agreed to. . . . . 537  
 Engrossed . . . . . 539  
 Read third time and passed. . . . . 549, 550  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 696 (effective 7/1/04)

**S.B. 409. Child abuse or neglect; child protective services to notify parent. Amending § 63.2-1503.**  
 Patron: Ruff  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 107  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time . . . . . 305  
 Reading of amendments waived. . . . . 307  
 Committee amendments agreed to . . . . . 307  
 Engrossed . . . . . 309  
 Read third time and passed. . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House with amendments. . . . . 790  
 Passed by for day . . . . . 1066  
 House amendments agreed to . . . . . 1081  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 886 (effective 7/1/04)

**S.B. 410. Relief; Dalton, Sharon.**  
 Patron: Ruff  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 107  
 Reported with substitute . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 345  
 Reading of substitute waived . . . . . 345  
 Committee substitute agreed to. . . . . 345  
 Engrossed . . . . . 345  
 Read third time and passed. . . . . 359

**S.B. 411. Income tax, corporate;** Tiered Incentive Program created to provide tax credit for creation of jobs in economically distressed localities, report. Adding §§ 58.1-514 through 58.1-519.1.  
 Patrons: Ruff, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 108

**S.B. 412. Veterans services;** establishment of an advisory board, increases members of Board of Veterans Services. Amending §§ 2.2-2000, 2.2-2452, 2.2-2681 and 2.2-2715; adding § 2.2-2004.1.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 108  
 Reported . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor—Chapter 697 (effective 7/1/04)

**S.B. 413. Rail Transportation Development Authority;** membership, powers, etc. Amending § 2.2-2101; adding §§ 33.1-391.6 through 33.1-391.10; repealing Chapter 1041, 2003 Acts.  
 Patrons: Edwards, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 108  
 Co-patrons added . . . . . 328, 368  
 Reported with substitute . . . . . 419  
 Rereferred to Committee on Finance . . . . . 420  
 Co-patron added . . . . . 428  
 Reported with substitute . . . . . 640  
 Read first time . . . . . 676  
 Constitutional reading dispensed . . . . . 676  
 Reading of substitute waived . . . . . 677  
 Committee substitute rejected . . . . . 677  
 Reading of substitute waived . . . . . 677  
 Committee substitute agreed to . . . . . 677  
 Reading of amendment waived . . . . . 678  
 Amendment by Senator Edwards agreed to . . . . . 678  
 Engrossed . . . . . 678  
 Constitutional reading dispensed . . . . . 678  
 Passed Senate . . . . . 678

**S.B. 414. Trials;** appeals due to inadequate damages. Amending § 8.01-383.1.  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 108

**S.B. 415. Medical malpractice;** limit on attorney fees. Adding § 8.01-581.15:1.  
 Patrons: Newman, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 108  
 Co-patrons added . . . . . 256, 524

**S.B. 416. Standards of Learning;** reporting of test results. Amending § 22.1-253.13:1.  
 Patrons: Newman, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health . . . . . 108  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 514

**S.B. 416 (continued)**  
 Committee substitute agreed to . . . . . 514  
 Engrossed . . . . . 520  
 Co-patron added . . . . . 524  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1113  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 404 (effective 7/1/04)

**S.B. 417. Child day centers;** religious exemption from licensure. Amending § 63.2-1716.  
 Patron: Newnan  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . . . 108  
 Reported with amendment . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289  
 Read second time . . . . . 305  
 Reading of amendment waived. . . . . 307  
 Committee amendment rejected . . . . . 307  
 Reading of amendments waived. . . . . 307  
 Amendments by Senator Devolites agreed to . . . . . 307  
 Engrossed . . . . . 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 113 (effective 7/1/04)

**S.B. 418. Stolen vehicles;** disposition of those that are recovered. Amending § 46.2-1209.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 108  
 Reported with amendments . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Passed by temporarily . . . . . 654  
 Read second time . . . . . 675  
 Reading of amendments waived . . . . . 675  
 Committee amendment No. 1 rejected . . . . . 675  
 Committee amendment No. 2 agreed to . . . . . 675  
 Reading of amendment waived. . . . . 675  
 Amendment by Senator Stolle agreed to . . . . . 675  
 Engrossed . . . . . 676  
 Constitutional reading dispensed . . . . . 676  
 Passed Senate . . . . . 676  
 Continued to 2005 Session in House Committee on Transportation . . . . . 1795

**S.B. 419. Motor vehicle registrations;** nonrenewal for nonpayment of parking citations, abolishes sunset provisions. Repealing second enactment of Chapter 326, 2003 Acts.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 109  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time and engrossed . . . . . 305, 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House . . . . . 1113

**S.B. 419 (continued)**  
 Signed by President . . . . . 1829  
 Approved by Governor-Chapter 698 (effective 7/1/04)

**S.B. 420. Newport News reservoir project;** Marine Resources Commission to convey easement in bed of Mattaponi River to Newport News City.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 109  
 Reported with substitute . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 288  
 Reading of substitute waived . . . . . 288  
 Committee substitute agreed to. . . . . 288  
 Motion, substitute motion. . . . . 288  
 Rereferred to Committee on Agriculture, Conservation and Natural Resources . . . . . 289

**S.B. 421. Traffic signals;** penalty for violation. Amending § 46.2-833.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 109  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time and engrossed . . . . . 305, 309  
 Read third time and passed. . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House with amendment. . . . . 1142  
 House amendment agreed to. . . . . 1414  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 252 (effective 7/1/04)

**S.B. 422. Retirement System;** creditable compensation of certain law-enforcement officers employed at airports. Amending § 51.1-124.3.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 109

**S.B. 423. Sex crimes against children;** penalty. Amending §§ 18.2-63, 18.2-64.1 and 18.2-370.1.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 109

**S.B. 424. Contractors;** classification of those engaged in business of storing, maintaining, or repairing vessels for local license tax purposes. Amending § 58.1-3714.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 109

**S.B. 425. Diplomas;** guidelines for awarding. Amending § 22.1-253.13:4.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 109  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 426. Stormwater;** regulation of billing charges. Amending § 15.2-2114.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 109  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed. . . . . 381, 382  
 Passed House with amendments . . . . . 1401  
 House amendments agreed to . . . . . 1440

**S.B. 426 (continued)**  
Signed by President ..... 1824  
Approved by Governor-Chapter 507 (effective 7/1/04)

**S.B. 427. Chesapeake Bay Preservation Act;** expands boundaries. Amending §§ 10.1-2100, 10.1-2101, 10.1-2102, 10.1-2109, 10.1-2110, 28.2-1103 and 62.1-195.1.  
Patron: Wagner  
Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. .... 110

**S.B. 428. Minimum wage;** public bodies prohibited from requiring payment that exceeds minimum standards. Amending § 40.1-28.10.  
Patrons: Wagner, et al.  
Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. .... 110  
Co-patron added ..... 256  
Reported with amendments ..... 636  
Constitutional reading dispensed ..... 660  
Read second time ..... 661  
Reading of amendments waived. .... 662  
Committee amendments agreed to ..... 662  
Engrossed ..... 662  
Constitutional reading dispensed ..... 662  
Defeated by Senate ..... 662

**S.B. 429. Child abuse or neglect;** development of multidisciplinary consultation teams. Amending §§ 63.2-105 and 63.2-1503.  
Patron: Wagner  
Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. .... 110  
Reported with amendments ..... 457  
Constitutional reading dispensed, passed by for day ..... 523, 524  
Read second time ..... 535  
Reading of amendments waived. .... 538  
Committee amendments agreed to ..... 538  
Engrossed ..... 539  
Read third time and passed. .... 549, 550  
Passed House ..... 769  
Signed by President ..... 1488  
Approved by Governor-Chapter 114 (effective 7/1/04)

**S.B. 430. Higher educational institutions;** ratios of in-state and out-of-state student enrollments. Adding § 23-7.1:03.  
Patron: Wagner  
Prefiled, presented, ordered printed, and referred to Committee on Education and Health. .... 110

**S.B. 431. Retirement System;** service credit for state employees when no general salary increase. Amending § 51.1-142.2.  
Patron: Wagner  
Prefiled, presented, ordered printed, and referred to Committee on Finance. .... 110

**S.B. 432. Bottomlands, state-owned;** permits for use. Amending § 28.2-1205.  
Patron: Wagner  
Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. .... 110  
Reported ..... 636  
Constitutional reading dispensed ..... 660  
Read second time and engrossed ..... 660, 661  
Constitutional reading dispensed ..... 661  
Passed Senate ..... 661

**S.B. 432 (continued)**  
 Passed House . . . . . 1143  
 Signed by President . . . . . 1829  
 Approved by Governor-Chapter 405 (effective 7/1/04)

**S.B. 433. Homeowners insurance;** coverage for windstorms and hail. Amending §§ 38.2-2108 and 38.2-2701; adding § 38.2-2108.1.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 110

**S.B. 434. Administrative Rules, Joint Commission on;** continued, staffing. Amending § 30-73.4; repealing second enactment of Chapter 677, 2002 Acts.  
 Patrons: Wagner, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 110  
 Reported . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time and engrossed . . . . . 643, 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House . . . . . 1494  
 Signed by President . . . . . 1822  
 Approved by Governor-Chapter 777 (effective 7/1/04)

**S.B. 435. Child support;** guidelines for variable and fixed costs. Amending § 20-108.2.  
 Patron: Wagner  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 111  
 Reported . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time and engrossed . . . . . 556  
 Read third time and passed . . . . . 565  
 Continued to 2005 Session in House Committee for Courts of Justice . . . . . 1794

**S.B. 436. Neighborhood Assistance Act;** extends tax credit. Amending § 63.2-2002.  
 Patrons: Locke, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 111  
 Reported with substitute . . . . . 457  
 Rereferred to Committee on Finance . . . . . 458  
 Reported . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 588  
 Reading of substitute waived . . . . . 590  
 Committee substitute agreed to. . . . . 590  
 Engrossed . . . . . 591  
 Read third time and passed . . . . . 614, 615  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1829  
 Approved by Governor-Chapter 699 (effective 7/1/04)

**S.B. 437. Inoperable motor vehicles;** to be shielded or screened from view in certain localities. Amending § 15.2-905.  
 Patrons: Locke, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 111  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450

**S.B. 437 (continued)**  
 Read second time and engrossed . . . . . 467, 474  
 Read third time and passed . . . . . 505  
 Passed House with substitute . . . . . 1402  
 House substitute agreed to . . . . . 1440  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 508 (effective 7/1/04)

**S.B. 438. Students;** parent notification of credits required for graduation. Amending § 22.1-253.13:4.  
 Patrons: Locke, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 111  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 304  
 Passed House with amendments . . . . . 1465  
 House amendments agreed to . . . . . 1503  
 Signed by President . . . . . 1846  
 Approved by Governor-Chapter 509 (effective 7/1/04)

**S.B. 439. Retail Sales and Use Tax;** entitles Hampton City to allocable revenues from watercraft business and sales. Amending §§ 58.1-638 and 58.1-1410.  
 Patrons: Locke, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 111

**S.B. 440. Targeted Jobs Grant Program;** created. Adding §§ 63.2-2300 and 63.2-2301.  
 Patrons: Locke, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 111

**S.B. 441. Corrections, Board of;** membership. Amending §§ 53.1-2, 53.1-4, and 53.1-6.  
 Patron: Locke  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 111  
 Continued to 2005 Session in Senate Committee on Rehabilitation and Social Services . . . . . 1794

**S.B. 442. Bail;** denied due to multiple DUI offenses. Amending §§ 19.2-120 and 19.2-390.  
 Patrons: Rerras, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 111  
 Reported with substitute . . . . . 380  
 Rereferred to Committee on Finance . . . . . 381  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 449, 450  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 472  
 Committee substitute agreed to. . . . . 472  
 Reading of amendments waived. . . . . 472  
 Committee amendments agreed to . . . . . 472  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 505  
 Passed House with substitute . . . . . 1534  
 House substitute rejected . . . . . 1621  
 House insisted on substitute and requested committee of conference . . . . . 1662  
 Senate acceded to request . . . . . 1671  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1726  
 Conference report adopted by Senate . . . . . 1749

**S.B. 442 (continued)**  
 Signed by President . . . . . 1846  
 Approved by Governor-Chapter 406 (effective 7/1/04)

**S.B. 443. Driving under influence of alcohol or drugs; penalty for third conviction.**  
 Amending § 18.2-270.  
 Patrons: Rerras, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 112

**S.B. 444. License plates, special; issuance to supporters of Sheriffs' Institute. Adding § 46.2-749.101.**  
 Patrons: Rerras, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 112  
 Reported with substitute . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 654  
 Reading of substitute waived . . . . . 654  
 Committee substitute agreed to. . . . . 654  
 Engrossed . . . . . 654  
 Constitutional reading dispensed . . . . . 654  
 Passed Senate . . . . . 654  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 700 (effective 7/1/04)

**S.B. 445. License plates, special; issuance to supporters of Virginia agriculture. Adding § 46.2-749.101.**  
 Patrons: Rerras, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 112  
 Co-patrons added . . . . . 543

**S.B. 446. Income tax, state; increases personal exemption. Amending § 58.1-322.**  
 Patron: Rerras  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 112

**S.B. 447. Northampton County; authorized to appropriate money from Glebe Fund for improvements to courthouse and related facilities. Amending § 57-3.**  
 Patrons: Rerras, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 112  
 Reported . . . . . 241  
 Co-patron added . . . . . 256  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendments . . . . . 1592  
 House amendments agreed to . . . . . 1625  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 595 (effective 7/1/04)

**S.B. 448. Adult Offenders, Interstate Compact for Supervision of; created. Amending §§ 53.1-172 and 53.1-174; adding §§ 53.1-176.1, 53.1-176.2 and 53.1-176.3.**  
 Patrons: Rerras, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . 112  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 1403

**S.B. 448 (continued)**  
 Signed by President ..... 1817  
 Approved by Governor-Chapter 407

**S.B. 449. Condominium and Property Owners' Association Acts;** fees related to providing statements of assurance, resale certificate or disclosure packet. Amending §§ 55-79.97 and 55-512.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws ..... 112

**S.B. 450. Public defender's office;** establishment in Arlington County and Falls Church City. Amending § 19.2-163.2.  
 Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice ..... 112  
 Co-patrons added ..... 292  
 Reported ..... 380  
 Rereferred to Committee on Finance ..... 381  
 Continued to 2005 Session in Senate Committee on Finance ..... 1793

**S.B. 451. Pedestrians;** provisions when crossing a highway. Amending §§ 46.2-923 and 46.2-924.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation ..... 113  
 Reported with amendments ..... 259  
 Constitutional reading dispensed, passed by for day ..... 289, 289  
 Read second time ..... 305  
 Reading of amendments waived ..... 308  
 Committee amendments agreed to ..... 308  
 Engrossed ..... 309  
 Read third time and passed ..... 317  
 Reconsideration of vote on passage ..... 319  
 Passed Senate ..... 320

**S.B. 452. School term;** provisions due to severe weather conditions or other emergency situation. Amending § 22.1-98.  
 Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. .... 113  
 Co-patrons added ..... 292  
 Reported with amendment ..... 435  
 Constitutional reading dispensed, passed by for day ..... 479, 481  
 Read second time ..... 510  
 Reading of amendment waived ..... 515  
 Committee amendment agreed to ..... 515  
 Engrossed ..... 520  
 Read third time and passed ..... 531, 532  
 Passed House with substitute ..... 1109  
 House substitute agreed to ..... 1155  
 Signed by President ..... 1830  
 Approved by Governor-Chapter 887 (effective 4/15/04)

**S.B. 453. Local government taxing authority;** equalizing county and city powers. Amending §§ 4.1-128, 15.2-204, 15.2-1200, 15.2-5814, 55-248.5 and 58.1-3840; repealing §§ 58.1-3817, 58.1-3818, 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3830 through 58.1-3834 and 58.1-3842.  
 Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance ..... 113  
 Co-patrons added ..... 292

**S.B. 454. Ozone nonattainment areas;** fees deposited in Vehicle Emissions Inspection Program Fund. Amending § 10.1-1300; adding § 10.1-1316.1.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 113  
 Reported with substitute . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time . . . . . 324  
 Reading of substitute waived . . . . . 324  
 Committee substitute agreed to. . . . . 324  
 Engrossed . . . . . 324  
 Read third time and passed . . . . . 339  
 Passed House with substitute . . . . . 1534  
 House substitute agreed to . . . . . 1626  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 408 (effective 7/1/04)

**S.B. 455. Cigarettes and tobacco products;** tax increased. Amending §§ 58.1-1000 through 58.1-1010, 58.1-1012 through 58.1-1015, 58.1-1017, 58.1-1018, 58.1-1019 and 58.1-1021.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 113

**S.B. 456. Abortion;** contraception not to constitute. Adding § 18.2-72.1.  
 Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 113  
 Co-patrons added . . . . . 292  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Passed by for day . . . . . 521, 541, 555, 570, 591  
 Read second time . . . . . 540  
 Motion, substitute motion . . . . . 623  
 Recommitted to Committee on Education and Health . . . . . 623  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 457. Electronic voting systems;** shall allow voter opportunity to correct error. Amending § 24.2-629.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . 113  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 472  
 Committee substitute agreed to. . . . . 472  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 505  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 409 (effective 7/1/04)

**S.B. 458. Motor fuels tax;** additional imposition in Northern Virginia transportation district.  
 Amending § 58.1-1720.  
 Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 114  
 Co-patrons added . . . . . 292

**S.B. 458 (continued)**  
 Reported with amendment . . . . . 575  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 655  
 Reading of amendment waived. . . . . 655  
 Committee amendment agreed to. . . . . 655  
 Engrossed . . . . . 655  
 Constitutional reading dispensed . . . . . 655  
 Passed Senate . . . . . 655

**S.B. 459. Standards of Learning assessments; validity and reliability.** Amending § 22.1-253.13:3.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 114  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 460. Workforce Development, Special Advisor to the Governor for; created, reports.**  
 Amending § 2.2-2670; adding §§ 2.2-435.1, 2.2-435.2 and 2.2-435.3.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 114  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 515  
 Committee substitute agreed to. . . . . 515  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Continued to 2005 Session in House Committee on Commerce and Labor . . . . . 1794

**S.B. 461. Arlington County; manager duties concerning budget, purchase of easements, etc.**  
 Amending §§ 15.2-710, 15.2-720.1 and 15.2-726.  
 Patrons: Whipple, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 114  
 Co-patrons added . . . . . 292  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 365  
 Read third time and passed . . . . . 383  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 510 (effective 7/1/04)

**S.B. 462. Election laws; implementation of Help America Vote Act.** Amending §§ 24.2-405, 24.2-406, 24.2-419, 24.2-441, 24.2-442, 24.2-443.2, 24.2-443.3, 24.2-643, 24.2-653, 24.2-668, 24.2-701, 24.2-703, 24.2-706 and 24.2-802.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . . 114  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 467  
 Reading of amendments waived. . . . . 473  
 Committee amendments agreed to . . . . . 473  
 Engrossed . . . . . 474  
 Read third time and passed . . . . . 505  
 Passed House with amendment. . . . . 1401  
 House amendment agreed to. . . . . 1440

**S.B. 462 (continued)**

Signed by President . . . . . 1824  
 Approved by Governor-Chapter 410 (effective 4/12/04)

**S.B. 463. Condominium and Property Owners' Association Acts;** unit or lot sold in a nonjudicial foreclosure proceeding shall be sold subject to prior liens. Amending §§ 55-79.84 and 55-516.

Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 114  
 Reported with substitute . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of substitute waived . . . . . 389  
 Committee substitute agreed to. . . . . 389  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House with amendments . . . . . 790  
 Passed by for day . . . . . 1066  
 House amendments agreed to . . . . . 1081  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 778 (effective 7/1/04)

**S.B. 464. Mary Washington College;** name changed to University of Mary Washington. Amending §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91.35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43 and 23-91.44.

Patrons: Chichester, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 114  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 289  
 Read third time and passed . . . . . 304  
 Passed House . . . . . 820  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 176 (effective 7/1/04)

**S.B. 465. Cigarettes and tobacco products;** tax increased, revenue deposited in Health Care Fund. Amending §§ 58.1-1001, 58.1-1009 and 58.1-1018; adding §§ 32.1-366, 32.1-367 and 58.1-1021.01 through 58.1-1021.05.

Patron: Chichester  
 Prefiled, presented, ordered printed, and referred to Committee on Finance. . . . . 115  
 Reported with substitute . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time . . . . . 707  
 Reading of substitute waived . . . . . 707  
 Committee substitute agreed to. . . . . 708  
 Point of order . . . . . 708  
 Parliamentary inquiry . . . . . 708  
 Passed by temporarily. . . . . 708  
 Committee substitute reconsidered. . . . . 713  
 Parliamentary inquiry . . . . . 713  
 Committee substitute agreed to. . . . . 713  
 Engrossed . . . . . 713  
 Read third time and passed . . . . . 727

**S.B. 466. Income tax, state;** system of taxation and conformity of terms. Amending § 58.1-301.

Patron: Chichester  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 115

**S.B. 467. Tax reform;** changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628, 58.1-639, 58.1-901, 58.1-902, 58.1-1001, 58.1-3524, 58.1-3526, 58.1-3528, 58.1-3531, 58.1-3830, 58.1-3833, 58.1-3840 and 58.1-3912; adding §§ 32.1-366, 32.1-367, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-390, 58.1-394 and 58.1-3831.  
 Patron: Chichester  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 115

**S.B. 468. State agencies;** establishment of alternative work schedule and telecommuting policy. Amending §§ 2.2-203.1 and 2.2-2817.1.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 115  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 515  
 Committee substitute agreed to . . . . . 515  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with substitute . . . . . 790  
 Passed by for day . . . . . 1066  
 House substitute agreed to . . . . . 1082  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 701 (effective 7/1/04)

**S.B. 469. Juveniles;** may file own petition. Amending § 16.1-260.  
 Patrons: Ticer, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 115  
 Reported . . . . . 381  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time and engrossed . . . . . 422, 423  
 Read third time and passed . . . . . 437  
 Continued to 2005 Session in House Committee for Courts of Justice . . . . . 1794

**S.B. 470. Campaign finance disclosure;** special reports of large contributions received by county boards of supervisors and city and town councils. Adding § 24.2-919.1.  
 Patron: Ticer  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . 115  
 Reported with substitute . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time . . . . . 269  
 Reading of substitute waived . . . . . 270  
 Committee substitute agreed to . . . . . 270  
 Engrossed . . . . . 270  
 Read third time and passed . . . . . 280, 281  
 Passed House with amendments . . . . . 1401  
 House amendments agreed to . . . . . 1441  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 411 (effective 7/1/04)

**S.B. 471. Commercial vehicles;** parking regulations in Fairfax, Arlington and Prince William Counties. Amending § 46.2-1222.1.  
 Patrons: Ticer, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 115

**S.B. 471 (continued)**

Reported with substitute . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 394  
 Read second time . . . . . 407  
 Reading of substitute waived . . . . . 410  
 Committee substitute agreed to. . . . . 410  
 Engrossed . . . . . 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 702 (effective 7/1/04)

**S.B. 472. Alexandria, City of, charter; amending.**

Patrons: Ticer, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 116  
 Reported with amendments . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time . . . . . 365  
 Reading of amendments waived . . . . . 365  
 Committee amendments agreed to . . . . . 365  
 Engrossed . . . . . 365  
 Read third time and defeated by Senate . . . . . 383  
 Reconsideration of vote on passage . . . . . 391  
 Engrossment reconsidered . . . . . 392  
 Passed by for day . . . . . 392  
 Reading of amendment waived. . . . . 410  
 Parliamentary inquiry . . . . . 411  
 Amendment by Senator Ticer agreed to . . . . . 411  
 Engrossed . . . . . 411  
 Parliamentary inquiry . . . . . 421  
 Passed by temporarily. . . . . 421  
 Engrossment reconsidered . . . . . 426  
 Reading of amendments waived. . . . . 426  
 Amendments by Senator Ticer agreed to . . . . . 426  
 Engrossed . . . . . 426  
 Rules suspended . . . . . 426  
 Constitutional reading dispensed . . . . . 426  
 Passed Senate . . . . . 427  
 Passed House with amendment. . . . . 1401  
 House amendment agreed to. . . . . 1441  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 511 (effective 7/1/04)

**S.B. 473. Hate crimes; includes sexual orientation in list that a person may seek injunctive relief. Amending §§ 8.01-42.1, 18.2-57, 18.2-121 and 52-8.5.**

Patrons: Ticer, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 116

**S.B. 474. Parole; mandatory release. Amending § 53.1-159.**

Patron: Ticer  
 Prefiled, presented, ordered printed, and referred to Committee on Rehabilitation and Social Services. . . . . 116

**S.B. 475. Employment discrimination based on prior convictions; prohibited. Adding § 40.1-28.7:2.**

Patron: Ticer  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 116

**S.B. 476. Retirement System;** credit for prior service as a substitute teacher. Amending § 51.1-142.2.  
 Patrons: Ticer, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 116

**S.B. 477. Crimes against nature;** certain provisions not considered a crime. Amending § 18.2-361.  
 Patron: Ticer  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 116  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 624  
 Reading of substitute waived . . . . . 624  
 Committee substitute agreed to. . . . . 625  
 Recommitted to Committee for Courts of Justice . . . . . 625  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 478. Roanoke, County of, charter;** amending.  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 116  
 Continued to 2005 Session in Senate Committee on Local Government. . . . . 1794

**S.B. 479. Standards of Quality in public schools;** changes in provisions. Amending §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6 and 22.1-292.1; adding §§ 22.1-200.01 and 22.1-202.1.  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 116  
 Reported . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported with amendment . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 588  
 Reading of amendment waived. . . . . 590  
 Committee amendment agreed to. . . . . 590  
 Engrossed . . . . . 591  
 Read third time and passed. . . . . 614, 615  
 Passed House with substitute . . . . . 1142  
 House substitute agreed to . . . . . 1414  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 939 (effective 7/1/04)

**S.B. 480. Coalfield Economic Development Authority;** authorized to engage in economic development marketing and business attraction activities. Amending §§ 15.2-6006 and 15.2-6011.  
 Patron: Wampler  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 117  
 Reported with substitute . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time . . . . . 361  
 Reading of substitute waived . . . . . 363  
 Committee substitute agreed to. . . . . 363  
 Engrossed . . . . . 363  
 Read third time and passed. . . . . 381, 382  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor-Chapter 177 (effective 7/1/04)

**S.B. 481. Deadman's Statute;** increases amount of admissible evidence when party incapable of testifying. Amending § 8.01-397.  
 Patron: Obenshain  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 117  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 482. Agricultural Enterprise Zone Act;** created. Adding §§ 3.1-18.13 through 3.1-18.27.  
 Patrons: Obenshain, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 117  
 Reported . . . . . 279  
 Rereferred to Committee on Finance . . . . . 279  
 Co-patrons added . . . . . 350  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 483. Library computers;** juveniles' Internet access. Amending § 42.1-36.1.  
 Patron: Obenshain  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 117  
 Reported with amendments . . . . . 241  
 Rereferred to Committee on Finance . . . . . 241  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 484. Sentencing guidelines;** modification for use of methamphetamine. Adding § 17.1-807.  
 Patrons: Obenshain, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 117  
 Reported . . . . . 239  
 Rereferred to Committee on Finance . . . . . 241  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 485. Concealed weapons;** permits by persons out-of-state. Amending § 18.2-308.  
 Patrons: Obenshain, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 117

**S.B. 486. Child abuse or neglect;** definition. Amending §§ 16.1-228 and 63.2-100.  
 Patrons: Obenshain, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 117  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 617  
 Committee substitute agreed to . . . . . 617  
 Engrossed . . . . . 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631

**S.B. 487. Driver eligibility certificates;** issuance when student in good academic standing. Amending §§ 46.2-320, 46.2-334 and 46.2-335.  
 Patrons: Obenshain, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 117  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 488. Driving under influence of alcohol or drugs;** enhanced penalty for third and subsequent convictions. Amending § 18.2-270.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118

**S.B. 489. Driving under influence of alcohol or drugs;** reduces alcohol levels for mandatory confinement. Amending § 18.2-270.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118

**S.B. 490. Driving under influence of alcohol or drugs;** penalty for multiple offenses.  
 Amending §§ 18.2-268.4 and 18.2-270.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118

**S.B. 491. Driving under influence of alcohol or drugs and reckless driving;** dismissal of one of dual charges. Amending § 19.2-294.1.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118

**S.B. 492. Gangs;** presumption against bail, presentence report due to criminal participation.  
 Amending §§ 19.2-120 and 19.2-299.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118  
 Reported . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time and engrossed . . . . . 467, 474  
 Read third time and passed . . . . . 505  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 819 (effective 7/1/04)

**S.B. 493. Illegal aliens;** procedure for detention and arrest. Amending §§ 19.2-82 and 19.2-120; adding § 19.2-81.6.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 625  
 Reading of substitute waived . . . . . 625  
 Committee substitute agreed to . . . . . 625  
 Engrossed . . . . . 625  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 632  
 Passed House with substitute . . . . . 1534  
 House substitute rejected . . . . . 1626  
 House insisted on substitute and requested committee of conference . . . . . 1662  
 Senate acceded to request . . . . . 1672  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1718  
 Conference report adopted by Senate . . . . . 1725  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 412 (effective 7/1/04)

**S.B. 494. Cemeteries;** penalty for damage to property. Amending § 18.2-127; adding § 8.01-44.6.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481

**S.B. 494 (continued)**  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendments . . . . . 1109  
 House amendments agreed to . . . . . 1155  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 203 (effective 7/1/04)

**S.B. 495. Subpoenas;** time frame for those issued by attorneys. Amending §§ 8.01-407, 8.01-413, 16.1-89 and 16.1-265.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 118  
 Reported with amendments . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time . . . . . 552  
 Reading of amendments waived . . . . . 553  
 Committee amendments agreed to . . . . . 553  
 Engrossed . . . . . 553  
 Read third time and passed . . . . . 564, 565  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 335 (effective 7/1/04)

**S.B. 496. Criminal offenses;** deferred disposition. Adding § 19.2-303.5.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 119

**S.B. 497. Child support;** may be modified retroactively only to date that petition for modification was filed. Amending §§ 16.1-278.18, 20-74, 20-108, 20-108.1, 20-112 and 63.2-1916.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 119  
 Reported . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time and engrossed . . . . . 552, 553  
 Read third time and passed . . . . . 564, 565  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 204 (effective 7/1/04)

**S.B. 498. Podiatry;** specialty board certification. Amending § 54.1-2910.1.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 119  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 703 (effective 7/1/04)

**S.B. 499. Reckless driving;** penalty. Amending § 46.2-393.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 119  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time and engrossed . . . . . 305, 309  
 Read third time and passed . . . . . 317

**S.B. 499 (continued)**  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor—Chapter 115 (effective 7/1/04)

**S.B. 500. Retail Sales and Use Tax;** exemptions include Loudoun Healthcare Foundation.  
 Adding § 58.1-609.10.01.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 119  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 501. Retail Sales and Use Tax;** exemptions include Farmwell Hunt Homeowners  
 Association, Inc. Adding § 58.1-609.10.01.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 119  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 502. Personal property tax;** rate on motor homes. Amending § 58.1-3506.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 119

**S.B. 503. Condominium and Property Owners' Association Acts;** foreclosure on liens.  
 Amending §§ 55-79.84 and 55-516.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 119  
 Reported with substitute . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of substitute waived . . . . . 286  
 Committee substitute agreed to . . . . . 286  
 Engrossed . . . . . 288  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendment . . . . . 1465  
 House amendment agreed to . . . . . 1503  
 Signed by President . . . . . 1826  
 Approved by Governor—Chapter 779 (effective 7/1/04)

**S.B. 504. Deeds of trust;** those that secure a loan deemed purchase money trusts. Amending  
 § 55-60.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 120  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time and engrossed . . . . . 616, 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631  
 Passed House with amendments . . . . . 1465  
 House amendments agreed to . . . . . 1504  
 Signed by President . . . . . 1826  
 Approved by Governor—Chapter 253 (effective 7/1/04)

**S.B. 505. Deed of trust or other lien;** lien creditor to directly file a certificate of satisfaction.  
 Amending § 55-66.3.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 120  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592

**S.B. 505 (continued)**  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 617  
 Committee substitute agreed to. . . . . 617  
 Engrossed . . . . . 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631  
 Passed House with amendment. . . . . 1533  
 House amendment agreed to. . . . . 1626  
 Signed by President . . . . . 1839  
 Approved by Governor-Chapter 596 (effective 7/1/04)

**S.B. 506. Uniform Trust Code;** created. Adding §§ 55-541 through 55-632.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 120  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 507. Detention of a mentally incapacitated person;** judicial authorization. Amending § 37.1-134.21.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 120  
 Rereferred to Committee on Education and Health . . . . . 241  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 508. High-occupancy vehicle (HOV) lanes;** fines for violations in Northern Virginia.  
 Amending § 33.1-46.2.  
 Patron: Mims  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 120  
 Reported . . . . . 458  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Read second time and engrossed . . . . . 535, 539  
 Read third time and passed . . . . . 549, 550  
 Passed House with amendments. . . . . 1432  
 House amendments agreed to . . . . . 1475  
 Signed by President . . . . . 1822  
 Approved by Governor-Chapter 704 (effective 7/1/04)

**S.B. 509. Consumer Real Estate Settlement Protection Act;** issuance of summonses and subpoenas. Amending §§ 6.1-2.25 and 6.1-2.27.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 120  
 Reported with amendment . . . . . 239  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendment waived. . . . . 287  
 Committee amendment agreed to . . . . . 287  
 Engrossed . . . . . 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 597 (effective 7/1/04)

**S.B. 510. Child Custody Jurisdiction and Enforcement Act;** changes in provisions.  
 Amending §§ 20-146.13 and 20-146.14.  
 Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 120  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 511. Passenger carriers; definition of minibus. Amending § 46.2-2000.**

Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 120  
 Reported . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time and engrossed . . . . . 305, 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 780 (effective 7/1/04)

**S.B. 512. Transient occupancy tax; additional imposition in Fairfax County. Adding § 58.1-3824.**

Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 121  
 Reported with substitute . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of substitute waived . . . . . 342  
 Committee substitute agreed to . . . . . 342  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Reconsideration of vote on passage . . . . . 360  
 Passed Senate . . . . . 360

**S.B. 513. Jurors; fine for failure to appear. Amending § 8.01-356.**

Patrons: Mims, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 121  
 Reported . . . . . 503  
 Constitutional reading dispensed, passed by for day . . . . . 541  
 Read second time and engrossed . . . . . 552, 553  
 Read third time and passed . . . . . 564, 565  
 Passed House . . . . . 769  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 116 (effective 7/1/04)

**S.B. 514. Retail Sales and Use Tax Act; renamed Streamlined Retail Sales and Use Tax Act to conform with national agreement. Amending §§ 58.1-600 through 58.1-604, 58.1-605, 58.1-606, 58.1-609.3, 58.1-609.5, 58.1-609.10, 58.1-609.13, 58.1-610, 58.1-610.1, 58.1-611.1, 58.1-612 through 58.1-615, 58.1-618, 58.1-621, 58.1-622, 58.1-623, 58.1-626, 58.1-635, 58.1-3833 and 58.1-3840; adding §§ 58.1-606.1, 58.1-606.2, 58.1-628.2, 58.1-635.1, 58.1-635.2 and 58.1-639.1; repealing §§ 58.1-627 and 58.1-628.**

Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 121  
 Reported . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time . . . . . 708  
 Reading of amendments waived . . . . . 709  
 Amendments by Senator Cuccinelli rejected . . . . . 709  
 Engrossed . . . . . 709  
 Read third time and passed . . . . . 727  
 Continued to 2005 Session in House Committee on Finance . . . . . 1794

**S.B. 515. Income tax, state;** subtractions include certain salary of local school board employees. Amending § 58.1-322.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 121

**S.B. 516. Staunton Correctional Center;** Governor to sell and convey.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 121  
 Rereferred to Committee on Finance . . . . . 336  
 Reported with substitute . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 588  
 Reading of substitute waived . . . . . 590  
 Committee substitute agreed to. . . . . 590  
 Engrossed . . . . . 591  
 Read third time and passed . . . . . 614, 615  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor–Chapter 705 (effective 7/1/04)

**S.B. 517. Transient occupancy tax;** additional imposition in Rockbridge County, and Lexington and Buena Vista Cities. Adding § 58.1-3824.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 121  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 358  
 Reconsideration of vote on passage . . . . . 360  
 Passed Senate . . . . . 361  
 Passed House . . . . . 1494  
 Signed by President . . . . . 1822  
 Approved by Governor–Chapter 598 (effective 7/1/04)

**S.B. 518. School divisions;** adjustment of state share due to consolidation of smaller divisions.  
 Adding § 22.1-98.2.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 121  
 Reported . . . . . 435  
 Rereferred to Committee on Finance . . . . . 435  
 Reported . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time and engrossed . . . . . 588, 591  
 Read third time and passed . . . . . 614, 615  
 Passed House with amendment. . . . . 1533  
 House amendment agreed to. . . . . 1627  
 Signed by President . . . . . 1840  
 Approved by Governor–Chapter 820 (effective 7/1/05)

**S.B. 519. Library Board;** certification of library directors. Amending §§ 42.1-3.1 and 42.1-15.1.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 122

**S.B. 520. School board employees;** written contracts required. Adding § 22.1-296.01.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 122

**S.B. 520 (continued)**  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 289  
 Read third time and passed . . . . . 304

**S.B. 521. Foreign identification documents; verification of legal presence. Adding §§ 2.2-5512 and 2.2-5513.**  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 122  
 Reported with substitute . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 625  
 Reading of substitute waived . . . . . 625  
 Committee substitute agreed to . . . . . 625  
 Engrossed . . . . . 625  
 Constitutional reading dispensed . . . . . 631  
 Passed by for day . . . . . 632  
 Passed Senate . . . . . 642  
 Reconsideration of vote on passage . . . . . 658  
 Passed Senate . . . . . 658  
 Continued to 2005 Session in House Committee on General Laws . . . . . 1794

**S.B. 522. Lexington, City of, charter; amending.**  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 122  
 Reported . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor—Chapter 599 (effective 7/1/04)

**S.B. 523. Watershed Coordination Program; established. Amending § 10.1-2124.**  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 122  
 Reported with amendments . . . . . 279  
 Constitutional reading dispensed, passed by for day . . . . . 310, 311  
 Read second time . . . . . 321  
 Reading of amendments waived . . . . . 322  
 Committee amendments agreed to . . . . . 322  
 Engrossed . . . . . 323  
 Read third time and passed . . . . . 337  
 Passed House with amendments . . . . . 1491  
 House amendments agreed to . . . . . 1545  
 Signed by President . . . . . 1843  
 Approved by Governor—Chapter 413 (effective 7/1/04)

**S.B. 524. Child support; paternity to be established. Amending §§ 20-60.3 and 63.2-1916.**  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 122

**S.B. 525. Procurement Act, Public; raises limit on design-build construction management contracts. Amending §§ 2.2-4303 and 2.2-4308.**  
 Patrons: Hanger, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 122

**S.B. 525 (continued)**  
 Reported with substitute . . . . . 336  
 Co-patron added . . . . . 350  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of substitute waived . . . . . 389  
 Committee substitute agreed to . . . . . 389  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor—Chapter 706 (effective 7/1/04)

**S.B. 526. Income tax, state;** system of taxation and conformity of terms. Amending § 58.1-301.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 122  
 Reported . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time and engrossed . . . . . 707  
 Read third time and passed . . . . . 726  
 Passed House . . . . . 1422  
 Signed by President . . . . . 1775  
 Approved by Governor—Chapter 512 (effective 4/12/04)

**S.B. 527. Land and Water Conservation Trust Fund;** established. Amending §§ 10.1-1020 and 10.1-2128; adding §§ 10.1-2135 through 10.1-2138.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 123

**S.B. 528. Elections;** postponement due to state of emergency. Amending § 24.2-603.1.  
 Patrons: Hanger, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . . 123  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 269, 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor—Chapter 205 (effective 7/1/04)

**S.B. 529. Inoperable motor vehicles;** definitions. Amending § 15.2-904.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 123  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time and engrossed . . . . . 467, 474  
 Read third time and passed . . . . . 505  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor—Chapter 513 (effective 7/1/04)

**S.B. 530. Tax reform;** changes in provisions for income tax, sales and use tax, cigarette tax, personal property tax, etc. Amending §§ 3.1-1111, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-339.8, 58.1-391, 58.1-392, 58.1-402, 58.1-441, 58.1-603, 58.1-604, 58.1-604.1, 58.1-605, 58.1-606, 58.1-608.3, 58.1-614, 58.1-615, 58.1-626, 58.1-639, 58.1-901, 58.1-1001, 58.1-1018, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2701, 58.1-2706,

**S.B. 530 (continued)**  
 58.1-3523, 58.1-3524, 58.1-3833 and 58.1-3840; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395, 58.1-628.2 and 58.1-1017.1; repealing §§ 58.1-611.1, 58.1-627, 58.1-628, 58.1-3536, 58.1-3830, 58.1-3831 and 58.1-3832.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 123

**S.B. 531. Parks and Natural Areas Bond Act of 2002;** issuance of bonds.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 123

**S.B. 532. Educational Facilities Bond Act of 2002;** issuance of bonds.  
 Patron: Hanger  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 123

**S.B. 533. Retail Sales and Use Tax;** extends sunset provision for certain media-related businesses. Amending § 58.1-609.6.  
 Patrons: Stosch, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 123  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 820  
 Signed by President . . . . . 1775  
 Approved by Governor–Chapter 821 (effective 7/1/04)

**S.B. 534. Road impact fees;** utilization in Henrico County. Amending § 15.2-2317.  
 Patrons: Stosch, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 124  
 Continued to 2005 Session in Senate Committee on Local Government. . . . . 1794

**S.B. 535. Life insurance;** issuance of funding agreements. Adding § 38.2-3100.2.  
 Patrons: Stosch, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 124  
 Reported . . . . . 298  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 340, 344  
 Read third time and passed . . . . . 356, 357  
 Passed House with amendment. . . . . 1109  
 House amendment agreed to. . . . . 1156  
 Signed by President . . . . . 1830  
 Approved by Governor–Chapter 254 (effective 7/1/04)

**S.B. 536. Asset-Backed Securities Facilitation Act;** created. Adding §§ 6.1-472 and 6.1-473.  
 Patrons: Stosch, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 124  
 Reported with amendments . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Co-patrons added . . . . . 328  
 Read second time . . . . . 340  
 Reading of amendments waived . . . . . 343  
 Committee amendments agreed to . . . . . 343  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1846  
 Approved by Governor–Chapter 600 (effective 7/1/04)

**S.B. 537. Income tax, corporate;** credit against cigarettes manufactured and exported to a foreign country. Adding § 58.1-439.12:01.  
 Patrons: Stosch, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 124  
 Reported with substitute . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time . . . . . 709  
 Reading of substitute waived . . . . . 709  
 Committee substitute agreed to . . . . . 709  
 Engrossed . . . . . 709  
 Read third time . . . . . 727  
 Motion, substitute motion . . . . . 727  
 Motion to recommit rejected. . . . . 728  
 Passed Senate . . . . . 728  
 Continued to 2005 Session in House Committee on Finance. . . . . 1794

**S.B. 538. Business entities;** changes in provisions. Amending §§ 13.1-754, 13.1-916, 13.1-1008, 13.1-1009, 13.1-1019, 13.1-1022, 13.1-1023.1, 13.1-1024, 13.1-1048, 13.1-1050.1, 13.1-1059, 13.1-1064, 13.1-1070, 13.1-1239, 13.1-1254, 50-73.69, 50-73.83, 50-73.132, 50-73.134 and 50-73.137:1; adding §§ 13.1-1041.1, 13.1-1049.1, 50-73.46:1, 50-73.52:1 and 50-73.137:2; repealing §§ 13.1-1041 and 50-73.46.  
 Patron: Stosch  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 124  
 Reported with amendments . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of amendments waived . . . . . 343  
 Committee amendments agreed to . . . . . 343  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 601 (effective 7/1/04)

**S.B. 539. Accountancy Trust Account, Board of;** established as supplemental source funding for Board of Accountancy. Amending §§ 54.1-4400, 54.1-4402, 54.1-4403, 54.1-4407, 54.1-4409, 54.1-4410, 54.1-4412, 54.1-4413 and 54.1-4414; adding §§ 54.1-4405.1 and 54.1-4413.1.  
 Patron: Stosch  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 124  
 Reported with amendments . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of amendments waived . . . . . 390  
 Committee amendments agreed to . . . . . 390  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 602 (effective 7/1/04)

**S.B. 540. Retirement System;** amending defined contribution plan. Amending § 51.1-126.5.  
 Patron: Stosch  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 124  
 Reported . . . . . 315

**S.B. 540 (continued)**  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 206 (effective 7/1/04)

**S.B. 541. Retirement System; procedure when employer in default. Amending § 51.1-139.**  
 Patron: Stosch  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 125  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 363  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 207 (effective 7/1/04)

**S.B. 542. Subsidiary trust companies and trust company holding companies; ownership.**  
 Amending §§ 6.1-32.3, 6.1-32.11, 6.1-32.19 and 6.1-32.20.  
 Patron: Stosch  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 125  
 Rereferred to Committee on Commerce and Labor . . . . . 241  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 442, 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 781 (effective 7/1/04)

**S.B. 543. Agriculture and Forestry, Secretary of; established. Amending §§ 2.2-200 and 2.2-204; adding § 2.2-203.3.**  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on General Laws . . . . . 125  
 Reported with amendment . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of amendment waived. . . . . 287  
 Committee amendment agreed to . . . . . 287  
 Engrossed . . . . . 288  
 Read third time and passed . . . . . 301, 302  
 Co-patron added . . . . . 328  
 Passed House with substitute . . . . . 1466  
 House substitute rejected . . . . . 1504  
 House insisted on substitute and requested committee of conference . . . . . 1593  
 Senate acceded to request . . . . . 1632  
 Conferees appointed . . . . . 1652  
 Conference report adopted by Senate . . . . . 1709  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 940 (effective 7/1/04)

**S.B. 544. George F. Barnes Bridge;** designating as bridge on Route 19/460 bypass around Town of Tazewell.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 125

**S.B. 545. C. Don Dunford Bridge;** designating bridge on Route 19/460 bypass around Town of Tazewell.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 125

**S.B. 546. Regional Industrial Facility Authority;** remittance of tax revenue. Amending §§ 15.2-6400 and 15.2-6406.  
 Patrons: Puckett, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Local Government . . . . . 125  
 Co-patron added . . . . . 236  
 Reported . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 364  
 Read third time and passed . . . . . 381, 382  
 Passed House with amendment . . . . . 818  
 House amendment rejected . . . . . 1085  
 House insisted on amendment and requested committee of conference . . . . . 1142  
 Senate acceded to request . . . . . 1410  
 Conferees appointed . . . . . 1428  
 Conference report adopted by Senate . . . . . 1692  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 603 (effective 7/1/04)

**S.B. 547. Workers' compensation;** eligibility of AmeriCorps members and certain Food Stamp Employment and Training Program participants. Amending §§ 65.2-101, 65.2-500, 65.2-502 and 65.2-512.  
 Patron: Puckett  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 125  
 Reported with amendments . . . . . 529  
 Rereferred to Committee on Finance . . . . . 530  
 Reported . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627  
 Read second time . . . . . 643  
 Reading of amendments waived . . . . . 647  
 Committee amendments agreed to . . . . . 647  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House with amendments . . . . . 1491  
 House amendments agreed to . . . . . 1547  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 888 (effective 4/15/04)

**S.B. 548. Timber;** penalty for theft. Amending §§ 55-331, 55-332 and 55-334; adding § 55-334.1; repealing § 55-333.  
 Patrons: Puckett, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 125  
 Reported with substitute . . . . . 335

**S.B. 548 (continued)**

Rereferred to Committee on Finance . . . . . 336  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 473  
 Committee substitute rejected. . . . . 473  
 Reading of substitute waived . . . . . 474  
 Committee substitute agreed to. . . . . 474  
 Engrossed . . . . . 475  
 Read third time and passed . . . . . 505  
 Passed House with substitute . . . . . 1109  
 Passed by temporarily . . . . . 1156  
 House substitute rejected . . . . . 1159  
 Reconsideration of vote on House substitute agreed to . . . . . 1398  
 House substitute rejected . . . . . 1398  
 House insisted on substitute and requested committee of conference . . . . . 1432  
 Senate acceded to request . . . . . 1475  
 Statement on vote . . . . . 1475  
 Conferees appointed . . . . . 1486  
 Conference report adopted by Senate . . . . . 1685  
 Conference report adopted by House . . . . . 1687  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 604 (effective 7/1/04)

**S.B. 549. Big Sandy River watershed; provisions for removing obstructions. Amending § 62.1-194.3.**

Patrons: Puckett, et al.

Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 126  
 Reported with substitute . . . . . 636  
 Constitutional reading dispensed . . . . . 660  
 Read second time . . . . . 660  
 Reading of substitute waived . . . . . 660  
 Committee substitute agreed to. . . . . 660  
 Engrossed . . . . . 661  
 Constitutional reading dispensed . . . . . 661  
 Passed Senate . . . . . 661  
 Passed House with substitute . . . . . 1492  
 Stricken from Calendar. . . . . 1547

**S.B. 550. Family abuse; determination of predominant physical aggressor. Amending §§ 9.1-102, 19.2-81.3 and 19.2-81.4.**

Patrons: Howell, et al.

Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 126  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 393  
 Read third time and passed . . . . . 406  
 Reconsideration of vote on passage . . . . . 406  
 Passed Senate . . . . . 407  
 Passed House with amendments . . . . . 1465  
 House amendments agreed to . . . . . 1506  
 Signed by President . . . . . 1846  
 Senate concurred in Governor's recommendation . . . . . 1864

**S.B. 550 (continued)**

House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1906  
 Enacted, Chapter 1016 (effective 7/1/04)

**S.B. 551. Protective orders;** distribution of information by intake officer. Amending § 16.1-260.

Patrons: Howell, et al.  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 126  
 Reported with substitute . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 515  
 Committee substitute agreed to. . . . . 515  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 255 (effective 7/1/04)

**S.B. 552. Firearms;** prohibits carrying loaded weapons in restaurants. Adding § 18.2-287.5.

Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 126

**S.B. 553. Joint or regional schools;** development of specialized curriculum and alternative schedules. Amending § 22.1-26.

Patron: Lucas  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 126  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 1433  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 256 (effective 7/1/04)

**S.B. 554. Personal flotation devices;** required for children. Amending § 29.1-700; adding § 29.1-735.01.

Patrons: Lucas, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources. . . . . 126  
 Co-patron added . . . . . 236

**S.B. 555. Death;** pronouncement by physician assistants. Amending § 54.1-2972.

Patron: Lucas  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 126  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 770  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 92 (effective 7/1/04)

**S.B. 556. Sexually violent predators;** notification to state and local authorities of proposed housing facility. Amending § 37.1-70.10.

Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Education and Health. . . . . 126  
 Reported with substitute . . . . . 335

**S.B. 556 (continued)**  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Passed by for day . . . . . 384  
 Read second time . . . . . 407  
 Reading of substitute waived . . . . . 408  
 Committee substitute rejected . . . . . 409  
 Reading of substitute waived . . . . . 409  
 Substitute by Senator Marsh agreed to . . . . . 409  
 Engrossed . . . . . 410  
 Read third time and passed . . . . . 420  
 Passed House with amendment . . . . . 768  
 House amendment rejected . . . . . 797  
 House insisted on amendment and requested committee of conference . . . . . 1076  
 Senate acceded to request . . . . . 1121  
 Conferees appointed . . . . . 1139  
 Conference report adopted by House . . . . . 1757  
 Conference report adopted by Senate . . . . . 1768  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 707 (effective 7/1/04)

**S.B. 557. Legal notices;** publication in a newspaper. Amending § 8.01-324.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 127

**S.B. 558. Workers' compensation;** lien by employer on settlement or verdict. Amending §§ 65.2-309 through 65.2-311.  
 Patron: Norment  
 Prefiled, presented, ordered printed, and referred to Committee on Commerce and Labor. . . . . 127  
 Reported with amendments . . . . . 529  
 Constitutional reading dispensed, passed by for day . . . . . 556  
 Read second time . . . . . 567  
 Reading of amendments waived . . . . . 568  
 Committee amendments agreed to . . . . . 568  
 Engrossed . . . . . 568  
 Read third time and passed . . . . . 582  
 Passed House with amendment . . . . . 1491  
 House amendment agreed to . . . . . 1548  
 Signed by President . . . . . 1843  
 Approved by Governor-Chapter 941 (effective 7/1/04)

**S.B. 559. State police officers;** salary increases, review by Department of Human Resource Management. Amending § 2.2-1202; adding § 2.2-1509.3.  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Finance . . . . . 127

**S.B. 560. Monacan Bridge;** designating as Lynchburg bypass bridge across James River between Amherst County and Lynchburg City.  
 Patron: Newman  
 Prefiled, presented, ordered printed, and referred to Committee on Transportation . . . . . 127  
 Reported with amendments . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time . . . . . 305  
 Reading of amendments waived . . . . . 308  
 Committee amendments agreed to . . . . . 308  
 Engrossed . . . . . 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319

**S.B. 560 (continued)**

Passed Senate . . . . . 320  
 Passed House . . . . . 770  
 Signed by President . . . . . 1488  
 Approved by Governor—Chapter 117 (effective 7/1/04)

**S.B. 561. Richmond, City of, charter; amending.**

Patrons: Lambert, et al.  
 Presented, ordered printed, and referred to Committee on Local Government . . . . . 136  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 467  
 Reading of substitute waived . . . . . 474  
 Committee substitute agreed to . . . . . 474  
 Engrossed . . . . . 475  
 Read third time and passed . . . . . 505  
 Passed House with amendment . . . . . 1465  
 House amendment rejected . . . . . 1506  
 House insisted on amendment and requested committee of conference . . . . . 1592  
 Senate acceded to request . . . . . 1632  
 Conferees appointed . . . . . 1652  
 Conference report adopted by House . . . . . 1727  
 Conference report adopted by Senate . . . . . 1751  
 Signed by President . . . . . 1846  
 Approved by Governor—Chapter 514 (effective 7/1/04)

**S.B. 562. Freedom of Information Act; exempts certain information furnished to local internal auditors. Amending § 2.2-3705.**

Patrons: Lambert, et al.  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 136  
 Reported with amendments . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time . . . . . 510  
 Reading of amendments waived . . . . . 516  
 Committee amendments agreed to . . . . . 516  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendments . . . . . 1109  
 House amendments agreed to . . . . . 1156  
 Signed by President . . . . . 1830  
 Approved by Governor—Chapter 605 (effective 7/1/04)

**S.B. 563. Street maintenance; reporting requirements in Arlington and Henrico Counties. Amending §§ 33.1-23.5:1 and 33.1-41.1.**

Patron: Stosch  
 Presented, ordered printed, and referred to Committee on Transportation . . . . . 136  
 Reported . . . . . 355  
 Constitutional reading dispensed, passed by for day . . . . . 394  
 Read second time and engrossed . . . . . 407, 410  
 Read third time and passed . . . . . 420  
 Passed House . . . . . 770  
 Signed by President . . . . . 1488  
 Approved by Governor—Chapter 118 (effective 7/1/04)

**S.B. 564. Securities Act; name changed to Uniform Securities Act, changes in provisions.**

Amending §§ 2.2-3101, 2.2-4508, 6.1-32.11, 6.1-194.2, 6.1-302, 12.1-20, 13.1-561.1, 13.1-775.1, 13.1-936.1, 19.2-215.1, 30-101, 30-103, 38.2-6016, 55-79.90, 55-79.97,

**S.B. 564 (continued)**

55-374.1, 55-482, 55-512, 56-71, 56-231.43, 58.1-2030, 59.1-92.20, 59.1-95.1, 59.1-199, 59.1-263, 59.1-321 and 63.2-1931; adding §§ 13.1-527.4 through 13.1-527.54; repealing §§ 13.1-501 through 13.1-527.3.

Patron: Stosch

Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 136

Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 565. Health-related data elements;** Secretary of Health and Human Resources to create a reference database.

Patron: Lambert

Presented, ordered printed, and referred to Committee on General Laws . . . . . 136

Reported with amendment . . . . . 435

Rereferred to Committee on Finance . . . . . 435

Reported with substitute . . . . . 547

Constitutional reading dispensed, passed by for day . . . . . 570

Read second time . . . . . 588

Reading of amendment waived. . . . . 590

Committee amendment rejected . . . . . 591

Reading of substitute waived . . . . . 591

Committee substitute agreed to. . . . . 591

Engrossed . . . . . 591

Read third time and passed. . . . . 614, 615

Passed House . . . . . 1143

Signed by President . . . . . 1830

Approved by Governor-Chapter 708 (effective 7/1/04)

**S.B. 566. Legislative appointments;** definition of nonlegislative citizen member. Adding §§ 1-13.13:1 and 1-13.25:1.

Patrons: Martin, et al.

Presented, ordered printed, and referred to Committee on Rules. . . . . 136

Reported with amendment . . . . . 576

Constitutional reading dispensed, passed by for day . . . . . 627, 628

Read second time . . . . . 643

Reading of amendment waived. . . . . 647

Committee amendment agreed to. . . . . 647

Engrossed . . . . . 648

Constitutional reading dispensed . . . . . 648

Passed Senate . . . . . 649

Reconsideration of vote on passage . . . . . 650

Passed Senate . . . . . 650

Passed House . . . . . 1595

Signed by President . . . . . 1843

Approved by Governor-Chapter 709 (effective 4/12/04)

**S.B. 567. Primary elections;** voter registration by political party. Amending §§ 24.2-530 and 24.2-535; adding §§ 24.2-418.1, 24.2-423.1 and 24.2-516.1.

Patrons: Martin, et al.

Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 136

Co-patron added . . . . . 256

**S.B. 568. Relief;** Barrett, Sean and Jennie.

Patron: Bolling

Presented, ordered printed, and referred to Committee on Finance . . . . . 136

Reported with substitute . . . . . 419

Constitutional reading dispensed, passed by for day . . . . . 450, 451

Read second time . . . . . 478

**S.B. 568 (continued)**  
 Reading of substitute waived . . . . . 478  
 Committee substitute agreed to . . . . . 478  
 Engrossed . . . . . 478  
 Read third time and passed . . . . . 509

**S.B. 569. Natural and Historic Resources Fund and Commission;** created, report. Adding §§ 10.1-2135 through 10.1-2138.  
 Patron: Deeds  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 137  
 Reported with substitute . . . . . 380  
 Rereferred to Committee on Finance . . . . . 381

**S.B. 570. Advanced Learning and Research, Institute for;** increases membership of governing board. Amending § 23-231.20.  
 Patron: Reynolds  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 137  
 Reported . . . . . 240  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time . . . . . 283  
 Reading of substitute waived . . . . . 287  
 Substitute by Senator Hawkins agreed to . . . . . 287  
 Engrossed . . . . . 288  
 Read third time and passed . . . . . 301, 302  
 Passed House . . . . . 820  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 889 (effective 7/1/04)

**S.B. 571. Retail Sales and Use Tax;** extends sunset provision for film and audiovisual works. Amending § 58.1-609.6.  
 Patron: Lambert  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 137  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 364  
 Read third time and passed . . . . . 381, 382  
 Passed House . . . . . 820  
 Signed by President . . . . . 1775  
 Approved by Governor-Chapter 606 (effective 7/1/04)

**S.B. 572. Relief;** Monroe, Beverly Anne.  
 Patron: Lambert  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 137  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 573. Professional licensees;** expiration of continuing education requirements for regulants who are on active military duty. Amending third enactment of Chapter 998, 2003 Acts.  
 Patron: Bolling  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 158  
 Reported . . . . . 241  
 Constitutional reading dispensed, passed by for day . . . . . 271, 272  
 Read second time and engrossed . . . . . 283, 288  
 Read third time and passed . . . . . 301, 302  
 Passed House with amendments . . . . . 1592  
 House amendments agreed to . . . . . 1627  
 Signed by President . . . . . 1846  
 Senate concurred in Governor's recommendation . . . . . 1865

**S.B. 573 (continued)**  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1907  
 Enacted, Chapter 1017 (effective 7/1/04)

**S.B. 574. Page County;** referendum on election of county chairman from county at large.  
 Adding § 15.2-1213.1.  
 Patron: Obenshain  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 158  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 270  
 Read third time and passed . . . . . 280, 281  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 890 (effective 7/1/04)

**S.B. 575. Child pornography;** penalty for solicitation, registration as a sex offender.  
 Amending §§ 9.1-902 and 18.2-374.3.  
 Patrons: Obenshain, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 158  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 618  
 Committee substitute agreed to. . . . . 618  
 Engrossed . . . . . 621  
 Constitutional reading dispensed . . . . . 630  
 Passed Senate . . . . . 631  
 Passed House . . . . . 1468  
 Signed by President . . . . . 1846  
 Approved by Governor-Chapter 414 (effective 7/1/04)

**S.B. 576. Child abuse or neglect;** reporting by school personnel. Adding § 22.1-291.3.  
 Patrons: Obenshain, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 158  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 618  
 Committee substitute agreed to. . . . . 618  
 Engrossed . . . . . 621  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 631  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor-Chapter 710 (effective 7/1/04)

**S.B. 577. Juveniles;** intake officers and magistrates to order confinement. Amending  
 §§ 16.1-247 and 16.1-249.  
 Patron: Colgan  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 158  
 Reported . . . . . 381  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time and engrossed . . . . . 422, 423  
 Read third time and passed . . . . . 437  
 Passed House . . . . . 1535

**S.B. 577 (continued)**  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 415 (effective 7/1/04)

**S.B. 578. Juvenile court;** duty to inform of right to counsel. Amending § 16.1-266.  
 Patron: Colgan  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 159

**S.B. 579. Concealed weapons;** abolishes prohibition on carrying in a restaurant or club, exception when patron has consumed alcohol. Amending § 18.2-308.  
 Patrons: Cuccinelli, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 159  
 Co-patrons added . . . . . 350, 398

**S.B. 580. Zoning ordinances;** provisions for rezoning. Adding § 15.2-2286.1.  
 Patrons: Ticer, et al.  
 Presented, ordered printed, and referred to Committee on Local Government . . . . . 163  
 Reported with amendments . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 478  
 Reading of amendments waived . . . . . 478  
 Committee amendments Nos. 1, 2, and 4 agreed to . . . . . 478  
 Committee amendment No. 3 rejected . . . . . 479  
 Reading of amendment waived . . . . . 479  
 Amendment by Senator Mims agreed to . . . . . 479  
 Engrossed . . . . . 479  
 Read third time and passed . . . . . 509  
 Reconsideration of vote on passage . . . . . 520  
 Passed Senate . . . . . 521

**S.B. 581. Cell phones;** prohibits use while driving. Adding § 46.2-819.3.  
 Patrons: Ticer, et al.  
 Presented, ordered printed, and referred to Committee on Transportation . . . . . 163

**S.B. 582. Workers' compensation;** presumption as to death or disability includes volunteer or salaried emergency medical service providers. Amending § 65.2-402.  
 Patrons: Colgan, et al.  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 163  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 583. College Building Authority;** designation of projects financed by bonds. Amending § 23-30.28.  
 Patrons: Saslaw, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 163  
 Reported . . . . . 240  
 Rereferred to Committee on Finance . . . . . 241  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 442, 448  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 1469  
 Signed by President . . . . . 1824  
 Approved by Governor-Chapter 711 (effective 7/1/04)

**S.B. 584. Child protective services;** training and investigation procedures. Amending § 63.2-1502; adding § 63.2-1516.01.  
 Patron: Bolling  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 164

**S.B. 584 (continued)**  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Read second time . . . . . 535  
 Reading of substitute waived . . . . . 538  
 Committee substitute agreed to . . . . . 538  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549, 550  
 Passed House . . . . . 770  
 Signed by President . . . . . 1488  
 Approved by Governor-Chapter 93 (effective 7/1/04)

**S.B. 585. Retail Sales and Use Tax;** exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11.  
 Patrons: Colgan, et al.  
 Unanimous consent to introduce. . . . . 174  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 174  
 Reported with amendment . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time . . . . . 340  
 Reading of amendment waived. . . . . 344  
 Committee amendment agreed to . . . . . 344  
 Engrossed . . . . . 344  
 Read third time and passed . . . . . 356, 357  
 Passed House with amendments . . . . . 818  
 House amendments agreed to . . . . . 1086  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 515 (effective 7/1/04)

**S.B. 586. Game and fish refuges and preserves;** Board of Game and Inland Fisheries authorized to grant easements therefor. Amending § 29.1-103.  
 Patron: Puckett  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 175  
 Reported with amendment . . . . . 636  
 Constitutional reading dispensed . . . . . 660  
 Read second time . . . . . 662  
 Reading of amendment waived. . . . . 663  
 Committee amendment agreed to . . . . . 663  
 Reading of amendment waived. . . . . 663  
 Amendment by Senator Puckett agreed to . . . . . 663  
 Engrossed . . . . . 663  
 Constitutional reading dispensed . . . . . 663  
 Passed Senate . . . . . 663  
 Reconsideration of vote on passage . . . . . 663  
 Passed Senate . . . . . 664  
 Passed House with amendment. . . . . 1491  
 House amendment rejected. . . . . 1548  
 House insisted on amendment and requested committee of conference . . . . . 1653  
 Passed by temporarily . . . . . 1670  
 Senate acceded to request . . . . . 1672  
 Conferees appointed . . . . . 1686

**S.B. 587. Title insurance;** filing of documents with circuit court clerks. Amending §§ 6.1-2.25 and 17.1-223.  
 Patron: Deeds  
 Presented, ordered printed, and referred to Committee for Courts of Justice ..... 175  
 Reported with substitute ..... 562  
 Constitutional reading dispensed, passed by for day ..... 592, 593  
 Read second time ..... 625  
 Reading of substitute waived ..... 625  
 Committee substitute agreed to ..... 625  
 Engrossed ..... 625  
 Constitutional reading dispensed ..... 631  
 Passed Senate ..... 633  
 Passed House with substitute ..... 1466  
 House substitute agreed to ..... 1506  
 Signed by President ..... 1826  
 Approved by Governor-Chapter 336 (effective 7/1/04)

**S.B. 588. Open-space easements;** restoration to prior condition. Amending § 10.1-1703.  
 Patron: Deeds  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources ..... 175  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources ..... 1793

**S.B. 589. Tax reform;** changes in provisions for income tax, sales and use tax and corporate tax. Amending §§ 58.1-302, 58.1-320, 58.1-322, 58.1-391, 58.1-392, 58.1-400, 58.1-402, 58.1-415, 58.1-441, 58.1-602, 58.1-603 and 58.1-609.10; adding §§ 58.1-339.11, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2 and 58.1-395; repealing §§ 58.1-339.8, 58.1-390, 58.1-394 and 58.1-611.1.  
 Patron: Lucas  
 Presented, ordered printed, and referred to Committee on Finance ..... 175

**S.B. 590. Woodlawn Road;** Department of Transportation to assert property rights of State with respect thereto in Fairfax County and Fort Belvoir.  
 Patron: Puller  
 Presented, ordered printed, and referred to Committee on Transportation ..... 175  
 Reported ..... 458  
 Constitutional reading dispensed, passed by for day ..... 523, 524  
 Read second time and engrossed ..... 535, 539  
 Read third time and passed ..... 549, 550  
 Passed House ..... 770  
 Signed by President ..... 1488  
 Approved by Governor-Chapter 119 (effective 7/1/04)

**S.B. 591. Economic Development Partnership Authority;** membership of board of directors. Amending § 2.2-2235.  
 Patrons: Wampler, et al.  
 Presented, ordered printed, and referred to Committee on Commerce and Labor ..... 175  
 Rereferred to Committee on General Laws ..... 299  
 Reported with amendment ..... 435  
 Constitutional reading dispensed, passed by for day ..... 480, 481  
 Read second time ..... 521  
 Reading of amendment waived ..... 521  
 Committee amendment agreed to ..... 521  
 Engrossed ..... 521  
 Passed by temporarily ..... 534

**S.B. 591 (continued)**  
 Engrossment reconsidered . . . . . 542  
 Reading of amendments waived . . . . . 542  
 Amendments by Senator Wampler agreed to . . . . . 542  
 Engrossed . . . . . 542  
 Rules suspended . . . . . 542  
 Constitutional reading dispensed . . . . . 542  
 Passed Senate . . . . . 543  
 Passed House . . . . . 1469  
 Signed by President . . . . . 1824  
 Senate rejected Governor's recommendation . . . . . 1866  
 Vetoed by Governor . . . . . 1910

**S.B. 592. Sheriffs' vehicles; use of unmarked vehicles. Amending § 15.2-1610.**  
 Patron: Quayle  
 Presented, ordered printed, and referred to Committee on Local Government . . . . . 175  
 Reported . . . . . 227  
 Constitutional reading dispensed, passed by for day . . . . . 247, 248  
 Read second time and engrossed . . . . . 270  
 Read third time and passed . . . . . 280, 281  
 Continued to 2005 Session in House Committee on Counties, Cities and Towns . . . . . 1794

**S.B. 593. Gangs; notice to school superintendent of prohibited participation by members. Amending § 16.1-260.**  
 Patron: Colgan  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 183  
 Reported with amendment . . . . . 381  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time . . . . . 422  
 Reading of amendment waived . . . . . 423  
 Committee amendment agreed to . . . . . 423  
 Engrossed . . . . . 423  
 Read third time and passed . . . . . 437  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1846  
 Approved by Governor-Chapter 416 (effective 7/1/04)

**S.B. 594. Health insurance; coverage for prescription contraceptives. Amending § 38.2-3407.5:1.**  
 Patron: Howell  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 183

**S.B. 595. Grievance procedures; applicability of state and local social service employees. Amending § 63.2-219.**  
 Patron: Howell  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 183  
 Reported with amendment . . . . . 259  
 Constitutional reading dispensed, passed by for day . . . . . 289, 289  
 Read second time . . . . . 305  
 Reading of amendment waived . . . . . 309  
 Committee amendment agreed to . . . . . 309  
 Engrossed . . . . . 309  
 Read third time and passed . . . . . 317  
 Reconsideration of vote on passage . . . . . 319  
 Passed Senate . . . . . 320  
 Passed House with amendment . . . . . 768  
 House amendment agreed to . . . . . 798

**S.B. 595 (continued)**

Signed by President . . . . . 1799  
Approved by Governor-Chapter 208 (effective 7/1/04)

**S.B. 596. Industrial development authorities;** Town of Clarksville authorized to refer thereto as an economic development authority. Amending § 15.2-4903.

Patron: Ruff  
Presented, ordered printed, and referred to Committee on Local Government . . . . . 183

**S.B. 597. Workers' Compensation Commission;** powers concerning administration of oath, compel attendance of witnesses, etc. Amending § 65.2-201.

Patron: Wagner  
Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 183  
Reported . . . . . 403  
Constitutional reading dispensed, passed by for day . . . . . 424, 425  
Read second time and engrossed . . . . . 442, 448  
Read third time and passed . . . . . 460, 461  
Reconsideration of vote on passage . . . . . 462  
Passed Senate . . . . . 462  
Passed House . . . . . 820  
Signed by President . . . . . 1775  
Approved by Governor-Chapter 178 (effective 7/1/04)

**S.B. 598. Procurement Act, Public;** small, and women- and minority-owned business participation. Amending §§ 2.2-4310 and 2.2-4343; adding § 15.2-965.1.

Patrons: Williams, et al.  
Presented, ordered printed, and referred to Committee on General Laws . . . . . 183  
Co-patrons added . . . . . 292, 368  
Reported with amendments . . . . . 435  
Constitutional reading dispensed, passed by for day . . . . . 479, 481  
Read second time . . . . . 510  
Reading of amendments waived . . . . . 517  
Committee amendments agreed to . . . . . 517  
Engrossed . . . . . 520  
Read third time and passed . . . . . 531, 532  
Passed House with amendments . . . . . 790  
Passed by for day . . . . . 1066  
House amendments agreed to . . . . . 1082  
Signed by President . . . . . 1808  
Approved by Governor-Chapter 891 (effective 7/1/04)

**S.B. 599. Retirement System;** electronic communication to State and local members. Amending §§ 51.1-1000 through 51.1-1003; adding § 51.1-1004.

Patron: Lambert  
Unanimous consent to introduce. . . . . 184  
Presented, ordered printed, and referred to Committee on Finance . . . . . 184  
Reported . . . . . 315  
Constitutional reading dispensed, passed by for day . . . . . 346, 347  
Read second time and engrossed . . . . . 361, 364  
Read third time and passed . . . . . 381, 382  
Passed House . . . . . 1469  
Signed by President . . . . . 1825  
Approved by Governor-Chapter 209 (effective 7/1/04)

**S.B. 600. Water and sewage systems;** mandatory connection in Franklin County. Amending §§ 15.2-2110 and 15.2-2118.

Patrons: Hawkins, et al.  
Presented, ordered printed, and referred to Committee on Local Government . . . . . 184

**S.B. 600 (continued)**  
 Reported . . . . . 316  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 365  
 Read third time and passed . . . . . 384  
 Passed House with amendments . . . . . 790  
 Passed by for day . . . . . 1066  
 House amendments agreed to . . . . . 1083  
 Signed by President . . . . . 1808  
 Approved by Governor-Chapter 712 (effective 7/1/04)

**S.B. 601. Risk management plans;** includes medical malpractice liability insurance for physicians and sole community hospitals. Amending § 2.2-1839; adding § 2.2-1839.1.  
 Patrons: Newman, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 227  
 Co-patron added . . . . . 524  
 Reported with substitute . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 616  
 Reading of substitute waived . . . . . 618  
 Committee substitute rejected . . . . . 618  
 Reading of substitute waived . . . . . 618  
 Substitute by Senator Newman agreed to . . . . . 618  
 Reading of amendment waived . . . . . 619  
 Amendment by Senator Newman agreed to . . . . . 619  
 Engrossed . . . . . 622  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 631  
 Passed House with substitute . . . . . 1534  
 House substitute agreed to . . . . . 1628  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 822 (effective 7/1/06)

**S.B. 602. Chamberlin Hotel at Fort Monroe;** extends lease for operation. Amending Chapter 809, 1998 Acts.  
 Patrons: Williams, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 227  
 Co-patron added . . . . . 368  
 Reported . . . . . 381  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time and engrossed . . . . . 424  
 Read third time and passed . . . . . 440  
 Passed House . . . . . 1469  
 Signed by President . . . . . 1846  
 Approved by Governor-Chapter 713 (effective 4/12/04)

**S.B. 603. Pollutant Discharge Elimination System permits;** changes duration of issuance.  
 Amending § 62.1-44.15.  
 Patron: Bolling  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 227  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 604. Mentally ill;** transportation under emergency custody and temporary detention orders. Amending §§ 37.1-67.01, 37.1-67.1 and 37.1-71.  
 Patron: Bolling  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 227

**S.B. 605. Water columns for aquaculture purposes;** leasing. Adding §§ 28.2-1600 through 28.2-1623.  
 Patrons: Bolling, et al.  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 228  
 Reported with substitute . . . . . 503  
 Rereferred to Committee on Finance . . . . . 503  
 Reported with amendment . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 643  
 Reading of substitute waived . . . . . 647  
 Committee substitute agreed to . . . . . 647  
 Reading of amendment waived . . . . . 647  
 Committee amendment agreed to . . . . . 647  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650  
 Passed House with amendment . . . . . 1653  
 House amendment agreed to . . . . . 1669  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 892 (effective 7/1/04)

**S.B. 606. Bottomlands, state-owned;** permits and royalties for use. Amending §§ 28.2-1205, 28.2-1206 and 28.2-1208.  
 Patron: Bolling  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 228  
 Reported with substitute . . . . . 636  
 Constitutional reading dispensed . . . . . 660  
 Read second time . . . . . 664  
 Reading of substitute waived . . . . . 664  
 Committee substitute rejected . . . . . 664  
 Reading of substitute waived . . . . . 664  
 Substitute by Senator Bolling agreed to . . . . . 664  
 Engrossed . . . . . 664  
 Constitutional reading dispensed . . . . . 665  
 Passed Senate . . . . . 665  
 Passed House with amendments . . . . . 1491  
 House amendments agreed to . . . . . 1549  
 Signed by President . . . . . 1843  
 Senate concurred in Governor's recommendation . . . . . 1867  
 House concurred in Governor's recommendation . . . . . 1903  
 Signed by President as reenrolled . . . . . 1907  
 Enacted, Chapter 1018 (effective 7/1/04)

**S.B. 607. Methadone clinics;** conditions for licensure of certain designed for treatment of persons with opiate addiction. Adding § 37.1-179.2.  
 Patrons: Wampler, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 228  
 Co-patron added . . . . . 273  
 Reported with substitute . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 393  
 Reading of substitute waived . . . . . 393  
 Committee substitute agreed to . . . . . 393  
 Engrossed . . . . . 393  
 Read third time and passed . . . . . 406  
 Passed House with amendments . . . . . 1492  
 House amendments agreed to . . . . . 1549  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 823 (effective 7/1/04)

**S.B. 608. Statewide Agencies Radio System (STARS);** Secretary of Public Safety to implement.  
 Patrons: Stolle, et al.  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 228  
 Co-patron added . . . . . 328  
 Reported with amendment . . . . . 336  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of amendment waived . . . . . 390  
 Committee amendment agreed to . . . . . 390  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1817  
 Approved by Governor-Chapter 824 (effective 7/1/04)

**S.B. 609. Final judgments in circuit court;** when modifiable and appealable. Repealing Chapter 1017, 2003 Acts.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 228  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 479, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1535  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 337 (effective 7/1/04)

**S.B. 610. Supreme Court;** designation of judges to serve on appeal panels. Amending § 17.1-300.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 228  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 611. Medical care facilities certificate of public need;** revises designation of parties to the case. Amending § 32.1-102.6.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 228  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 612. Foster parents;** approval of applicant even if exonerated for statutory burglary for breaking and entering. Amending § 63.2-1721.  
 Patrons: Ticer, et al.  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 228  
 Reported with amendment . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Read second time . . . . . 535  
 Reading of amendment waived. . . . . 538  
 Committee amendment agreed to . . . . . 539  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549, 550  
 Passed House with amendment. . . . . 1533  
 House amendment agreed to. . . . . 1628  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 714 (effective 7/1/04)

**S.B. 613. Correctional facilities;** use of store profits for pre-release and post-release employment and housing assistance. Amending §§ 53.1-27, 53.1-115.2 and 53.1-127.1.  
 Patrons: Ticer, et al.  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 228

**S.B. 614. Occoneechee State Park;** Department of Conservation and Recreation to amend lease with Secretary of Army for purpose of providing additional recreational facilities in Mecklenburg County. Amending Chapter 809, 2002 Acts.  
 Patron: Ruff  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 228  
 Reported . . . . . 381  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time and engrossed . . . . . 424  
 Read third time and passed . . . . . 440  
 Reconsideration of vote on passage . . . . . 441  
 Passed Senate . . . . . 441  
 Passed House . . . . . 1595  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 825 (effective 7/1/04)

**S.B. 615. Correctional facilities;** use of store profits for pre-release and post-release reentry and transition services. Amending § 53.1-27.  
 Patrons: Bell, et al.  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 229  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Co-patron added . . . . . 524  
 Read second time . . . . . 535  
 Reading of substitute waived . . . . . 539  
 Committee substitute agreed to. . . . . 539  
 Engrossed . . . . . 539  
 Read third time and passed . . . . . 549, 550  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 417 (effective 7/1/04)

**S.B. 616. Adoption;** requirements for parental placement. Amending §§ 63.2-1202, 63.2-1226 and 63.2-1230.  
 Patron: O'Brien  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 229  
 Continued to 2005 Session in Senate Committee on Rehabilitation and Social Services . . . . . 1794

**S.B. 617. Gang-related crimes;** qualification for comprehensive action program upon conviction for felony violation. Amending § 16.1-330.1.  
 Patrons: O'Brien, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 229  
 Co-patron added . . . . . 428  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1595  
 Signed by President . . . . . 1846  
 Approved by Governor—Chapter 418 (effective 7/1/04)

**S.B. 618. Health insurance;** provider may electronically send a provider directory to its insureds. Amending §§ 38.2-3407.10 and 38.2-5803.  
 Patron: Wagner  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 229  
 Reported with amendments . . . . . 529  
 Constitutional reading dispensed, passed by for day . . . . . 556  
 Read second time . . . . . 567  
 Reading of amendments waived . . . . . 568  
 Committee amendments agreed to . . . . . 568  
 Engrossed . . . . . 568  
 Read third time and passed . . . . . 582  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1830  
 Approved by Governor—Chapter 715 (effective 7/1/04)

**S.B. 619. Sheriffs' fees;** clarified for service, execution of writ, etc. Amending §§ 8.01-293 and 15.2-1609.3.  
 Patron: Blevins  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 229  
 Reported with substitute . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 510  
 Reading of substitute waived . . . . . 517  
 Committee substitute agreed to . . . . . 517  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendment . . . . . 768  
 House amendment agreed to . . . . . 798  
 Signed by President . . . . . 1799  
 Approved by Governor—Chapter 210 (effective 7/1/04)

**S.B. 620. Process;** fees of sheriffs for service on repossessions, evictions, etc. Amending §§ 8.01-499 and 17.1-272.  
 Patron: Blevins  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 229  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481

**S.B. 620 (continued)**  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with substitute . . . . . 1421  
 House substitute agreed to . . . . . 1423  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 211 (effective 7/1/04)

**S.B. 621. Unemployment compensation; minimum qualifying earnings. Amending § 60.2-602.**  
 Patron: Wagner  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 229  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 622. ABC license; summary suspension. Amending § 4.1-225.**  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 229  
 Continued to 2005 Session in Senate Committee on Rehabilitation and Social Services . . . . . 1794

**S.B. 623. Campbell, Anthony Daryl; widow awarded service handgun which he used as a member of Department of State Police.**  
 Patron: Rerras  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 241  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 385, 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 1403  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 257 (effective 7/1/04)

**S.B. 624. Barbers, cosmetologist or nail technicians; designation of shop or salon prior to issuance of license. Amending § 54.1-703; adding § 54.1-703.01.**  
 Patron: O'Brien  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 241  
 Continued to 2005 Session in Senate Committee on General Laws. . . . . 1793

**S.B. 625. Hospice; licensure. Amending § 32.1-162.5.**  
 Patron: Houck  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 241  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 626. Animal pounds and shelters; limits yearly adoptions by individuals. Amending § 3.1-796.96.**  
 Patron: Quayle  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 241

**S.B. 627. Utility tax; imposition on local consumers in Towns of Vienna and Clifton for mobile phone usage. Amending § 58.1-3812.**  
 Patron: Devolites  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 242  
 Reported . . . . . 299  
 Constitutional reading dispensed, passed by for day . . . . . 324, 325  
 Read second time and engrossed . . . . . 345  
 Read third time and passed . . . . . 359  
 Passed House with substitute . . . . . 818  
 House substitute agreed to . . . . . 1086  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 516 (effective 7/1/04)

**S.B. 628. Sickness and Disability Program;** changes in short-term coverage for state employees. Amending § 51.1-1110.  
 Patron: Devolites  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 242  
 Reported with substitute . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 570  
 Read second time . . . . . 588  
 Reading of substitute waived . . . . . 591  
 Committee substitute agreed to . . . . . 591  
 Engrossed . . . . . 591  
 Read third time and passed . . . . . 614, 615  
 Passed House with substitute . . . . . 1687  
 House substitute agreed to . . . . . 1691  
 Signed by President . . . . . 1840  
 Senate concurred in Governor's recommendation . . . . . 1868  
 House concurred in Governor's recommendation. . . . . 1903  
 Signed by President as reenrolled. . . . . 1907  
 Enacted, Chapter 1019 (effective 7/1/04)

**S.B. 629. Wetlands mitigation bank;** island in Potomac River adjacent to Virginia to be used thereas. Amending § 62.1-44.15:5.  
 Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 242  
 Reported with amendment . . . . . 380  
 Constitutional reading dispensed, passed by for day . . . . . 411  
 Read second time . . . . . 422  
 Reading of amendment waived. . . . . 423  
 Committee amendment agreed to . . . . . 423  
 Engrossed . . . . . 423  
 Read third time and passed . . . . . 437  
 Passed House . . . . . 737  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 94 (effective 7/1/04)

**S.B. 630. Pleadings and other actions by parties not represented by attorneys;** provisions. Amending §§ 16.1-88.03 and 55-246.1.  
 Patron: Quayle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 242  
 Reported with amendments . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 510  
 Reading of amendments waived. . . . . 518  
 Committee amendments agreed to . . . . . 518  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1469  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 338 (effective 7/1/04)

**S.B. 631. Historical monuments and memorials;** removal, renaming, etc., prohibited, exception. Adding § 2.2-1161.2.  
 Patron: Quayle  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 242  
 Reported with substitute . . . . . 336

**S.B. 631 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of substitute waived . . . . . 390  
 Committee substitute agreed to. . . . . 391  
 Engrossed . . . . . 391  
 Read third time and passed. . . . . 404, 405

**S.B. 632. Retail Sales and Use Tax; exemptions include software and content delivered electronically. Amending § 58.1-609.5.**

Patron: Devolites  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 242  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 443, 449  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 820  
 Signed by President . . . . . 1776  
 Approved by Governor-Chapter 607 (effective 7/1/04)

**S.B. 633. School students; report of arrest for certain criminal offenses. Amending §§ 16.1-260, 19.2-83.1 and 22.1-279.3:1.**

Patrons: Saslaw, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 242  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with substitute . . . . . 1466  
 House substitute agreed to . . . . . 1507  
 Signed by President . . . . . 1826  
 Approved by Governor-Chapter 517 (effective 7/1/04)

**S.B. 634. Applicant Fingerprint Database; created for State Police to use in criminal background checks. Adding § 52-46.**

Patrons: Saslaw, et al.  
 Presented, ordered printed, and referred to Committee on Transportation. . . . . 242  
 Rereferred to Committee for Courts of Justice. . . . . 356  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendment. . . . . 1401  
 House amendment agreed to. . . . . 1442  
 Reconsideration of vote on House amendment agreed to. . . . . 1443  
 House amendment agreed to. . . . . 1443  
 Signed by President . . . . . 1825  
 Approved by Governor-Chapter 826 (effective 7/1/04)

**S.B. 635. Tax reform; changes in provisions for income tax, sales and use tax, estate tax, local license taxes, motor fuels tax, etc. Amending §§ 10.1-1020, 10.1-2128, 10.1-2133, 33.1-12, 33.1-23.03:1, 33.1-23.03:8, 33.1-418, 33.1-439, 46.2-694, 46.2-697, 46.2-698, 46.2-700, 58.1-302, 58.1-320, 58.1-321, 58.1-322, 58.1-324, 58.1-339.8, 58.1-341, 58.1-391, 58.1-392, 58.1-402, 58.1-415, 58.1-441, 58.1-520, 58.1-603, 58.1-604, 58.1-604.1, 58.1-608.3, 58.1-609.3, 58.1-611.1, 58.1-614, 58.1-615, 58.1-627, 58.1-628,**

**S.B. 635 (continued)**

58.1-638, 58.1-639, 58.1-801, 58.1-803, 58.1-807, 58.1-808, 58.1-815, 58.1-816, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, 58.1-2706 and 58.1-3833; adding §§ 10.1-2135, 46.2-702.1, 58.1-390.1, 58.1-390.2, 58.1-393.1, 58.1-394.1, 58.1-394.2, 58.1-395 and 58.1-2288.1; repealing tenth enactment of Chapters 1019 and 1044, 2000 Acts.

Patrons: Chichester, et al.

Presented, ordered printed, and referred to Committee on Finance . . . . . 242

Reported with substitute . . . . . 640

Constitutional reading dispensed, passed by for day . . . . . 699, 700

Read second time . . . . . 707

Reading of substitute waived . . . . . 707

Committee substitute agreed to. . . . . 707

Passed by temporarily. . . . . 707

Committee substitute reconsidered. . . . . 713

Committee substitute agreed to. . . . . 714

Parliamentary inquiry . . . . . 715

Reading of amendment waived. . . . . 715

Amendment by Senator Cuccinelli rejected . . . . . 715

Reading of amendments waived. . . . . 717

Parliamentary inquiry . . . . . 717

Ruling of Chair Sustained. . . . . 717

Reading of amendment waived. . . . . 717

Parliamentary inquiry . . . . . 718

Amendment by Senator O'Brien rejected. . . . . 718

Reading of amendments waived. . . . . 718

Amendments by Senator Rerras rejected . . . . . 718

Amendments Nos. 1 and 2 by Senator Mims withdrawn . . . . . 719

Reading of amendment waived. . . . . 719

Amendment No. 3 by Senator Mims rejected. . . . . 719

Engrossed . . . . . 719

Read third time and passed. . . . . 727

**S.B. 636. Drug Treatment Court Act; created, report. Adding § 18.2-254.1.**

Patron: Lucas

Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 260

Reported with substitute . . . . . 562

Rereferred to Committee on Finance . . . . . 563

Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 637. Highway maintenance and construction projects; use of jail inmates. Adding § 33.1-223.2:9.**

Patron: Norment

Presented, ordered printed, and referred to Committee on Transportation. . . . . 260

Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**S.B. 638. Chartered Universities and Colleges Act of 2004; created. Amending §§ 2.2-3101, 2.2-4343, 8.01-195.2, 13.1-543, 13.1-1102, 23-1.01, 23-1.1, 23-2, 23-2.1, 23-2.1:1, 23-3, 23-4.1, 23-4.2, 23-4.3, 23-4.4, 23-7.1:02, 23-7.4, 23-7.4:1, 23-7.4:2, 23-7.4:3, 23-7.5, 23-8.2:1, 23-9.1, 23-9.1:1, 23-9.2, 23-9.2:3, 23-9.2:3.1, 23-9.2:3.2, 23-9.2:3.3, 23-9.2:3.4, 23-9.2:4, 23-14, 23-30.23, 23-30.40, 23-38.10:2, 23-38.19:1, 23-38.19:3, 23-38.45, 23-38.53:1, 23-38.53:4, 23-38.53:11, 23-38.53:12, 23-38.55, 23-38.70, 23-38.72,**

**S.B. 638 (continued)**

23-38.75, 23-232, 25.1-100 and 30-133; adding §§ 23-9.3:01, 23-31.01, 23-38.88 through 23-38.126, 58.1-100.1, 58.1-2020.1 and 58.1-3000.1.

Patron: Norment

Presented, ordered printed, and referred to Committee on Education and Health . . . . . 260  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 639. Pollutant loading allocations;** adoption of nitrogen and phosphorous levels in Chesapeake Bay tributaries. Adding § 62.1-44.15:02.

Patron: Whipple

Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 260  
 Continued to 2005 Session in Senate Committee on Agriculture, Conservation and Natural Resources . . . . . 1793

**S.B. 640. Criminal trials;** hospitalization of mentally ill defendants. Amending §§ 19.2-169.6, 19.2-176 and 19.2-177.1.

Patron: Edwards

Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 260  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 641. Health insurance;** coverage for hearing aids for minors. Amending §§ 2.2-2818, 32.1-325 and 38.2-4319; adding § 38.2-3418.15.

Patrons: Ticer, et al.

Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 260  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 642. Coal and gas road improvement tax;** distribution of revenues for water and sewer system projects. Amending §§ 58.1-3713 and 58.1-3713.01.

Patron: Puckett

Presented, ordered printed, and referred to Committee on Finance . . . . . 260  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 364  
 Read third time and passed . . . . . 381, 382  
 Passed House with amendments . . . . . 1432  
 House amendments agreed to . . . . . 1475  
 Reconsideration of vote on House amendments agreed to . . . . . 1479  
 House amendments agreed to . . . . . 1479  
 Signed by President . . . . . 1822  
 Approved by Governor-Chapter 893 (effective 7/1/04)

**S.B. 643. Food and beverage tax;** imposition in Fairfax County. Amending § 58.1-3833.

Patron: Saslaw

Presented, ordered printed, and referred to Committee on Finance . . . . . 260  
 Reported with substitute . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Passed by for day . . . . . 479, 521  
 Read second time . . . . . 539  
 Reading of substitute waived . . . . . 539  
 Committee substitute agreed to . . . . . 540  
 Amendment by Senator Devolites withdrawn . . . . . 540  
 Reading of amendment No. 2 waived . . . . . 540  
 Amendment No. 2 by Senator Devolites rejected . . . . . 540  
 Engrossed . . . . . 540  
 Read third time and passed . . . . . 550

**S.B. 644. School boards;** salary in Manassas Park City. Amending § 22.1-32.  
 Patrons: Colgan, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 261  
 Reported . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time and engrossed . . . . . 385, 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 820  
 Signed by President . . . . . 1776  
 Approved by Governor-Chapter 179 (effective 7/1/04)

**S.B. 645. Real estate tax;** alternative payment schedules for elderly and handicapped. Adding § 58.1-3916.02.  
 Patrons: Colgan, et al.  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 261  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 646. Biotechnology Commercialization Loan Fund;** created, report. Adding § 2.2-2233.2.  
 Patron: Howell  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 261  
 Reported with amendment . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 510  
 Reading of amendment waived. . . . . 518  
 Committee amendment agreed to . . . . . 518  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House with amendment. . . . . 1465  
 House amendment rejected. . . . . 1507  
 House insisted on amendment and requested committee of conference . . . . . 1592  
 Senate acceded to request . . . . . 1632  
 Conferees appointed . . . . . 1652  
 Conference report adopted by House . . . . . 1718  
 Conference report adopted by Senate . . . . . 1726  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 942 (effective 7/1/04)

**S.B. 647. Grievance procedures;** hearing decisions. Amending §§ 2.2-3003, 2.2-3005 and 2.2-3006.  
 Patron: Reynolds  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 261

**S.B. 648. Law-enforcement officers;** issuance of photo identification cards for those retired. Adding § 9.1-1000.  
 Patrons: Houck, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 261  
 Co-patron added . . . . . 414  
 Reported with amendment . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 510  
 Reading of amendment waived. . . . . 519  
 Committee amendment agreed to . . . . . 519  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1595

**S.B. 648 (continued)**

Signed by President . . . . . 1848

Approved by Governor-Chapter 419 (effective 7/1/04)

**S.B. 649. Master Settlement Agreement;** release of escrow funds to cigarette manufacturers.

Amending § 3.1-336.2.

Patron: Puckett

Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural

Resources . . . . . 261

**S.B. 650. Health insurance;** exclusion for prophylactic surgical procedures for difficult-to-diagnose pathologies. Adding § 38.2-3407.5:2.

Patron: Deeds

Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 261

Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 651. Electric utility restructuring;** changes in provisions for rate caps, fuel factors, electrical generating facility certificates, etc. Amending §§ 56-249.6, 56-577, 56-580, 56-582, 56-583, 56-585, 56-589 and 56-594.

Patron: Norment

Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 261

Reported with substitute . . . . . 299

Constitutional reading dispensed, passed by for day . . . . . 324, 325

Read second time . . . . . 340

Reading of substitute waived . . . . . 344

Committee substitute agreed to. . . . . 344

Reading of amendments waived. . . . . 345

Amendments by Senator Wampler agreed to . . . . . 345

Engrossed . . . . . 345

Read third time and passed . . . . . 356, 358

Passed House with substitute . . . . . 1653

House substitute agreed to . . . . . 1669

Signed by President . . . . . 1840

Approved by Governor-Chapter 827 (effective 7/1/04)

**S.B. 652. Transient occupancy tax;** additional imposition in Greater Williamsburg area.

Amending § 58.1-3823.

Patron: Norment

Presented, ordered printed, and referred to Committee on Finance . . . . . 261

Reported with substitute . . . . . 403

Constitutional reading dispensed, passed by for day . . . . . 424, 425

Read second time . . . . . 443

Reading of substitute waived . . . . . 447

Committee substitute agreed to. . . . . 447

Reading of amendments waived. . . . . 448

Amendments by Senator Norment agreed to . . . . . 448

Engrossed . . . . . 449

Read third time and passed . . . . . 460, 461

Reconsideration of vote on passage . . . . . 462

Passed Senate . . . . . 462

Passed House with amendments . . . . . 1109

House amendments agreed to . . . . . 1157

Signed by President . . . . . 1831

Approved by Governor-Chapter 828 (effective 7/1/04)

**S.B. 653. William and Mary, College of;** provisions for certain construction easements.  
 Amending § 23-4.01.  
 Patron: Norment  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 262  
 Reported with amendments . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 510  
 Reading of amendments waived. . . . . 519  
 Committee amendments agreed to . . . . . 519  
 Engrossed . . . . . 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 1433  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 339 (effective 7/1/04)

**S.B. 654. Hampton Roads Sanitation District;** adding King and Queen County thereto.  
 Amending Chapter 66, 1960 Acts.  
 Patron: Norment  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 262  
 Reported with amendment . . . . . 335  
 Constitutional reading dispensed, passed by for day . . . . . 366, 367  
 Read second time . . . . . 385  
 Reading of amendment waived. . . . . 391  
 Committee amendment agreed to . . . . . 391  
 Engrossed . . . . . 391  
 Read third time and passed . . . . . 404, 405  
 Passed House . . . . . 770  
 Signed by President . . . . . 1489  
 Approved by Governor-Chapter 120 (effective 7/1/04)

**S.B. 655. Business license tax;** phase-out in all localities. Adding § 58.1-3736; repealing §§ 58.1-3700 through 58.1-3735.  
 Patron: Norment  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 262  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 656. Health Care, Joint Commission on;** staffing authority. Amending § 30-168.4.  
 Patron: Martin  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 262

**S.B. 657. Firearms;** definition of muzzleloading rifle and shooting. Amending §§ 29.1-100, 29.1-519 and 29.1-528.  
 Patron: Quayle  
 Presented, ordered printed, and referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 262

**S.B. 658. Parole;** mandatory release. Amending § 53.1-159.  
 Patrons: Quayle, et al.  
 Presented, ordered printed, and referred to Committee on Rehabilitation and Social Services . . . 262  
 Co-patron added . . . . . 368  
 Reported with substitute . . . . . 457  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Passed by for day . . . . . 541, 555, 570  
 Read second time . . . . . 591  
 Reading of substitute waived . . . . . 591  
 Committee substitute agreed to. . . . . 592  
 Engrossed . . . . . 592

**S.B. 658 (continued)**  
 Read third time and passed . . . . . 615  
 Reconsideration of vote on passage . . . . . 633  
 Passed Senate . . . . . 634  
 Statements on votes . . . . . 634

**S.B. 659. Sunday closing laws;** abolishes “Blue laws.” Repealing §§ 18.2-341, 18.2-342, 18.2-343 and 40.1-28.5.  
 Patron: Quayle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 262  
 Reported . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532  
 Passed House . . . . . 792  
 Signed by President . . . . . 1729  
 Approved by Governor—Chapter 608 (effective 7/1/04)

**S.B. 660. Weapons;** prohibits carrying in an air carrier airport terminal. Adding § 18.2-287.01.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 262  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 625  
 Reading of amendments waived . . . . . 626  
 Committee amendments agreed to . . . . . 626  
 Amendment by Senator Edwards withdrawn . . . . . 626  
 Reading of amendment waived . . . . . 626  
 Amendment by Senator Stolle agreed to . . . . . 626  
 Engrossed . . . . . 626  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 633  
 Reconsideration of vote on passage . . . . . 634  
 Passed Senate . . . . . 634  
 Passed House with substitute with amendments . . . . . 1592  
 House substitute with amendments rejected . . . . . 1629  
 Reconsideration of vote on House amendments agreed to . . . . . 1634  
 House substitute with amendments rejected . . . . . 1634  
 Statement on vote . . . . . 1635  
 House insisted on substitute with amendments and requested committee of conference . . . . . 1662  
 Senate acceded to request . . . . . 1672  
 Conferees appointed . . . . . 1694  
 Conference report adopted by Senate . . . . . 1710  
 Reconsideration of Conference report agreed to . . . . . 1712  
 Conference report adopted by Senate . . . . . 1712  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1840  
 Approved by Governor—Chapter 894 (effective 7/1/04)

**S.B. 661. Real property owned by State;** certain restricted use may be satisfied if used for tourism in Virginia Beach City.  
 Patron: Blevins  
 Presented, ordered printed, and referred to Committee on Local Government . . . . . 262  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time and engrossed . . . . . 467, 475

**S.B. 661 (continued)**  
 Read third time and passed . . . . . 505  
 Passed House with amendments . . . . . 1401  
 House amendments agreed to . . . . . 1442  
 Signed by President . . . . . 1825  
 Senate concurred in Governor's recommendation . . . . . 1869  
 House concurred in Governor's recommendation . . . . . 1904  
 Signed by President as reenrolled . . . . . 1907  
 Enacted, Chapter 1020 (effective 7/1/04)

**S.B. 662. Health insurance;** moratorium on new benefit mandates. Amending § 2.2-2503; adding § 38.2-3419.2.  
 Patrons: Martin, et al.  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 262

**S.B. 663. Natural gas companies;** right of entry upon property. Adding § 56-49.01.  
 Patron: Wagner  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 263  
 Reported . . . . . 529  
 Constitutional reading dispensed, passed by for day . . . . . 556  
 Read second time and engrossed . . . . . 567, 568  
 Read third time and passed . . . . . 582, 583  
 Passed House with substitute . . . . . 1492  
 House substitute agreed to . . . . . 1550  
 Signed by President . . . . . 1848  
 Approved by Governor—Chapter 829 (effective 7/1/04)

**S.B. 664. Unemployment compensation;** introduction of legislation affecting State revenue.  
 Adding § 30-19.03:1.2.  
 Patron: Wagner  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 263  
 Reported . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time and engrossed . . . . . 656  
 Constitutional reading dispensed . . . . . 656  
 Passed Senate . . . . . 656  
 Passed House with substitute . . . . . 1492  
 House substitute agreed to . . . . . 1550  
 Signed by President . . . . . 1848  
 Approved by Governor—Chapter 895 (effective 7/1/04)

**S.B. 665. Domestic violence or sexual assault;** privileged communications between victims and advocates. Adding §§ 8.01-400.3 and 19.2-271.4.  
 Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 263  
 Reported with amendments . . . . . 434  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 521  
 Reading of amendments waived . . . . . 522  
 Committee amendments agreed to . . . . . 522  
 Engrossed . . . . . 522  
 Read third time and passed . . . . . 534

**S.B. 666. Standards of Quality in public schools;** computation of composite index. Adding § 22.1-253.13:9.  
 Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 263  
 Continued to 2005 Session in Senate Committee on Education and Health . . . . . 1793

**S.B. 667. Businesses;** electronic confirmation of receipt of tax returns. Amending § 58.1-9.  
 Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 263  
 Reported with amendments . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time . . . . . 443  
 Reading of amendments waived . . . . . 448  
 Committee amendments agreed to . . . . . 448  
 Engrossed . . . . . 449  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Continued to 2005 Session in House Committee on Finance . . . . . 1794

**S.B. 668. Retail Sales and Use Tax;** constitutional nexus for imposition. Adding § 8.01-184.1.  
 Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 263  
 Rereferred to Committee for Courts of Justice . . . . . 530  
 Reported with substitute . . . . . 562  
 Rereferred to Committee on Finance . . . . . 563  
 Reported . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 656  
 Reading of substitute waived . . . . . 656  
 Committee substitute agreed to . . . . . 656  
 Engrossed . . . . . 656  
 Constitutional reading dispensed . . . . . 657  
 Passed Senate . . . . . 657  
 Passed House with substitute . . . . . 1653  
 House substitute agreed to . . . . . 1670  
 Signed by President . . . . . 1840  
 Approved by Governor—Chapter 609 (effective 7/1/04)

**S.B. 669. Magistrates;** appointment. Amending § 19.2-37.  
 Patron: Obenshain  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 263  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time and engrossed . . . . . 626  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 633  
 Passed House with amendment . . . . . 1465  
 House amendment agreed to . . . . . 1508  
 Signed by President . . . . . 1826  
 Approved by Governor—Chapter 830 (effective 7/1/04)

**S.B. 670. Route 29;** construction of bypass around cities in certain counties. Adding § 33.1-223.2:9.  
 Patrons: Newman, et al.  
 Presented, ordered printed, and referred to Committee on Transportation . . . . . 263  
 Reported with amendments . . . . . 458  
 Constitutional reading dispensed, passed by for day . . . . . 523, 524  
 Passed by for day . . . . . 541  
 Read second time . . . . . 555  
 Reading of amendments waived . . . . . 555

**S.B. 670 (continued)**  
 Committee amendments agreed to . . . . . 555  
 Reading of amendment waived. . . . . 555  
 Amendment by Senator Deeds rejected . . . . . 556  
 Engrossed . . . . . 556  
 Passed by for day . . . . . 565  
 Read third time and passed . . . . . 584  
 Passed House with substitute . . . . . 1466  
 Passed by for day . . . . . 1508  
 Passed by temporarily . . . . . 1542  
 House substitute agreed to . . . . . 1552  
 Signed by President . . . . . 1846  
 Senate rejected Governor's recommendation . . . . . 1870  
 Approved by Governor-Chapter 1025 (effective 7/1/04)

**S.B. 671. Medical assistance services;** includes consumer-directed care, cash and counseling project waiver. Amending Chapter 460, 2003 Acts.  
 Patrons: Newman, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 263  
 Reported . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time and engrossed . . . . . 510, 520  
 Read third time and passed . . . . . 531, 532

**S.B. 672. Nursing homes;** establishment of staffing standards. Amending § 32.1-127.  
 Patrons: Edwards, et al.  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 264  
 Reported with substitute . . . . . 435  
 Rereferred to Committee on Finance . . . . . 435

**S.B. 673. Voice-over-Internet Protocol (VoIP);** exempt from regulation by State Corporation Commission. Amending §§ 56-1 and 58.1-3812.  
 Patrons: Cuccinelli, et al.  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 264  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**S.B. 674. Involuntary mental commitment hearing;** petitioner may be represented by certain law students. Amending § 54.1-3900.  
 Patron: Cuccinelli  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 264

**S.B. 675. Cigarettes;** imposition of fee on manufacturers who are not participating in Master Settlement Agreement. Adding § 58.1-1001.1.  
 Patron: Puckett  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 264

**S.B. 676. Cultural Economic Development Revolving Fund and Advisory Board;** created, report. Amending §§ 58.1-2402, 58.1-2425, 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116.  
 Patron: Wampler  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 264

**S.B. 677. Assault and battery;** penalty when committed against a volunteer firefighter or rescue squad member. Amending § 18.2-57.  
 Patron: Rerras  
 Unanimous consent to introduce. . . . . 273  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 273  
 Reported with amendment . . . . . 335  
 Rereferred to Committee on Finance . . . . . 336  
 Reported . . . . . 419

**S.B. 677 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time . . . . . 467  
 Reading of amendment waived. . . . . 474  
 Committee amendment agreed to . . . . . 474  
 Engrossed . . . . . 475  
 Read third time and passed . . . . . 505  
 Passed House . . . . . 1655  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 420 (effective 7/1/04)

**S.B. 678. Income tax, state and corporate; limits land preservation tax credits. Amending § 58.1-512.**

Patron: Hanger  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 264  
 Reported with substitute . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 657  
 Reading of substitute waived . . . . . 657  
 Committee substitute agreed to . . . . . 657  
 Engrossed . . . . . 657  
 Constitutional reading dispensed . . . . . 657  
 Passed Senate . . . . . 658  
 Statement on vote . . . . . 658  
 Reconsideration of vote on passage . . . . . 659  
 Passed Senate . . . . . 659  
 Statements on votes. . . . . 659  
 Continued to 2005 Session in House Committee on Finance. . . . . 1794

**S.B. 679. Consumer Choice Benefits Plan Act; created. Amending §§ 38.2-4214 and 38.2-4319; adding §§ 38.2-3419.2 through 38.2-3419.8.**

Patrons: Martin, et al.  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 264

**S.B. 680. Divorce decrees; agreements for spousal support, modification and enforcement. Amending § 20-109.1.**

Patron: Deeds  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 264  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**S.B. 681. Public service corporations; requires certain electric suppliers to pay a minimum tax rather than corporate tax. Amending §§ 58.1-2628 and 58.1-2674.1; adding § 58.1-400.3.**

Patron: Watkins  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 264  
 Reported with substitute . . . . . 640  
 Constitutional reading dispensed, passed by for day . . . . . 699, 700  
 Read second time . . . . . 709  
 Reading of substitute waived . . . . . 709  
 Committee substitute rejected. . . . . 709  
 Reading of substitute waived . . . . . 709  
 Substitute by Senator Watkins agreed to . . . . . 709  
 Engrossed . . . . . 710  
 Read third time and defeated . . . . . 728  
 Reconsideration of vote by which bill was defeated . . . . . 728  
 Parliamentary inquiry . . . . . 729  
 Chair ruled motion to reconsider out of order . . . . . 729

**S.B. 681 (continued)**  
 Chair ruled bill passed . . . . . 729  
 Reconsideration of vote on passage . . . . . 729  
 Motion, substitute motion . . . . . 729  
 Passed Senate . . . . . 733  
 Passed House . . . . . 1422  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 716 (effective 4/12/04)

**S.B. 682. Retail Sales and Use Tax; exemptions for certain public service corporations.**  
 Amending § 58.1-609.3.  
 Patron: Watkins  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 265

**S.B. 683. Income tax, corporate; changes in provisions for permissible and impermissible transactions between interrelated companies. Amending §§ 58.1-302 and 58.1-402.**  
 Patron: Watkins  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 265

**S.B. 684. Transient occupancy and food and beverage taxes; technical changes in provisions. Amending §§ 58.1-3819, 58.1-3822, 58.1-3823, 58.1-3833 and 58.1-3842.**  
 Patron: Watkins  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 265  
 Reported . . . . . 315  
 Constitutional reading dispensed, passed by for day . . . . . 346, 347  
 Read second time and engrossed . . . . . 361, 364  
 Read third time and passed . . . . . 381, 382  
 Passed House with amendment. . . . . 818  
 House amendment agreed to. . . . . 1087  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 610 (effective 7/1/04)

**S.B. 685. Communicable diseases of public health threat; procedure for quarantine and isolation. Amending §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16 and 44-146.17; adding §§ 32.1-48.05 through 32.1-48.17.**  
 Patron: Howell  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 265  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 592, 593  
 Read second time . . . . . 616  
 Reading of amendments waived. . . . . 621  
 Committee amendments agreed to . . . . . 621  
 Engrossed . . . . . 622  
 Constitutional reading dispensed . . . . . 631  
 Passed Senate . . . . . 631  
 Passed House . . . . . 1114  
 Signed by President . . . . . 1831  
 Senate concurred in Governor's recommendation . . . . . 1870  
 House concurred in Governor's recommendation. . . . . 1904  
 Signed by President as reenrolled. . . . . 1907  
 Enacted, Chapter 1021 (effective 4/21/04)

**S.B. 686. Sailing vessel "Virginia"; authorizing Governor to enter into an agreement with Maritime Heritage Foundation for operation thereof.**  
 Patrons: Rerras, et al.  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 265  
 Co-patrons added . . . . . 398, 453

**S.B. 686 (continued)**  
 Reported . . . . . 434  
 Rereferred to Committee on Finance . . . . . 435  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.B. 687. Birth-Related Neurological Injury Compensation Act; increases participating physician and hospital assessment. Amending §§ 38.2-5001, 38.2-5009 and 38.2-5020.**  
 Patron: Devolites  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 265  
 Reported with amendments . . . . . 636  
 Constitutional reading dispensed . . . . . 660  
 Read second time . . . . . 665  
 Reading of amendments waived . . . . . 665  
 Committee amendments agreed to . . . . . 665  
 Engrossed . . . . . 666  
 Constitutional reading dispensed . . . . . 666  
 Passed Senate . . . . . 666  
 Passed House with substitute with amendments. . . . . 1492  
 House substitute with amendments agreed to . . . . . 1551  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 896 (effective 7/1/04)

**S.B. 688. Public-Private Education Facilities and Infrastructure Act of 2002; provisions for performance and payment bonds. Amending §§ 56-575.9 and 56-575.16.**  
 Patron: Edwards  
 Presented, ordered printed, and referred to Committee on Education and Health . . . . . 265  
 Rereferred to Committee on General Laws . . . . . 336  
 Reported with substitute . . . . . 435  
 Constitutional reading dispensed, passed by for day . . . . . 480, 481  
 Read second time . . . . . 522  
 Reading of substitute waived . . . . . 522  
 Committee substitute agreed to. . . . . 523  
 Engrossed . . . . . 523  
 Read third time . . . . . 534  
 Passed by temporarily. . . . . 534  
 Passed by for day . . . . . 539, 550, 565  
 Engrossment reconsidered . . . . . 583  
 Reading of amendment waived. . . . . 583  
 Amendment by Senator Edwards agreed to . . . . . 583  
 Engrossed . . . . . 584  
 Rules suspended . . . . . 584  
 Constitutional reading dispensed . . . . . 584  
 Defeated by Senate . . . . . 584  
 Reconsideration of vote on passage . . . . . 585  
 Defeated by Senate . . . . . 585  
 Statements on votes. . . . . 585, 586

**S.B. 689. Senate; prohibits use of television or other electronic signals generated thereby for political or commercial purpose. Adding § 30-9.1.**  
 Patron: Wampler  
 Unanimous consent to introduce. . . . . 280  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 280  
 Reported with amendments . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 627, 628  
 Read second time . . . . . 643  
 Reading of amendments waived . . . . . 648

**S.B. 689 (continued)**  
 Committee amendments agreed to . . . . . 648  
 Engrossed . . . . . 648  
 Constitutional reading dispensed . . . . . 648  
 Passed Senate . . . . . 649  
 Reconsideration of vote on passage . . . . . 650  
 Passed Senate . . . . . 650

**S.B. 690. Income tax, corporate;** extends sunset provision for tax credit for machinery and equipment used to produce personal property from recyclable materials. Amending § 58.1-439.7.  
 Patron: Hawkins  
 Unanimous consent to introduce. . . . . 316  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 316  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 424, 425  
 Read second time and engrossed . . . . . 443, 449  
 Read third time and passed . . . . . 460, 461  
 Reconsideration of vote on passage . . . . . 462  
 Passed Senate . . . . . 462  
 Passed House . . . . . 820  
 Signed by President . . . . . 1776  
 Approved by Governor-Chapter 611 (effective 7/1/04)

**S.B. 691. Legislative appointments;** definition of nonlegislative citizen member. Adding §§ 1-13.13:1 and 1-13.25:1.  
 Patron: Wampler  
 Unanimous consent to introduce. . . . . 336  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 336

**S.B. 692. Retail Sales and Use Tax;** exemptions include Pilot Club International Luncheon Pilot Club of Chesapeake. Adding § 58.1-609.10.01.  
 Patron: Blevins  
 Unanimous consent to introduce. . . . . 356  
 Presented, ordered printed, and referred to Committee on Finance . . . . . 356  
 Reported . . . . . 419  
 Constitutional reading dispensed, passed by for day . . . . . 450, 451  
 Read second time and engrossed . . . . . 467, 475  
 Read third time and passed . . . . . 505

**S.B. 693. Curfews;** local authority may declare and enforce when a state of emergency has been declared by Governor. Amending § 44-146.19.  
 Patrons: Rerras, et al.  
 Unanimous consent to introduce. . . . . 563  
 Presented, ordered printed, and referred to Committee on General Laws . . . . . 563  
 Reported with amendment . . . . . 636  
 Constitutional reading dispensed . . . . . 660  
 Read second time . . . . . 660  
 Reading of amendment waived. . . . . 661  
 Committee amendment agreed to . . . . . 661  
 Engrossed . . . . . 661  
 Constitutional reading dispensed . . . . . 661  
 Passed Senate . . . . . 661  
 Continued to 2005 Session in House Committee on Militia, Police and Public Safety . . . . . 1795

**S.J.R. 1. Public Records Act;** joint subcommittee to study, including electronic records and effect on state depository system.  
 Patrons: Martin, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 127

**S.J.R. 2. Byrd, Duncan M., Jr.;** recording sorrow upon death.  
 Patrons: Deeds, et al.  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 3. Constitutional amendment;** establishes a Redistricting Commission to redraw boundaries of congressional and legislative districts (first reference). Amending Section 6 of Article II.  
 Patron: Deeds  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . 127

**S.J.R. 4. Constitutional amendment;** restoration of civil rights for certain felons (second reference). Amending Section 1 of Article II.  
 Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . 127  
 Reported . . . . . 227  
 Read first time. . . . . 248  
 Read second time and engrossed . . . . . 273  
 Read third time and agreed to by Senate . . . . . 291  
 Statement on vote . . . . . 292

**S.J.R. 5. Jenkins, Charles;** commending.  
 Patron: Potts  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate. . . . . 253  
 Agreed to by House . . . . . 375

**S.J.R. 6. Constitutional amendment;** effective dates of legislative and congressional redistricting (second reference). Amending Section 6 of Article II.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . 127  
 Reported . . . . . 227  
 Read first time. . . . . 248  
 Read second time and engrossed . . . . . 272  
 Read third time and agreed to by Senate . . . . . 290  
 Agreed to by House . . . . . 1595  
 Signed by President . . . . . 1849  
 Assigned Chapter 981 (effective 7/1/04)

**S.J.R. 7. Stephenson, Sylvia A.;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 8. Alexander, Rosa Mae;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 9. Clark, Vernon Lee;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133

**S.J.R. 9 (continued)**  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 10. Curl, Thelma D.;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 11. Bessent, Josie Cotton;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 12. Whitley, Lena;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 13. Lewis, Chester F.;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 14. Hellinger, Evelyn M.;** recording sorrow upon death.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 133  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 375

**S.J.R. 15. Decker, Melvin P.;** commending.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate . . . . . 253  
 Agreed to by House . . . . . 375

**S.J.R. 16. Virginia Beach Youth Intervention Team;** commending.  
 Patron: Miller  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate . . . . . 253  
 Agreed to by House . . . . . 375

**S.J.R. 17. Constitutional amendment;** exempts certain property from taxation (first reference). Amending Section 6 of Article X.  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . 128  
 Continued to 2005 Session in Senate Committee on Privileges and Elections . . . . . 1794

**S.J.R. 18. Constitutional amendment;** Highway Maintenance and Operating Fund and Transportation Trust Fund continued (first reference). Adding Section 7-B in Article X.  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . 128  
 Reported with substitute . . . . . 419  
 Rereferred to Committee on Finance . . . . . 420

**S.J.R. 19. Community health workers;** James Madison University to study status, impact, and utilization thereof.  
 Patron: Howell  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128

**S.J.R. 19 (continued)**

Reported . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time and engrossed . . . . . 666, 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1595

**S.J.R. 20. Hardesty, Carter Meade Conley; recording sorrow upon death.**

Patron: Potts  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 21. Owens, David E., Jr.; recording sorrow upon death.**

Patron: Potts  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 22. Kinship care program; Joint Legislative Audit and Review Commission to study need for and efficacy of establishing.**

Patron: Miller  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128

**S.J.R. 23. Martin, Ruby Grant; recording sorrow upon death.**

Patron: Marsh  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 24. Oral health care; joint subcommittee to study access to and costs thereof.**

Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128  
 Reported with substitute . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of substitute waived . . . . . 667  
 Committee substitute agreed to. . . . . 667  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1595

**S.J.R. 25. Minority young adults; Joint Commission on Health Care to study mental health needs and treatment thereof.**

Patron: Marsh  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128  
 Reported with amendments . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of amendments waived . . . . . 667  
 Committee amendments agreed to . . . . . 667  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 26. Brown v. Board of Education 50th Anniversary Commission;** commemorating 50th anniversary of desegregation of public schools.  
 Patron: Marsh  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Rules suspended . . . . . 148  
 Taken up for immediate consideration . . . . . 148  
 Engrossed . . . . . 149  
 Agreed to by Senate . . . . . 149  
 Agreed to by House . . . . . 150

**S.J.R. 27. Redistricting process;** joint subcommittee to study.  
 Patron: Williams  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128

**S.J.R. 28. Educational technology funding;** joint subcommittee to review feasibility and appropriateness of implementation thereof.  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128

**S.J.R. 29. Veterans care centers;** Department of Veterans Services to study need for and cost of additional.  
 Patrons: Puller, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 128  
 Co-patron added . . . . . 256  
 Rereferred to Committee on Finance . . . . . 577

**S.J.R. 30. Highland Springs High School boys' basketball team;** commending.  
 Patron: Lambert  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 253  
 Agreed to by House . . . . . 376

**S.J.R. 31. Macbeth, Robert J., Jr.;** recording sorrow upon death.  
 Patron: Lambert  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 32. Maggie Walker Governor's School for Government and International Studies;** commending We the People team.  
 Patron: Lambert  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 253  
 Agreed to by House . . . . . 376

**S.J.R. 33. Constitutional amendment;** limit on appropriations (first reference). Adding Section 7-B in Article X.  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections. . . . 129

**S.J.R. 34. Corell, James E.;** recording sorrow upon death.  
 Patron: Deeds  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 35. Payne, Otis;** recording sorrow upon death.  
 Patron: Deeds  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 36. Loudoun County High School girls' tennis team; commending.**  
 Patrons: Potts, et al.  
 Prefiled, laid on Clerk's Desk . . . . . 134  
 Engrossed and agreed to by Senate . . . . . 253  
 Agreed to by House . . . . . 376

**S.J.R. 37. Companion animals; State Veterinarian to study means to address issue of overpopulation and high rates of euthanasia.**  
 Patron: Potts  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129

**S.J.R. 38. Firearms hunting ordinances; Department of Game and Inland Fisheries to study.**  
 Patron: Stolle  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129  
 Reported with amendment . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of amendment waived. . . . . 667  
 Committee amendment agreed to . . . . . 667  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 39. Route 1 corridor in Fairfax and Prince William Counties; recognizing need for various transit options therein.**  
 Patron: Puller  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129  
 Reported with substitute . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of substitute waived . . . . . 668  
 Committee substitute agreed to. . . . . 668  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House with amendment. . . . . 1593  
 House amendment agreed to. . . . . 1629

**S.J.R. 40. North American Free Trade Agreement and World Trade Organization; memorializing President and Congress to withdraw United States therefrom.**  
 Patron: Reynolds  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129

**S.J.R. 41. General registrars; joint subcommittee to study appointment, responsibilities, and oversight thereof.**  
 Patron: Martin  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129  
 Continued to 2005 Session in Senate Committee on Rules . . . . . 1794

**S.J.R. 42. Tax bills; certain prohibited from being amended during 2004 Session.**  
 Patron: Cuccinelli  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129

**S.J.R. 43. Lead-Poisoning Prevention, Joint Subcommittee Studying; continued.**  
 Patrons: Lambert, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 129  
 Reported with amendment . . . . . 355  
 Reading waived, passed by for day . . . . . 397

**S.J.R. 43 (continued)**  
 Read second time . . . . . 412  
 Reading of amendment waived. . . . . 412  
 Committee amendment agreed to . . . . . 412  
 Engrossed . . . . . 413  
 Read third time . . . . . 425  
 Agreed to by Senate . . . . . 426  
 Agreed to by House with substitute . . . . . 1594  
 House substitute agreed to . . . . . 1629

**S.J.R. 44. Henderson, Archie Warren, Jr.;** recording sorrow upon death.  
 Patron: Lambert  
 Prefiled, laid on Clerk's Desk . . . . . 135  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 45. Registered nurses;** Secretary of Health and Human Resources to establish task force to examine issues relating to screening and testing pursuant to Medicaid program.  
 Patrons: Lambert, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130

**S.J.R. 46. Blood-lead testing issues;** Division of Consolidated Laboratory Services and Secretary of Health and Human Resources to establish a task force to facilitate communication and cooperation thereon, report.  
 Patrons: Lambert, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130

**S.J.R. 47. Optimist Acorns youth rifle team;** commending.  
 Patron: Cuccinelli  
 Prefiled, laid on Clerk's Desk . . . . . 135  
 Engrossed and agreed to by Senate. . . . . 253  
 Agreed to by House . . . . . 376

**S.J.R. 48. Workforce, Joint Commission on Management of;** reestablished.  
 Patron: Lambert  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130  
 Rereferred to Committee on Finance . . . . . 577

**S.J.R. 49. Pharmacy, School of;** established in Buchanan County.  
 Patrons: Puckett, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130  
 Reported with amendments . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of amendments waived . . . . . 668  
 Committee amendments agreed to . . . . . 668  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1117

**S.J.R. 50. Public-Private Long-Term Care Insurance Partnership Programs;** Department of Medical Assistance Services to study.  
 Patron: Edwards  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130

**S.J.R. 51. Butler, James Robert;** recording sorrow upon death.  
 Patrons: Deeds, et al.  
 Prefiled, laid on Clerk's Desk . . . . . 135  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 52. Reynolds, Sylvia McDowell;** recording sorrow upon death.  
 Patrons: Deeds, et al.  
 Prefiled, laid on Clerk's Desk . . . . . 135  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 53. Retail Sales and Use Tax, remote;** joint subcommittee to study impact of collection on economy.  
 Patron: Devolites  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130

**S.J.R. 54. Constitutional amendment;** Transportation Trust Fund (first reference). Adding Section 7-B in Article X.  
 Patrons: O'Brien, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . 130  
 Co-patron added . . . . . 256

**S.J.R. 55. Jacob Salter Field;** Fairfax County's School Board and Board of Supervisors encouraged to name athletic field at Mountain View School.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 130

**S.J.R. 56. Public school divisions;** Joint Legislative Audit and Review Commission to study outsourcing opportunities for noninstructional services.  
 Patron: O'Brien  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 131

**S.J.R. 57. Horse industry;** Department of Agriculture and Consumer Services to study ways to enhance economic development thereof.  
 Patrons: Hawkins, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 131  
 Reported with substitute . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of substitute waived . . . . . 668  
 Committee substitute agreed to . . . . . 668  
 Engrossed . . . . . 673  
 Reading waived . . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 58. Health care and prescription drugs;** Joint Commission on Health Care to study improving services and lowering costs to Medicaid recipients through public-private partnerships.  
 Patron: Bell  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 131  
 Reported . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time and engrossed . . . . . 666, 673  
 Reading waived . . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 59. Constitutional amendment;** establishes a Redistricting Commission to redraw boundaries of congressional and legislative districts (first reference). Amending Section 6 of Article II.  
 Patron: Whipple  
 Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . . 131

<b>S.J.R. 60. Constitutional amendment;</b> Transportation Trust Fund (first reference). Adding Section 7-B in Article X. Patron: Williams Prefiled, presented, ordered printed, and referred to Committee on Privileges and Elections . . .	131
<b>S.J.R. 61. Knight, Ronald T.;</b> commending. Patrons: Houck, et al. Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	253
Agreed to by House . . . . .	376
<b>S.J.R. 62. 71st Infantry Division Association;</b> commending. Patrons: Colgan, et al. Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	253
Agreed to by House . . . . .	376
<b>S.J.R. 63. Public school teachers and administrators;</b> Board of Education to study granting state employee status. Patron: Ruff Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	131
Continued to 2005 Session in Senate Committee on Rules . . . . .	1794
<b>S.J.R. 64. Manufacturing;</b> joint subcommittee to study needs and future thereof. Patron: Wagner Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	131
Reported with substitute . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	666
Reading of substitute waived . . . . .	669
Committee substitute agreed to . . . . .	669
Engrossed . . . . .	673
Reading waived . . . . .	673
Agreed to by Senate . . . . .	674
Agreed to by House with amendments . . . . .	1594
House amendments agreed to . . . . .	1630
<b>S.J.R. 65. Colonial Founders Day;</b> designating as May 14, 2004, and each succeeding year thereafter. Patron: Wagner Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	131
Reported with amendments . . . . .	355
Reading waived, passed by for day . . . . .	397
Read second time . . . . .	412
Reading of amendments waived . . . . .	412
Committee amendments agreed to . . . . .	412
Engrossed . . . . .	413
Read third time . . . . .	425
Agreed to by Senate . . . . .	426
Agreed to by House . . . . .	1596
<b>S.J.R. 66. Brunswick Senior High School boys' basketball team;</b> commending. Patron: Lucas Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	253
Agreed to by House . . . . .	376

<b>S.J.R. 67. Brown, Valerie Harding;</b> commending.	
Patron: Lucas	
Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	253
Agreed to by House . . . . .	376
<b>S.J.R. 68. Ford, Marian E.;</b> recording sorrow upon death.	
Patron: Lucas	
Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	250
Agreed to by House . . . . .	376
<b>S.J.R. 69. Washington Metropolitan Area Transit Authority;</b> Congress to undertake new commitment to meet funding needs thereof.	
Patrons: Whipple, et al.	
Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Co-patrons added . . . . .	292
<b>S.J.R. 70. Netherton, Ann Rohrke "Nan";</b> recording sorrow upon death.	
Patron: Whipple	
Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	250
Agreed to by House . . . . .	376
<b>S.J.R. 71. African-American students;</b> Dr. Martin Luther King, Jr. Memorial Commission to consider status and educational needs thereof.	
Patron: Marsh	
Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
<b>S.J.R. 72. King, Dr. Martin Luther, Jr.;</b> commemorating 40th anniversary of "I Have A Dream" speech.	
Patron: Marsh	
Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate . . . . .	253
Agreed to by House . . . . .	376
<b>S.J.R. 73. Brown v. Board of Education years;</b> designating as 2004 and 2005.	
Patron: Marsh	
Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Reported . . . . .	355
Reading waived, passed by for day . . . . .	397
Read second time and engrossed . . . . .	412, 413
Read third time . . . . .	425
Agreed to by Senate . . . . .	426
Agreed to by House with amendments . . . . .	1110
House amendments agreed to . . . . .	1158
<b>S.J.R. 74. Higher education;</b> joint subcommittee to study public funding thereof.	
Patron: Stosch	
Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Reported with substitute . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	666
Reading of substitute waived . . . . .	669
Committee substitute agreed to . . . . .	669
Engrossed . . . . .	673
Reading waived . . . . .	673
Agreed to by Senate . . . . .	674

**S.J.R. 74 (continued)**

Agreed to by House with amendment. . . . .	1594
House amendment agreed to. . . . .	1630

**S.J.R. 75. Private landowners; Board of Forestry to study provision of incentives to hold and preserve their forestland.**

Patrons: Ticer, et al.

Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Co-patrons added . . . . .	292
Reported with amendments . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	666
Reading of amendments waived . . . . .	669
Committee amendments agreed to . . . . .	669
Engrossed . . . . .	673
Reading waived. . . . .	673
Agreed to by Senate . . . . .	674
Agreed to by House with amendment. . . . .	1594
House amendment agreed to. . . . .	1630

**S.J.R. 76. Gernat, Barbara; commending.**

Patrons: O'Brien, et al.

Prefiled, laid on Clerk's Desk . . . . .	135
Engrossed and agreed to by Senate. . . . .	253
Agreed to by House . . . . .	376

**S.J.R. 77. No Child Left Behind Act; memorializing Congress to include a mechanism for automatic waiver for school accountability for states.**

Patron: Hanger

Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Reported with amendment . . . . .	640
Reading waived. . . . .	678
Read second time . . . . .	680
Reading of amendment waived. . . . .	680
Committee amendment agreed to. . . . .	680
Engrossed . . . . .	680
Reading waived. . . . .	680
Agreed to by Senate . . . . .	680
Agreed to by House with amendment. . . . .	1143
House amendment rejected. . . . .	1414
House insisted on amendment and requested committee of conference . . . . .	1467
Senate acceded to request . . . . .	1508
Conferees appointed . . . . .	1530

**S.J.R. 78. Transportation maintenance and construction program and funding; joint subcommittee to study.**

Patron: Hanger

Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Rereferred to Committee on Finance . . . . .	577

**S.J.R. 79. State Waste Empowerment and Enforcement Provision Act of 2003; urging**

Congress to enact.

Patrons: Obenshain, et al.

Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . .	132
Co-patrons added . . . . .	350, 597
Reported with amendments . . . . .	640
Reading waived. . . . .	678
Read second time . . . . .	679

**S.J.R. 79 (continued)**

Reading of amendments waived . . . . . 679  
 Committee amendments agreed to . . . . . 679  
 Passed by temporarily . . . . . 679  
 Engrossed . . . . . 681  
 Reading waived . . . . . 681  
 Agreed to by Senate . . . . . 681  
 Agreed to by House with substitute . . . . . 1143  
 House substitute rejected . . . . . 1415  
 House insisted on substitute and requested committee of conference . . . . . 1467  
 Senate acceded to request . . . . . 1508  
 Conferees appointed . . . . . 1530  
 Conference report adopted by House . . . . . 17271727  
 Conference report adopted by Senate . . . . . 1752

**S.J.R. 80. Child Day Care Centers, Standards for Licensed; Joint Legislative Audit and**

Review Commission to study potential impact on providers, parents and children.  
 Patrons: Newman, et al.  
 Prefiled, presented, ordered printed, and referred to Committee on Rules . . . . . 133  
 Co-patron added . . . . . 256  
 Reported with substitute . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of substitute waived . . . . . 669  
 Committee substitute agreed to . . . . . 670  
 Engrossed . . . . . 673  
 Reading waived . . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 81. Offenders with mental illness or substance abuse disorders; Department of Mental Health, Mental Retardation and Substance Abuse Services to provide nonfinancial assistance in developing projects designed to divert individuals from jail or secure detention.**

Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 137  
 Reported with amendments . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 666  
 Reading of amendments waived . . . . . 670  
 Committee amendments agreed to . . . . . 670  
 Engrossed . . . . . 673  
 Reading waived . . . . . 673  
 Agreed to by Senate . . . . . 673  
 Agreed to by House . . . . . 1144

**S.J.R. 82. Tax code and policy issues; Senate and House Committees on Finance to continue study thereof.**

Patron: Hanger  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 137  
 Rereferred to Committee on Finance . . . . . 577

**S.J.R. 83. Pancake, Frank Robbins; recording sorrow upon death.**

Patron: Hanger  
 Presented and laid on Clerk's Desk . . . . . 138  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 84. Constitutional amendments;** exempts certain motor vehicles from state and local taxation (first reference). Amending Sections 4 and 6 of Article X.  
 Patron: Hanger  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 137  
 Continued to 2005 Session in Senate Committee on Privileges and Elections . . . . . 1794

**S.J.R. 85. Constitutional amendment;** assessment of real property (first reference).  
 Amending Section 2 of Article X.  
 Patron: Hanger  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 137  
 Continued to 2005 Session in Senate Committee on Privileges and Elections . . . . . 1794

**S.J.R. 86. Higher education;** Council of Higher Education to consider establishing a 4-year degree granting institution in South Central Virginia.  
 Patrons: Reynolds, et al.  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 137  
 Co-patron added . . . . . 273  
 Reported with amendment . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 667  
 Reading of amendment waived. . . . . 670  
 Committee amendment agreed to . . . . . 670  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 87. Higher educational institutions;** joint subcommittee to study future thereof.  
 Patrons: Mims, et al.  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 137

**S.J.R. 88. Mental health or substance abuse treatment initiative;** Departments of Corrections and of Juvenile Justice to include an evaluation and reporting component that is established for offenders in their custody.  
 Patrons: Martin, et al.  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 138  
 Reported . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time and engrossed . . . . . 667, 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 89. Churches;** joint subcommittee to study issues attendant to incorporation thereof.  
 Patron: Mims  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 138  
 Reported with amendments . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 667  
 Reading of amendments waived. . . . . 671  
 Committee amendments agreed to . . . . . 671  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 90. Higher educational institutions;** joint subcommittee to study administrative and financial relationships between State and its institutions.  
 Patron: Chichester  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 138  
 Reported with substitute . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 667  
 Reading of substitute waived . . . . . 671  
 Committee substitute agreed to. . . . . 671  
 Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House . . . . . 1596

**S.J.R. 91. Marriage;** urging Congress to propose constitutional amendment to protect fundamental institution thereof.  
 Patrons: Cuccinelli, et al.  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 138  
 Co-patrons added . . . . . 256, 350, 635  
 Reported with substitute . . . . . 640  
 Reading waived. . . . . 678  
 Read second time . . . . . 680  
 Reading of substitute waived . . . . . 680  
 Committee substitute agreed to. . . . . 680  
 Engrossed . . . . . 680  
 Reading waived. . . . . 680  
 Agreed to by Senate . . . . . 681  
 Agreed to by House with substitute . . . . . 1110  
 House substitute agreed to . . . . . 1158

**S.J.R. 92. Blanchard, Lawrence E., Jr.;** recording sorrow upon death.  
 Patrons: Lambert, et al.  
 Presented and laid on Clerk's Desk . . . . . 159  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 93. Harmon, Rudolph, Sr.;** recording sorrow upon death.  
 Patrons: Lambert, et al.  
 Presented and laid on Clerk's Desk . . . . . 159  
 Engrossed and agreed to by Senate . . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 94. Constitution of U.S.;** ratification of Equal Rights Amendment.  
 Patrons: Ticer, et al.  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 164

**S.J.R. 95. Blighted or deteriorated properties;** Housing Study Commission to study impact on older urban communities.  
 Patrons: Lucas, et al.  
 Unanimous consent to introduce. . . . . 174  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 174  
 Co-patrons added . . . . . 293  
 Reported with substitute . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time . . . . . 667  
 Reading of substitute waived . . . . . 671  
 Committee substitute agreed to. . . . . 671

**S.J.R. 95 (continued)**

Engrossed . . . . . 673  
 Reading waived. . . . . 673  
 Agreed to by Senate . . . . . 674  
 Agreed to by House with amendments. . . . . 1594  
 House amendments agreed to . . . . . 1631

**S.J.R. 96. Confederate History and Heritage Month; designating as April 2004, and each succeeding year thereafter.**

Patron: Hawkins  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 175  
 Reported with amendments . . . . . 355  
 Reading waived, passed by for day . . . . . 397  
 Read second time . . . . . 413  
 Reading of amendments waived. . . . . 414  
 Committee amendments agreed to . . . . . 414  
 Engrossed . . . . . 414  
 Read third time . . . . . 427  
 Rejected . . . . . 427

**S.J.R. 97. Woodlawn Road; memorializing Congress to restore public access thereto through Fort Belvoir in Fairfax County.**

Patron: Puller  
 Presented, ordered printed, and referred to Committee on Rules. . . . . 175

**S.J.R. 98. Knowles, John Fielder “Jack”; recording sorrow upon death.**

Patrons: Puller, et al.  
 Presented and laid on Clerk's Desk. . . . . 176  
 Engrossed and agreed to by Senate. . . . . 250  
 Agreed to by House . . . . . 376

**S.J.R. 99. Governor; confirming appointments.**

Patron: Martin  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time and engrossed . . . . . 394, 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House . . . . . 546

**S.J.R. 100. Governor; confirming appointments.**

Patron: Martin  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time and engrossed . . . . . 394, 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House . . . . . 546

**S.J.R. 101. Governor; confirming appointments.**

Patron: Martin  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported with amendments . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time . . . . . 394  
 Reading of amendments waived. . . . . 395  
 Committee amendments agreed to . . . . . 395

**S.J.R. 101 (continued)**

Engrossed . . . . . 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House with amendment. . . . . 546  
 House amendment agreed to. . . . . 564

**S.J.R. 102. Governor; confirming appointments.**

Patron: Martin

Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time and engrossed . . . . . 394, 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House . . . . . 546

**S.J.R. 103. Governor; confirming appointments.**

Patron: Martin

Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time and engrossed . . . . . 394, 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House . . . . . 546

**S.J.R. 104. Governor; confirming appointments.**

Patron: Martin

Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported with amendment . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time . . . . . 394  
 Reading of amendment waived. . . . . 395  
 Committee amendment agreed to . . . . . 395  
 Engrossed . . . . . 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House . . . . . 546

**S.J.R. 105. Governor; confirming appointments.**

Patron: Martin

Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time and engrossed . . . . . 394, 395  
 Reading waived. . . . . 396  
 Agreed to by Senate . . . . . 396  
 Agreed to by House . . . . . 546

**S.J.R. 106. Governor; confirming appointments.**

Patron: Martin

Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 176  
 Reported . . . . . 350  
 Reading waived, passed by for day . . . . . 367, 368  
 Read second time and engrossed . . . . . 394, 395  
 Reading waived. . . . . 396

**S.J.R. 106 (continued)**

Agreed to by Senate . . . . .	396
Agreed to by House . . . . .	546

**S.J.R. 107. Governor; confirming appointments.**

Patron: Martin	
Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . .	176
Reported . . . . .	350
Reading waived, passed by for day . . . . .	367, 368
Read second time and engrossed . . . . .	394, 395
Reading waived. . . . .	396
Agreed to by Senate . . . . .	396
Agreed to by House . . . . .	546

**S.J.R. 108. Governor; confirming appointments.**

Patron: Martin	
Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . .	176
Reported . . . . .	351
Reading waived, passed by for day . . . . .	367, 368
Read second time and engrossed . . . . .	394, 395
Reading waived. . . . .	396
Agreed to by Senate . . . . .	396
Agreed to by House . . . . .	546

**S.J.R. 109. Governor; confirming appointments.**

Patron: Martin	
Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . .	176
Reported . . . . .	351
Reading waived, passed by for day . . . . .	367, 368
Read second time and engrossed . . . . .	394, 395
Reading waived. . . . .	396
Agreed to by Senate . . . . .	396
Agreed to by House . . . . .	546

**S.J.R. 110. Hirst, Omer Lee; recording sorrow upon death.**

Patrons: Saslaw, et al.	
Presented and laid on Clerk's Desk . . . . .	184
Engrossed and agreed to by Senate . . . . .	251
Agreed to by House . . . . .	377

**S.J.R. 111. Economic development; joint subcommittee to study measures to improve and enhance in Southwest region.**

Patrons: Puckett, et al.	
Unanimous consent to introduce. . . . .	184
Presented, ordered printed, and referred to Committee on Rules. . . . .	184
Reported with substitute . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	667
Reading of substitute waived . . . . .	671
Committee substitute agreed to. . . . .	671
Engrossed . . . . .	673
Reading waived. . . . .	674
Agreed to by Senate . . . . .	674
Agreed to by House . . . . .	1596

**S.J.R. 112. "Souls of Black Folk"; commemorating its 100th anniversary of publication.**

Patron: Marsh	
Presented and laid on Clerk's Desk . . . . .	230

**S.J.R. 112 (continued)**

Engrossed and agreed to by Senate . . . . .	349
Agreed to by House . . . . .	496

**S.J.R. 113. Lacy, Sam; recording sorrow upon death.**

Patron: Marsh	
Presented and laid on Clerk's Desk . . . . .	230
Engrossed and agreed to by Senate . . . . .	348
Agreed to by House . . . . .	496

**S.J.R. 114. French and Indian War; commemorating its 250th anniversary.**

Patrons: Ticer, et al.	
Presented, ordered printed, and referred to Committee on Rules . . . . .	229
Reported with substitute . . . . .	355
Reading waived, passed by for day . . . . .	397
Read second time . . . . .	412
Reading of substitute waived . . . . .	413
Committee substitute agreed to . . . . .	413
Engrossed . . . . .	413
Read third time . . . . .	425
Agreed to by Senate . . . . .	426
Agreed to by House . . . . .	1117

**S.J.R. 115. National Guard and Reserve members; to be recognized and supported by conducting awareness programs and by holding Military Appreciation Day and other ceremonies therefor.**

Patrons: O'Brien, et al.	
Presented, ordered printed, and referred to Committee on Rules . . . . .	229
Reported with amendment . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	667
Reading of amendment waived . . . . .	672
Committee amendment agreed to . . . . .	672
Engrossed . . . . .	673
Reading waived . . . . .	674
Agreed to by Senate . . . . .	674
Agreed to by House . . . . .	1144

**S.J.R. 116. Westfield High School football team; commending.**

Patron: Cuccinelli	
Presented and laid on Clerk's Desk . . . . .	230
Engrossed and agreed to by Senate . . . . .	349
Agreed to by House . . . . .	496

**S.J.R. 117. Greek Independence Day; designating as March 25, 2004, and each succeeding year thereafter.**

Patrons: Rerras, et al.	
Presented, ordered printed, and referred to Committee on Rules . . . . .	243
Reported with amendments . . . . .	355
Reading waived, passed by for day . . . . .	397
Read second time . . . . .	412
Reading of amendments waived . . . . .	413
Committee amendments agreed to . . . . .	413
Engrossed . . . . .	413
Read third time . . . . .	425
Agreed to by Senate . . . . .	426
Agreed to by House . . . . .	1117

**S.J.R. 118. John Handley High School boys' tennis team; commending.**  
 Patrons: Potts, et al.  
 Presented and laid on Clerk's Desk . . . . . 243  
 Engrossed and agreed to by Senate . . . . . 349  
 Agreed to by House . . . . . 496

**S.J.R. 119. Leavitt, Brooks Russell; recording sorrow upon death.**  
 Patron: Reynolds  
 Presented and laid on Clerk's Desk . . . . . 243  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 496

**S.J.R. 120. National Courtesy Week; designating as second week in February in 2004, and each succeeding year thereafter.**  
 Patrons: Houck, et al.  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 243  
 Reported . . . . . 355  
 Co-patron added . . . . . 368  
 Reading waived, passed by for day . . . . . 397  
 Read second time and engrossed . . . . . 412, 413  
 Read third time . . . . . 425  
 Agreed to by Senate . . . . . 426  
 Agreed to by House with amendments . . . . . 1110  
 House amendments agreed to . . . . . 1158  
 Reconsideration of vote on House amendments agreed to . . . . . 1159  
 Passed by for day . . . . . 1159  
 House amendments agreed to . . . . . 1410

**S.J.R. 121. Foreman, Michael M.; commending.**  
 Patrons: Potts, et al.  
 Presented and laid on Clerk's Desk . . . . . 266  
 Engrossed and agreed to by Senate . . . . . 349  
 Agreed to by House . . . . . 496

**S.J.R. 122. Medicaid-eligible persons with limited English proficiency; Department of Medical Assistance Services to seek reimbursement for translation and interpretation services provided thereto, report.**  
 Patron: Lucas  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 265  
 Reported . . . . . 576  
 Reading waived, passed by for day . . . . . 628, 629  
 Read second time and engrossed . . . . . 667, 673  
 Reading waived . . . . . 674  
 Agreed to by Senate . . . . . 674  
 Agreed to by House with amendments . . . . . 1594  
 House amendments agreed to . . . . . 1631

**S.J.R. 123. Constitutional amendment; General Assembly to establish special fund for specified purposes (first reference). Adding Section 7-B in Article X.**  
 Patron: Norment  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 265  
 Reported . . . . . 548  
 Rereferred to Committee on Finance . . . . . 548  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**S.J.R. 124. Zoberman, Israel; commending.**  
 Patron: Wagner  
 Presented and laid on Clerk's Desk . . . . . 266

**S.J.R. 124 (continued)**

Engrossed and agreed to by Senate . . . . .	349
Agreed to by House . . . . .	496

**S.J.R. 125. Gardner, Dale;** commending.

Patrons: Potts, et al.	
Presented and laid on Clerk's Desk . . . . .	266
Engrossed and agreed to by Senate . . . . .	349
Agreed to by House . . . . .	496

**S.J.R. 126. Kaylor, Jeffrey J.;** recording sorrow upon death.

Patrons: Watkins, et al.	
Presented and laid on Clerk's Desk . . . . .	266
Engrossed and agreed to by Senate . . . . .	348
Agreed to by House . . . . .	497

**S.J.R. 127. Cappelletty, Ryan Eugene;** recording sorrow upon death.

Patron: Watkins	
Presented and laid on Clerk's Desk . . . . .	266
Engrossed and agreed to by Senate . . . . .	348
Agreed to by House . . . . .	497

**S.J.R. 128. Shaw, Jennie Marie Hatcher;** commending.

Patron: Lambert	
Presented and laid on Clerk's Desk . . . . .	266
Engrossed and agreed to by Senate . . . . .	349
Agreed to by House . . . . .	497

**S.J.R. 129. Barley, Johnnie Mae;** recording sorrow upon death.

Patron: Lambert	
Presented and laid on Clerk's Desk . . . . .	266
Engrossed and agreed to by Senate . . . . .	348
Agreed to by House . . . . .	497

**S.J.R. 130. Supreme Court of Virginia;** encouraged to amend Rules of Court on electronic filing.

Patron: Devolites	
Presented, ordered printed, and referred to Committee on Rules . . . . .	266
Reported with amendments . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	667
Reading of amendments waived . . . . .	672
Committee amendments agreed to . . . . .	672
Engrossed . . . . .	673
Reading waived . . . . .	674
Agreed to by Senate . . . . .	674
Agreed to by House . . . . .	1117

**S.J.R. 131. Sexual assault;** Department of Health to study statewide response to victims and prevention thereof.

Patron: Watkins	
Unanimous consent to introduce . . . . .	280
Presented, ordered printed, and referred to Committee on Rules . . . . .	280
Reported with amendments . . . . .	576
Reading waived, passed by for day . . . . .	628, 629
Read second time . . . . .	667
Reading of amendments waived . . . . .	673
Committee amendments agreed to . . . . .	673
Engrossed . . . . .	673
Reading waived . . . . .	674

**S.J.R. 131 (continued)**

Agreed to by Senate . . . . . 674  
 Agreed to by House with amendments . . . . . 1594  
 House amendments agreed to . . . . . 1631

**S.J.R. 132. Harrington, Elaine; commending.**

Patron: Chichester  
 Presented and laid on Clerk's Desk . . . . . 292  
 Engrossed and agreed to by Senate . . . . . 349  
 Agreed to by House . . . . . 497

**S.J.R. 133. East Coast Greenway Alliance; commending.**

Patron: Puller  
 Presented and laid on Clerk's Desk . . . . . 292  
 Engrossed and agreed to by Senate . . . . . 349  
 Agreed to by House . . . . . 497

**S.J.R. 134. Kelso, Sharon; commending.**

Patrons: Puller, et al.  
 Presented and laid on Clerk's Desk . . . . . 292  
 Engrossed and agreed to by Senate . . . . . 349  
 Agreed to by House . . . . . 497

**S.J.R. 135. Smith, S. J. "Joe", Jr.; recording sorrow upon death.**

Patron: Stolle  
 Presented and laid on Clerk's Desk . . . . . 300  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 497

**S.J.R. 136. Smith, Adele B.; recording sorrow upon death.**

Patron: Stolle  
 Presented and laid on Clerk's Desk . . . . . 300  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 497

**S.J.R. 137. Witt, C. P.; recording sorrow upon death.**

Patron: Reynolds  
 Presented and laid on Clerk's Desk . . . . . 300  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 497

**S.J.R. 138. Nunn, Floyd William; recording sorrow upon death.**

Patron: Reynolds  
 Presented and laid on Clerk's Desk . . . . . 300  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 497

**S.J.R. 139. Hylton, Scott Allen; recording sorrow upon death.**

Patron: Reynolds  
 Presented and laid on Clerk's Desk . . . . . 300  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 497

**S.J.R. 140. Minter, J. Ronnie; recording sorrow upon death.**

Patron: Reynolds  
 Presented and laid on Clerk's Desk . . . . . 300  
 Engrossed and agreed to by Senate . . . . . 348  
 Agreed to by House . . . . . 497

**S.J.R. 141. Adams, Joseph H.; recording sorrow upon death.**

Patron: Reynolds  
 Presented and laid on Clerk's Desk . . . . . 300

**S.J.R. 141 (continued)**

Engrossed and agreed to by Senate . . . . .	348
Agreed to by House . . . . .	497

**S.J.R. 142. Hall, Clayton;** recording sorrow upon death.

Patron: Reynolds	
Presented and laid on Clerk's Desk . . . . .	300
Engrossed and agreed to by Senate . . . . .	348
Agreed to by House . . . . .	497

**S.J.R. 143. Poceschi, Rodney F.;** recording sorrow upon death.

Patron: Stolle	
Presented and laid on Clerk's Desk . . . . .	300
Engrossed and agreed to by Senate . . . . .	711
Agreed to by House . . . . .	1117

**S.J.R. 144. Ward, William E.;** commending.

Patrons: Blevins, et al.	
Presented and laid on Clerk's Desk . . . . .	316
Engrossed and agreed to by Senate . . . . .	452
Agreed to by House . . . . .	604

**S.J.R. 145. Hale, Patty;** commending.

Patron: Newman	
Presented and laid on Clerk's Desk . . . . .	336
Engrossed and agreed to by Senate . . . . .	452
Agreed to by House . . . . .	604

**S.J.R. 146. Frederick Military Academy;** commemorating its 46th anniversary.

Patron: Williams	
Presented and laid on Clerk's Desk . . . . .	337
Engrossed and agreed to by Senate . . . . .	452
Agreed to by House . . . . .	604

**S.J.R. 147. Bennett, Sharon E. and Wooten, Evan C.;** commending.

Patrons: Stolle, et al.	
Presented and laid on Clerk's Desk . . . . .	350
Engrossed and agreed to by Senate . . . . .	452
Agreed to by House . . . . .	604

**S.J.R. 148. Brown, Theodore R. Coots, Sr.;** recording sorrow upon death.

Patrons: Lambert, et al.	
Presented and laid on Clerk's Desk . . . . .	368
Engrossed and agreed to by Senate . . . . .	451
Agreed to by House . . . . .	605

**S.J.R. 149. Mount Olivet United Methodist Church;** commemorating its 150th anniversary.

Patrons: Whipple, et al.	
Presented and laid on Clerk's Desk . . . . .	397
Engrossed and agreed to by Senate . . . . .	452
Agreed to by House . . . . .	605

**S.J.R. 150. Brady, Marvin Donald;** recording sorrow upon death.

Patron: Reynolds	
Presented and laid on Clerk's Desk . . . . .	397
Engrossed and agreed to by Senate . . . . .	451
Agreed to by House . . . . .	605

**S.J.R. 151. Outlaw, Andrew B.;** recording sorrow upon death.

Patron: Norment	
Presented and laid on Clerk's Desk . . . . .	403
Engrossed and agreed to by Senate . . . . .	451
Agreed to by House . . . . .	605

<b>S.J.R. 152. Jackson, Ernestine;</b> recording sorrow upon death.	
Patron: Norment	
Presented and laid on Clerk's Desk . . . . .	404
Engrossed and agreed to by Senate . . . . .	451
Agreed to by House . . . . .	605
<b>S.J.R. 153. Bausch, Richard, Rubin, Louis D., Jr., Smith, J. Douglas, and Wright, Charles;</b> commending.	
Patron: Deeds	
Presented and laid on Clerk's Desk . . . . .	404
Engrossed and agreed to by Senate . . . . .	452
Agreed to by House . . . . .	605
<b>S.J.R. 154. McNeil, Samuel P.;</b> recording sorrow upon death.	
Patron: Edwards	
Presented and laid on Clerk's Desk . . . . .	420
Engrossed and agreed to by Senate . . . . .	571
Agreed to by House . . . . .	737
<b>S.J.R. 155. Smith, Willis and Justine;</b> commending.	
Patron: Puckett	
Presented and laid on Clerk's Desk . . . . .	427
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	737
<b>S.J.R. 156. Dillow, Chris;</b> commending.	
Patron: Puckett	
Presented and laid on Clerk's Desk . . . . .	427
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	737
<b>S.J.R. 157. Anderson, Debi;</b> commending.	
Patron: Puckett	
Presented and laid on Clerk's Desk . . . . .	427
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	737
<b>S.J.R. 158. Suehs, Katie;</b> commending.	
Patron: Puckett	
Presented and laid on Clerk's Desk . . . . .	427
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 159. Folsom, Jean;</b> commending.	
Patrons: Whipple, et al.	
Presented and laid on Clerk's Desk . . . . .	453
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 160. Lowe, Canon J. Fletcher, Jr.;</b> commending.	
Patron: Stosch	
Presented and laid on Clerk's Desk . . . . .	458
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 161. Efford, Stafford;</b> commending.	
Patron: Stosch	
Presented and laid on Clerk's Desk . . . . .	458
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738

<b>S.J.R. 162. Mount Vernon-Lee Chamber of Commerce;</b> commemorating its 50th anniversary.	
Patrons: Puller, et al.	
Presented and laid on Clerk's Desk . . . . .	458
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 163. King's Kids of America, Inc.;</b> commemorating its 15th anniversary.	
Patrons: Quayle, et al.	
Presented and laid on Clerk's Desk . . . . .	458
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 164. Claud, Robert C., Sr.;</b> commending.	
Patrons: Quayle, et al.	
Presented and laid on Clerk's Desk . . . . .	458
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 165. Thoesen, Richard C.;</b> commending.	
Patrons: Howell, et al.	
Presented and laid on Clerk's Desk . . . . .	459
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 166. Herndon Woman's Club;</b> commemorating its 65th anniversary.	
Patrons: Howell, et al.	
Presented and laid on Clerk's Desk . . . . .	459
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 167. De Noyer, John M.;</b> commending.	
Patrons: Howell, et al.	
Presented and laid on Clerk's Desk . . . . .	459
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 168. Health Care Foundation;</b> commending.	
Patrons: Mims, et al.	
Presented and laid on Clerk's Desk . . . . .	459
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 169. Drosick, Edna Moore;</b> commending.	
Patron: Puckett	
Presented and laid on Clerk's Desk . . . . .	481
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738
<b>S.J.R. 170. Potts, H. Russell, Jr.;</b> commending.	
Patrons: Quayle, et al.	
Presented and laid on Clerk's Desk . . . . .	504
Rules suspended . . . . .	504
Taken up for immediate consideration . . . . .	504
Engrossed and agreed to by Senate . . . . .	504
Agreed to by House . . . . .	528
<b>S.J.R. 171. Chittum, Edwin W.;</b> recording sorrow upon death.	
Patron: Blevins	
Presented and laid on Clerk's Desk . . . . .	530

**S.J.R. 171 (continued)**

Engrossed and agreed to by Senate . . . . .	571
Agreed to by House . . . . .	738

**S.J.R. 172. Alpha Delta Kappa; commemorating its 50th anniversary.**

Patron: Blevins

Presented and laid on Clerk's Desk . . . . .	530
Engrossed and agreed to by Senate . . . . .	572
Agreed to by House . . . . .	738

**S.J.R. 173. Marretti, Paul Michael; commending.**

Patron: Martin

Presented and laid on Clerk's Desk . . . . .	548
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 174. Campbell, Elizabeth Pfohl; recording sorrow upon death.**

Patrons: Whipple, et al.

Presented and laid on Clerk's Desk . . . . .	548
Engrossed and agreed to by Senate . . . . .	711
Agreed to by House . . . . .	1117

**S.J.R. 175. Sullivan, Laurie J.; commending.**

Patrons: Whipple, et al.

Presented and laid on Clerk's Desk . . . . .	549
Rules suspended . . . . .	635
Taken up for immediate consideration . . . . .	635
Engrossed and agreed to by Senate . . . . .	635
Agreed to by House . . . . .	696

**S.J.R. 176. Williams, James L. "Jim"; recording sorrow upon death.**

Patrons: Locke, et al.

Presented and laid on Clerk's Desk . . . . .	549
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 177. Baines, Dennis L.; commending.**

Patrons: Norment, et al.

Presented and laid on Clerk's Desk . . . . .	556
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 178. Webb, Woodrow Earl, Jr.; commending.**

Patrons: Norment, et al.

Presented and laid on Clerk's Desk . . . . .	556
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 179. Schugeld, Richard A.; commending.**

Patrons: Norment, et al.

Presented and laid on Clerk's Desk . . . . .	556
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 180. Nandua High School boys' basketball team; commending.**

Patrons: Rerras, et al.

Presented and laid on Clerk's Desk . . . . .	563
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 181. Shrum, Samuel Hopkins; commending.**

Patrons: Obenshain, et al.

Presented and laid on Clerk's Desk . . . . .	563
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**S.J.R. 181 (continued)**

Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 182. Huff, Sam; commending.**

Patrons: Potts, et al.	
Presented and laid on Clerk's Desk . . . . .	564
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	792

**S.J.R. 183. Great Bridge High School baseball team; commending.**

Patrons: Blevins, et al.	
Presented and laid on Clerk's Desk . . . . .	577
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 184. Great Bridge High School wrestling team; commending.**

Patrons: Blevins, et al.	
Presented and laid on Clerk's Desk . . . . .	577
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 185. Cox Communications; commending.**

Patrons: Devolites, et al.	
Presented and laid on Clerk's Desk . . . . .	577
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 186. Smith, Howard Worth, Jr.; recording sorrow upon death.**

Patrons: Ticer, et al.	
Presented and laid on Clerk's Desk . . . . .	577
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 187. Conger, Clement; recording sorrow upon death.**

Patrons: Ticer, et al.	
Presented and laid on Clerk's Desk . . . . .	577
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 188. Herndon, Cathy; commending.**

Patrons: Houck, et al.	
Presented and laid on Clerk's Desk . . . . .	577
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 189. Arlington Committee of 100; commemorating its 50th anniversary.**

Patrons: Whipple, et al.	
Presented and laid on Clerk's Desk . . . . .	596
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 190. Deep Creek High School boys' indoor track and field team; commending.**

Patrons: Blevins, et al.	
Presented and laid on Clerk's Desk . . . . .	609
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 191. Deep Creek High School boys' outdoor track and field team; commending.**

Patrons: Blevins, et al.	
Presented and laid on Clerk's Desk . . . . .	609
Engrossed and agreed to by Senate . . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 192. Delp, Larry J. and Schuler, Dennis, Sr.;** commending.

Patron: Edwards	
Presented and laid on Clerk's Desk. . . . .	635
Engrossed and agreed to by Senate. . . . .	713
Agreed to by House . . . . .	1117

**S.J.R. 193. Prater, James F. "Jim";** commending.

Patron: Edwards	
Presented and laid on Clerk's Desk. . . . .	635
Engrossed and agreed to by Senate. . . . .	713
Agreed to by House . . . . .	1117

**S.J.R. 194. Street, Mel;** recording sorrow upon death.

Patron: Edwards	
Presented and laid on Clerk's Desk. . . . .	635
Engrossed and agreed to by Senate. . . . .	712
Agreed to by House . . . . .	1117

**S.J.R. 195. Paulson, Veronica, Shiflett, Ashley, and Windle, Kristin;** commending.

Patrons: Hanger, et al.	
Presented and laid on Clerk's Desk. . . . .	635
Engrossed and agreed to by Senate. . . . .	713
Agreed to by House . . . . .	1117

**S.J.R. 196. Loan, Adam;** commending.

Patron: Deeds	
Presented and laid on Clerk's Desk. . . . .	682
Engrossed and agreed to by Senate. . . . .	713
Agreed to by House . . . . .	1118

**S.J.R. 197. Eaves, Calvin Thomas, Sr.;** commending.

Patron: Martin	
Presented and laid on Clerk's Desk. . . . .	682
Engrossed and agreed to by Senate. . . . .	713
Agreed to by House . . . . .	1118

**S.J.R. 198. Myatt, Emily W.;** recording sorrow upon death.

Patrons: Puller, et al.	
Presented and laid on Clerk's Desk. . . . .	698
Engrossed and agreed to by Senate. . . . .	1073
Agreed to by House . . . . .	1494

**S.J.R. 199. Eddy, Lee;** recording sorrow upon death.

Patrons: Bell, et al.	
Presented and laid on Clerk's Desk. . . . .	705
Engrossed and agreed to by Senate. . . . .	1073
Agreed to by House . . . . .	1494

**S.J.R. 200. Miller, Lizzie Mae Funkhouser;** commending.

Patrons: Obenshain, et al.	
Presented and laid on Clerk's Desk. . . . .	719
Engrossed and agreed to by Senate. . . . .	1074
Agreed to by House . . . . .	1494

**S.J.R. 201. Shaw, Mary Ellen;** commending.

Patrons: Whipple, et al.	
Presented and laid on Clerk's Desk. . . . .	724
Engrossed and agreed to by Senate. . . . .	1074
Agreed to by House . . . . .	1494

**S.J.R. 202. Slayton, Paul C., Jr.;** recording sorrow upon death.  
 Patrons: Houck, et al.  
 Presented and laid on Clerk's Desk. . . . . 724  
 Engrossed and agreed to by Senate. . . . . 1073  
 Agreed to by House . . . . . 1494

**S.J.R. 203. Nationwide Insurance;** commemorating its 75th anniversary.  
 Patron: Watkins  
 Presented and laid on Clerk's Desk. . . . . 764  
 Engrossed and agreed to by Senate. . . . . 1074  
 Agreed to by House . . . . . 1494

**S.J.R. 204. Bridges, Ruby Nell;** commending.  
 Patron: Marsh  
 Presented and laid on Clerk's Desk. . . . . 816  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1715

**S.J.R. 205. Boswell, William L. "Billy", Jr.;** recording sorrow upon death.  
 Patrons: Ruff, et al.  
 Presented and laid on Clerk's Desk. . . . . 816  
 Engrossed and agreed to by Senate. . . . . 1461  
 Agreed to by House . . . . . 1715

**S.J.R. 206. Loudoun Valley High School softball team;** commending.  
 Patrons: Potts, et al.  
 Presented and laid on Clerk's Desk. . . . . 816  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1715

**S.J.R. 207. Gent, Mally Paige;** commending.  
 Patrons: Puckett, et al.  
 Presented and laid on Clerk's Desk. . . . . 825  
 Rules suspended . . . . . 1106  
 Taken up for immediate consideration . . . . . 1106  
 Engrossed and agreed to by Senate. . . . . 1106  
 Agreed to by House . . . . . 1433

**S.J.R. 208. Blankenship, William "Larry";** recording sorrow upon death.  
 Patrons: Reynolds, et al.  
 Presented and laid on Clerk's Desk. . . . . 825  
 Engrossed and agreed to by Senate. . . . . 1461  
 Agreed to by House . . . . . 1715

**S.J.R. 209. Tobacco Indemnification and Community Revitalization Commission;**  
 confirming appointments.  
 Patron: Martin  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 825  
 Reported . . . . . 1463  
 Read first time. . . . . 1484  
 Read second time . . . . . 1526  
 Engrossed . . . . . 1526  
 Reading waived. . . . . 1526  
 Agreed to by Senate . . . . . 1526  
 Reconsideration of vote on passage . . . . . 1526  
 Agreed to by Senate . . . . . 1527  
 Agreed to by House with amendment. . . . . 1655  
 Passed by temporarily. . . . . 1670  
 House amendment agreed to. . . . . 1674

**S.J.R. 209 (continued)**

Reconsideration of vote on House amendment agreed to. . . . . 1674  
 House amendment agreed to. . . . . 1674

**S.J.R. 210. Delmarva Firemen's Association; commemorating its 75th anniversary.**

Patrons: Rerras, et al.  
 Presented and laid on Clerk's Desk. . . . . 1075  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1715

**S.J.R. 211. Hicks, Robert L. "Bob", Sr.; recording sorrow upon death.**

Patrons: Rerras, et al.  
 Presented and laid on Clerk's Desk. . . . . 1075  
 Engrossed and agreed to by Senate. . . . . 1461  
 Agreed to by House . . . . . 1715

**S.J.R. 212. Campbell, Anthony Daryl; recording sorrow upon death.**

Patrons: Rerras, et al.  
 Presented and laid on Clerk's Desk. . . . . 1075  
 Engrossed and agreed to by Senate. . . . . 1461  
 Agreed to by House . . . . . 1716

**S.J.R. 213. Salter, Jacob Wesley Alexander; recording sorrow upon death.**

Patrons: O'Brien, et al.  
 Presented and laid on Clerk's Desk. . . . . 1075  
 Engrossed and agreed to by Senate. . . . . 1461  
 Agreed to by House . . . . . 1716

**S.J.R. 214. Hays, Dick and Janet; commending.**

Patrons: Howell, et al.  
 Presented and laid on Clerk's Desk. . . . . 1106  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1716

**S.J.R. 215. Miller, Linda; commending.**

Patrons: Howell, et al.  
 Presented and laid on Clerk's Desk. . . . . 1106  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1716

**S.J.R. 216. Susco, Nancy; commending.**

Patrons: Howell, et al.  
 Presented and laid on Clerk's Desk. . . . . 1106  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1716

**S.J.R. 217. Cleveland, Karen Connell; commending.**

Patrons: Howell, et al.  
 Presented and laid on Clerk's Desk. . . . . 1106  
 Engrossed and agreed to by Senate. . . . . 1462  
 Agreed to by House . . . . . 1716

**S.J.R. 218. Governor; confirming appointments.**

Patron: Martin  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 1106  
 Reported with amendments . . . . . 1463  
 Read first time. . . . . 1484  
 Read second time . . . . . 1523  
 Reading of amendments waived. . . . . 1524  
 Committee amendments agreed to . . . . . 1524  
 Engrossed . . . . . 1524  
 Reading waived. . . . . 1524

**S.J.R. 218 (continued)**

Agreed to by Senate . . . . .	1525
Agreed to by House . . . . .	1658

**S.J.R. 219. Wilt, Wanda;** commending.

Patrons: Obenshain, et al.	
Presented and laid on Clerk's Desk . . . . .	1107
Engrossed and agreed to by Senate . . . . .	1462
Agreed to by House . . . . .	1716

**S.J.R. 220. Constant, Theodore F. "Ted";** recording sorrow upon death.

Patrons: Rerras, et al.	
Presented and laid on Clerk's Desk . . . . .	1120
Engrossed and agreed to by Senate . . . . .	1461
Agreed to by House . . . . .	1716

**S.J.R. 221. Cash, June Carter and Johnny;** recording sorrow upon deaths.

Patrons: Wampler, et al.	
Presented and laid on Clerk's Desk . . . . .	1138
Engrossed and agreed to by Senate . . . . .	1461
Agreed to by House . . . . .	1716

**S.J.R. 222. Jackson, Alma Alverta Norris;** recording sorrow upon death.

Patrons: Lambert, et al.	
Presented and laid on Clerk's Desk . . . . .	1139
Engrossed and agreed to by Senate . . . . .	1461
Agreed to by House . . . . .	1716

**S.J.R. 223. Corliss, Linda Laws;** commending.

Patron: Puller	
Presented and laid on Clerk's Desk . . . . .	1147
Taken up for immediate consideration . . . . .	1426
Engrossed and agreed to by Senate . . . . .	1426
Agreed to by House . . . . .	1469

**S.J.R. 224. Wilson, Joe;** commending.

Patrons: Houck, et al.	
Presented and laid on Clerk's Desk . . . . .	1147
Engrossed and agreed to by Senate . . . . .	1462
Agreed to by House . . . . .	1716

**S.J.R. 225. Johnson, Gailya Chambers;** recording sorrow upon death.

Patrons: Quayle, et al.	
Presented and laid on Clerk's Desk . . . . .	1398
Engrossed and agreed to by Senate . . . . .	1461
Agreed to by House . . . . .	1716

**S.J.R. 226. Willis-Robinson, Shirley Mae Montague;** recording sorrow upon death.

Patrons: Lambert, et al.	
Unanimous consent to introduce . . . . .	1147
Laid on Clerk's Desk . . . . .	1147
Engrossed and agreed to by Senate . . . . .	1461
Agreed to by House . . . . .	1716

**S.J.R. 227. Davis, Willis Fleming, Jr.;** recording sorrow upon death.

Patrons: Houck, et al.	
Presented and laid on Clerk's Desk . . . . .	1427
Engrossed and agreed to by Senate . . . . .	1677
Agreed to by House . . . . .	1716

**S.J.R. 228. Hampden-Sydney College basketball team;** commending.

Patron: Ruff	
Presented and laid on Clerk's Desk . . . . .	1427

**S.J.R. 228 (continued)**

Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 229. Douglas, Margaret B., Reyes, Sidney A., and Sager, Robert M.; commending.**

Patrons: Potts, et al.	
Presented and laid on Clerk's Desk. . . . .	1427
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 230. Griffith, Wayne; commending.**

Patrons: Mims, et al.	
Presented and laid on Clerk's Desk. . . . .	1427
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 231. Flemming, Frederick F.; commending.**

Patrons: Mims, et al.	
Presented and laid on Clerk's Desk. . . . .	1427
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 232. Broad Run High School and Potomac Falls High School debate teams; commending.**

Patrons: Mims, et al.	
Presented and laid on Clerk's Desk. . . . .	1427
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 233. Culbert, Kenneth W.; recording sorrow upon death.**

Patrons: Mims, et al.	
Presented and laid on Clerk's Desk. . . . .	1427
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1716

**S.J.R. 234. Webb, William F., Jr.; recording sorrow upon death.**

Patrons: Mims, et al.	
Presented and laid on Clerk's Desk. . . . .	1427
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1716

**S.J.R. 235. Minter, William Marvin; recording sorrow upon death.**

Patrons: Rerras, et al.	
Presented and laid on Clerk's Desk. . . . .	1462
Engrossed and agreed to by Senate. . . . .	1678
Agreed to by House . . . . .	1716

**S.J.R. 236. Middleditch, Leigh B., Jr.; commending.**

Patrons: Hanger, et al.	
Presented and laid on Clerk's Desk. . . . .	1462
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 237. Boudreau, Albert J.; commending.**

Patron: Devolites	
Presented and laid on Clerk's Desk. . . . .	1472
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 238. Kuiper, Alexis; commending.**

Patrons: Devolites, et al.	
Presented and laid on Clerk's Desk. . . . .	1472

**S.J.R. 238 (continued)**

Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1716

**S.J.R. 239. Lee, Wilbert Novarro; recording sorrow upon death.**

Patrons: Deeds, et al.	
Presented and laid on Clerk's Desk. . . . .	1472
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1716

**S.J.R. 240. Cunningham, Roosevelt; recording sorrow upon death.**

Patrons: Lucas, et al.	
Presented and laid on Clerk's Desk. . . . .	1472
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1717

**S.J.R. 241. Loulies, James W.; commending.**

Patrons: Wagner, et al.	
Presented and laid on Clerk's Desk. . . . .	1487
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 242. "Take Back the Night"; commending University of Virginia chapter of the National Organization for Women and All Women Attaining Knowledge and Enrichment Organization for their sponsorship.**

Patrons: Deeds, et al.	
Presented and laid on Clerk's Desk. . . . .	1496
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 243. Gilbert, Amanda; commending.**

Patron: Devolites	
Presented and laid on Clerk's Desk. . . . .	1496
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 244. Harvey, William R.; commending.**

Patron: Locke	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 245. Marriner, Melvin O.; commending.**

Patron: Locke	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 246. Davis, Bertha; commending.**

Patron: Locke	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 247. Griffin, Leslie Francis; commending.**

Patron: Marsh	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 248. Civil Rights Act of 1964; commemorating its 40th anniversary.**

Patron: Marsh	
Presented and laid on Clerk's Desk. . . . .	1497

**S.J.R. 248 (continued)**

Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 249. Wells, Ollie B., Sr.; recording sorrow upon death.**

Patron: Marsh	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1717

**S.J.R. 250. Merchant Marine and Maritime Service from Mathews County; commending**

American seafarers.	
Patrons: Rerras, et al.	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 251. Charnock, Charles "Puge"; recording sorrow upon death.**

Patrons: Rerras, et al.	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1717

**S.J.R. 252. Shaw, Frank B.; recording sorrow upon death.**

Patrons: Rerras, et al.	
Presented and laid on Clerk's Desk. . . . .	1497
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1717

**S.J.R. 253. First Mount Olive Baptist Church; commemorating its 120th anniversary.**

Patrons: Mims, et al.	
Presented and laid on Clerk's Desk. . . . .	1529
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 254. Cumberledge, Harold B.; recording sorrow upon death.**

Patrons: Puckett, et al.	
Presented and laid on Clerk's Desk. . . . .	1529
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1717

**S.J.R. 255. Lineberry, Warren G.; recording sorrow upon death.**

Patron: Reynolds	
Presented and laid on Clerk's Desk. . . . .	1529
Engrossed and agreed to by Senate. . . . .	1677
Agreed to by House . . . . .	1717

**S.J.R. 256. Virginia Union University men's basketball team; commending.**

Patrons: Marsh, et al.	
Presented and laid on Clerk's Desk. . . . .	1530
Engrossed and agreed to by Senate. . . . .	1679
Agreed to by House . . . . .	1717

**S.J.R. 257. General Assembly; amending budget bill conferees deadline date and extension of session. Amending HJR's 519 and 522, 2004.**

Patron: Norment	
Presented, ordered printed, and referred to Committee on Rules. . . . .	1782
Rules suspended, committee discharged, reading waived . . . . .	1782
Read second time . . . . .	1783
Engrossed . . . . .	1783
Reading waived. . . . .	1783

**S.J.R. 257 (continued)**

Agreed to by Senate . . . . . 1784  
 Rejected by House . . . . . 1789

**S.J.R. 258. General Assembly; schedule for conduct of business for 2004 Special Session.**

Patron: Stolle  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 1786  
 Rules suspended, committee discharged, reading waived, taken up for immediate consideration 1787  
 Read second time . . . . . 1787  
 Engrossed . . . . . 1787  
 Reading waived. . . . . 1787  
 Engrossment reconsidered . . . . . 1787  
 Reading of amendment waived. . . . . 1788  
 Amendment by Senator Stolle agreed to . . . . . 1788  
 Engrossed . . . . . 1788  
 Reading waived. . . . . 1788  
 Agreed to by Senate . . . . . 1789  
 Agreed to by House with amendment. . . . . 1792  
 Parliamentary inquiries . . . . . 1792  
 House amendment rejected. . . . . 1792  
 House receded from amendment . . . . . 1793

**S.R. 1. Senate; salaries, contingent and incidental expenses.**

Patron: Norment  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 32  
 Rules suspended . . . . . 33  
 Committee discharged . . . . . 33  
 Readings waived . . . . . 33  
 Taken up for immediate consideration . . . . . 33  
 Engrossed . . . . . 33  
 Agreed to by Senate . . . . . 33

**S.R. 2. Rules of Senate; establishing, previous provisions superseded.**

Patron: Norment  
 Presented, ordered printed, and referred to Committee on Rules . . . . . 6  
 Taken up for immediate consideration . . . . . 6  
 Engrossed . . . . . 28  
 Agreed to by Senate . . . . . 28

**S.R. 3. Judges; nominations for election to circuit court.**

Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 184  
 Rules suspended . . . . . 203  
 Committee discharged . . . . . 203  
 Readings waived. . . . . 203  
 Taken up for immediate consideration . . . . . 203  
 Reading of amendment waived. . . . . 204  
 Amendment by Senator Stolle agreed to . . . . . 204  
 Engrossed . . . . . 204  
 Agreed to by Senate . . . . . 204

**S.R. 4. Judges; nominations for election to general district court.**

Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 184  
 Rules suspended . . . . . 204  
 Committee discharged . . . . . 204  
 Readings waived. . . . . 204  
 Taken up for immediate consideration . . . . . 204

**S.R. 4 (continued)**  
 Engrossed . . . . . 205  
 Agreed to by Senate . . . . . 205

**S.R. 5. Judges;** nominations for election to juvenile and domestic relations district court.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 184  
 Rules suspended . . . . . 206  
 Committee discharged . . . . . 206  
 Readings waived . . . . . 206  
 Taken up for immediate consideration . . . . . 206  
 Engrossed . . . . . 207  
 Agreed to by Senate . . . . . 207

**S.R. 6. Judicial Inquiry and Review Commission;** nominations for election of members.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 184  
 Rules suspended . . . . . 207  
 Committee discharged . . . . . 207  
 Readings waived . . . . . 207  
 Taken up for immediate consideration . . . . . 207  
 Engrossed . . . . . 208  
 Agreed to by Senate . . . . . 208

**S.R. 7. Workers' Compensation Commission;** nomination for election of member.  
 Patron: Wampler  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 184  
 Rules suspended . . . . . 208  
 Committee discharged . . . . . 208  
 Readings waived . . . . . 208  
 Taken up for immediate consideration . . . . . 208  
 Engrossed . . . . . 208  
 Agreed to by Senate . . . . . 208

**S.R. 8. State Corporation Commission;** nomination for election of member.  
 Patron: Wampler  
 Presented, ordered printed, and referred to Committee on Commerce and Labor . . . . . 243  
 Rules suspended . . . . . 244  
 Committee discharged . . . . . 244  
 Readings waived . . . . . 244  
 Taken up for immediate consideration . . . . . 244  
 Agreed to by Senate . . . . . 245

**S.R. 9. Senate Ethics Advisory Panel;** confirming nominations.  
 Patron: Martin  
 Presented, ordered printed, and referred to Committee on Privileges and Elections . . . . . 1405  
 Reported . . . . . 1463  
 Read first time . . . . . 1484  
 Read second time . . . . . 1525  
 Engrossed . . . . . 1525  
 Reading waived . . . . . 1525  
 Agreed to by Senate . . . . . 1525

**S.R. 10. Judges;** nominations for election to circuit court.  
 Patron: Stolle  
 Presented, ordered printed, and referred to Committee for Courts of Justice . . . . . 1598  
 Rules suspended . . . . . 1622  
 Committee discharged . . . . . 1622  
 Readings waived . . . . . 1622

**S.R. 10 (continued)**

Taken up for immediate consideration . . . . .	1622
Reading of amendment waived. . . . .	1623
Amendment by Senator Stolle agreed to . . . . .	1623
Engrossed . . . . .	1623
Agreed to by Senate . . . . .	1623

**S.R. 11. Judges; nominations for election to general district court.**

Patron: Stolle

Presented, ordered printed, and referred to Committee for Courts of Justice . . . . .	1598
Rules suspended . . . . .	1623
Committee discharged . . . . .	1623
Readings waived. . . . .	1623
Taken up for immediate consideration . . . . .	1623
Engrossed . . . . .	1624
Agreed to by Senate . . . . .	1624

**S.R. 12. Judges; nominations for election to juvenile and domestic relations district court.**

Patron: Stolle

Presented, ordered printed, and referred to Committee for Courts of Justice . . . . .	1598
Rules suspended . . . . .	1624
Committee discharged . . . . .	1624
Readings waived. . . . .	1624
Taken up for immediate consideration . . . . .	1624
Reading of amendment waived. . . . .	1625
Amendment by Senator Stolle agreed to . . . . .	1625
Engrossed . . . . .	1625
Agreed to by Senate . . . . .	1625

**S.R. 13. Williamsburg Youth League 10-year-old All-Star baseball team; commending.**

Patron: Norment

Presented and laid on Clerk's Desk. . . . .	1652
Engrossed and agreed to by Senate. . . . .	1679

**S.R. 14. Williamsburg Youth League Host Committee; commending.**

Patron: Norment

Presented and laid on Clerk's Desk. . . . .	1652
Engrossed and agreed to by Senate. . . . .	1679

**S.R. 15. Jonas, Kirk; commending.**

Patron: Norment

Presented and laid on Clerk's Desk. . . . .	1730
Engrossed and agreed to by Senate. . . . .	1770

**S.R. 16. Lawrence, David Burr; recording sorrow upon death.**

Patrons: Rerras, et al.

Presented and laid on Clerk's Desk. . . . .	1731
Engrossed and agreed to by Senate. . . . .	1770

**S.R. 17. General Assembly; schedule for conduct of business for 2004 Special Session.**

Patron: Norment

Presented, ordered printed, and referred to Committee on Rules. . . . .	1784
Rules suspended . . . . .	1784
Committee discharged . . . . .	1784
Reading waived. . . . .	1784
Taken up for immediate consideration . . . . .	1784
Read second time . . . . .	1785
Engrossed . . . . .	1785
Reading waived. . . . .	1785

**S.R. 17 (continued)**

Agreed to by Senate . . . . . 1786

**H.B. 1. Feticide; penalty. Adding § 18.2-32.2.**

Patrons: Cosgrove, et al.

Passed House . . . . . 492

Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 498

Rereferred to Committee for Courts of Justice . . . . . 705

Reported with amendment . . . . . 740

Constitutional reading dispensed, passed by for day . . . . . 783, 785

Read third time . . . . . 806

Reading of amendment waived. . . . . 806

Committee amendment agreed to . . . . . 806

Engrossed . . . . . 806

Passed Senate . . . . . 806

Reconsideration of vote on Senate passage agreed to . . . . . 806

Passed Senate . . . . . 807

Senate amendment agreed to by House . . . . . 1115

Signed by President . . . . . 1696

House rejected Governor's recommendation . . . . . 1902

Approved by Governor-Chapter 1026 (effective 7/1/04)

**H.B. 2. License plates, special; abolishes issuance to various civic groups and employees due to expired authorizations. Amending §§ 46.2-746.7, 46.2-746.8 and 46.2-746.9; repealing §§ 46.2-736.01, 46.2-736.02, 46.2-746.2:2.1, 46.2-746.4:3, 46.2-746.6:2, 46.2-746.8:1, 46.2-749.5:1, 46.2-749.23:1, 46.2-749.28:1, 46.2-749.32 through 46.2-749.36, 46.2-749.39, 46.2-749.41, 46.2-749.42, 46.2-749.43, 46.2-749.47, 46.2-749.73:1, 46.2-749.84, 46.2-749.85, 46.2-749.87, 46.2-749.88, 46.2-749.93 and 46.2-749.95 through 46.2-749.100.**

Patron: Landes

Passed House . . . . . 294

Constitutional reading dispensed, referred to Committee on Transportation . . . . . 298

Reported . . . . . 723

Constitutional reading dispensed, passed by for day . . . . . 762, 763

Read third time and passed Senate . . . . . 773, 778

Signed by President . . . . . 1777

Approved by Governor-Chapter 717 (effective 7/1/04)

**H.B. 3. Legislation; prefiling. Amending § 30-19.3.**

Patrons: Griffith, et al.

Passed House . . . . . 295

Constitutional reading dispensed, referred to Committee on Rules . . . . . 298

Reported . . . . . 1470

Constitutional reading dispensed, passed by for day . . . . . 1519, 1520

Read third time and passed Senate . . . . . 1552, 1556

Signed by President . . . . . 1831

Approved by Governor-Chapter 718 (effective 7/1/04)

**H.B. 4. Estate tax; conformity of state and federal statutes. Amending § 58.1-901.**

Patrons: Tata, et al.

Passed House . . . . . 544

Constitutional reading dispensed, referred to Committee on Finance . . . . . 547

**H.B. 6. Publications, state; reduces number submitted to State Library. Amending § 2.2-609.**

Patrons: Cox, et al.

Passed House . . . . . 238

Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239

**H.B. 6 (continued)**  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 28 (effective 7/1/04)

**H.B. 7. Rehabilitation Providers, Advisory Board on;** abolished. Amending § 54.1-3510; repealing §§ 54.1-3511 and 54.1-3512.  
 Patrons: Cox, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 239  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 10 (effective 7/1/04)

**H.B. 8. Certified Practices, Advisory Committee on;** abolished. Amending §§ 54.1-3600 and 54.1-3605; repealing §§ 54.1-3609 and 54.1-3610.  
 Patrons: Cox, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 11 (effective 7/1/04)

**H.B. 9. Business-Education Partnership Program and Advisory Council on;** abolished. Amending § 2.2-2101; repealing §§ 2.2-209, 2.2-210, 2.2-2600, 2.2-2601 and 2.2-2602.  
 Patrons: Cox, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 37 (effective 7/1/04)

**H.B. 10. Charity Food Assistance Advisory Board;** abolished. Repealing §§ 3.1-1104 and 3.1-1105.  
 Patrons: Cox, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 29 (effective 7/1/04)

**H.B. 11. Military Affairs, Board of;** abolished. Amending §§ 44-14 and 44-114; repealing § 44-12.  
 Patrons: Cox, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587

**H.B. 11 (continued)**

Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 12 (effective 7/1/04)

**H.B. 12. Blind, Advisory Boards for Industries for;** combining of regional boards.

Amending § 51.5-72; adding § 51.5-72.1.  
 Patrons: Cox, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 13 (effective 7/1/04)

**H.B. 13. Sweet Potato Board and Fund;** abolished. Amending § 3.1-6.1; repealing §§ 3.1-666 through 3.1-684.

Patrons: Cox, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1795  
 Approved by Governor–Chapter 212 (effective 7/1/04)

**H.B. 14. State agency reporting requirements;** certain eliminated. Amending §§ 2.2-216, 2.2-2634, 10.1-200, 10.1-1118, 10.1-1155, 23-31 and 51.5-75; repealing §§ 2.2-2820.1, 3.1-362, fifth enactment of Chapters 755 and 914, 1996 Acts and third enactment of Chapter 891, 1998 Acts.

Patrons: Amundson, et al.  
 Passed House . . . . . 275  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 278  
 Reported with amendments . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time . . . . . 612  
 Reading of amendments waived . . . . . 613  
 Committee amendments agreed to . . . . . 613  
 Engrossed . . . . . 613  
 Passed Senate . . . . . 613  
 Senate amendments agreed to by House. . . . . 702  
 Signed by President . . . . . 1139  
 Approved by Governor–Chapter 58 (effective 7/1/04)

**H.B. 15. Early Intervention Agencies Committee;** abolished. Amending § 2.2-2664; repealing § 2.2-5302.

Patrons: Amundson, et al.  
 Passed House . . . . . 238  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 239  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 613  
 Signed by President . . . . . 786  
 Approved by Governor–Chapter 38 (effective 7/1/04)

**H.B. 16. Health insurance;** abolishes optional supplemental insurance credit for retired state employees. Repealing § 51.1-1404 and second enactment of Chapter 385, 1999 Acts.  
 Patrons: Miles, et al.  
 Passed House ..... 544  
 Constitutional reading dispensed, referred to Committee on Finance ..... 547  
 Reported ..... 697  
 Constitutional reading dispensed, passed by for day ..... 705, 706  
 Read third time and passed Senate ..... 724, 725  
 Signed by President ..... 1428  
 Approved by Governor–Chapter 76 (effective 7/1/04)

**H.B. 17. Motor fuels tax;** changes in reporting and payment requirements. Amending §§ 58.1-2201, 58.1-2204, 58.1-2216, 58.1-2237, 58.1-2266, 58.1-2271 and 58.1-2283.  
 Patron: Parrish  
 Passed House ..... 637  
 Constitutional reading dispensed, referred to Committee on Finance ..... 639  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1423, 1424  
 Read third time and passed Senate ..... 1443, 1451  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Signed by President ..... 1840  
 Approved by Governor–Chapter 340 (effective 7/1/04)

**H.B. 20. Marriage rites;** persons who may perform. Amending § 20-25.  
 Patron: Scott, J.M.  
 Passed House ..... 598  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 608  
 Reported with amendments ..... 702  
 Constitutional reading dispensed, passed by for day ..... 729, 732  
 Passed by for day ..... 741  
 Read third time ..... 773  
 Reading of amendments waived ..... 779  
 Committee amendment No. 1 rejected ..... 779  
 Committee amendment No. 2 agreed to ..... 779  
 Reading of amendment waived ..... 780  
 Amendment by Senator Cuccinelli agreed to ..... 780  
 Engrossed ..... 780  
 Passed Senate ..... 780  
 Senate amendments rejected by House ..... 1110  
 Senate insisted on amendments and requested committee of conference ..... 1147  
 House acceded to request ..... 1432  
 Conferees appointed ..... 1462  
 Conference report adopted by Senate ..... 1680  
 Conference report adopted by House ..... 1689  
 Signed by President ..... 1846  
 Approved by Governor–Chapter 612 (effective 4/12/04)

**H.B. 22. Governor's Employment and Training Department;** removes obsolete references.  
 Amending §§ 2.2-212 and 60.2-113.  
 Patrons: Landes, et al.  
 Passed House ..... 430  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 434  
 Reported ..... 563  
 Constitutional reading dispensed, passed by for day ..... 586, 587

**H.B. 22 (continued)**  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 786  
 Approved by Governor-Chapter 14 (effective 7/1/04)

**H.B. 23. Motor vehicle carriers; appointment of inspectors for enforcement of laws.**  
 Amending §§ 9.1-101 and 9.1-400.  
 Patrons: Landes, et al.  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 434  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 30 (effective 7/1/04)

**H.B. 24. Rudee Inlet Authority; abolished. Repealing Chapter 227, 1960 Acts.**  
 Patrons: Landes, et al.  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 764  
 Approved by Governor-Chapter 15 (effective 7/1/04)

**H.B. 25. Deer or elk; spotlighting. Repealing Chapter 420, 1958 Acts.**  
 Patrons: Landes, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural  
 Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1795  
 Approved by Governor-Chapter 258 (effective 7/1/04)

**H.B. 26. Antlerless deer; hunting. Repealing Chapter 180, 1956 Acts.**  
 Patrons: Landes, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural  
 Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1795  
 Approved by Governor-Chapter 259 (effective 7/1/04)

**H.B. 27. Wild turkeys; hunting in Pittsylvania County. Repealing Chapter 451, 1958 Acts.**  
 Patrons: Landes, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural  
 Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1795  
 Approved by Governor-Chapter 260 (effective 7/1/04)

**H.B. 28. Squirrels; hunting in Floyd County. Repealing Chapter 354, 1952 Acts.**  
 Patrons: Landes, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1795  
 Approved by Governor-Chapter 261 (effective 7/1/04)

**H.B. 29. Budget bill; additional appropriations for 2002-2004 biennium. Amending Chapter 1042, 2003 Acts.**  
 Patron: Callahan  
 Passed House . . . . . 1077  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 1077  
 Reported with amendments . . . . . 1140  
 Constitutional reading dispensed . . . . . 1159  
 Read third time . . . . . 1160  
 Reading of amendments waived . . . . . 1169  
 Committee amendments agreed to . . . . . 1169  
 Passed Senate . . . . . 1169  
 Senate amendments rejected by House. . . . . 1399  
 Senate insisted on amendments and requested committee of conference . . . . . 1406  
 House acceded to request . . . . . 1422  
 Conferees appointed . . . . . 1428  
 Conference report adopted by Senate . . . . . 1741  
 Conference report adopted by House . . . . . 1757  
 Signed by President . . . . . 1848  
 Approved by Governor-Chapter 943 (effective 4/15/04)

**H.B. 30. Budget bill; appropriations for 2004-2006 biennium.**  
 Patron: Callahan  
 Passed House . . . . . 1077  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 1077  
 Reported with amendments . . . . . 1140  
 Constitutional reading dispensed . . . . . 1169  
 Read third time . . . . . 1170  
 Reading of amendments waived . . . . . 1392  
 Parliamentary inquiry . . . . . 1392  
 Amendments agreed to . . . . . 1392  
 Passed Senate . . . . . 1392  
 Senate amendments rejected by House. . . . . 1399  
 Senate insisted on amendments and requested committee of conference . . . . . 1406  
 House acceded to request . . . . . 1422  
 Conferees appointed . . . . . 1428

**H.B. 31. Higher Educational Institutions Bond Bill of 2004; created.**  
 Patron: Callahan  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 377  
 Reported . . . . . 419  
 Read second time . . . . . 440  
 Read third time and passed Senate . . . . . 459  
 Reconsideration of vote on Senate passage agreed to . . . . . 460

**H.B. 31 (continued)**  
 Passed Senate . . . . . 460  
 Signed by President . . . . . 682  
 Approved by Governor-Chapter 2 (effective 7/1/04)

**H.B. 32. Parking Facilities Bond Bill of 2004; created.**  
 Patron: Callahan  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 377  
 Reported . . . . . 419  
 Read second time . . . . . 440  
 Read third time and passed Senate . . . . . 459  
 Signed by President . . . . . 682  
 Approved by Governor-Chapter 3 (effective 7/1/04)

**H.B. 34. Public defender's office; establishment in Chesapeake City. Amending § 19.2-163.2.**  
 Patron: Cosgrove  
 Passed House . . . . . 684  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 740  
 Rereferred to Committee on Finance . . . . . 741  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**H.B. 35. Speed limits; may be set on nonsurface treated highways in certain counties.**  
 Amending § 46.2-873.1.  
 Patrons: Sherwood, et al.  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 402  
 Reported with substitute . . . . . 1077  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time . . . . . 1393  
 Reading of substitute waived . . . . . 1393  
 Committee substitute agreed to . . . . . 1393  
 Engrossed . . . . . 1393  
 Passed Senate . . . . . 1394  
 Senate substitute rejected by House . . . . . 1534  
 Senate insisted on substitute and requested committee of conference . . . . . 1608  
 House acceded to request . . . . . 1662  
 Conferees appointed . . . . . 1686  
 House requested second committee of conference . . . . . 1719  
 Senate acceded to request . . . . . 1719  
 Statement on vote . . . . . 1720  
 Second Conferees appointed. . . . . 1720  
 Conference report adopted by Senate . . . . . 1747  
 Conference report adopted by House . . . . . 1758  
 Signed by President . . . . . 1843  
 Approved by Governor-Chapter 719 (effective 7/1/04)

**H.B. 37. Constitutional amendment; succession to office of Governor (submitting to qualified voters). Amending Section 16 of Article V.**  
 Patron: Putney  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 334  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time and passed Senate . . . . . 578, 579

**H.B. 37 (continued)**

Signed by President . . . . . 764  
Approved by Governor-Chapter 17 (effective 7/1/04)

**H.B. 38. License plates, special;** issuance to supporters of Boy Scouts of America, Virginia Motor Sports Initiative, adoption programs, court-appointed special advocate programs, Project Lifesaver, Mothers Against Drunk Driving, Juvenile Diabetes Research Foundation, Interdenominational Children's Foundation of Virginia, to certain constitutional officers, military veterans' organizations, retired law-enforcement officers, paratroopers, for various occupations, to members of American Legion, to U.S. Navy chief petty officers, bicycle enthusiasts, to persons awarded Combat Infantryman Badge, to commemorate 275th anniversary of County of Prince William, 200th anniversary of Town of Occoquan, 350th anniversary of County of New Kent, 150th anniversary of Burke's Station, those bearing legend: LANGLEY AIR FORCE BASE and flag of United States and legend: FIGHT TERRORISM. Amending §§ 46.2-737, 46.2-746.4, 46.2-746.9, 46.2-749.59 and 46.2-749.62; adding §§ 46.2-742.4, 46.2-746.2:2.2, 46.2-746.2:5, 46.2-746.4:01, 46.2-746.8:2, 46.2-749.28:2, 46.2-749.30:2, 46.2-749.69:1, 46.2-749.98:1 and 46.2-749.101 through 46.2-749.109; repealing §§ 46.2-742.3, 46.2-746.2:2.1, 46.2-749.28:1, 46.2-749.69 and 46.2-749.98.

Patrons: Orrock, et al.  
Passed House . . . . . 416  
Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418  
Reported with substitute . . . . . 1471  
Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
Read third time . . . . . 1560  
Reading of substitute waived . . . . . 1560  
Committee substitute agreed to . . . . . 1560  
Reading of amendments waived . . . . . 1561  
Amendments by Senator Newman agreed to . . . . . 1561  
Engrossed . . . . . 1561  
Passed Senate . . . . . 1561  
Statement on vote . . . . . 1561  
Senate substitute with amendments agreed to by House . . . . . 1658  
Signed by President . . . . . 1833  
House concurred in Governor's recommendation. . . . . 1871  
Senate concurred in Governor's recommendation . . . . . 1875  
Signed by President as reenrolled. . . . . 1904  
Enacted, Chapter 984 (effective 7/1/04)

**H.B. 40. Agriculture education;** development. Adding § 3.1-14.2.

Patrons: Orrock, et al.  
Passed House . . . . . 295  
Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
Reported with amendment . . . . . 739  
Constitutional reading dispensed, passed by for day . . . . . 782, 784  
Read third time . . . . . 799  
Reading of amendment waived. . . . . 806  
Committee amendment agreed to . . . . . 806  
Engrossed . . . . . 806  
Passed Senate . . . . . 806  
Senate amendment agreed to by House . . . . . 1115  
Signed by President . . . . . 1696  
Approved by Governor-Chapter 180 (effective 7/1/04)

**H.B. 43. Driver's license; issuance of restricted permit to travel for court appearance.**  
 Amending § 18.2-271.1.  
 Patron: Reese  
 Passed House ..... 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 608  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 782, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1795  
 Approved by Governor-Chapter 720 (effective 7/1/04)

**H.B. 44. Civil cases; judgment in settlement and installment orders. Amending § 16.1-94.**  
 Patron: Reese  
 Passed House ..... 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 498  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 782, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1795  
 Approved by Governor-Chapter 341 (effective 7/1/04)

**H.B. 45. Court-appointed counsel; compensation. Amending § 16.1-267.**  
 Patrons: Reese, et al.  
 Passed House ..... 352  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 355  
 Reported with amendment ..... 740  
 Constitutional reading dispensed, passed by for day ..... 782, 784  
 Read third time ..... 799  
 Reading of amendment waived..... 800  
 Committee amendment agreed to ..... 800  
 Engrossed ..... 800  
 Passed Senate ..... 804  
 Senate amendment agreed to by House ..... 1115  
 Signed by President ..... 1696  
 Approved by Governor-Chapter 342 (effective 7/1/04)

**H.B. 46. Civil cases; judgment in cases arising out of a trustee's deed following foreclosure.**  
 Amending § 8.01-129.  
 Patron: Reese  
 Passed House ..... 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 355  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 782, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1795  
 Approved by Governor-Chapter 343 (effective 7/1/04)

**H.B. 47. Civil cases; jurisdiction in actions of unlawful entry or detainer. Amending § 16.1-77.**  
 Patron: Reese  
 Passed House ..... 257  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 258  
 Reported with amendment ..... 1118  
 Constitutional reading dispensed, passed by for day ..... 1396, 1397  
 Read third time ..... 1415  
 Reading of amendment waived..... 1415  
 Committee amendment agreed to ..... 1416

**H.B. 47 (continued)**

Engrossed . . . . . 1416  
 Passed Senate . . . . . 1419  
 Senate amendment agreed to by House . . . . . 1535  
 Signed by President . . . . . 1833  
 Approved by Governor-Chapter 344 (effective 7/1/04)

**H.B. 49. Civil cases;** copies of subpoenaed documents to be provided to other party. Amending § 8.01-417.

Patron: Reese  
 Passed House . . . . . 684  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with amendment . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time . . . . . 799  
 Reading of amendment waived. . . . . 801  
 Committee amendment agreed to . . . . . 801  
 Engrossed . . . . . 801  
 Passed Senate . . . . . 804  
 Senate amendment agreed to by House . . . . . 1115  
 Signed by President . . . . . 1696  
 Approved by Governor-Chapter 345 (effective 7/1/04)

**H.B. 52. Bedford Joint Economic Development Authority;** use of name. Amending § 15.2-4903.

Patrons: Putney, et al.  
 Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time and passed Senate . . . . . 1087, 1094  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 782 (effective 7/1/04)

**H.B. 53. Winchester, City of, charter;** amending.

Patron: Sherwood  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 764  
 Approved by Governor-Chapter 31 (effective 7/1/04)

**H.B. 54. Beavers;** killing due to destruction of property. Amending §§ 29.1-517 and 29.1-518.

Patron: Morgan  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Passed by temporarily . . . . . 806  
 Read third time and passed Senate . . . . . 813  
 Signed by President . . . . . 1795  
 Approved by Governor-Chapter 421 (effective 7/1/04)

**H.B. 55. Municipal solid waste vehicles; posting of penalties for transportation violations.**  
 Amending § 46.2-1156.  
 Patrons: Morgan, et al.  
 Passed House ..... 637  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 639

**H.B. 56. Colonial Heights, City of, charter; amending.**  
 Patrons: Cox, et al.  
 Passed House ..... 331  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time and passed Senate ..... 1087, 1095  
 Signed by President ..... 1805  
 Approved by Governor-Chapter 518 (effective 7/1/04)

**H.B. 57. Franklin, City of, charter; amending.**  
 Patron: Councill  
 Passed House ..... 331  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 548  
 Constitutional reading dispensed, passed by for day ..... 565, 566  
 Read third time and passed Senate ..... 578, 579  
 Signed by President ..... 764  
 Approved by Governor-Chapter 32 (effective 7/1/04)

**H.B. 58. Luray-Page County Airport Authority; created.**  
 Patron: Louderback  
 Passed House ..... 430  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 548  
 Constitutional reading dispensed, passed by for day ..... 566  
 Passed by temporarily ..... 580  
 Read third time and passed Senate ..... 594  
 Signed by President ..... 764  
 Approved by Governor-Chapter 39 (effective 7/1/04)

**H.B. 59. Electrical generating facilities; certificates. Amending § 56-580.**  
 Patron: Parrish  
 Passed House ..... 685  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 696  
 Reported ..... 1530  
 Constitutional reading dispensed, passed by for day ..... 1565, 1566  
 Read third time ..... 1638  
 Passed by temporarily ..... 1640  
 Passed Senate ..... 1650  
 Signed by President ..... 1833  
 Approved by Governor-Chapter 262 (effective 7/1/04)

**H.B. 64. Community college boards and boards of visitors; appointment of faculty representatives. Adding § 23-9.2:4.1.**  
 Patrons: Shuler, et al.  
 Passed House ..... 258  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 259  
 Reported with substitute ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time ..... 1135  
 Reading of substitute waived ..... 1135

**H.B. 64 (continued)**

Committee substitute agreed to. . . . . 1135  
 Engrossed . . . . . 1135  
 Passed Senate . . . . . 1135  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 519 (effective 7/1/04)

**H.B. 67. Law-enforcement officer; definition. Amending § 18.2-433.1.**

Patrons: Sherwood, et al.  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 263 (effective 7/1/04)

**H.B. 69. Risk management plans; coverage for claims against attorneys. Amending § 2.2-1839.**

Patrons: Melvin, et al.  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 729, 732  
 Read third time and passed Senate . . . . . 741, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 756  
 Signed by President . . . . . 1589  
 Approved by Governor-Chapter 121 (effective 7/1/04)

**H.B. 70. Judges and Justices of Supreme Court and Court of Appeals; designation as a senior justice after retirement. Amending §§ 17.1-302 and 17.1-401.**

Patrons: Melvin, et al.  
 Passed House . . . . . 258  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 258  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 346 (effective 7/1/04)

**H.B. 71. Property bail bondsmen; certification. Amending § 19.2-152.1.**

Patrons: Melvin, et al.  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 608  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 264 (effective 7/1/04)

**H.B. 73. Contractors; certification, debarment procedures. Amending § 2.2-4321; adding § 2.2-4312.1.**

Patrons: Reese, et al.  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Continued to 2005 Session in Senate Committee on General Laws. . . . . 1793

**H.B. 75. Bear or deer;** abolishes damage stamp requirement in Craig County. Repealing Chapter 294, 1948 Acts.  
 Patrons: Landes, et al.  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 764  
 Approved by Governor-Chapter 33 (effective 7/1/04)

**H.B. 76. Bird sanctuary;** abolishes establishment in Roanoke County. Repealing Chapter 303, 1954 Acts.  
 Patrons: Landes, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 265 (effective 7/1/04)

**H.B. 77. Deer and wild birds or animals;** abolishes unlawful rifle hunting in Halifax and Cumberland Counties. Repealing Chapter 144, 1958 Acts.  
 Patrons: Landes, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 266 (effective 7/1/04)

**H.B. 79. Firearms;** penalty for possession or transportation by certain persons. Amending § 18.2-308.2:01.  
 Patrons: Wright, et al.  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 334  
 Reported with amendments . . . . . 740  
 Rereferred to Committee on Finance . . . . . 741  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1443  
 Reading of amendments waived . . . . . 1445  
 Committee amendments agreed to . . . . . 1445  
 Engrossed . . . . . 1445  
 Passed Senate . . . . . 1451  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendments agreed to by House . . . . . 1535  
 Signed by President . . . . . 1833  
 Approved by Governor-Chapter 347 (effective 7/1/04)

**H.B. 82. University of Virginia's College at Wise; reduced tuition. Amending § 23-7.4:2.**

Patron: Kilgore  
 Passed House . . . . . 258  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 259  
 Reported with amendment . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 729, 732  
 Read third time . . . . . 741  
 Reading of amendment waived. . . . . 743  
 Committee amendment agreed to . . . . . 743  
 Engrossed . . . . . 743  
 Passed Senate . . . . . 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 756  
 Senate amendment agreed to by House . . . . . 820  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 520 (effective 7/1/04)

**H.B. 83. Motor vehicles; registration of those owned by regional jail authorities. Amending § 46.2-750.**

Patron: Kilgore  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 298  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor-Chapter 721 (effective 7/1/04)

**H.B. 85. Motor vehicle safety inspections; certain new vehicles exempt. Amending § 46.2-1157.**

Patrons: Cosgrove, et al.  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 402  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor-Chapter 267 (effective 7/1/04)

**H.B. 86. DMV driver documents; provisions for photographing or copying. Amending § 46.2-346.**

Patron: Cosgrove  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor-Chapter 722 (effective 7/1/04)

**H.B. 87. Mobile infrared transmitters; certain prohibited. Adding § 46.2-1077.1.**

Patrons: Lingamfelter, et al.  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763

**H.B. 87 (continued)**

Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor-Chapter 268 (effective 7/1/04)

**H.B. 94. Real estate tax;** increases certain asset threshold amounts for elderly or disabled prior to reduced imposition. Amending § 58.1-3211.

Patrons: Cole, et al.  
 Passed House . . . . . 312  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 315  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor-Chapter 77 (effective 7/1/04)

**H.B. 97. Real estate tax;** increases amount of land acreage owned by elderly or disabled prior to reduced imposition. Amending § 58.1-3211.

Patrons: Cole, et al.  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 315  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor-Chapter 78 (effective 7/1/04)

**H.B. 104. Income tax, state;** tax forms to be included with filing instructions. Amending § 58.1-306.

Patron: Callahan  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 315  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time and passed Senate . . . . . 1443, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 521 (effective 7/1/04)

**H.B. 105. Capitol Square Preservation Act of 2003;** changes in provisions. Amending first and second enactments of Chapter 955, 2003 Acts; adding third and fourth enactments of Chapter 955, 2003 Acts.

Patron: Morgan  
 Passed House . . . . . 736  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 738  
 Reported with substitute . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time . . . . . 1087  
 Reading of substitute waived . . . . . 1089  
 Committee substitute agreed to . . . . . 1089  
 Engrossed . . . . . 1089  
 Passed Senate . . . . . 1095  
 Senate substitute rejected by House . . . . . 1402  
 Senate insisted on substitute and requested committee of conference . . . . . 1435  
 House acceded to request . . . . . 1493  
 Conferees appointed . . . . . 1530

**H.B. 105 (continued)**

Conference report adopted by House . . . . . 1772  
 Conference report adopted by Senate . . . . . 1773  
 Signed by President . . . . . 1843  
 Approved by Governor—Chapter 897 (effective 7/1/04)

**H.B. 106. Statewide Agencies Radio System (STARS);** financing through bonds and vehicle rental fees. Amending §§ 58.1-2402 and 58.1-2425.

Patrons: Sherwood, et al.  
 Passed House . . . . . 736  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 738  
 Reported with substitute . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Passed by for day . . . . . 1476, 1508, 1552  
 Read third time . . . . . 1638  
 Reading of substitute waived . . . . . 1638  
 Committee substitute rejected. . . . . 1638  
 Passed Senate . . . . . 1640  
 Signed by President . . . . . 1833  
 Approved by Governor—Chapter 522 (effective 7/1/04)

**H.B. 116. Abortion clinics;** regulation and licensure. Amending §§ 32.1-123, 32.1-125, 32.1-125.1, 32.1-126, 32.1-127, 32.1-129, 32.1-130, 32.1-131, 32.1-133 and 32.1-135.

Patrons: Marshall, R.G., et al.  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 334

**H.B. 118. Wiretaps;** expands crimes for which Attorney General may apply for orders. Amending § 19.2-66.

Patron: Albo  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 355  
 Reported . . . . . 702  
 Constitutional reading dispensed, passed by for day . . . . . 729, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1589  
 Approved by Governor—Chapter 122 (effective 7/1/04)

**H.B. 119. Mob crimes;** venue for actions and prosecutions. Amending § 18.2-46.

Patrons: Albo, et al.  
 Passed House . . . . . 275  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 278  
 Reported . . . . . 702  
 Constitutional reading dispensed, passed by for day . . . . . 729, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1589  
 Approved by Governor—Chapter 144 (effective 7/1/04)

**H.B. 120. Misdemeanor cases;** attorney to provide discovery. Amending § 19.2-265.4.

Patron: Albo  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1565

**H.B. 120 (continued)**

Read third time and passed Senate . . . . . 1566, 1570  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 348 (effective 7/1/04)

**H.B. 123. Housing and Community Development, Board of; membership. Amending § 36-135.**

Patron: Albo  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1129  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 944 (effective 7/1/04)

**H.B. 124. Barbers and Cosmetologists, Board for; membership. Amending § 54.1-702.**

Patron: Albo  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1129  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 945 (effective 7/1/04)

**H.B. 125. Gangs; notice to school superintendent of crimes committed by members. Amending § 16.1-260.**

Patrons: Albo, et al.  
 Passed House . . . . . 258  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 258

**H.B. 127. Driving under influence of alcohol or drugs; procedure due to refusal to submit to breath or blood test. Amending §§ 18.2-268.3 and 18.2-268.4.**

Patrons: Albo, et al.  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with substitute . . . . . 1433  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485  
 Read third time . . . . . 1509  
 Reading of substitute waived . . . . . 1510  
 Committee substitute agreed to . . . . . 1510  
 Engrossed . . . . . 1510  
 Passed Senate . . . . . 1515  
 Senate substitute rejected by House . . . . . 1688  
 Senate insisted on substitute and requested committee of conference . . . . . 1690  
 House acceded to request . . . . . 1694  
 Conferees appointed . . . . . 1695  
 Conference report adopted by House . . . . . 1757  
 Conference report adopted by Senate . . . . . 1760  
 Signed by President . . . . . 1846

**H.B. 127 (continued)**

House concurred in Governor's recommendation. . . . . 1871  
 Senate concurred in Governor's recommendation . . . . . 1875  
 Signed by President as reenrolled. . . . . 1904  
 Enacted, Chapter 985 (effective 7/1/04)

**H.B. 132. Duck blinds;** erection. Amending §§ 29.1-341, 29.1-344 and 29.1-349; adding § 29.1-341.1.

Patron: Cox  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 529  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 422 (effective 7/1/04)

**H.B. 133. Hunting licenses;** establishment of a nonresident youth permit. Amending §§ 29.1-303, 29.1-303.3 and 29.1-305.

Patrons: Cox, et al.  
 Passed House . . . . . 295  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 782, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 269 (effective 7/1/04)

**H.B. 134. Death penalty;** prohibited for pregnant women.

Patrons: Marshall, R.G., et al.  
 Passed House . . . . . 573  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 575  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 137. Insurance liability limits;** disclosure to attorney. Amending § 8.01-417.

Patron: Kilgore  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 547  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1572  
 Defeated by Senate . . . . . 1572  
 Reconsideration of vote by which bill was defeated . . . . . 1574  
 Passed by for day . . . . . 1574  
 Defeated by Senate . . . . . 1642

**H.B. 141. Page County;** referendum on election of county chairman from county at large.

Adding § 15.2-1213.1.  
 Patron: Louderback  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor-Chapter 18 (effective 7/1/04)

**H.B. 143. Personal property exempt from taxation;** includes vehicles owned by certain members of volunteer rescue and fire organizations. Amending § 58.1-3506.  
 Patron: Orrock  
 Passed House ..... 353  
 Constitutional reading dispensed, referred to Committee on Finance ..... 355  
 Reported ..... 403  
 Constitutional reading dispensed, passed by for day ..... 421, 422  
 Read third time and passed Senate ..... 436  
 Reconsideration of vote on Senate passage agreed to ..... 441  
 Passed Senate ..... 442  
 Signed by President ..... 682  
 Approved by Governor-Chapter 4 (effective 7/1/04)

**H.B. 144. Animal control officer training;** requirements. Amending §§ 3.1-796.104, 3.1-796.104:1 and 3.1-796.106.  
 Patron: Orrock  
 Passed House ..... 296  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 298  
 Reported with amendments ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time ..... 807  
 Reading of amendments waived ..... 807  
 Committee amendments agreed to ..... 807  
 Engrossed ..... 807  
 Passed Senate ..... 807  
 Senate amendments agreed to by House ..... 1115  
 Signed by President ..... 1696  
 Approved by Governor-Chapter 181 (effective 7/1/04)

**H.B. 145. Motor vehicle license decals;** free issuance to volunteer fire department and rescue squad members. Amending § 46.2-752.  
 Patrons: Orrock, et al.  
 Passed House ..... 296  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 298  
 Reported ..... 723  
 Constitutional reading dispensed, passed by for day ..... 762, 763  
 Read third time and passed Senate ..... 773, 778  
 Signed by President ..... 1778  
 Approved by Governor-Chapter 723 (effective 7/1/04)

**H.B. 148. Public-Private Education Facilities and Infrastructure Act of 2002;** provisions for performance and payment bonds. Amending §§ 56-575.9 and 56-575.16.  
 Patron: Hargrove  
 Passed House ..... 599  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 608  
 Reported with amendments ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time ..... 1121  
 Reading of amendments waived ..... 1123  
 Committee amendments agreed to ..... 1123  
 Engrossed ..... 1123  
 Passed Senate ..... 1129  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1133

**H.B. 148 (continued)**

Senate amendments agreed to by House. . . . . 1535  
 Signed by President . . . . . 1833  
 House concurred in Governor's recommendation. . . . . 1871  
 Senate concurred in Governor's recommendation . . . . . 1876  
 Signed by President as reenrolled. . . . . 1904  
 Enacted, Chapter 986 (effective 7/1/04)

**H.B. 150. Inmates;** allows sheriff or jail superintendent to charge for keep. Amending § 53.1-131.3.

Patrons: Albo, et al.  
 Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 609  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 151. High-occupancy toll (HOT) lanes;** provisions with electronically collected and photo-enforced tolls. Adding §§ 33.1-56.1 through 33.1-56.5.

Patron: Albo  
 Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 1077  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 783 (effective 7/1/04)

**H.B. 152. Charitable gaming;** denial of permits. Amending § 18.2-340.20.

Patron: Albo  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1129  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 213

**H.B. 153. Landlord and tenant;** termination of tenancies, security deposit, purchase of damage insurance. Amending §§ 55-222, 55-248.4 and 55-248.37; adding § 55-248.7:2.

Patron: Albo  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 729, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor-Chapter 123 (effective 7/1/04)

**H.B. 154. Real estate tax;** allows Charlottesville City to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211.

Patrons: Van Yahres, et al.  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 315  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 421, 422

**H.B. 154 (continued)**

Read third time and passed Senate . . . . . 436  
 Reconsideration of vote on Senate passage agreed to . . . . . 441  
 Passed Senate . . . . . 442  
 Signed by President . . . . . 682  
 Approved by Governor-Chapter 5 (effective 7/1/04)

**H.B. 156. Higher educational institutions;** prohibits admission of illegal aliens. Amending § 23-9.2:3.

Patrons: Reid, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 457

**H.B. 158. Nudist camps for juveniles;** prohibited. Amending § 35.1-18.

Patrons: Reid, et al.  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 498  
 Rereferred to Committee on Education and Health . . . . . 741  
 Reported . . . . . 1469  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1552, 1556  
 Signed by President . . . . . 1831  
 House concurred in Governor's recommendation. . . . . 1871  
 Senate concurred in Governor's recommendation . . . . . 1877  
 Signed by President as reenrolled. . . . . 1904  
 Enacted, Chapter 987 (effective 7/1/04)

**H.B. 159. Vital records;** filing of death certificates. Amending § 32.1-263.

Patron: Reid  
 Passed House . . . . . 275  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 278  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 729, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor-Chapter 124 (effective 7/1/04)

**H.B. 162. Cemeteries or gravesites;** access to those located on private property. Amending § 57-27.1.

Patrons: Putney, et al.  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1129  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 831 (effective 7/1/04)

**H.B. 163. Health insurance;** credits for retired state employees. Amending § 51.1-1400.

Patron: Putney  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697

**H.B. 163 (continued)**

Constitutional reading dispensed, passed by for day . . . . .	705, 706
Read third time and passed Senate . . . . .	724, 725
Signed by President . . . . .	1428
Approved by Governor—Chapter 79 (effective 7/1/04)	

**H.B. 167. Concealed weapons; includes machete in list of prohibited items. Amending § 18.2-308.**

Patron: Albo	
Passed House . . . . .	599
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . .	608
Reported . . . . .	822
Constitutional reading dispensed, passed by for day . . . . .	1101, 1103
Read third time and passed Senate . . . . .	1121, 1129
Reconsideration of vote on Senate passage agreed to . . . . .	1131
Passed Senate . . . . .	1133
Signed by President . . . . .	1812
Approved by Governor—Chapter 423 (effective 7/1/04)	

**H.B. 168. Freedom of Information Act; exempts certain park and recreation records.**

Amending § 2.2-3705.	
Patron: Sherwood	
Passed House . . . . .	371
Constitutional reading dispensed, referred to Committee on General Laws . . . . .	377
Reported . . . . .	1434
Constitutional reading dispensed, passed by for day . . . . .	1482, 1483
Reconsideration of passed by agreed to . . . . .	1484
Passed by for day . . . . .	1485
Read third time and passed Senate . . . . .	1509, 1515
Signed by President . . . . .	1818
Approved by Governor—Chapter 832 (effective 7/1/04)	

**H.B. 170. False discount coupon; penalty for use, definition. Amending § 18.2-178.**

Patrons: Wright, et al.	
Passed House . . . . .	493
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . .	498
Continued to 2005 Session in Senate Committee for Courts of Justice . . . . .	1793

**H.B. 171. Apples; excise tax discontinued. Amending §§ 3.1-618, 3.1-626, 3.1-634, 3.1-634.1 and 3.1-635; repealing §§ 3.1-646.01 through 3.1-646.09.**

Patrons: Sherwood, et al.	
Passed House . . . . .	400
Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . .	402
Reported . . . . .	739
Constitutional reading dispensed, passed by for day . . . . .	782, 784
Read third time and passed Senate . . . . .	799, 804
Signed by President . . . . .	1796
Approved by Governor—Chapter 214 (effective 7/1/04)	

**H.B. 176. Richmond, City of, charter; amending.**

Patrons: Baskerville, et al.	
Passed House . . . . .	685
Constitutional reading dispensed, referred to Committee on Local Government . . . . .	696
Reported with substitute . . . . .	793
Constitutional reading dispensed, passed by for day . . . . .	1070, 1071
Read third time . . . . .	1087
Reading of substitute waived . . . . .	1096

**H.B. 176 (continued)**

Committee substitute agreed to . . . . . 1096  
 Passed by for day . . . . . 1096  
 Engrossed . . . . . 1122  
 Passed Senate . . . . . 1129  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Senate substitute rejected by House . . . . . 1535  
 Senate insisted on substitute and requested committee of conference . . . . . 1608  
 House acceded to request . . . . . 1662  
 Conferees appointed . . . . . 1686  
 Conference report adopted by Senate . . . . . 1699  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1847  
 Approved by Governor-Chapter 898

**H.B. 180. Motor vehicle odometer readings; disclosure. Amending § 46.2-629.**

Patron: Oder  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 639  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor-Chapter 724 (effective 7/1/04)

**H.B. 182. Bottomlands, state-owned; permits and royalties for use. Amending §§ 28.2-1205, 28.2-1206 and 28.2-1208.**

Patron: Oder  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 418  
 Reported with substitute . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time . . . . . 1415  
 Reading of substitute waived . . . . . 1416  
 Committee substitute agreed to . . . . . 1416  
 Engrossed . . . . . 1416  
 Passed Senate . . . . . 1419  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 899 (effective 7/1/04)

**H.B. 184. Malicious bodily injury; penalty by means of an infectious biological substance or radiological agent. Amending § 18.2-52.1.**

Patrons: Oder, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 457  
 Reported with substitute . . . . . 822  
 Rereferred to Committee on Finance . . . . . 825  
 Reported with amendments . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1443  
 Reading of substitute waived . . . . . 1445  
 Committee substitute agreed to . . . . . 1445  
 Reading of amendments waived . . . . . 1445

**H.B. 184 (continued)**

Committee amendments agreed to . . . . . 1445  
 Engrossed . . . . . 1446  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate substitute with amendments agreed to by House . . . . . 1539  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 833 (effective 7/1/04)

**H.B. 199. Group life and accident insurance;** provisions for state and local employees.

Amending § 51.1-505.  
 Patron: Tata  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 House concurred in Governor's recommendation. . . . . 1758  
 Senate concurred in Governor's recommendation . . . . . 1769  
 Signed by President as reenrolled. . . . . 1776  
 Enacted, Chapter 102 (effective 7/1/04)

**H.B. 200. Retirement System;** recouping of overpayments of benefits. Amending § 51.1-124.22.

Patron: Tata  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor-Chapter 80 (effective 7/1/04)

**H.B. 201. Retirement System;** benefit payment to successor of decedent by affidavit. Amending § 51.1-164.

Patron: Tata  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor-Chapter 81 (effective 7/1/04)

**H.B. 203. Intergovernmental Relations, Advisory Commission on;** abolished. Amending § 2.2-612; repealing §§ 2.2-2506 and 2.2-2507.

Patrons: Athey, et al.  
 Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 278  
 Reported . . . . . 563  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 34 (effective 7/1/04)

**H.B. 206. Disabled, Interagency Coordinating Council on Housing for; abolished.**

Repealing §§ 2.2-2640 and 2.2-2641.

Patron: Athey

Passed House ..... 331  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 334  
 Reported ..... 563  
 Constitutional reading dispensed, passed by for day ..... 586, 587  
 Read third time and passed Senate ..... 610, 612  
 Signed by President ..... 787  
 Approved by Governor-Chapter 16 (effective 7/1/04)

**H.B. 211. Medical complaint investigation committees and medical and psychological practices audit committees; abolished. Repealing §§ 54.1-2922, 54.1-2923 and 54.1-3613.**

Patron: Athey

Passed House ..... 430  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 434  
 Reported ..... 562  
 Constitutional reading dispensed, passed by for day ..... 586, 587  
 Read third time and passed Senate ..... 610, 612  
 Signed by President ..... 787  
 Approved by Governor-Chapter 40 (effective 7/1/04)

**H.B. 214. Amber Alert system; use. Amending § 52-34.3.**

Patron: Athey

Passed House ..... 685  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported ..... 822  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time and passed Senate ..... 1121, 1129  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1133  
 Signed by President ..... 1812  
 Approved by Governor-Chapter 270 (effective 7/1/04)

**H.B. 215. Concealed handguns; reciprocal agreements for permits with other states.**

Amending § 18.2-308.

Patrons: Athey, et al.

Passed House ..... 430  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 434  
 Reported with substitute ..... 1118  
 Constitutional reading dispensed, passed by for day ..... 1396, 1397  
 Read third time ..... 1415  
 Reading of substitute waived ..... 1416  
 Committee substitute agreed to..... 1416  
 Engrossed ..... 1416  
 Passed Senate ..... 1419  
 Senate substitute agreed to by House ..... 1538  
 Signed by President ..... 1818  
 Approved by Governor-Chapter 900 (effective 7/1/04)

**H.B. 216. Affordable housing; applicable in Fauquier County. Amending § 15.2-2304.**

Patron: Athey

Passed House ..... 331  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334

**H.B. 217. Driving under influence of alcohol or drugs;** mandatory minimum fine for a first offense. Amending § 18.2-270.  
 Patron: Athey  
 Passed House ..... 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 608  
 Reported ..... 822  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time and passed Senate ..... 1121, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1133  
 Signed by President ..... 1812  
 Approved by Governor-Chapter 946 (effective 7/1/04)

**H.B. 220. Mechanic's lien;** maximum for keeper of garage, hanger or marina. Amending § 43-32.  
 Patron: Hargrove  
 Passed House ..... 258  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 258  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1796  
 Approved by Governor-Chapter 215 (effective 7/1/04)

**H.B. 221. Miscellaneous casualty insurance;** definition. Amending § 38.2-111.  
 Patron: Hargrove  
 Passed House ..... 296  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 298  
 Reported ..... 771  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1696  
 Approved by Governor-Chapter 182 (effective 7/1/04)

**H.B. 224. Medical assistance services;** includes marriage and family therapist. Amending § 32.1-325.  
 Patron: Shuler  
 Passed House ..... 313  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 315  
 Reported ..... 703  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time and passed Senate ..... 742, 752  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Signed by President ..... 1590  
 Approved by Governor-Chapter 125 (effective 7/1/04)

**H.B. 231. Consumer Protection Act;** admissibility of cure offers for consumer disputes involving consumer purchases. Amending §§ 59.1-198 and 59.1-204.  
 Patrons: Athey, et al.  
 Passed House ..... 455  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 457  
 Reported ..... 636  
 Read second time ..... 642  
 Read third time and passed Senate ..... 698  
 Reconsideration of vote on passage ..... 699

**H.B. 231 (continued)**

Passed Senate . . . . . 699  
 Signed by President . . . . . 1139  
 Approved by Governor—Chapter 41 (effective 7/1/04)

**H.B. 232. Contract passenger carriers; use of tinting films on vehicle windows. Amending § 46.2-1052.**

Patrons: Hall, et al.

Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 315  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor—Chapter 613 (effective 7/1/04)

**H.B. 233. License plates, special; issuance to general registrars. Amending §§ 46.2-737 and 46.2-746.9.**

Patrons: Cox, et al.

Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 234. Juvenile Justice, Department of; additional duties of Director associated with incarcerating undocumented aliens. Adding § 66-3.2.**

Patron: Cox

Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 278  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor—Chapter 126 (effective 7/1/04)

**H.B. 235. Inmate Data System; maintenance by Compensation Board, recouping costs associated with incarcerating undocumented aliens.**

Patron: Cox

Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 278  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor—Chapter 82 (effective 7/1/04)

**H.B. 237. Neighborhood Assistance Act; extends tax credit. Amending § 63.2-2002.**

Patron: Nutter

Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 639  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1799  
 Approved by Governor—Chapter 216 (effective 7/1/04)

**H.B. 238. Concealed weapons; permits by persons out-of-state. Amending § 18.2-308.**

Patrons: Nutter, et al.

Passed House . . . . . 430

**H.B. 238 (continued)**

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 434  
 Reported . . . . . 822  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 901 (effective 7/1/04)

**H.B. 239. Neighborhood Assistance Act; tax credit to certain clinics that deliver free health care. Amending § 63.2-2004.**

Patron: Nutter  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 315  
 Reported . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor-Chapter 183 (effective 7/1/04)

**H.B. 240. Regional Industrial Facility Authority; remittance of tax revenue. Amending § 15.2-6406.**

Patron: Nutter  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported with amendment . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time . . . . . 578  
 Reading of amendment waived. . . . . 578  
 Committee amendment agreed to . . . . . 578  
 Engrossed . . . . . 578  
 Passed Senate . . . . . 579  
 Senate amendment agreed to by House . . . . . 695  
 Signed by President . . . . . 1139  
 Approved by Governor-Chapter 42 (effective 7/1/04)

**H.B. 241. Christiansburg, Town of, charter; amending.**

Patron: Nutter  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported with amendment . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time . . . . . 578  
 Reading of amendment waived. . . . . 579  
 Committee amendment agreed to . . . . . 579  
 Engrossed . . . . . 579  
 Passed Senate . . . . . 579  
 Senate amendment agreed to by House . . . . . 695  
 Signed by President . . . . . 1139  
 Approved by Governor-Chapter 59 (effective 7/1/04)

**H.B. 242. Companion animals; exempts owner from animal cruelty when animal is attacked by another. Amending § 3.1-796.122.**

Patrons: Nutter, et al.  
 Passed House . . . . . 545

**H.B. 242 (continued)**

Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 547  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor-Chapter 217 (effective 7/1/04)

**H.B. 246. Retail Sales and Use Tax; applicable to telephone calling cards. Amending § 58.1-602.**

Patrons: Petersen, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported . . . . . 576  
 Constitutional reading dispensed, passed by for day . . . . . 616  
 Read third time and passed Senate . . . . . 642  
 Signed by President . . . . . 1139  
 Approved by Governor-Chapter 60 (effective 7/1/04)

**H.B. 249. Fairfax, City of, charter; amending.**

Patrons: Petersen, et al.  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 565, 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor-Chapter 19 (effective 7/1/04)

**H.B. 250. Reckless driving; penalty if convicted while license suspended and death or serious injury involved. Amending § 46.2-868.**

Patron: McQuigg  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Rereferred to Committee for Courts of Justice . . . . . 1078  
 Reported with amendments . . . . . 1433  
 Rereferred to Committee on Finance . . . . . 1434  
 Reported . . . . . 1530  
 Constitutional reading dispensed . . . . . 1565  
 Read third time . . . . . 1566  
 Reading of amendments waived . . . . . 1567  
 Committee amendments agreed to . . . . . 1567  
 Engrossed . . . . . 1567  
 Passed Senate . . . . . 1570  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 349 (effective 7/1/04)

**H.B. 253. Speeding; prepayable fines. Amending §§ 16.1-69.40:1 and 46.2-878.2.**

Patrons: McQuigg, et al.  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendment . . . . . 1433  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485

**H.B. 253 (continued)**

Read third time . . . . . 1509  
 Reading of amendment waived. . . . . 1510  
 Committee amendment agreed to . . . . . 1510  
 Engrossed . . . . . 1510  
 Passed Senate . . . . . 1515  
 Senate amendment agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor—Chapter 350 (effective 7/1/04)

**H.B. 254. License plates, special; issuance commemorating 200th anniversary of Town of Occoquan. Adding § 46.2-749.101.**

Patrons: McQuigg, et al.  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 315

**H.B. 257. Driver's license; requires vision exam for persons age 80 or older. Amending § 46.2-330.**

Patron: Jones, D.C.  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor—Chapter 218 (effective 7/1/04)

**H.B. 270. Vocational rehabilitation counselors; certification. Amending §§ 54.1-3513 and 65.2-603.**

Patron: Morgan  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported with amendments . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendments waived . . . . . 744  
 Committee amendments agreed to . . . . . 744  
 Engrossed . . . . . 744  
 Passed Senate . . . . . 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendments agreed to by House. . . . . 820  
 Signed by President . . . . . 1780  
 Approved by Governor—Chapter 271 (effective 7/1/04)

**H.B. 272. Drivers believed incompetent; suspension of license, confidentiality of source of information. Amending § 46.2-322.**

Patron: Morgan  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 298  
 Reported . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1552, 1556  
 Signed by President . . . . . 1831  
 Approved by Governor—Chapter 351 (effective 7/1/04)

**H.B. 275. Unclaimed property;** interest paid to owners. Amending § 55-210.21.

Patron: Purkey  
 Passed House ..... 258  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 258  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1796  
 Approved by Governor-Chapter 523 (effective 7/1/04)

**H.B. 276. Unclaimed property;** electronically filing of reports. Amending § 55-210.12.

Patron: Purkey  
 Passed House ..... 258  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 258  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1796  
 Approved by Governor-Chapter 524 (effective 7/1/04)

**H.B. 282. Income tax, state;** qualified equity and subordinated debt investment tax credit. Amending § 58.1-339.4.

Patron: Purkey  
 Passed House ..... 638  
 Constitutional reading dispensed, referred to Committee on Finance ..... 639  
 Reported with amendment ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1423, 1424  
 Read third time ..... 1443  
 Reading of amendment waived..... 1446  
 Committee amendment agreed to ..... 1446  
 Engrossed ..... 1446  
 Passed Senate ..... 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Senate amendment agreed to by House ..... 1536  
 Signed by President ..... 1833  
 Approved by Governor-Chapter 614 (effective 7/1/04)

**H.B. 283. Itinerant merchants;** regulation. Adding § 54.1-4306.

Patron: Cosgrove  
 Passed House ..... 331  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 334  
 Reported ..... 704  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time and passed Senate ..... 742, 752  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Signed by President ..... 1590  
 Approved by Governor-Chapter 127 (effective 7/1/04)

**H.B. 285. Neighborhood Assistance Act;** tax credit for donations of professional services. Amending § 63.2-2004.

Patron: Cosgrove  
 Passed House ..... 313  
 Constitutional reading dispensed, referred to Committee on Finance ..... 315  
 Reported ..... 1145

**H.B. 285 (continued)**

Constitutional reading dispensed . . . . . 1406  
 Read third time and passed Senate . . . . . 1407  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 725 (effective 7/1/04)

**H.B. 286. Weapons; possession on school property by off-duty law-enforcement officer.**

Amending § 18.2-308.1.  
 Patron: Cosgrove  
 Passed House . . . . . 331  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 334  
 Reported . . . . . 702  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor-Chapter 128 (effective 7/1/04)

**H.B. 288. Unemployment compensation; disqualification for benefits. Amending § 60.2-618.**

Patron: Griffith  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 434  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1696  
 Approved by Governor-Chapter 525 (effective 7/1/04)

**H.B. 291. Sex offenders; registration procedures. Amending § 9.1-903.**

Patrons: Griffith, et al.  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 334  
 Reported with amendments . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 784  
 Read third time . . . . . 799  
 Reading of amendments waived . . . . . 801  
 Committee amendments agreed to . . . . . 801  
 Engrossed . . . . . 801  
 Passed Senate . . . . . 804  
 Senate amendments agreed to by House . . . . . 1115  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 834 (effective 7/1/04)

**H.B. 293. Local taxes; offers in compromise to settle disputed assessments. Adding § 58.1-3994.**

Patron: Ware, R.L.  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1696  
 Approved by Governor-Chapter 526 (effective 7/1/04)

**H.B. 295. Business taxes;** written opinions prior to filing of an appeal of local assessment.  
 Amending § 58.1-3983.1.  
 Patron: Ware, R.L.  
 Passed House ..... 685  
 Constitutional reading dispensed, referred to Committee on Finance ..... 696  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1696  
 Approved by Governor-Chapter 527 (effective 7/1/04)

**H.B. 298. Local taxes;** effect of application for correction of assessment or appeal upon applications for local permits and licenses. Adding § 58.1-3994.  
 Patron: Ware, R.L.  
 Passed House ..... 685  
 Constitutional reading dispensed, referred to Committee on Finance ..... 696  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1809  
 Approved by Governor-Chapter 902 (effective 7/1/04)

**H.B. 300. Donations by localities;** authorized for organizations providing recreational or daycare to certain senior citizens. Amending § 15.2-953.  
 Patron: Ware, R.L.  
 Passed House ..... 332  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time and passed Senate ..... 1087, 1095  
 Signed by President ..... 1805  
 Approved by Governor-Chapter 272 (effective 7/1/04)

**H.B. 301. Hunting, trapping, fishing and motorboat registration;** fees increased. Amending § 29.1-103; adding § 29.1-701.1.  
 Patrons: Cox, et al.  
 Passed House ..... 526  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 529  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 784  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1796  
 House ruled Governor’s recommendation not germane ..... 1902  
 Approved by Governor-Chapter 1027 (effective 7/1/04)

**H.B. 302. Translation contracts;** Department of General Services to establish for telephonic language interpretation services.  
 Patron: Cox  
 Passed House ..... 371  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 377  
 Reported ..... 704  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time and passed Senate ..... 742, 752  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757

**H.B. 302 (continued)**

Signed by President . . . . . 1590  
 Approved by Governor-Chapter 129 (effective 7/1/04)

**H.B. 303. Traffic incidents;** increases payment of emergency response expenses due to certain serious traffic accidents. Amending § 15.2-1716.

Patrons: Fralin, et al.

Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 696  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 273 (effective 7/1/04)

**H.B. 309. Occupational therapy;** certification requirements. Amending §§ 54.1-2956.1, 54.1-2956.3, 54.1-2956.4 and 54.1-2956.5.

Patron: Purkey

Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time . . . . . 613  
 Reading of amendments waived . . . . . 614  
 Committee amendments agreed to . . . . . 614  
 Engrossed . . . . . 614  
 Passed Senate . . . . . 614  
 Senate amendments agreed to by House . . . . . 702  
 Signed by President . . . . . 1139  
 Approved by Governor-Chapter 61

**H.B. 311. Retail Sales and Use Tax;** limits certain percentage of revenues from a nonprofit entity to be used for administrative costs in order to maintain exempt status. Amending § 58.1-609.11.

Patron: Purkey

Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**H.B. 316. Senatorial districts;** changes in boundaries in Chesapeake City. Amending § 24.2-303.2.

Patron: Cosgrove

Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 424 (effective 7/1/04)

**H.B. 317. House of Delegates districts;** changes in boundaries in Arlington County. Amending § 24.2-304.02.

Patrons: Ebbin, et al.

Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time and passed Senate . . . . . 578, 579

**H.B. 317 (continued)**

Signed by President ..... 765  
 Approved by Governor-Chapter 20 (effective 7/1/04)

**H.B. 318. Public school employees; compensation when called to active military duty. Adding § 22.1-289.2.**

Patron: Cox  
 Passed House ..... 400  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 403  
 Reported with substitute ..... 703  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time ..... 742  
 Reading of substitute waived ..... 744  
 Committee substitute agreed to ..... 744  
 Engrossed ..... 744  
 Passed Senate ..... 752  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Senate substitute agreed to by House ..... 821  
 Signed by President ..... 1809  
 Approved by Governor-Chapter 528 (effective 7/1/04)

**H.B. 319. Driver's license; expiration of those issued to persons in armed services or diplomatic service. Amending §§ 46.2-330 and 46.2-1521; adding §§ 46.2-221.2, 46.2-221.3, 46.2-221.4 and 54.1-117; repealing § 46.2-331.**

Patrons: Cox, et al.  
 Passed House ..... 416  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 418  
 Reported ..... 723  
 Constitutional reading dispensed, passed by for day ..... 762, 763  
 Read third time and passed Senate ..... 773, 778  
 Signed by President ..... 1778  
 Approved by Governor-Chapter 975 (effective 7/1/04)

**H.B. 320. Child support; capias for nonsupport. Amending § 16.1-278.16.**

Patron: Kilgore  
 Passed House ..... 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 608  
 Reported ..... 1118  
 Constitutional reading dispensed, passed by for day ..... 1396, 1397  
 Read third time and passed Senate ..... 1415, 1419  
 Signed by President ..... 1799  
 Approved by Governor-Chapter 219 (effective 7/1/04)

**H.B. 321. Accounts, commissioners of; civil immunity for investigation by Judicial Council. Adding § 17.1-705.1.**

Patron: Kilgore  
 Passed House ..... 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 608  
 Reported with amendment ..... 1118  
 Constitutional reading dispensed, passed by for day ..... 1396, 1397  
 Read third time ..... 1415  
 Reading of amendment waived ..... 1416  
 Committee amendment agreed to ..... 1416  
 Engrossed ..... 1416  
 Passed Senate ..... 1419  
 Senate amendment agreed to by House ..... 1536

**H.B. 321 (continued)**

Signed by President . . . . . 1833  
 Approved by Governor-Chapter 976 (effective 7/1/04)

**H.B. 322. Health insurance carriers; fair business practices for retroactive denials. Amending**

§ 38.2-3407.15.  
 Patron: Griffith  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 403  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 425 (effective 7/1/04)

**H.B. 324. Drug treatment facility; jurisdiction when person charged with escape. Amending**

§ 18.2-254.  
 Patron: Griffith  
 Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 278  
 Reported . . . . . 702  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 752  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor-Chapter 130 (effective 7/1/04)

**H.B. 326. Spousal support; application of orders when either party has committed fraud.**

Amending §§ 20-74, 20-108, 20-109 and 20-112.  
 Patron: Griffith  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 332. Power of attorney; removal of social security numbers from instrument. Amending**

§ 17.1-227.  
 Patron: Pollard  
 Passed House . . . . . 258  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 258  
 Reported with amendment . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time . . . . . 1415  
 Reading of amendment waived. . . . . 1417  
 Committee amendment agreed to . . . . . 1417  
 Engrossed . . . . . 1417  
 Passed Senate . . . . . 1419  
 Senate amendment agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 352 (effective 7/1/04)

**H.B. 334. State Police Officers' and Law Officers' Retirement Systems; service requirements. Amending §§ 51.1-138, 51.1-205 and 51.1-216.**

Patron: Pollard  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706

**H.B. 334 (continued)**

Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor—Chapter 83 (effective 3/12/04)

**H.B. 340. Trailer dealers;** exemptions from licensure. Amending § 46.2-1992.

Patron: Pollard  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported with amendments . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time . . . . . 773  
 Reading of amendments waived . . . . . 775  
 Committee amendments agreed to . . . . . 775  
 Engrossed . . . . . 775  
 Passed Senate . . . . . 778  
 Senate amendments agreed to by House . . . . . 1115  
 Signed by President . . . . . 1809  
 Approved by Governor—Chapter 726 (effective 4/12/04)

**H.B. 342. Business entities;** conversions and mergers, registration. Amending §§ 13.1-616, 13.1-759, 13.1-766.1, 13.1-769.1, 13.1-816, 13.1-921, 13.1-931.1, 13.1-1005, 13.1-1052, 13.1-1060, 13.1-1064, 13.1-1072, 13.1-1204, 13.1-1242, 13.1-1254, 50-73.17, 50-73.48:3, 50-73.54, 50-73.57:2, 50-73.69, 50-73.93 and 50-73.138; adding §§ 13.1-766.2, 13.1-928.2, 13.1-1060.1, 13.1-1250.1 and 50-73.57:3.

Patron: Kilgore  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 298  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1809  
 Approved by Governor—Chapter 274 (effective 7/1/04)

**H.B. 344. Child custody and visitation;** filing fee for appeals. Amending §§ 16.1-69.48:5 and 16.1-296; adding § 16.1-296.2.

Patron: Kilgore  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor—Chapter 727 (effective 7/1/04)

**H.B. 346. Manufactured or mobile homes;** reclaiming those deemed abandoned, liability for payment of rent. Amending § 46.2-1208.

Patron: Cosgrove  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 298  
 Reported with amendment . . . . . 1077  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time . . . . . 1393  
 Reading of amendment waived . . . . . 1394  
 Committee amendment agreed to . . . . . 1394  
 Engrossed . . . . . 1394  
 Passed Senate . . . . . 1394

**H.B. 346 (continued)**

Senate amendment agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 353 (effective 7/1/04)

**H.B. 347. Freedom of Information Act; exempts records of Department of Emergency Management and citizen emergency response teams. Amending § 2.2-3705.**

Patron: Sherwood  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485  
 Read third time and passed Senate . . . . . 1509, 1515  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 426 (effective 7/1/04)

**H.B. 350. Risk management plans; inclusion of guardians for any consumer of a community services board. Amending § 2.2-1839.**

Patron: Albo  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported with amendment . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time . . . . . 1121  
 Reading of amendment waived. . . . . 1123  
 Committee amendment agreed to . . . . . 1123  
 Engrossed . . . . . 1123  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Senate amendment agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 529 (effective 7/1/04)

**H.B. 352. Criminal cases; testimony of husband and wife. Amending §§ 8.01-398 and 19.2-271.2.**

Patron: Johnson  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 498  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 354. Assistive Technology Loan Fund Authority; powers. Amending §§ 51.5-53 and 51.5-56.**

Patron: Bryant  
 Passed House . . . . . 685  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported with amendment . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time . . . . . 1066  
 Reading of amendment waived. . . . . 1067  
 Committee amendment agreed to . . . . . 1067  
 Engrossed . . . . . 1067  
 Passed Senate . . . . . 1069  
 Senate amendment agreed to by House . . . . . 1144

**H.B. 354 (continued)**

Signed by President . . . . . 1805  
 Approved by Governor-Chapter 728 (effective 7/1/04)

**H.B. 355. Economic Development Partnership Authority; membership of board of directors. Amending § 2.2-2235.**

Patron: Bryant  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported with substitute . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 759  
 Reading of substitute waived . . . . . 759  
 Committee substitute agreed to . . . . . 759  
 Engrossed . . . . . 759  
 Passed Senate . . . . . 759  
 Senate substitute rejected by House . . . . . 819  
 Senate insisted on substitute and requested committee of conference . . . . . 1078  
 House acceded to request . . . . . 1143  
 Conferees appointed . . . . . 1149

**H.B. 356. Health insurance; credits for retired school superintendents. Amending § 51.1-1401.**

Patron: Putney  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1428  
 Approved by Governor-Chapter 84 (effective 7/1/04)

**H.B. 357. Settlements by State; confidentiality. Amending § 2.2-514.**

Patron: Suit  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported with amendment . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 744  
 Committee amendment agreed to . . . . . 744  
 Engrossed . . . . . 745  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendment agreed to by House . . . . . 820  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 729 (effective 7/1/04)

**H.B. 358. Freedom of Information Act; posting of notice of rights and responsibilities by state public bodies. Amending §§ 2.2-3707 and 30-179; adding § 2.2-3704.1.**

Patron: Suit  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484

**H.B. 358 (continued)**

Passed by for day . . . . . 1485  
 Read third time and passed Senate . . . . . 1509, 1515  
 Signed by President . . . . . 1818  
 Approved by Governor—Chapter 730 (effective 7/1/04)

**H.B. 360. Unclaimed property; sale and disposal by State Police. Adding §§ 52-11.4 and 52-11.5.**

Patron: Miles  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 355  
 Rereferred to Committee for Courts of Justice . . . . . 723  
 Reported with amendment . . . . . 1433  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486, 1518  
 Read third time . . . . . 1558  
 Reading of amendment waived . . . . . 1558  
 Committee amendment rejected . . . . . 1559  
 Reading of amendments waived . . . . . 1559  
 Amendments by Senator Mims agreed to . . . . . 1559  
 Engrossed . . . . . 1559  
 Passed Senate . . . . . 1559  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor—Chapter 427 (effective 7/1/04)

**H.B. 363. Legal service plans; moves regulation to Department of Agriculture and Consumer Services. Amending §§ 38.2-1800 and 59.1-200; adding §§ 59.1-441.1 through 59.1-441.6; repealing § 38.2-4415.**

Patron: Hargrove  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 298  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1809  
 Approved by Governor—Chapter 784 (effective 7/1/04)

**H.B. 372. Utility tax; imposition on local consumers in Towns of Herndon and Vienna for mobile phone usage. Amending § 58.1-3812.**

Patrons: Rust, et al.  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 355  
 Reported with substitute . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 421, 422  
 Read third time . . . . . 436  
 Reading of substitute waived . . . . . 436  
 Committee substitute agreed to . . . . . 436  
 Engrossed . . . . . 436  
 Passed Senate . . . . . 436  
 Reconsideration of vote on Senate passage agreed to . . . . . 441  
 Passed Senate . . . . . 442  
 Senate substitute agreed to by House . . . . . 528  
 Signed by President . . . . . 765  
 Approved by Governor—Chapter 43 (effective 7/1/04)

**H.B. 373. Referenda;** local distribution of information. Amending § 24.2-687.

Patron: Lingamfelter  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor-Chapter 21 (effective 7/1/04)

**H.B. 375. Firearms;** sale and purchase requirements. Amending § 18.2-308.2:2.

Patron: Lingamfelter  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 334  
 Reported . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time and passed Senate . . . . . 1415, 1419  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 354 (effective 7/1/04)

**H.B. 379. License plates, special;** issuance to members of American Legion. Amending § 46.2-746.4; adding § 46.2-746.4:01.

Patrons: Lingamfelter, et al.  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 380. Charter School Excellence and Accountability Act;** changes in provisions. Amending §§ 2.2-3109, 22.1-212.5, 22.1-212.6, 22.1-212.8, 22.1-212.9, 22.1-212.11 and 22.1-212.12.

Patrons: Lingamfelter, et al.  
 Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 609  
 Reported with amendments . . . . . 1469  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time . . . . . 1561  
 Reading of amendments waived . . . . . 1562  
 Committee amendments agreed to . . . . . 1562  
 Engrossed . . . . . 1562  
 Passed Senate . . . . . 1562  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 530 (effective 7/1/04)

**H.B. 382. Concealed handguns;** confidentiality of social security numbers in permit applications. Amending § 18.2-308.

Patrons: Lingamfelter, et al.  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 434  
 Reported . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time and passed Senate . . . . . 1415, 1419  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 355 (effective 7/1/04)

**H.B. 390. Health Spa Act;** requirement for bond or letter of credit. Amending §§ 59.1-296.2:1 and 59.1-306.  
 Patron: Amundson  
 Passed House ..... 605  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 609  
 Reported ..... 1144  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Passed by for day ..... 1455, 1479, 1518, 1558  
 Read third time ..... 1640  
 Reading of amendments waived ..... 1640  
 Amendments by Senator Wagner agreed to ..... 1640  
 Engrossed ..... 1640  
 Passed Senate ..... 1640  
 Senate amendments rejected by House. .... 1687  
 Senate insisted on amendments and requested committee of conference ..... 1690  
 House acceded to request ..... 1694  
 Conferees appointed ..... 1695  
 Conference report adopted by Senate ..... 1754  
 Conference report adopted by House ..... 1757  
 Signed by President ..... 1843  
 House concurred in Governor's recommendation. .... 1871  
 Senate concurred in Governor's recommendation ..... 1878  
 Signed by President as reenrolled. .... 1904  
 Enacted, Chapter 988 (effective 7/1/04)

**H.B. 391. Medical care facilities certificate of public need;** criteria for determining need.  
 Amending §§ 32.1-102.3 and 32.1-102.6.  
 Patrons: Amundson, et al.  
 Passed House ..... 493  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 498  
 Reported ..... 703  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time and passed Senate ..... 742, 753  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Signed by President ..... 1590  
 Approved by Governor-Chapter 95 (effective 7/1/04)

**H.B. 402. Concealed handguns;** issuance of a de facto permit. Amending § 18.2-308.  
 Patrons: Janis, et al.  
 Passed House ..... 573  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. .... 575  
 Reported with amendment ..... 1495  
 Constitutional reading dispensed ..... 1566  
 Read third time ..... 1573  
 Reading of amendment waived. .... 1573  
 Committee amendment agreed to ..... 1573  
 Engrossed ..... 1573  
 Passed Senate ..... 1573  
 Senate amendment agreed to by House ..... 1656  
 Signed by President ..... 1837  
 Approved by Governor-Chapter 903 (effective 7/1/04)

**H.B. 403. Real estate tax;** allows Goochland County to increase amount of income for elderly or disabled prior to reduced imposition. Amending § 58.1-3211.

Patron: Janis  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 315  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 421, 422  
 Read third time and passed Senate . . . . . 436  
 Reconsideration of vote on Senate passage agreed to . . . . . 441  
 Passed Senate . . . . . 442  
 Signed by President . . . . . 682  
 Approved by Governor-Chapter 6 (effective 7/1/04)

**H.B. 404. Concealed handguns;** allows permit holders to purchase more than one handgun per month. Amending § 18.2-308.2:2.

Patron: Janis  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 561  
 Reported . . . . . 822  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Passed by for day . . . . . 1135, 1395  
 Read third time . . . . . 1420  
 Passed by temporarily . . . . . 1420  
 Passed by for day . . . . . 1426  
 Reading of amendments waived . . . . . 1454  
 Amendments by Senator Mims agreed to . . . . . 1454  
 Engrossed . . . . . 1454  
 Passed Senate . . . . . 1454  
 Senate amendments agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 904 (effective 7/1/04)

**H.B. 408. Highway repairs;** use of steel plates. Adding § 33.1-223.2:9.

Patron: Welch  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1799  
 House rejected Governor's recommendation . . . . . 1902

**H.B. 409. Podiatry;** practice, definition. Amending § 54.1-2900.

Patron: Welch  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 731 (effective 7/1/04)

**H.B. 410. Elections;** post-election procedures and securing of equipment and materials.  
 Amending §§ 24.2-659 and 24.2-668.  
 Patron: Welch  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported with amendments . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time . . . . . 1087  
 Reading of amendments waived . . . . . 1089  
 Committee amendments agreed to . . . . . 1089  
 Engrossed . . . . . 1089  
 Passed Senate . . . . . 1095  
 Senate amendments agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor—Chapter 835 (effective 7/1/04)

**H.B. 411. Electronic pollbooks and registration inquiry devices;** use by localities.  
 Amending § 24.2-404.  
 Patron: Welch  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported with amendments . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time . . . . . 1087  
 Reading of amendments waived . . . . . 1089  
 Committee amendments agreed to . . . . . 1090  
 Engrossed . . . . . 1090  
 Passed Senate . . . . . 1095  
 Senate amendments agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor—Chapter 428 (effective 7/1/04)

**H.B. 414. Explosives;** penalty for possession or transportation by convicted felons. Amending § 18.2-308.2.  
 Patron: Lewis  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 457  
 Reported with amendment . . . . . 702  
 Rereferred to Committee on Finance . . . . . 705  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1443  
 Reading of amendment waived . . . . . 1446  
 Committee amendment agreed to . . . . . 1446  
 Engrossed . . . . . 1446  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendment agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor—Chapter 429 (effective 7/1/04)

**H.B. 415. Emergencies and disasters;** Governor to conduct an annual statewide drill on response thereto. Adding § 44-146.17:2.  
 Patron: Lewis  
 Passed House ..... 685  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 697  
 Reported with amendment ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time ..... 1121  
 Reading of amendment waived. .... 1123  
 Committee amendment agreed to ..... 1123  
 Engrossed ..... 1123  
 Passed Senate ..... 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1133  
 Senate amendment agreed to by House ..... 1536  
 Signed by President ..... 1834  
 Approved by Governor-Chapter 430 (effective 7/1/04)

**H.B. 417. Zoning maps;** indexing content. Amending § 15.2-2300.  
 Patron: Lingamfelter  
 Passed House ..... 332  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time and passed Senate ..... 1476, 1478  
 Signed by President ..... 1818  
 Approved by Governor-Chapter 531 (effective 7/1/04)

**H.B. 419. Gangs;** allows forfeiture of property used in connection with criminal street activity.  
 Adding § 18.2-46.3:1.  
 Patrons: Lingamfelter, et al.  
 Passed House ..... 455  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 457

**H.B. 420. Child abuse or neglect;** development of multidisciplinary consultation teams.  
 Amending §§ 63.2-105 and 63.2-1503.  
 Patron: Watts  
 Passed House ..... 313  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 315  
 Reported ..... 722  
 Constitutional reading dispensed, passed by for day ..... 762, 763  
 Read third time and passed Senate ..... 773, 778  
 Signed by President ..... 1778  
 Approved by Governor-Chapter 220 (effective 7/1/04)

**H.B. 421. Marriage rites;** persons who may perform. Amending § 20-23.  
 Patron: Watts  
 Passed House ..... 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 608

**H.B. 422. Contractors, Board for;** prohibited acts, misrepresentation, penalty. Amending § 54.1-1115.  
 Patron: Watts  
 Passed House ..... 332  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 334  
 Reported ..... 704  
 Constitutional reading dispensed, passed by for day ..... 730, 732

**H.B. 422 (continued)**

Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor-Chapter 131 (effective 7/1/04)

**H.B. 423. Building Code; regulation of HVAC facilities. Adding § 36-99.6:3.**

Patron: Watts  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor-Chapter 132 (effective 7/1/04)

**H.B. 427. License plates, special; issuance to members and associates of court-appointed special advocate program. Amending § 46.2-749.59.**

Patron: Watts  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 429. Utility trailers; reflectors to be used on rear. Adding § 46.2-1088.4.**

Patron: Reid  
 Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported with substitute . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time . . . . . 1552  
 Reading of substitute waived . . . . . 1553  
 Committee substitute agreed to . . . . . 1553  
 Engrossed . . . . . 1553  
 Passed Senate . . . . . 1556  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 785 (effective 7/1/04)

**H.B. 430. Appeal bonds; ceiling. Amending § 8.01-676.1.**

Patron: Albo  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 355  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Passed by for day . . . . . 1573  
 Read third time . . . . . 1642  
 Amendments by Senator Mims withdrawn . . . . . 1643  
 Passed Senate . . . . . 1643  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 356 (effective 7/1/04)

**H.B. 433. School boards; fringe benefits, expenses and reimbursements in Arlington County.**

Patrons: Brink, et al.  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 298  
 Reported with substitute . . . . . 703

**H.B. 433 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 759  
 Reading of substitute waived . . . . . 759  
 Committee substitute agreed to . . . . . 759  
 Engrossed . . . . . 759  
 Passed Senate . . . . . 759  
 Reconsideration of vote on Senate passage agreed to . . . . . 761  
 Passed Senate . . . . . 761  
 Senate substitute agreed to by House . . . . . 821  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 532 (effective 7/1/04)

**H.B. 434. Arlington County; manager duties concerning budget, purchase of easements, etc.**

Amending §§ 15.2-710, 15.2-720.1 and 15.2-726.  
 Patrons: Brink, et al.  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Passed by temporarily . . . . . 580  
 Read third time and passed Senate . . . . . 595  
 Signed by President . . . . . 765  
 Approved by Governor-Chapter 22 (effective 7/1/04)

**H.B. 437. Charitable gaming; provisions for winner-take-all and “Lucky Seven” games.**

Amending § 18.2-340.33.  
 Patron: Suit  
 Passed House . . . . . 371  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported with amendment . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time . . . . . 1135  
 Reading of amendment waived . . . . . 1135  
 Committee amendment agreed to . . . . . 1135  
 Engrossed . . . . . 1136  
 Passed Senate . . . . . 1136  
 Senate amendment agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 275 (effective 7/1/04)

**H.B. 438. Nuisances; abatement shall constitute lien on property. Amending § 15.2-1115.**

Patron: Suit  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1098  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 533 (effective 7/1/04)

**H.B. 440. Oil discharge plans; changes in provisions. Amending §§ 62.1-44.34:15 and 62.1-44.34:16.**

Patron: Suit  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739

**H.B. 440 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 783, 784  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1796  
 Approved by Governor–Chapter 276 (effective 7/1/04)

**H.B. 441. Child custody and visitation;** court to consider best interest of child. Amending

§ 20-124.3.  
 Patron: Suit  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1397  
 Read third time and passed Senate . . . . . 1420  
 Signed by President . . . . . 1800  
 Approved by Governor–Chapter 221 (effective 7/1/04)

**H.B. 444. Concealed weapons;** residency requirement for application for permit. Amending

§ 18.2-308.  
 Patron: Suit  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 434  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 808  
 Signed by President . . . . . 1796  
 Approved by Governor–Chapter 905 (effective 7/1/04)

**H.B. 445. Erosion and sediment control and stormwater management inspectors;**

certificate of competence. Amending §§ 10.1-561 and 62.1-44.15.  
 Patron: Suit  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural  
 Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 799, 804  
 Signed by President . . . . . 1797  
 Approved by Governor–Chapter 431 (effective 7/1/04)

**H.B. 447. Child custody or visitation;** parties may be required to attend parenting classes.

Amending §§ 16.1-278.15 and 20-103.  
 Patron: Suit  
 Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 609  
 Reported with amendments . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1397  
 Read third time . . . . . 1420  
 Reading of amendments waived . . . . . 1420  
 Committee amendments agreed to . . . . . 1420  
 Passed by for day . . . . . 1421  
 Engrossed . . . . . 1455  
 Passed Senate . . . . . 1455  
 Senate amendments agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor–Chapter 732 (effective 7/1/04)

**H.B. 448. Real Estate Time-Share Act;** use of reverter deed in lieu of foreclosure. Amending §§ 55-362 and 55-374; adding § 55-376.1.

Patron: Suit

Passed House .....	371
Constitutional reading dispensed, referred to Committee on General Laws .....	377
Reported .....	704
Constitutional reading dispensed, passed by for day .....	730, 732
Read third time and passed Senate .....	742, 753
Reconsideration of vote on Senate passage agreed to .....	755
Passed Senate .....	757
Signed by President .....	1590
House concurred in Governor's recommendation .....	1789
Senate concurred in Governor's recommendation .....	1790
Reconsideration of Governor's recommendation agreed to .....	1790
Senate concurred in Governor's recommendation .....	1791
Signed by President as reenrolled .....	1800
Enacted, Chapter 143 (effective 7/1/04)	

**H.B. 449. Condominium and Property Owners' Association Acts;** unit or lot sold in a nonjudicial foreclosure proceeding shall be sold subject to prior liens. Amending §§ 55-79.84 and 55-516.

Patron: McQuigg

Passed House .....	559
Constitutional reading dispensed, referred to Committee on General Laws .....	561
Reported with amendments .....	704
Constitutional reading dispensed, passed by for day .....	730, 732
Read third time .....	742
Reading of amendments waived .....	745
Committee amendments agreed to .....	745
Engrossed .....	745
Passed Senate .....	753
Reconsideration of vote on Senate passage agreed to .....	755
Passed by for day .....	756
Passed Senate .....	778
Senate amendments agreed to by House .....	1115
Signed by President .....	1799
Approved by Governor-Chapter 786 (effective 7/1/04)	

**H.B. 451. Fire Prevention Code;** enforcement. Amending § 27-98.

Patron: McQuigg

Passed House .....	416
Constitutional reading dispensed, referred to Committee on General Laws .....	418
Reported .....	824
Constitutional reading dispensed, passed by for day .....	1102, 1104
Passed by for day .....	1136
Read third time and passed Senate .....	1395
Signed by President .....	1812
Approved by Governor-Chapter 787 (effective 7/1/04)	

**H.B. 453. Motor vehicle dealers;** exempts licensing persons who sell fire-fighting equipment, ambulances, etc. Amending §§ 46.2-733 and 46.2-1500.

Patron: McQuigg

Passed House .....	526
Constitutional reading dispensed, referred to Committee on Transportation .....	529
Reported with amendment .....	1471

**H.B. 453 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time . . . . . 1552  
 Reading of amendment waived. . . . . 1553  
 Committee amendment agreed to . . . . . 1553  
 Engrossed . . . . . 1554  
 Passed Senate . . . . . 1556  
 Senate amendment agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 788 (effective 1/1/05)

**H.B. 454. Licensure by Board for Contractors;** Department of Professional and Occupational Regulation and Board for Contractors to establish pilot program for local enforcement.

Patron: McQuigg

Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported with amendment . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 745  
 Committee amendment agreed to . . . . . 745  
 Engrossed . . . . . 745  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendment agreed to by House . . . . . 820  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 789 (effective 7/1/04)

**H.B. 460. Fidelity and surety insurers;** changes in provisions. Amending §§ 38.2-2416 through 38.2-2419.

Patron: Drake

Passed House . . . . . 605  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 609  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 357 (effective 7/1/04)

**H.B. 462. Asbestos, Lead, and Home Inspectors, Board for;** summary suspension of licenses or approvals. Adding § 54.1-516.1.

Patron: Drake

Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported with amendments . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendments waived . . . . . 746  
 Committee amendments agreed to . . . . . 746  
 Engrossed . . . . . 746  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendments agreed to by House . . . . . 820

**H.B. 462 (continued)**

Signed by President ..... 1780  
 Approved by Governor-Chapter 222 (effective 7/1/04)

**H.B. 463. Asbestos or lead abatement activities; necessity for license. Amending § 54.1-503.**

Patron: Drake  
 Passed House ..... 332  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 334  
 Reported ..... 704  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time and passed Senate ..... 742, 753  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Signed by President ..... 1590  
 Approved by Governor-Chapter 133 (effective 7/1/04)

**H.B. 464. Mobile property tax, local; appeal for correction of assessment. Amending §§ 58.1-3103 and 58.1-3983.1.**

Patron: Drake  
 Passed House ..... 638  
 Constitutional reading dispensed, referred to Committee on Finance ..... 639  
 Reported with substitute ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1423, 1424  
 Read third time ..... 1443  
 Reading of substitute waived ..... 1446  
 Committee substitute agreed to ..... 1446  
 Engrossed ..... 1446  
 Passed Senate ..... 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Senate substitute agreed to by House ..... 1538  
 Signed by President ..... 1818  
 Approved by Governor-Chapter 534

**H.B. 465. Public records; treasurer may impose a remote access fee to cover operational expenses. Amending § 58.1-3172.1.**

Patron: Drake  
 Passed House ..... 638  
 Constitutional reading dispensed, referred to Committee on Finance ..... 639  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time ..... 1087  
 Reading of amendments waived ..... 1090  
 Amendments by Senator Quayle agreed to ..... 1090  
 Engrossed ..... 1090  
 Passed Senate ..... 1095  
 Senate amendments agreed to by House ..... 1403  
 Signed by President ..... 1812  
 Approved by Governor-Chapter 223 (effective 7/1/04)

**H.B. 466. Unclaimed property; notice of public sale through post, print, electronic media, etc. Amending § 55-210.18.**

Patron: Drake  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 696  
 Reported ..... 1119  
 Constitutional reading dispensed, passed by for day ..... 1396, 1397

**H.B. 466 (continued)**

Read third time and passed Senate . . . . . 1415, 1419  
 Signed by President . . . . . 1800  
 Approved by Governor–Chapter 535 (effective 7/1/04)

**H.B. 467. Conflict of Interests Act, State and Local Government;** orientation programs for state government personnel. Amending § 2.2-3101; adding §§ 2.2-3100.1 and 2.2-3128 through 2.2-3131.

Patron: Drake  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor–Chapter 134 (effective 7/1/04)

**H.B. 470. Procurement Act, Public;** includes online auctions and U.S. General Services Administration. Amending §§ 2.2-4303 and 2.2-4304.

Patron: Nixon  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported with amendment . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 746  
 Committee amendment agreed to . . . . . 746  
 Engrossed . . . . . 746  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendment agreed to by House . . . . . 820  
 Signed by President . . . . . 1780  
 Approved by Governor–Chapter 906 (effective 7/1/04)

**H.B. 471. Nonprofit Credit Counseling Act;** created, abolishes Nonprofit Debt Counseling Agencies. Amending §§ 54.1-3905, 57-60 and 59.1-200; adding §§ 6.1-363.2 through 6.1-363.26; repealing § 6.1-363.1.

Patrons: Nixon, et al.  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 403  
 Reported with amendments . . . . . 1144  
 Rereferred to Committee for Courts of Justice. . . . . 1146  
 Reported with amendments . . . . . 1433  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485  
 Read third time . . . . . 1509  
 Reading of amendments waived. . . . . 1516  
 Committee amendments agreed to . . . . . 1517  
 Reading of amendments waived. . . . . 1517  
 Committee amendments agreed to . . . . . 1517  
 Passed by for day . . . . . 1517  
 Engrossed . . . . . 1553

**H.B. 471 (continued)**

Passed Senate . . . . . 1556  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor—Chapter 790 (effective 7/1/04)

**H.B. 472. Wages and salaries;** deposit into employee account. Amending § 40.1-29.

Patron: Nixon  
 Passed House . . . . . 430  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 434  
 Reported with amendments . . . . . 1144  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1444  
 Reading of amendments waived . . . . . 1447  
 Committee amendments agreed to . . . . . 1447  
 Engrossed . . . . . 1447  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendments agreed to by House . . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor—Chapter 358 (effective 7/1/04)

**H.B. 474. Workers' compensation;** deposit to be made by self-insurers in order to secure payment for liabilities. Amending § 65.2-801.

Patron: Nixon  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 434  
 Reported . . . . . 636  
 Read second time . . . . . 642  
 Read third time and passed Senate . . . . . 698  
 Signed by President . . . . . 1139  
 Approved by Governor—Chapter 44 (effective 7/1/04)

**H.B. 477. Motorcycle learner's permits;** issuance. Amending § 46.2-335.

Patron: Nixon  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 547  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 773, 778  
 Signed by President . . . . . 1778  
 Approved by Governor—Chapter 733 (effective 7/1/04)

**H.B. 478. Information technology and telecommunications procurement;** exempts UVa Medical Center. Amending §§ 2.2-2006, 2.2-4343 and 23-77.4.

Patron: Nixon  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1590  
 Approved by Governor—Chapter 145 (effective 7/1/04)

**H.B. 484. Firearms;** permit to sell or purchase in certain counties. Amending § 15.2-1208; repealing Chapter 297, 1944 Acts.  
 Patrons: Cole, et al.  
 Passed House ..... 332  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported with amendments ..... 548  
 Constitutional reading dispensed, passed by for day ..... 566, 567  
 Read third time ..... 580  
 Reading of amendments waived ..... 581  
 Committee amendments agreed to ..... 581  
 Engrossed ..... 581  
 Passed Senate ..... 581  
 Reconsideration of vote on Senate passage agreed to ..... 582  
 Passed Senate ..... 582  
 Senate amendments agreed to by House ..... 695  
 Signed by President ..... 1139  
 Approved by Governor-Chapter 62 (effective 7/1/04)

**H.B. 485. Highway construction;** allocation of funds within secondary system. Amending § 33.1-23.4.  
 Patron: Cole  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 696  
 Reported ..... 1077  
 Constitutional reading dispensed, passed by for day ..... 1137, 1138  
 Read third time and passed Senate ..... 1393, 1394  
 Signed by President ..... 1812  
 Approved by Governor-Chapter 791 (effective 7/1/04)

**H.B. 487. Freedom of Information Act;** exempts records for owner/operators of aircraft. Amending § 2.2-3705.  
 Patron: Cole  
 Passed House ..... 276  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 278  
 Continued to 2005 Session in Senate Committee on General Laws ..... 1793

**H.B. 489. Wetlands boards;** members. Amending § 28.2-1303.  
 Patron: Tata  
 Passed House ..... 296  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 298  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 799, 804  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 277 (effective 7/1/04)

**H.B. 493. Timber;** penalty for theft. Amending §§ 55-331, 55-332 and 55-334; adding § 55-334.1; repealing § 55-333.  
 Patron: Kilgore  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 696  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Passed by for day ..... 799  
 Read third time ..... 1066

**H.B. 493 (continued)**

Reading of amendments waived . . . . . 1067  
 Amendments by Senator Stolle agreed to . . . . . 1067  
 Engrossed . . . . . 1067  
 Passed Senate . . . . . 1069  
 Senate amendments agreed to by House . . . . . 1144  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 615 (effective 7/1/04)

**H.B. 494. Guardianships;** provisions for requests by child for incapacitated parent. Amending § 37.1-134.17.

Patron: Kilgore  
 Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 278  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 135 (effective 7/1/04)

**H.B. 501. Nursing home bed projects;** conditions for issuance of an amended certificate of public need. Amending Chapter 912, 2000 Acts.

Patrons: Callahan, et al.  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 498  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 759  
 Reconsideration of vote on Senate passage agreed to . . . . . 760  
 Passed Senate . . . . . 760  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 85 (effective 7/1/04)

**H.B. 502. Transportation improvement districts;** establishment in Fairfax County. Amending §§ 33.1-430, 33.1-431, 33.1-433 and 33.1-435.

Patrons: Callahan, et al.  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 1077  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 792 (effective 7/1/04)

**H.B. 503. Handguns;** purchase by Departments of Conservation and Recreation and of Forestry officers. Amending § 59.1-148.3.

Patron: Keister  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 334  
 Reported . . . . . 702  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757

**H.B. 503 (continued)**

Signed by President . . . . . 1591  
 Approved by Governor-Chapter 136 (effective 7/1/04)

**H.B. 504. Courthouse and courtroom security; funds from fees to be used for equipment.**

Amending § 53.1-120.  
 Patrons: Keister, et al.  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendments . . . . . 1495  
 Constitutional reading dispensed . . . . . 1565  
 Read third time . . . . . 1567  
 Reading of amendments waived . . . . . 1567  
 Committee amendments agreed to . . . . . 1567  
 Engrossed . . . . . 1567  
 Passed Senate . . . . . 1570  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 432 (effective 7/1/04)

**H.B. 508. Computers; teachers may purchase on state contract for use outside classroom.**

Amending § 2.2-2012.  
 Patron: Marrs  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 278 (effective 7/1/04)

**H.B. 509. Circuit court clerks; conversion of papers in ended cases. Amending § 17.1-213.**

Patrons: Marrs, et al.  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 822  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1812  
 Approved by Governor-Chapter 433 (effective 7/1/04)

**H.B. 510. Circuit court clerks; funding for additional deputies. Amending § 17.1-507.**

Patron: Marrs  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498  
 Reported with amendment . . . . . 823  
 Rereferred to Committee on Finance . . . . . 825  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**H.B. 511. Child support; guidelines not to include calculations from income from second job, payment of medical expenses. Amending § 20-108.2.**

Patron: Marrs  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608

**H.B. 511 (continued)**

Reported with substitute . . . . . 1495  
 Constitutional reading dispensed . . . . . 1565  
 Read third time . . . . . 1567  
 Reading of substitute waived . . . . . 1567  
 Committee substitute agreed to. . . . . 1567  
 Engrossed . . . . . 1567  
 Passed Senate . . . . . 1570  
 Senate substitute rejected by House . . . . . 1654  
 Senate insisted on substitute and requested committee of conference . . . . . 1664  
 House acceded to request . . . . . 1688  
 Conferees appointed . . . . . 1692  
 Conference report adopted by House . . . . . 1757  
 Conference report adopted by Senate . . . . . 1761  
 Signed by President . . . . . 1847  
 Approved by Governor-Chapter 907 (effective 7/1/04)

**H.B. 513. Student conduct;** policies concerning actions involving self defense. Amending § 22.1-279.6.

Patron: Marrs  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1136  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 908 (effective 7/1/04)

**H.B. 514. Sexual assault;** applicability of mental incapacity and physical helplessness of complaining witness. Amending § 18.2-67.10.

Patrons: Marrs, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 457  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 515. Retail Sales and Use Tax;** exemptions include certain property of churches, and medical products, etc., of Department of Medical Assistance Services, and certain entities that foster athletic programs, etc., for youth. Amending §§ 58.1-3, 58.1-609.10 and 58.1-609.11.

Patron: Orrock  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported . . . . . 1145  
 Constitutional reading dispensed . . . . . 1407  
 Passed by temporarily. . . . . 1407  
 Read third time and passed Senate . . . . . 1409  
 Signed by President . . . . . 1800  
 Approved by Governor-Chapter 536 (effective 7/1/04)

**H.B. 516. Commercial motor vehicle safety;** State Police to regulate hours of service. Amending § 52-8.4.

Patron: Orrock  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 402  
 Reported with amendments . . . . . 577  
 Constitutional reading dispensed, passed by for day . . . . . 616  
 Read third time . . . . . 640

**H.B. 516 (continued)**

Reading of amendments waived . . . . . 641  
 Committee amendments agreed to . . . . . 641  
 Engrossed . . . . . 641  
 Passed Senate . . . . . 641  
 Senate amendments agreed to by House . . . . . 722  
 Signed by President . . . . . 1139  
 Approved by Governor-Chapter 23 (effective 3/2/04)

**H.B. 524. Dental hygienists; continuing education. Amending § 54.1-2729.**

Patron: Hogan  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 137 (effective 7/1/04)

**H.B. 525. Health insurance; plan for part-time state employees. Amending § 2.2-2818.**

Patron: Hogan  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 561  
 Reported with amendment . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time . . . . . 1087  
 Reading of amendment waived. . . . . 1090  
 Committee amendment agreed to . . . . . 1090  
 Engrossed . . . . . 1090  
 Passed Senate . . . . . 1095  
 Senate amendment agreed to by House . . . . . 1403  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 279 (effective 7/1/04)

**H.B. 527. Youth and Families, Comprehensive Services for At-Risk; members of Executive Council. Amending §§ 2.2-2648 and 2.2-5201.**

Patron: Hogan  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 403  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 836 (effective 7/1/04)

**H.B. 529. Unemployment compensation; definition of employment services as it relates to prison inmates. Amending §§ 60.2-219, 60.2-528 and 60.2-618.**

Patron: Hogan  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 696  
 Reported . . . . . 1530  
 Constitutional reading dispensed . . . . . 1566  
 Read third time and passed Senate . . . . . 1573

**H.B. 529 (continued)**  
 Signed by President ..... 1831  
 Approved by Governor–Chapter 977 (effective 7/1/04)

**H.B. 530. Firearms; control by localities. Amending §§ 15.2-915 and 18.2-308.2:2.**  
 Patrons: Hogan, et al.  
 Passed House ..... 431  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 434  
 Reported ..... 1119  
 Constitutional reading dispensed, passed by for day ..... 1397  
 Read third time and passed Senate ..... 1421  
 Signed by President ..... 1800  
 Approved by Governor–Chapter 837 (effective 7/1/04)

**H.B. 532. Motorcycle rider safety training centers; licensure. Amending §§ 46.2-1188 through 46.2-1192; adding §§ 46.2-1190.1 through 46.2-1190.7.**  
 Patrons: Stump, et al.  
 Passed House ..... 400  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 402  
 Reported ..... 723  
 Constitutional reading dispensed, passed by for day ..... 762, 763  
 Read third time and passed Senate ..... 774, 778  
 Signed by President ..... 1778  
 Approved by Governor–Chapter 734 (effective 7/1/04)

**H.B. 533. Buchanan County Tourist Train Development Authority; membership.**  
 Amending §§ 15.2-6701 and 15.2-6703.  
 Patrons: Stump, et al.  
 Passed House ..... 332  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 548  
 Constitutional reading dispensed, passed by for day ..... 566  
 Read third time and passed Senate ..... 578, 579  
 Signed by President ..... 765  
 Approved by Governor–Chapter 35 (effective 7/1/04)

**H.B. 534. Roadway litter pick-up; civil immunity of officials and volunteers who participate in programs for probationers. Adding § 8.01-226.8.**  
 Patrons: Stump, et al.  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported with amendments ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time ..... 799  
 Reading of amendments waived..... 802  
 Committee amendments agreed to ..... 802  
 Engrossed ..... 802  
 Passed Senate ..... 804  
 Senate amendments agreed to by House..... 1115  
 Signed by President ..... 1809  
 Approved by Governor–Chapter 434 (effective 7/1/04)

**H.B. 535. Big Sandy River watershed; provisions for removing obstructions. Amending § 62.1-194.3.**  
 Patrons: Stump, et al.  
 Passed House ..... 400  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 402

**H.B. 535 (continued)**

Reported with substitute . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time . . . . . 799  
 Reading of substitute waived . . . . . 802  
 Committee substitute agreed to . . . . . 802  
 Engrossed . . . . . 802  
 Passed Senate . . . . . 804  
 Senate substitute agreed to by House . . . . . 1116  
 Signed by President . . . . . 1826

**H.B. 536. Hunting stamp; established. Amending §§ 29.1-103 and 29.1-113.**

Patrons: Stump, et al.  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 799, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 280 (effective 7/1/04)

**H.B. 537. Credit card transactions; printing of information on receipts. Amending § 11-33.2.**

Patron: May  
 Passed House . . . . . 599  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 793 (effective 7/1/04)

**H.B. 538. Freedom of Information Act; exempts numbers for cell phones, pagers, etc., of law-enforcement personnel. Amending § 2.2-3706.**

Patron: May  
 Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 278  
 Reported with amendments . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485  
 Read third time . . . . . 1509  
 Reading of amendments waived . . . . . 1511  
 Committee amendments agreed to . . . . . 1511  
 Engrossed . . . . . 1511  
 Passed Senate . . . . . 1515  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 735 (effective 7/1/04)

**H.B. 543. Government Data Collection and Dissemination Practices Act; use of unique identifying numbers limited on public records. Adding § 2.2-3808.3.**

Patron: May  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608

**H.B. 543 (continued)**

Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 736 (effective 7/1/04)

**H.B. 545. Integrated research and academic campuses;** Research and Technology Advisory Commission (VRTAC) shall continue its examination of establishment thereof.

Patrons: May, et al.  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 697  
 Reported with substitute . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time . . . . . 1552  
 Reading of substitute waived . . . . . 1554  
 Committee substitute agreed to. . . . . 1554  
 Engrossed . . . . . 1554  
 Passed Senate . . . . . 1556  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 616 (effective 7/1/04)

**H.B. 546. Technology programs;** Secretary of Technology to monitor, and to report on broadband communication service trends. Amending §§ 2.2-205, 2.2-225, 2.2-2651, 23-231.9 and 30-198.

Patron: May  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 House concurred in Governor's recommendation. . . . . 1871  
 Senate concurred in Governor's recommendation . . . . . 1879  
 Signed by President as reenrolled. . . . . 1904  
 Enacted, Chapter 989 (effective 7/1/04)

**H.B. 547. Higher educational institutions and industry;** Council of Higher Education to develop policies and strategies to eliminate barriers between.

Patron: May  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 355  
 Reported . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1552, 1556  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 537 (effective 7/1/04)

**H.B. 548. Uniform Computer Information Transactions Act (UCITA);** changes in provisions. Amending §§ 59.1-501.2, 59.1-501.3, 59.1-501.5, 59.1-501.6, 59.1-501.12, 59.1-502.7, 59.1-502.9, 59.1-503.7, 59.1-504.1, 59.1-504.4 and 59.1-504.5; adding §§ 59.1-501.4:1, 59.1-501.13:1, 59.1-501.14:1, 59.1-501.15, 59.1-501.16, 59.1-501.17

**H.B. 548 (continued)**

and 59.1-504.10; repealing §§ 59.1-501.4, 59.1-501.13, 59.1-501.14, 59.1-502.11 and 59.1-503.8.  
 Patron: May  
 Passed House ..... 605  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 609  
 Reported ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time and passed Senate ..... 1121, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1133  
 Signed by President ..... 1813  
 Approved by Governor-Chapter 794 (effective 7/1/04)

**H.B. 549. Open-space preservation; imposition of additional fee for distribution to Outdoors Foundation.** Amending § 58.1-812; adding § 58.1-817.

Patrons: May, et al.  
 Passed House ..... 638  
 Constitutional reading dispensed, referred to Committee on Finance ..... 639  
 Reported ..... 1145  
 Constitutional reading dispensed ..... 1407  
 Read third time and passed Senate ..... 1407  
 Signed by President ..... 1800  
 House concurred in Governor's recommendation. .... 1872  
 Senate concurred in Governor's recommendation ..... 1879  
 Signed by President as reenrolled. .... 1905  
 Enacted, Chapter 990 (effective 7/1/04)

**H.B. 550. Purcellville, Town of, charter; amending.**

Patron: May  
 Passed House ..... 431  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 548  
 Constitutional reading dispensed, passed by for day ..... 566  
 Read third time and passed Senate ..... 578, 579  
 Signed by President ..... 765  
 Approved by Governor-Chapter 45 (effective 7/1/04)

**H.B. 551. Government Employees Deferred Compensation Plan Act; collection of administrative fees by political subdivisions.** Amending § 51.1-602.

Patron: May  
 Passed House ..... 545  
 Constitutional reading dispensed, referred to Committee on Finance ..... 547  
 Reported ..... 697  
 Constitutional reading dispensed, passed by for day ..... 705, 706  
 Read third time and passed Senate ..... 724, 725  
 Signed by President ..... 1429  
 Approved by Governor-Chapter 86 (effective 7/1/04)

**H.B. 552. Bicycles, mopeds, etc.; restrictions on use on roadways.** Amending §§ 46.2-808, 46.2-838, 46.2-839, 46.2-849, 46.2-905, 46.2-906.1, 46.2-932, 46.2-1015 and 46.2-1051.

Patron: Hargrove  
 Passed House ..... 296  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 298  
 Reported with substitute ..... 723  
 Constitutional reading dispensed, passed by for day ..... 762, 763  
 Read third time ..... 774

**H.B. 552 (continued)**

Reading of substitute waived . . . . . 775  
 Committee substitute agreed to . . . . . 775  
 Engrossed . . . . . 775  
 Passed Senate . . . . . 778  
 Senate substitute agreed to by House . . . . . 1116  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 947 (effective 7/1/04)

**H.B. 553. Insurance; rates on renewal policies. Amending § 38.2-1906.**

Patron: Hargrove  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 334  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 838 (effective 7/1/04)

**H.B. 555. Condominium Act; responsibility for insurance deductibles. Amending § 55-79.81.**

Patron: Hargrove  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 281 (effective 7/1/04)

**H.B. 556. Amber lights on U.S. Mail vehicles; use. Amending § 46.2-892.**

Patron: Hargrove  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 359 (effective 7/1/04)

**H.B. 557. Driver's license; driving after forfeiture of license for DUI conviction, penalty, use of restricted permit. Amending §§ 18.2-272, 46.2-301 and 46.2-329.**

Patrons: Sherwood, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with substitute . . . . . 1433  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485  
 Read third time . . . . . 1509  
 Reading of substitute waived . . . . . 1518  
 Committee substitute rejected. . . . . 1518  
 Passed by temporarily . . . . . 1518  
 Reading of substitute waived . . . . . 1528  
 Substitute by Senator Stolle agreed to . . . . . 1528  
 Engrossed . . . . . 1528

**H.B. 557 (continued)**

Passed Senate . . . . . 1528  
 Senate substitute rejected by House . . . . . 1654  
 Senate insisted on substitute and requested committee of conference . . . . . 1664  
 House acceded to request . . . . . 1688  
 Conferees appointed . . . . . 1693  
 Conference report adopted by Senate . . . . . 1700  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1843  
 Approved by Governor-Chapter 948 (effective 7/1/04)

**H.B. 559. Chesterfield, County of, charter; amending.**

Patrons: Marrs, et al.  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 617 (effective 7/1/04)

**H.B. 564. Motor vehicles with nitrous oxygen-supplied engines; prohibited. Adding**

§ 46.2-1088.4.  
 Patron: Albo  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported with amendment . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time . . . . . 774  
 Reading of amendment waived. . . . . 775  
 Committee amendment agreed to . . . . . 775  
 Engrossed . . . . . 775  
 Passed Senate . . . . . 778  
 Senate amendment agreed to by House . . . . . 1115  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 282 (effective 7/1/04)

**H.B. 565. Health care provider professional services; civil recovery of payment. Adding**

§ 8.01-27.3.  
 Patron: Albo  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 498  
 Reported with amendments . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time . . . . . 799  
 Reading of amendments waived. . . . . 802  
 Committee amendments agreed to . . . . . 802  
 Engrossed . . . . . 802  
 Passed Senate . . . . . 805  
 Senate amendments agreed to by House. . . . . 1115  
 Signed by President . . . . . 1809  
 Approved by Governor-Chapter 909 (effective 7/1/04)

**H.B. 569. Gangs;** definition, penalty upon conviction of criminal activity, forfeiture of property, etc. Amending §§ 18.2-46.1, 18.2-46.3, 18.2-460 and 19.2-215.1; adding §§ 18.2-46.3:1 and 18.2-46.3:2.  
 Patrons: Albo, et al.

Passed House ..... 573  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 575  
 Reported with substitute ..... 702  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time ..... 742  
 Reading of substitute waived ..... 746  
 Committee substitute agreed to..... 746  
 Engrossed ..... 746  
 Passed Senate ..... 753  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Senate substitute rejected by House ..... 819  
 Senate insisted on substitute and requested committee of conference ..... 1079  
 House acceded to request ..... 1143  
 Conferees appointed ..... 1149  
 Conference report adopted by House ..... 1593  
 Conference report adopted by Senate ..... 1633  
 Reconsideration of vote on Conference committee report agreed to ..... 1637  
 Conference report adopted by Senate ..... 1638  
 Signed by President ..... 1838  
 Approved by Governor-Chapter 435 (effective 7/1/04)

**H.B. 570. Illegal aliens;** procedure for detention and arrest. Amending §§ 19.2-82 and 19.2-120; adding § 19.2-81.6.  
 Patrons: Albo, et al.

Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported with substitute ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time ..... 808  
 Reading of substitute waived ..... 808  
 Committee substitute agreed to..... 808  
 Engrossed ..... 808  
 Passed Senate ..... 808  
 Reconsideration of vote on Senate passage agreed to ..... 812  
 Passed Senate ..... 813  
 Senate substitute rejected by House ..... 1110  
 Senate insisted on substitute and requested committee of conference ..... 1147  
 House acceded to request ..... 1432  
 Conferees appointed ..... 1463  
 Conference report adopted by Senate ..... 1755  
 Conference report adopted by House ..... 1757  
 Signed by President ..... 1847  
 Approved by Governor-Chapter 360 (effective 7/1/04)

**H.B. 571. Obstruction of justice;** penalty for violation of crimes involving gang activity and recruitment of street gangs. Amending § 18.2-460.  
 Patron: Albo

Passed House ..... 455  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 457

**H.B. 572. Gangs;** definition of criminal street gang. Amending § 18.2-46.1.  
 Patrons: Albo, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 457

**H.B. 573. School principals;** licensure. Amending § 22.1-298.  
 Patrons: Hamilton, et al.  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 46 (effective 7/1/04)

**H.B. 575. School term;** provisions due to declaration of state of emergency. Amending § 22.1-98.  
 Patron: Hamilton  
 Passed House . . . . . 400  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported with amendments . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendments waived . . . . . 747  
 Committee amendments agreed to . . . . . 747  
 Engrossed . . . . . 747  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendments agreed to by House . . . . . 820  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 839 (effective 4/14/04)

**H.B. 576. School boards;** employment of turnaround specialists for identification of factors that may impede academic success, retirement benefits. Amending § 22.1-199.1; adding §§ 51.1-617 and 51.1-618.  
 Patron: Hamilton  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 697  
 Reported . . . . . 1469  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1552, 1556  
 Signed by President . . . . . 1844  
 Approved by Governor-Chapter 436 (effective 7/1/04)

**H.B. 577. Health professionals;** disciplinary proceedings and reporting requirements. Amending §§ 32.1-125.01, 32.1-127.1:03, 54.1-2400, 54.1-2505, 54.1-2506.01, 54.1-2706, 54.1-2709.2, 54.1-2910.1, 54.1-2915 and 54.1-3480; adding §§ 54.1-2400.6, 54.1-2400.7 and 54.1-2400.8; repealing §§ 54.1-2906, 54.1-2907, 54.1-2919, 54.1-3009, 54.1-3010, 54.1-3216 and 54.1-3615.  
 Patron: Hamilton  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612

**H.B. 577 (continued)**  
 Signed by President ..... 787  
 House concurred in Governor's recommendation. .... 1593  
 Senate concurred in Governor's recommendation ..... 1635  
 Signed by President as reenrolled. .... 1652  
 Enacted, Chapter 64

**H.B. 580. Involuntary commitment of minors; jurisdiction hearings.** Amending §§ 16.1-340 and 16.1-341.  
 Patron: Hamilton  
 Passed House ..... 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. .... 575  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 799, 805  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 283 (effective 7/1/04)

**H.B. 581. Midwifery; licensing.** Adding §§ 54.1-2957.7 through 54.1-2957.13.  
 Patrons: Hamilton, et al.  
 Passed House ..... 545  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 547

**H.B. 583. Public defender's office; establishment in Newport News City.** Amending § 19.2-163.2.  
 Patron: Hamilton  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. .... 696  
 Reported ..... 740  
 Rereferred to Committee on Finance ..... 741  
 Continued to 2005 Session in Senate Committee on Finance ..... 1793

**H.B. 584. Skydiving activity sponsor or professional; liability limited.** Adding § 8.01-226.8.  
 Patrons: Janis, et al.  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. .... 696

**H.B. 589. Mentally ill; transportation under emergency custody and temporary detention orders.** Amending §§ 37.1-67.01, 37.1-67.1 and 37.1-71.  
 Patron: Janis  
 Passed House ..... 372  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 377  
 Reported with substitute ..... 703  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Passed by for day ..... 741  
 Read third time ..... 773  
 Reading of substitute waived ..... 774  
 Committee substitute agreed to. .... 774  
 Engrossed ..... 774  
 Passed Senate ..... 778  
 Senate substitute agreed to by House ..... 1116  
 Signed by President ..... 1827  
 Approved by Governor-Chapter 737 (effective 7/1/04)

**H.B. 592. Motor fuels; penalty for failure to pay retail establishment after dispensing.** Amending § 46.2-819.2.  
 Patron: Janis  
 Passed House ..... 574  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 575

**H.B. 592 (continued)**

Rereferred to Committee for Courts of Justice . . . . . 723  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1565  
 Read third time and passed Senate . . . . . 1566, 1570  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 795 (effective 7/1/04)

**H.B. 593. Aggressive driving; penalties. Amending § 46.2-392.**

Patron: Janis  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 608  
 Rereferred to Committee for Courts of Justice . . . . . 723  
 Reported with substitute . . . . . 1495  
 Constitutional reading dispensed . . . . . 1565  
 Read third time . . . . . 1567  
 Reading of substitute waived . . . . . 1568  
 Committee substitute agreed to . . . . . 1568  
 Engrossed . . . . . 1568  
 Passed Senate . . . . . 1570  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1834  
 Approved by Governor-Chapter 361 (effective 7/1/04)

**H.B. 594. Driving under influence of alcohol or drugs; arrest may be reported to Central Criminal Records Exchange. Amending § 19.2-390.**

Patron: Janis  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 799, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 284 (effective 7/1/04)

**H.B. 596. Property and Casualty Insurance Guaranty Association; definition of covered claim and insolvent insurer. Amending § 38.2-1603.**

Patron: Dudley  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 298  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 285 (effective 7/1/04)

**H.B. 597. License plates, special; issuance using names, numbers, etc., of professional stock car drivers. Amending § 46.2-749.69.**

Patrons: Dudley, et al.  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 598. Juveniles placed in treatment programs; funding. Amending § 2.2-5211.**

Patrons: Dudley, et al.  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103

**H.B. 598 (continued)**

Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 286 (effective 7/1/04)

**H.B. 599. Enterprise zones;** designations and business and real property investment tax credit.

Amending §§ 59.1-274, 59.1-280, 59.1-280.1 and 59.1-280.2.  
 Patrons: Dudley, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 457  
 Rereferred to Committee on Finance . . . . . 1146  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**H.B. 600. Juveniles;** appointment of counsel for detention hearings. Amending §§ 16.1-250, 16.1-266 and 16.1-267; repealing § 16.1-250.1.

Patrons: Dudley, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendments . . . . . 1119  
 Rereferred to Committee on Finance . . . . . 1119  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1444  
 Reading of amendments waived . . . . . 1447  
 Committee amendments agreed to . . . . . 1447  
 Engrossed . . . . . 1447  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed by for day . . . . . 1460  
 Amendment No. 1 by Senator Stolle withdrawn . . . . . 1477  
 Reading of amendment waived . . . . . 1477  
 Amendment No. 2 by Senator Stolle agreed to . . . . . 1477  
 Engrossed . . . . . 1477  
 Passed Senate . . . . . 1478  
 Senate amendments agreed to by House . . . . . 1595  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 437 (effective 7/1/05)

**H.B. 601. Water supplies;** inspection. Amending § 15.2-2144.

Patron: Dudley  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported with amendments . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time . . . . . 1087  
 Reading of amendments waived . . . . . 1091  
 Committee amendments agreed to . . . . . 1091  
 Engrossed . . . . . 1091  
 Passed Senate . . . . . 1095  
 Senate amendments rejected by House . . . . . 1402  
 Senate insisted on amendments and requested committee of conference . . . . . 1435  
 House acceded to request . . . . . 1493  
 Conferees appointed . . . . . 1530  
 Conference report adopted by Senate . . . . . 1682

**H.B. 601 (continued)**

Conference report adopted by House . . . . . 1689  
 Signed by President . . . . . 1847  
 Approved by Governor-Chapter 438 (effective 7/1/04)

**H.B. 603. No discharge zones; regulations. Amending § 62.1-44.33.**

Patrons: Dudley, et al.  
 Passed House . . . . . 296  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 799, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 287 (effective 7/1/04)

**H.B. 604. Voter registration applications and records; lists. Amending §§ 24.2-405, 24.2-406 and 24.2-418.**

Patron: Gear  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1071  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1727  
 Approved by Governor-Chapter 184 (effective 7/1/04)

**H.B. 605. York County Circuit Court; name changed to York County-Poquoson Circuit Court.**

Patron: Gear  
 Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 278  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 799, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 618 (effective 7/1/04)

**H.B. 606. License plates, special; issuance of those bearing legend: LANGLEY AIR FORCE BASE. Adding § 46.2-749.28:2; repealing § 46.2-749.28:1.**

Patron: Gear  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529

**H.B. 608. Antique trailers; registration. Amending §§ 46.2-100, 46.2-730 and 46.2-1157.**

Patrons: Gear, et al.  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 1077  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 796 (effective 7/1/04)

**H.B. 609. Homeowners insurance; notices outlining flood coverage. Amending § 38.2-2125.**

Patron: Gear  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 609  
 Reported with amendments . . . . . 1144

**H.B. 609 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1444  
 Reading of amendments waived . . . . . 1448  
 Committee amendments agreed to . . . . . 1448  
 Engrossed . . . . . 1448  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendments agreed to by House. . . . . 1536  
 Signed by President . . . . . 1834  
 Approved by Governor–Chapter 288 (effective 7/1/04)

**H.B. 614. Driving under influence of alcohol or drugs;** penalty while having Schedule I and II drugs in blood. Amending §§ 18.2-268.2 through 18.2-268.5, 18.2-268.8, 18.2-268.9 and 18.2-268.10; adding § 18.2-266.2.

Patrons: Carrico, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 615. Income tax, corporate;** reduces new employee threshold in order to receive major business facility job tax credit. Amending § 58.1-439.

Patrons: Carrico, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported with amendments . . . . . 1145  
 Constitutional reading dispensed . . . . . 1408  
 Read third time . . . . . 1408  
 Reading of amendments waived . . . . . 1408  
 Committee amendments agreed to . . . . . 1408  
 Engrossed . . . . . 1408  
 Passed Senate . . . . . 1408  
 Senate amendments agreed to by House. . . . . 1426  
 Signed by President . . . . . 1800  
 Approved by Governor–Chapter 619 (effective 7/1/04)

**H.B. 617. Distance learning;** development and use in higher educational institutions. Amending § 23-215; adding § 23-9.2:7.

Patron: Carrico  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 457  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor–Chapter 146 (effective 7/1/04)

**H.B. 618. Military reserves;** protection of job security of members. Amending § 44-93.5.

Patrons: Carrico, et al.  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753

**H.B. 618 (continued)**

Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor–Chapter 147 (effective 7/1/04)

**H.B. 622. Natural cut Christmas trees;** use in certain places of worship and apartment dwelling units.

Patrons: Orrock, et al.  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor–Chapter 138 (effective 3/15/04)

**H.B. 623. Pharmacy technicians;** registration of those who work in free clinics. Amending § 54.1-3321.

Patron: Orrock  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor–Chapter 47 (effective 7/1/04)

**H.B. 624. Trials;** dismissal of action by nonsuit. Amending § 8.01-380.

Patrons: O’Bannon, et al.  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with substitute . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1573  
 Reading of substitute waived . . . . . 1574  
 Committee substitute agreed to . . . . . 1574  
 Engrossed . . . . . 1574  
 Passed Senate . . . . . 1574  
 Senate substitute rejected by House . . . . . 1654  
 Senate insisted on substitute and requested committee of conference . . . . . 1664  
 House acceded to request . . . . . 1688  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1718  
 Conference report adopted by Senate . . . . . 1720  
 Signed by President . . . . . 1847  
 Approved by Governor–Chapter 362 (effective 7/1/04)

**H.B. 625. Charitable assets;** standard of conduct for directors of charitable corporations. Amending §§ 2.2-507.1 and 17.1-513.01.

Patron: O’Bannon  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 403  
 Reported . . . . . 771  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815

**H.B. 625 (continued)**

Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 289 (effective 7/1/04)

**H.B. 626. Dentists;** practice in certain dental clinics. Amending §§ 54.1-2715, 54.1-2717 and 54.1-2718.

Patron: O'Bannon  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 48 (effective 7/1/04)

**H.B. 627. Ambulance permits;** to be consistent with federal requirements.

Patrons: O'Bannon, et al.  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 498  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 139 (effective 7/1/04)

**H.B. 628. Health maintenance organizations;** explanation of benefits to enrollees covered by medical assistance services, etc. Amending § 38.2-4306; adding § 38.2-4320.1.

Patron: O'Bannon  
 Passed House . . . . . 332  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 334  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1696  
 Approved by Governor-Chapter 185 (effective 3/19/04)

**H.B. 632. Prescription drugs;** unlawful to assist individuals in procuring from a pharmacy or other source. Adding § 18.2-258.2.

Patrons: O'Bannon, et al.  
 Passed House . . . . . 455  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 457  
 Reported with amendment . . . . . 562  
 Rereferred to Committee on Finance . . . . . 563  
 Rereferred to Committee for Courts of Justice . . . . . 640  
 Reported with amendments . . . . . 823  
 Rereferred to Committee on Finance . . . . . 825  
 Reported with substitute . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time . . . . . 1444  
 Reading of amendment waived . . . . . 1453  
 Committee amendment rejected . . . . . 1453  
 Reading of amendments waived . . . . . 1453  
 Committee amendments rejected . . . . . 1453  
 Reading of substitute waived . . . . . 1453

**H.B. 632 (continued)**

Committee substitute agreed to. . . . . 1454  
 Engrossed . . . . . 1454  
 Passed Senate . . . . . 1454  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 620 (effective 7/1/04)

**H.B. 633. Nurses; multistate licensure privilege. Amending §§ 32.1-127.1:03, 32.1-127.3, 54.1-105, 54.1-106, 54.1-111, 54.1-2400, 54.1-2400.2, 54.1-2401, 54.1-2403.01, 54.1-2403.1, 54.1-2403.2, 54.1-2408.1, 54.1-2409, 54.1-2409.1, 54.1-2906, 54.1-2907, 54.1-3000, 54.1-3005, 54.1-3008, 54.1-3009, 54.1-3016, 54.1-3019 and 63.2-1805.**

Patron: O'Bannon  
 Passed House . . . . . 313  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 49

**H.B. 634. License plates, special; issuance to supporters of Juvenile Diabetes Research Foundation. Adding § 46.2-749.101.**

Patron: O'Bannon  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 635. Assisted living facilities; exception to regulatory requirement for those with Alzheimer's care units.**

Patron: O'Bannon  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 418  
 Reported . . . . . 457  
 Read second time . . . . . 509  
 Read third time and passed Senate . . . . . 530  
 Signed by President . . . . . 734  
 House concurred in Governor's recommendation amendments Nos. 1 through 10 . . . . . 1593  
 House rejected Governor's recommendation amendment No. 11. . . . . 1593  
 Senate concurred in Governor's recommendation amendments Nos. 1 through 10. . . . . 1637  
 Signed by President as reenrolled. . . . . 1653  
 Approved by Governor-Chapter 910 (effective 7/1/04)

**H.B. 637. Career-training schools; regulation. Amending §§ 22.1-319 through 22.1-323, 22.1-324, 22.1-325, 22.1-326, 22.1-328 through 22.1-332, 23-276.1 through 23-276.6, 23-276.10, 23-276.11 and 54.1-3029; adding §§ 23-276.13, 23-276.14 and 23-276.15; repealing §§ 22.1-326.1, 22.1-333, 22.1-334 and 22.1-335.**

Patron: Tata  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported . . . . . 1469  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1552, 1556  
 Signed by President . . . . . 1844  
 House concurred in Governor's recommendation. . . . . 1880  
 Senate concurred in Governor's recommendation . . . . . 1884  
 Signed by President as reenrolled. . . . . 1905  
 Enacted, Chapter 991 (effective 7/1/04)

**H.B. 638. Felony conviction;** compensation for wrongful incarceration. Adding §§ 8.01-195.10, 8.01-195.11 and 8.01-195.12.  
 Patrons: Tata, et al.  
 Passed House ..... 686  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported with substitute ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time ..... 1121  
 Reading of substitute waived ..... 1124  
 Committee substitute agreed to..... 1124  
 Engrossed ..... 1124  
 Passed Senate ..... 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1134  
 Senate substitute rejected by House ..... 1535  
 Senate insisted on substitute and requested committee of conference ..... 1608  
 House acceded to request ..... 1662  
 Conferees appointed ..... 1686  
 Conference report adopted by Senate ..... 1721  
 Conference report adopted by House ..... 1758  
 Signed by President ..... 1843  
 Approved by Governor-Chapter 840 (effective 7/1/04)

**H.B. 639. Landfills;** siting in Appomattox County, submission of environmental impact reports. Amending §§ 10.1-1408.4 and 10.1-1408.5.  
 Patron: Abbitt  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 609  
 Reported with amendments ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time ..... 808  
 Statements on votes ..... 809  
 Reading of amendments waived..... 809  
 Committee amendments agreed to ..... 809  
 Engrossed ..... 809  
 Passed Senate ..... 809  
 Reconsideration of vote on Senate passage agreed to ..... 813  
 Passed by for day ..... 813, 1070  
 Passed Senate ..... 1096  
 Reconsideration of vote on Senate passage agreed to ..... 1096  
 Passed Senate ..... 1097  
 Senate amendments agreed to by House..... 1536  
 Signed by President ..... 1834  
 House rejected Governor's recommendation ..... 1902

**H.B. 640. Malicious bodily injury;** applicable to game wardens. Amending § 18.2-51.1.  
 Patrons: Abbitt, et al.  
 Passed House ..... 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 355  
 Reported ..... 703  
 Rereferred to Committee on Finance ..... 705  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1423, 1424

**H.B. 640 (continued)**

Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1840  
 Approved by Governor-Chapter 841 (effective 7/1/04)

**H.B. 642. Miller School of Albemarle;** membership of Board of Trustees. Amending first enactment of Chapter 319, 2002 Acts.

Patrons: Abbitt, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 608  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 148 (effective 7/1/04)

**H.B. 643. Norfolk Southern Corporation;** Department of Conservation and Recreation to accept title to abandoned railroad lines in several counties.

Patrons: Abbitt, et al.  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 434  
 Reported with amendment . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Passed by for day . . . . . 741  
 Read third time . . . . . 773  
 Reading of amendment waived. . . . . 780  
 Committee amendment agreed to . . . . . 780  
 Passed by for day . . . . . 780  
 Engrossed . . . . . 800  
 Passed Senate . . . . . 804  
 Senate amendment agreed to by House . . . . . 1115  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 290 (effective 7/1/04)

**H.B. 644. Railway Preservation and Development Fund;** created. Adding § 33.1-221.1:1.1.

Patron: Abbitt  
 Passed House . . . . . 686  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 621 (effective 7/1/04)

**H.B. 645. Burglary;** applicable to buildings affixed to realty. Amending § 18.2-90.

Patron: Bell  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 457  
 Reported . . . . . 703  
 Rereferred to Committee on Finance . . . . . 705  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time and passed Senate . . . . . 1444, 1452

**H.B. 645 (continued)**

Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor—Chapter 842 (effective 7/1/04)

**H.B. 647. Bonds;** forfeiture for failure to appear and to meet conditions of recognizance.

Amending § 19.2-143.

Patron: Bell

Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498  
 Reported with amendment . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 754  
 Committee amendment agreed to . . . . . 754  
 Passed by for day . . . . . 754  
 Recommitted to Committee for Courts of Justice . . . . . 780

**H.B. 650. Wire, electronic or oral communications;** penalty for illegal interception.

Amending § 19.2-62.

Patron: Bell

Passed House . . . . . 276  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 278  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor—Chapter 149 (effective 7/1/04)

**H.B. 651. Retired judges and judges sitting by designation;** eligible for recall as substitutes.

Amending §§ 16.1-69.22:1, 17.1-105 and 17.1-106.

Patron: Bell

Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608

**H.B. 652. Juvenile court;** duty to inform of right to counsel. Amending § 16.1-266.

Patron: Bell

Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 575  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 653. Juveniles;** intake officers and magistrates to order confinement. Amending §§ 16.1-247 and 16.1-249.

Patron: Bell

Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 575  
 Reported with amendment . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 747  
 Committee amendment agreed to . . . . . 747  
 Engrossed . . . . . 747  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757

**H.B. 653 (continued)**

Senate amendment agreed to by House . . . . .	1536
Signed by President . . . . .	1834
Approved by Governor—Chapter 439 (effective 7/1/04)	

**H.B. 654. Driving under influence of alcohol or drugs;** qualifications of persons authorized to take blood samples. Amending §§ 18.2-268.5, 19.2-310.3 and 46.2-341.26:5.

Patron: Bell	
Passed House . . . . .	600
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . .	608
Reported with amendments . . . . .	823
Constitutional reading dispensed, passed by for day . . . . .	1101, 1103
Read third time . . . . .	1121
Reading of amendments waived . . . . .	1124
Committee amendments agreed to . . . . .	1124
Engrossed . . . . .	1124
Passed Senate . . . . .	1130
Reconsideration of vote on Senate passage agreed to . . . . .	1131
Passed Senate . . . . .	1133
Senate amendments agreed to by House . . . . .	1536
Signed by President . . . . .	1835
Approved by Governor—Chapter 440 (effective 7/1/04)	

**H.B. 656. Assault and battery;** penalty when committed against a family or household member. Amending § 18.2-57.2.

Patrons: Bell, et al.	
Passed House . . . . .	456
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . .	457
Reported . . . . .	703
Rereferred to Committee on Finance . . . . .	705
Reported . . . . .	1145
Constitutional reading dispensed, passed by for day . . . . .	1423, 1424
Read third time and passed Senate . . . . .	1444, 1452
Reconsideration of vote on Senate passage agreed to . . . . .	1459
Passed Senate . . . . .	1460
Signed by President . . . . .	1841
Approved by Governor—Chapter 738 (effective 7/1/04)	

**H.B. 657. Infected sexual battery;** penalty. Amending § 18.2-67.4:1.

Patrons: Bell, et al.	
Passed House . . . . .	456
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . .	457

**H.B. 658. Street address signs;** penalty for damaging. Amending § 46.2-832.

Patron: Bell	
Passed House . . . . .	297
Constitutional reading dispensed, referred to Committee on Transportation . . . . .	298
Rereferred to Committee for Courts of Justice . . . . .	723
Reported . . . . .	1119
Constitutional reading dispensed, passed by for day . . . . .	1396, 1397
Read third time and passed Senate . . . . .	1415, 1419
Signed by President . . . . .	1800
Approved by Governor—Chapter 291 (effective 7/1/04)	

**H.B. 660. Aggravated sexual battery;** applicability of mental incapacity or physical helplessness of complaining witness. Amending § 18.2-67.3.

Patrons: Bell, et al.	
Passed House . . . . .	687

**H.B. 660 (continued)**

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 823  
 Rereferred to Committee on Finance . . . . . 825  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor—Chapter 843 (effective 7/1/04)

**H.B. 663. Filming, videotaping or photographing of another; penalty when permission not given. Amending § 18.2-386.1.**

Patrons: Bell, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 823  
 Rereferred to Committee on Finance . . . . . 825  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1424  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor—Chapter 844 (effective 7/1/04)

**H.B. 664. Arrest without warrant; applicable in drunk driving cases. Amending § 19.2-81.**

Patrons: Bell, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendments . . . . . 1433  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1485  
 Read third time . . . . . 1509  
 Reading of amendments waived . . . . . 1511  
 Committee amendments rejected . . . . . 1511  
 Reading of substitute waived . . . . . 1511  
 Substitute by Senator Stolle agreed to . . . . . 1512  
 Engrossed . . . . . 1512  
 Passed Senate . . . . . 1515  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1835  
 Approved by Governor—Chapter 949 (effective 7/1/04)

**H.B. 667. Driving under influence of alcohol or drugs; reduces alcohol levels for mandatory confinement. Amending § 18.2-270.**

Patrons: Bell, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with amendments . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509

**H.B. 667 (continued)**

Reading of amendments waived . . . . . 1512  
 Committee amendments agreed to . . . . . 1512  
 Engrossed . . . . . 1512  
 Passed Senate . . . . . 1515  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1835  
 Approved by Governor—Chapter 950 (effective 7/1/04)

**H.B. 668. Alcoholic beverages; penalty for illegal consumption by juveniles. Amending §§ 4.1-305 and 4.1-306.**

Patron: Bell  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 669. Driving under influence of alcohol or drugs; implied consent to post-arrest chemical test. Amending § 18.2-268.2.**

Patrons: Bell, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 675. Home schooling; qualifications of instructor. Amending § 22.1-254.1.**

Patrons: Bell, et al.  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 418  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1136  
 Signed by President . . . . . 1813  
 House rejected Governor's recommendation . . . . . 1902

**H.B. 676. Driving under influence of alcohol or drugs; revocation of license for multiple convictions. Amending § 46.2-391.**

Patron: Bell  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1515  
 Signed by President . . . . . 1818  
 Approved by Governor—Chapter 951 (effective 7/1/04)

**H.B. 677. Parking on secondary system highways; governing bodies in various counties authorized to restrict. Amending § 46.2-1222.**

Patrons: Rapp, et al.  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1137, 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1813  
 Approved by Governor—Chapter 797 (effective 7/1/04)

**H.B. 679. Billboards or advertising signs;** removal of those that are abandoned. Amending § 15.2-2307.  
 Patrons: Rapp, et al.  
 Passed House ..... 559  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 561  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time and passed Senate ..... 1087, 1095  
 Signed by President ..... 1805  
 Approved by Governor–Chapter 538 (effective 7/1/04)

**H.B. 682. Campaign finance disclosure;** information required of candidates, campaign committees, and other persons and committees. Amending §§ 24.2-904 and 24.2-908.  
 Patron: Rapp  
 Passed House ..... 333  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections ..... 334  
 Reported ..... 794  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time and passed Senate ..... 1087, 1095  
 Signed by President ..... 1805  
 Approved by Governor–Chapter 441 (effective 7/1/04)

**H.B. 683. Industrial development authorities;** any locality authorized to refer thereto as an economic development authority. Amending § 15.2-4903.  
 Patrons: Rapp, et al.  
 Passed House ..... 431  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported with substitute ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time ..... 1087  
 Reading of substitute waived ..... 1091  
 Committee substitute agreed to ..... 1091  
 Engrossed ..... 1091  
 Passed Senate ..... 1095  
 Senate substitute agreed to by House ..... 1404  
 Signed by President ..... 1800  
 Approved by Governor–Chapter 292 (effective 7/1/04)

**H.B. 685. Water Protection Permit;** provisions. Amending § 62.1-44.15:5.  
 Patrons: Rapp, et al.  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 609  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 799, 805  
 Signed by President ..... 1797  
 Approved by Governor–Chapter 293 (effective 7/1/04)

**H.B. 686. Post-Disaster Anti-Price Gouging Act;** created. Amending § 59.1-200; adding §§ 59.1-525 through 59.1-529.  
 Patrons: Rapp, et al.  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 609  
 Reported ..... 1530  
 Constitutional reading dispensed ..... 1565

**H.B. 686 (continued)**

Read third time and passed Senate . . . . . 1571  
 Reconsideration of vote on Senate passage agreed to . . . . . 1577  
 Passed Senate . . . . . 1577  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 798 (effective 7/1/04)

**H.B. 687. Labor and Industry, Commissioner of; definition. Amending § 40.1-2.**

Patron: Morgan  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 434  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 294 (effective 7/1/04)

**H.B. 688. Payday loans; retention of copies of checks, payments on loan prior to maturity.**

Amending §§ 6.1-453, 6.1-459 and 6.1-461.  
 Patron: Morgan  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 403  
 Reported . . . . . 1530  
 Constitutional reading dispensed . . . . . 1566  
 Read third time and passed Senate . . . . . 1574  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 295 (effective 7/1/04)

**H.B. 689. Telephone Privacy Protection Act; prohibits telephone solicitation to persons on a Do-Not-Call Registry. Amending §§ 59.1-510, 59.1-511, 59.1-513 and 59.1-514; adding § 59.1-513.1.**

Patrons: Morgan, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 608  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Passed by for day . . . . . 1070  
 Read third time and passed Senate . . . . . 1097  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 224 (effective 7/1/04)

**H.B. 690. Hospital pharmacies; filling and stocking of automated drug dispensing systems by pharmacy technicians. Amending § 54.1-3434.02.**

Patron: Morgan  
 Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 140 (effective 7/1/04)

**H.B. 692. Health Care, Joint Commission on; cooperation of other agencies. Adding § 30-170.1.**

Patrons: Morgan, et al.  
 Passed House . . . . . 606

**H.B. 692 (continued)**

Constitutional reading dispensed, referred to Committee on Rules . . . . . 609  
 Reported . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1552, 1556  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 296 (effective 7/1/04)

**H.B. 699. Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending § 51.1-1112.**

Patron: Ingram  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 96 (effective 7/1/04)

**H.B. 700. Sickness and Disability Program; suspension of eligibility. Amending § 51.1-1103.**

Patron: Ingram  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported with amendment . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time . . . . . 724  
 Reading of amendment waived. . . . . 724  
 Committee amendment agreed to . . . . . 725  
 Engrossed . . . . . 725  
 Passed Senate . . . . . 725  
 Senate amendment agreed to by House . . . . . 792  
 Signed by President . . . . . 1728  
 Approved by Governor-Chapter 186 (effective 7/1/04)

**H.B. 701. Sickness and Disability Program; changes in long-term disability benefits for state employees. Amending §§ 51.1-1113 and 51.1-1124.**

Patron: Ingram  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 97 (effective 7/1/04)

**H.B. 702. Sickness and Disability Program; program actuary. Amending §§ 51.1-1117, 51.1-1123 and 51.1-1133.**

Patron: Ingram  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 547  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 98 (effective 7/1/04)

**H.B. 703. Sickness and Disability Program;** collection of disability overpayments. Amending § 51.1-1114.  
 Patron: Ingram  
 Passed House ..... 545  
 Constitutional reading dispensed, referred to Committee on Finance ..... 547  
 Reported ..... 697  
 Constitutional reading dispensed, passed by for day ..... 705, 706  
 Read third time and passed Senate ..... 724, 725  
 Signed by President ..... 1429  
 Approved by Governor-Chapter 99 (effective 7/1/04)

**H.B. 705. Pleadings;** notice to agent on amendment. Amending § 8.01-6.  
 Patron: Ingram  
 Passed House ..... 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 498  
 Reported ..... 703  
 Constitutional reading dispensed, passed by for day ..... 730, 732  
 Read third time and passed Senate ..... 742, 753  
 Reconsideration of vote on Senate passage agreed to ..... 755  
 Passed Senate ..... 757  
 Signed by President ..... 1591  
 Approved by Governor-Chapter 141 (effective 7/1/04)

**H.B. 710. Scholarships;** eliminates restriction on number that may be awarded. Amending § 23-31.  
 Patron: Nutter  
 Passed House ..... 258  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 259  
 Reported ..... 1469  
 Constitutional reading dispensed, passed by for day ..... 1519, 1520  
 Read third time and passed Senate ..... 1552, 1556  
 Signed by President ..... 1831  
 Approved by Governor-Chapter 739 (effective 7/1/04)

**H.B. 712. Higher educational institutions;** policies for required reinstatement of enrollment for certain military students. Amending § 23-9.6:2.  
 Patrons: Oder, et al.  
 Passed House ..... 353  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 355  
 Reported ..... 1469  
 Constitutional reading dispensed, passed by for day ..... 1519, 1520  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1831  
 Approved by Governor-Chapter 740 (effective 7/1/04)

**H.B. 713. Hazardous waste;** temporary storage. Amending § 10.1-1426.  
 Patron: Oder  
 Passed House ..... 297  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 298  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 799, 805  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 442 (effective 7/1/04)

**H.B. 714. Zoning ordinances;** notice for rezoning near military bases, installations and airports. Amending §§ 15.2-2204, 15.2-2223 and 15.2-2283.  
 Patron: Oder  
 Passed House ..... 431  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1072  
 Read third time and passed Senate ..... 1087, 1095  
 Signed by President ..... 1805  
 Approved by Governor-Chapter 799 (effective 7/1/04)

**H.B. 715. Subdivision ordinances;** provisions relating to cable television operators and public service corporations. Amending § 15.2-2241.  
 Patron: Oder  
 Passed House ..... 333  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1071, 1072  
 Read third time and passed Senate ..... 1099  
 Signed by President ..... 1805  
 Approved by Governor-Chapter 952 (effective 7/1/04)

**H.B. 716. Professional and Occupational Regulation, Department of;** consideration of complaint information from public sources. Amending § 54.1-307.1.  
 Patrons: Shannon, et al.  
 Passed House ..... 431  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 434  
 Reported ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time and passed Senate ..... 1121, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1131  
 Passed Senate ..... 1133  
 Signed by President ..... 1813  
 Approved by Governor-Chapter 297 (effective 7/1/04)

**H.B. 717. Missing children;** information to be entered into Criminal Information Network and National Crime Information Center Systems. Amending § 15.2-1718.  
 Patron: Shannon  
 Passed House ..... 431  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 434  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 443 (effective 7/1/04)

**H.B. 718. Sexual abuse;** definition. Amending § 18.2-67.10.  
 Patron: Shannon  
 Passed House ..... 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported ..... 823  
 Rereferred to Committee on Finance ..... 825  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1423, 1425  
 Read third time and passed Senate ..... 1444, 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459

**H.B. 718 (continued)**

Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 741 (effective 7/1/04)

**H.B. 721. Commercial vehicles; parking regulations in towns in Fairfax County. Amending § 46.2-1222.1.**

Patron: Shannon  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 225 (effective 7/1/04)

**H.B. 733. Health records; patient's executor or administrator may obtain copies. Amending § 8.01-413.**

Patron: Joannou  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1565  
 Read third time and passed Senate . . . . . 1566, 1570  
 Signed by President . . . . . 1831  
 Approved by Governor-Chapter 742 (effective 7/1/04)

**H.B. 734. Jury panel; employee not to be penalized for service. Amending § 18.2-465.1.**

Patron: Joannou  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 355  
 Reported with amendment . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 784, 785  
 Read third time . . . . . 810  
 Recommitted to Committee for Courts of Justice . . . . . 810  
 Reported with amendments . . . . . 1495  
 Reading of amendment waived . . . . . 1557  
 Committee amendment No. 1 rejected . . . . . 1557  
 Reading of amendments waived . . . . . 1558  
 Committee amendments Nos. 2, 3, and 4 agreed to . . . . . 1558  
 Engrossed . . . . . 1558  
 Passed Senate . . . . . 1558  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 800 (effective 7/1/05)

**H.B. 737. Water and sewage systems; mandatory connection in Franklin County. Amending §§ 15.2-2110 and 15.2-2118.**

Patron: Dudley  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566, 567  
 Passed by temporarily . . . . . 581  
 Read third time and passed Senate . . . . . 595

**H.B. 737 (continued)**

Signed by President . . . . . 765  
 Approved by Governor–Chapter 24 (effective 7/1/04)

**H.B. 739. Transient occupancy tax; imposition in Floyd County. Amending § 58.1-3819.**

Patron: Dudley  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 355  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 421, 422  
 Read third time and passed Senate . . . . . 436, 437  
 Signed by President . . . . . 683  
 Approved by Governor–Chapter 7 (effective 7/1/04)

**H.B. 741. Transient occupancy tax; increased in certain counties, revenues for Performing Arts Foundation. Amending § 58.1-3823.**

Patron: O’Bannon  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 418  
 Reported with substitute . . . . . 547  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time . . . . . 578  
 Reading of substitute waived . . . . . 580  
 Committee substitute rejected. . . . . 580  
 Passed Senate . . . . . 580  
 Signed by President . . . . . 765  
 Approved by Governor–Chapter 50 (effective 7/1/04)

**H.B. 743. Utility tax, local consumer; exemption for churches. Amending §§ 58.1-3814 and 58.1-3816.2.**

Patrons: Stump, et al.  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 355  
 Reported . . . . . 403  
 Constitutional reading dispensed, passed by for day . . . . . 421, 422  
 Read third time and passed Senate . . . . . 436  
 Reconsideration of vote on Senate passage agreed to . . . . . 441  
 Passed Senate . . . . . 442  
 Signed by President . . . . . 683  
 Approved by Governor–Chapter 8 (effective 7/1/04)

**H.B. 744. Coalfield Economic Development Authority; authorized to engage in economic development marketing and business attraction activities. Amending §§ 15.2-6006 and 15.2-6011.**

Patrons: Stump, et al.  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor–Chapter 36 (effective 7/1/04)

**H.B. 745. Methadone clinics; conditions for licensure of certain designed for treatment of persons with opiate addiction. Adding § 37.1-179.2.**

Patrons: Ware, O., et al.  
 Passed House . . . . . 416  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 418

**H.B. 745 (continued)**

Reported with substitute . . . . . 703

Constitutional reading dispensed . . . . . 730

Recommitted to Committee on Education and Health . . . . . 733

Reported with substitute . . . . . 1470

Read third time . . . . . 1509

Reading of substitute waived . . . . . 1510

Committee substitute rejected. . . . . 1510

Reading of substitute waived . . . . . 1510

Committee substitute agreed to. . . . . 1510

Engrossed . . . . . 1510

Passed Senate . . . . . 1515

Senate substitute rejected by House . . . . . 1654

Senate insisted on substitute and requested committee of conference . . . . . 1665

House acceded to request . . . . . 1688

Conferees appointed . . . . . 1693

Conference report adopted by Senate . . . . . 1701

Conference report adopted by House . . . . . 1718

Signed by President . . . . . 1847

Approved by Governor-Chapter 845 (effective 7/1/04)

**H.B. 749. Procurement Act, Public;** cooperative procurement with U.S. General Services

Administration. Amending § 2.2-4304.

Patron: Marshall, R.G.

Passed House . . . . . 493

Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498

Reported with substitute . . . . . 704

Constitutional reading dispensed, passed by for day . . . . . 730, 732

Read third time . . . . . 742

Reading of substitute waived . . . . . 747

Committee substitute agreed to. . . . . 747

Engrossed . . . . . 747

Passed Senate . . . . . 753

Reconsideration of vote on Senate passage agreed to . . . . . 755

Passed Senate . . . . . 757

Senate substitute agreed to by House . . . . . 821

Signed by President . . . . . 1799

Approved by Governor-Chapter 911 (effective 7/1/04)

**H.B. 751. Marriage;** affirmation. Adding § 20-45.3.

Patrons: Marshall, R.G., et al.

Passed House . . . . . 600

Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 608

Reported with substitute . . . . . 1495

Constitutional reading dispensed . . . . . 1566

Read third time . . . . . 1575

Reading of substitute waived . . . . . 1575

Committee substitute agreed to. . . . . 1575

Passed by for day . . . . . 1575

Engrossed . . . . . 1649

Passed Senate . . . . . 1649

Reconsideration of vote on Senate passage agreed to . . . . . 1650

Passed Senate . . . . . 1650

Senate substitute agreed to by House . . . . . 1695

Signed by President . . . . . 1847

**H.B. 751 (continued)**

House rejected Governor's recommendation . . . . . 1881  
 Passed in enrolled form. . . . . 1889  
 Motion to reconsider passage in enrolled form agreed to. . . . . 1895  
 Passed in enrolled form. . . . . 1895  
 Bill became law, Chapter 983 (effective 7/1/04)

**H.B. 754. Public service companies;** definition includes limited liability companies.

Amending §§ 56-1, 56-49 and 56-265.1.  
 Patron: May  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 696  
 Reported with substitute . . . . . 1530  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1575  
 Reading of substitute waived . . . . . 1575  
 Committee substitute agreed to. . . . . 1575  
 Engrossed . . . . . 1575  
 Passed Senate . . . . . 1575  
 Reconsideration of vote on Senate passage agreed to . . . . . 1576  
 Passed Senate . . . . . 1577  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1835  
 House rejected Governor's recommendation . . . . . 1902  
 Approved by Governor-Chapter 1028 (effective 7/1/04)

**H.B. 755. Death penalty;** content of sentencing order when sentence of imprisonment for life imposed. Amending § 19.2-264.5.

Patrons: Hurt, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time and passed Senate . . . . . 1415, 1419  
 Signed by President . . . . . 1800  
 Approved by Governor-Chapter 298 (effective 7/1/04)

**H.B. 758. Hunting, trapping and fishing licenses;** exempts spouses of children and grandchildren. Amending § 29.1-301.

Patrons: Hurt, et al.  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported with amendment . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time . . . . . 1415  
 Reading of amendment waived. . . . . 1417  
 Committee amendment agreed to. . . . . 1417  
 Engrossed . . . . . 1417  
 Passed Senate . . . . . 1419  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 846 (effective 7/1/04)

**H.B. 759. Child pornography;** penalty for solicitation, registration as a sex offender.  
 Amending §§ 9.1-902 and 18.2-374.3.  
 Patrons: Hurt, et al.  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 434  
 Reported with substitute . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of substitute waived . . . . . 747  
 Committee substitute agreed to . . . . . 748  
 Engrossed . . . . . 748  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate substitute agreed to by House . . . . . 821  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 444 (effective 7/1/04)

**H.B. 760. Gangs;** penalty for third or subsequent conviction for criminal street activity. Adding § 18.2-46.3:1.  
 Patrons: Hurt, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 847 (effective 7/1/04)

**H.B. 766. Food stores;** inspections. Amending § 3.1-398.1.  
 Patrons: Hurt, et al.  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 402  
 Reported with substitute . . . . . 1118  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time . . . . . 1415  
 Reading of substitute waived . . . . . 1417  
 Committee substitute agreed to . . . . . 1417  
 Engrossed . . . . . 1417  
 Passed Senate . . . . . 1419  
 Senate substitute rejected by House . . . . . 1535  
 Senate insisted on substitute and requested committee of conference . . . . . 1609  
 House acceded to request . . . . . 1663  
 Conferees appointed . . . . . 1686  
 Conference report adopted by Senate . . . . . 1742  
 Conference report adopted by House . . . . . 1757  
 Signed by President . . . . . 1844  
 Approved by Governor-Chapter 953 (effective 7/1/04)

**H.B. 767. Polling places;** distribution of campaign materials. Amending § 24.2-310.  
 Patrons: Hurt, et al.  
 Passed House . . . . . 431

**H.B. 767 (continued)**

Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor-Chapter 25 (effective 7/1/04)

**H.B. 769. Career and technical education;** to be included in curriculum. Amending § 22.1-253.13:1.

Patrons: Hurt, et al.  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 298  
 Reported with amendment . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 748  
 Committee amendment agreed to . . . . . 748  
 Engrossed . . . . . 748  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendment agreed to by House . . . . . 821  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 848 (effective 7/1/04)

**H.B. 771. Judicial Inquiry and Review Commission;** jurisdiction to include certain judges. Amending §§ 17.1-900 and 17.1-918.

Patrons: Hurt, et al.  
 Passed House . . . . . 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 608  
 Reported . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Passed by for day . . . . . 1415  
 Reconsideration of passed by for day . . . . . 1425  
 Read third time and passed . . . . . 1425  
 Signed by President . . . . . 1800  
 Approved by Governor-Chapter 363 (effective 7/1/04)

**H.B. 774. Driving while license suspended or revoked;** mandatory punishment upon third or subsequent offense, exception. Amending § 46.2-301.

Patron: McDougle  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Rereferred to Committee for Courts of Justice. . . . . 1078  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 801 (effective 7/1/04)

**H.B. 776. Felonies;** DNA sampling of arrestees for attempted crime. Amending § 19.2-310.2:1.

Patron: McDougle  
 Passed House . . . . . 276

**H.B. 776 (continued)**  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 278  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 784, 785  
 Read third time and passed Senate . . . . . 810  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 445 (effective 7/1/04)

**H.B. 777. Traffic signals; procedure when not in operation. Amending § 46.2-833.**  
 Patron: McDougale  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 402  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1813  
 Approved by Governor-Chapter 743 (effective 7/1/04)

**H.B. 778. License plates, special; issuance commemorating 350th anniversary of New Kent County. Adding § 46.2-749.101.**  
 Patrons: McDougale, et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 782. Indians, Council on; changes membership, responsibility of Secretary of Natural Resources. Amending §§ 2.2-212, 2.2-215 and 2.2-2628.**  
 Patron: McDougale  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor-Chapter 142 (effective 7/1/04)

**H.B. 783. Controlled substances; eliminates certain required inventory by Division of Forensic Science. Amending § 54.1-3404.**  
 Patron: McDougale  
 Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 51

**H.B. 784. Food Code; adoption of regulations. Amending §§ 2.2-4002, 3.1-398 and 35.1-14.**  
 Patron: McQuigg  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 434  
 Rereferred to Committee on General Laws . . . . . 741  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131

**H.B. 784 (continued)**

Passed Senate . . . . . 1133  
 Signed by President . . . . . 1814  
 Approved by Governor–Chapter 802 (effective 7/1/04)

**H.B. 786. Driving under influence of alcohol or drugs;** procedure for taking blood samples.

Amending §§ 18.2-268.5 and 46.2-341.26:5.  
 Patron: McDougle  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 355  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1591  
 Approved by Governor–Chapter 150 (effective 7/1/04)

**H.B. 787. Juvenile records;** may be obtained for use in pending criminal prosecution.

Amending § 16.1-305.  
 Patrons: Hurt, et al.  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 575  
 Reported with amendment . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time . . . . . 1415  
 Reading of amendment waived . . . . . 1418  
 Committee amendment agreed to . . . . . 1418  
 Engrossed . . . . . 1418  
 Passed Senate . . . . . 1419  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor–Chapter 446 (effective 7/1/04)

**H.B. 792. Parenting programs;** created within Department of Correctional Education. Adding § 22.1-345.1.

Patrons: Watts, et al.  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported with substitute . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of substitute waived . . . . . 748  
 Committee substitute agreed to . . . . . 748  
 Engrossed . . . . . 748  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate substitute agreed to by House . . . . . 821  
 Signed by President . . . . . 1810  
 Approved by Governor–Chapter 912 (effective 7/1/04)

**H.B. 798. Telephonic reading services;** created. Adding §§ 56-484.7:5 and 56-484.7:6.

Patrons: Petersen, et al.  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 403  
 Reported . . . . . 1144

**H.B. 798 (continued)**

Rereferred to Committee on Finance . . . . . 1146  
 Reported with amendments . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1458  
 Read third time . . . . . 1479  
 Reading of amendments waived . . . . . 1480  
 Committee amendments agreed to . . . . . 1480  
 Engrossed . . . . . 1480  
 Passed Senate . . . . . 1480  
 Senate amendments rejected by House . . . . . 1593  
 Senate insisted on amendments and requested committee of conference . . . . . 1609  
 House acceded to request . . . . . 1663  
 Conferees appointed . . . . . 1686  
 Conference report adopted by House . . . . . 1727  
 Conference report adopted by Senate . . . . . 1742  
 Signed by President . . . . . 1847  
 Approved by Governor-Chapter 849 (effective 7/1/04)

**H.B. 801. Hazing; penalty when committed on a youth gang or criminal street gang member.**

Adding § 18.2-55.1.  
 Patrons: Petersen, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with amendment . . . . . 740  
 Rereferred to Committee on Finance . . . . . 741  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1425  
 Read third time . . . . . 1444  
 Reading of amendment waived. . . . . 1448  
 Committee amendment agreed to . . . . . 1448  
 Engrossed . . . . . 1448  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 850 (effective 7/1/04)

**H.B. 805. Alcoholic mixed beverages; licensees may serve or deliver soju to a consumer.**

Amending § 4.1-325.  
 Patrons: Petersen, et al.  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . . . . . 377  
 Reported with amendment . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time . . . . . 774  
 Reading of amendment waived. . . . . 776  
 Committee amendment agreed to . . . . . 776  
 Engrossed . . . . . 776  
 Passed Senate . . . . . 778  
 Senate amendment agreed to by House . . . . . 1115  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 913 (effective 7/1/04)

**H.B. 809. Deer;** when baiting permitted. Amending § 29.1-529.

Patrons: Ware, O., et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 418  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 784, 785  
 Read third time . . . . . 810  
 Statement on vote . . . . . 810  
 Passed Senate . . . . . 810  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 447 (effective 7/1/04)

**H.B. 812. Military grave markers;** prohibits sale or offers for sale. Adding § 18.2-511.

Patrons: Eisenberg, et al.  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 639  
 Reported with substitute . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time . . . . . 1415  
 Reading of substitute waived . . . . . 1418  
 Committee substitute agreed to . . . . . 1418  
 Engrossed . . . . . 1418  
 Passed Senate . . . . . 1419  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1818  
 Approved by Governor-Chapter 299 (effective 1/1/05)

**H.B. 817. Disability Commission;** created, report. Adding §§ 30-226 through 30-233.

Patrons: Van Landingham, et al.  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 609  
 Reported with substitute . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time . . . . . 1553  
 Reading of substitute waived . . . . . 1554  
 Committee substitute agreed to . . . . . 1554  
 Engrossed . . . . . 1554  
 Passed Senate . . . . . 1556  
 Senate substitute rejected by House . . . . . 1654  
 Senate insisted on substitute and requested committee of conference . . . . . 1665  
 House acceded to request . . . . . 1688  
 Conferees appointed . . . . . 1693  
 Conference report adopted by Senate . . . . . 1702  
 Conference report adopted by House . . . . . 1718  
 Signed by President . . . . . 1843  
 House concurred in Governor's recommendation . . . . . 1880  
 Senate concurred in Governor's recommendation . . . . . 1885  
 Signed by President as reenrolled . . . . . 1905  
 Enacted, Chapter 992 (effective 7/1/04)

**H.B. 818. Homeowners insurance;** prohibits policy nonrenewal due to claims made within 60 months. Amending § 38.2-2114.

Patron: Drake  
 Passed House . . . . . 431

**H.B. 818 (continued)**

Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 434  
 Reported with amendment . . . . . 1144  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1425  
 Read third time . . . . . 1444  
 Reading of amendment waived. . . . . 1448  
 Committee amendment agreed to . . . . . 1448  
 Engrossed . . . . . 1448  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 300 (effective 7/1/04)

**H.B. 819. Zoning ordinances; notice of amendment. Amending § 15.2-2204.**

Patron: Drake  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 561  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1072  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1805  
 Approved by Governor-Chapter 539 (effective 7/1/04)

**H.B. 820. Eminent domain; condemnation of lands within adopted conservation or redevelopment plans. Adding § 25.1-107.**

Patron: Drake  
 Passed House . . . . . 431  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 434  
 Reported . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1396, 1397  
 Read third time and passed Senate . . . . . 1415, 1419  
 Signed by President . . . . . 1800  
 Approved by Governor-Chapter 540 (effective 7/1/04)

**H.B. 823. Norfolk, City of, charter; amending.**

Patron: Drake  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor-Chapter 52 (effective 7/1/04)

**H.B. 824. Residential Landlord and Tenant Act; disclosure of mold in dwelling unit.**

Amending §§ 55-248.13 and 55-248.16; adding § 55-248.11:2.  
 Patrons: Drake, et al.  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 748  
 Amendment by Senator Mims agreed to . . . . . 748  
 Engrossed . . . . . 748

**H.B. 824 (continued)**

Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendment agreed to by House . . . . . 821  
 Signed by President . . . . . 1780  
 Approved by Governor–Chapter 226 (effective 7/1/04)

**H.B. 825. Housing Development Authority;** financing of certain mixed-income and mixed-use housing developments. Amending §§ 36-55.25, 36-55.26, 36-55.30, 36-55.30:2, 36-55.31, 36-55.33:1, 36-55.34:1, 36-55.37, 36-55.38 and 36-55.39.  
 Patrons: Drake, et al.

Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 434  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 732  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1802  
 Approved by Governor–Chapter 187 (effective 7/1/04)

**H.B. 827. Home ownership;** grants by localities to employees, including school board and constitutional officer employees. Adding § 15.2-958.2.

Patrons: Drake, et al.  
 Passed House . . . . . 493  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 498  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1099  
 Signed by President . . . . . 1806  
 Approved by Governor–Chapter 541 (effective 7/1/04)

**H.B. 828. Building Code;** inspection of rental property, including elevators. Amending § 36-105; adding § 36-105.1:1.

Patrons: Drake, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1131  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1814  
 Approved by Governor–Chapter 851

**H.B. 829. Elevator mechanics;** certification. Adding §§ 54.1-1140 through 54.1-1143.

Patron: Drake  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 760  
 Signed by President . . . . . 1802  
 Approved by Governor–Chapter 188 (effective 7/1/04)

**H.B. 831. Contractors, Board for;** exemptions from licensure. Amending § 54.1-1101.  
 Patron: Drake  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 733  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1802  
 Approved by Governor-Chapter 189 (effective 7/1/04)

**H.B. 834. Eminent domain;** owner of condemned property to receive payment before vacating. Amending § 33.1-120.  
 Patron: Drake  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 639  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 803 (effective 7/1/04)

**H.B. 835. Eminent domain;** remedies of certain landowners whose property is condemned. Amending § 33.1-132.  
 Patron: Drake  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 298  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 804 (effective 7/1/04)

**H.B. 836. Outreach Oversight Committee;** name changed to Children's Health Insurance Program Advisory Committee. Amending § 32.1-351.2.  
 Patrons: Brink, et al.  
 Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported with amendment . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 730, 733  
 Read third time . . . . . 742  
 Reading of amendment waived. . . . . 749  
 Committee amendment agreed to . . . . . 749  
 Engrossed . . . . . 749  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 755  
 Passed Senate . . . . . 757  
 Senate amendment agreed to by House . . . . . 821  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 301 (effective 7/1/04)

**H.B. 837. Election laws;** changes in voter equipment and technology. Amending §§ 24.2-602, 24.2-629, 24.2-632, 24.2-633, 24.2-634, 24.2-638, 24.2-639, 24.2-642, 24.2-649, 24.2-659, 24.2-1009 and 24.2-1010; repealing § 24.2-660.  
 Patron: Brink  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported with amendments . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1072  
 Read third time . . . . . 1087  
 Reading of amendments waived . . . . . 1092  
 Committee amendment No. 1 rejected . . . . . 1092  
 Committee amendment No. 2 agreed to . . . . . 1092  
 Reading of amendment waived . . . . . 1092  
 Amendment by Senator Devolites agreed to . . . . . 1092  
 Engrossed . . . . . 1092  
 Passed Senate . . . . . 1095  
 Senate amendments agreed to by House . . . . . 1403  
 Signed by President . . . . . 1814  
 House concurred in Governor's recommendation . . . . . 1880  
 Senate concurred in Governor's recommendation . . . . . 1886  
 Signed by President as reenrolled . . . . . 1905  
 Enacted, Chapter 993 (effective 7/1/04)

**H.B. 846. Brown v. Board of Education Scholarship Program and Fund;** created, report.  
 Adding §§ 23-38.53:21 through 23-38.53:24 and 30-226 through 30-231.  
 Patrons: Baskerville, et al.  
 Passed House . . . . . 353  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 355  
 Reported with substitute . . . . . 1470  
 Rereferred to Committee on Finance . . . . . 1471  
 Reported . . . . . 1530  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1568  
 Reading of substitute waived . . . . . 1568  
 Committee substitute agreed to . . . . . 1568  
 Engrossed . . . . . 1568  
 Passed Senate . . . . . 1570  
 Senate substitute rejected by House . . . . . 1654  
 Senate insisted on substitute and requested committee of conference . . . . . 1665  
 House acceded to request . . . . . 1688  
 Conferees appointed . . . . . 1693

**H.B. 847. Driver improvement clinics;** regulation by DMV. Amending § 46.2-490; adding §§ 46.2-490.3 through 46.2-490.11; repealing § 46.2-490.2.  
 Patrons: Brink, et al.  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 402  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 622 (effective 7/1/04)

**H.B. 848. Relief;** Ruffin, Julius Earl.

Patrons: Jones, S.C., et al.

Passed House . . . . . 687

Constitutional reading dispensed, referred to Committee on Finance . . . . . 696

Reported with substitute . . . . . 772

Constitutional reading dispensed, passed by for day . . . . . 814, 815

Read third time . . . . . 1066

Reading of substitute waived . . . . . 1068

Committee substitute agreed to. . . . . 1068

Engrossed . . . . . 1068

Passed Senate . . . . . 1069

Senate substitute rejected by House . . . . . 1143

Senate insisted on substitute and requested committee of conference . . . . . 1409

House acceded to request . . . . . 1466

Conferees appointed . . . . . 1486

Conference report adopted by House . . . . . 1719

Conference report adopted by Senate . . . . . 1722

Signed by President . . . . . 1847

Approved by Governor-Chapter 852 (effective 7/1/04)

**H.B. 849. Design-build contracts;** license requirements. Amending § 54.1-1103.

Patron: Jones, S.C.

Passed House . . . . . 372

Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377

Reported . . . . . 704

Constitutional reading dispensed, passed by for day . . . . . 730, 733

Read third time and passed Senate . . . . . 742, 753

Reconsideration of vote on Senate passage agreed to . . . . . 755

Passed Senate . . . . . 757

Signed by President . . . . . 1802

Approved by Governor-Chapter 190 (effective 7/1/04)

**H.B. 850. Campaign finance disclosure;** filing schedules. Amending §§ 24.2-916, 24.2-917 and 24.2-923.

Patron: Jones, S.C.

Passed House . . . . . 333

Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 334

Reported . . . . . 548

Constitutional reading dispensed, passed by for day . . . . . 566

Read third time and passed Senate . . . . . 578, 579

Signed by President . . . . . 765

Approved by Governor-Chapter 26 (effective 7/1/04)

**H.B. 851. Pharmacists;** allowing collaborative agreements with practitioner of medicine, osteopathy, or podiatry to continue. Repealing second enactment of Chapters 895 and 1011, 1999 Acts.

Patron: Jones, S.C.

Passed House . . . . . 372

Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377

Reported . . . . . 703

Constitutional reading dispensed, passed by for day . . . . . 730, 733

Read third time and passed Senate . . . . . 742, 753

Reconsideration of vote on Senate passage agreed to . . . . . 755

Passed Senate . . . . . 757

**H.B. 851 (continued)**

Signed by President . . . . . 1802  
 Approved by Governor-Chapter 853 (effective 7/1/04)

**H.B. 852. Medical equipment supplier;** exempts license requirement as a wholesale distributor. Amending § 54.1-3435.02.

Patron: Jones, S.C.  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 733  
 Read third time and passed Senate . . . . . 742, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1802  
 Approved by Governor-Chapter 854 (effective 7/1/04)

**H.B. 854. Design-build contracts;** license requirements. Amending § 54.1-406.

Patron: Jones, S.C.  
 Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 730, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1802  
 Approved by Governor-Chapter 191 (effective 7/1/04)

**H.B. 855. Nurse practitioners;** authorized to sign various forms and certificates. Amending §§ 2.2-2818, 32.1-46, 32.1-50, 32.1-60, 32.1-64.1, 32.1-138, 32.1-325, 32.1-331.15, 45.1-161.35, 45.1-161.70, 45.1-161.292:43, 46.2-208, 46.2-322, 53.1-22, 54.1-3812, 59.1-297, 59.1-298, 59.1-310.4 and 63.2-1808; adding § 54.1-2957.02.

Patron: Jones, S.C.  
 Passed House . . . . . 494  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 498  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1802  
 Approved by Governor-Chapter 855

**H.B. 856. Optometry;** practice and licensure. Amending §§ 54.1-3200, 54.1-3211, 54.1-3221, 54.1-3222, 54.1-3223 and 54.1-3303.

Patrons: Jones, S.C., et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 418  
 Reported with substitute . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time . . . . . 1121  
 Reading of substitute waived . . . . . 1124  
 Committee substitute agreed to . . . . . 1124  
 Engrossed . . . . . 1124  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132

**H.B. 856 (continued)**

Passed Senate . . . . . 1133  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1819  
 Approved by Governor—Chapter 744

**H.B. 857. Perpetual care trust funds and preneed burial contracts;** Cemetery Board to appoint a receiver to oversee cemetery operations. Amending §§ 54.1-2316 and 54.1-2322; adding § 54.1-2313.1.

Patron: Jones, S.C.  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1802  
 Approved by Governor—Chapter 192

**H.B. 858. Child custody and visitation;** penalty for violation of court order. Amending § 18.2-49.1.

Patron: Cosgrove  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 457  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 861. Foster care;** lowers age of child for independent living. Amending § 63.2-100.

Patron: Ingram  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . . . . . 697

**H.B. 862. Cigarettes;** affixing stamps thereto, reporting requirements. Amending §§ 3.1-336.2, 3.1-336.3, 58.1-1000, 58.1-1003, 58.1-1009, 58.1-1010, 58.1-1011 and 58.1-1013; repealing §§ 58.1-1004, 58.1-1005 and 58.1-1014.

Patron: Ware, R.L.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported with substitute . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Passed by for day . . . . . 1476, 1509, 1552  
 Read third time . . . . . 1638  
 Reading of substitute waived . . . . . 1639  
 Committee substitute rejected . . . . . 1639  
 Passed Senate . . . . . 1640  
 Signed by President . . . . . 1835  
 House ruled Governor’s recommendation amendments Nos. 1 through 3 not germane . . . . . 1883  
 House concurred in Governor’s recommendation amendment No. 4 . . . . . 1883  
 Senate rejected Governor’s recommendation amendment No. 4 . . . . . 1887  
 Approved by Governor—Chapter 1029 (effective 7/1/04)

**H.B. 863. Assault and battery;** penalty when committed against a family or household member. Amending § 18.2-57.2.

Patrons: Byron, et al.  
 Passed House . . . . . 687  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with amendments . . . . . 823  
 Rereferred to Committee on Finance . . . . . 825

**H.B. 863 (continued)**

Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1425  
 Read third time . . . . . 1444  
 Reading of amendments waived . . . . . 1449  
 Committee amendments agreed to . . . . . 1449  
 Engrossed . . . . . 1449  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendments agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 448 (effective 7/1/04)

**H.B. 864. Workers' compensation; lien by employer on settlement or verdict. Amending §§ 65.2-309 through 65.2-311.**

Patron: Byron  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 575  
 Reported with amendments . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time . . . . . 1066  
 Reading of amendments waived . . . . . 1068  
 Committee amendments agreed to . . . . . 1068  
 Engrossed . . . . . 1068  
 Passed Senate . . . . . 1069  
 Senate amendments agreed to by House . . . . . 1404  
 Signed by President . . . . . 1814  
 Approved by Governor-Chapter 914 (effective 7/1/04)

**H.B. 866. Learner's permit; issuance to youthful drivers upon certification by foster parent. Amending § 46.2-335.**

Patron: Byron  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 402  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 805 (effective 7/1/04)

**H.B. 869. Schools; reporting of threats made on and illegal carrying of a firearm on school property. Amending § 22.1-279.3:1.**

Patron: Byron  
 Passed House . . . . . 526  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 529  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 757  
 Signed by President . . . . . 1802  
 Approved by Governor-Chapter 542 (effective 7/1/04)

**H.B. 871. Infected sexual battery; penalty. Amending § 18.2-67.4:1.**

Patrons: Byron, et al.  
 Passed House . . . . . 687

**H.B. 871 (continued)**

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with substitute . . . . . 1119  
 Rereferred to Committee on Finance . . . . . 1119  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time . . . . . 1455  
 Reading of substitute waived . . . . . 1455  
 Committee substitute agreed to . . . . . 1455  
 Reading of amendment waived . . . . . 1455  
 Amendment by Senator Saslaw agreed to . . . . . 1455  
 Engrossed . . . . . 1455  
 Passed Senate . . . . . 1455  
 Senate substitute with amendment agreed to by House . . . . . 1539  
 Signed by President . . . . . 1819  
 Approved by Governor-Chapter 449 (effective 7/1/04)

**H.B. 872. Identity theft;** identification, issuance of an Identity Theft Passport. Amending §§ 2.2-511, 18.2-186.3, 18.2-186.5 and 63.2-1809.

Patrons: Byron, et al.  
 Passed House . . . . . 494  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498  
 Reported with amendments . . . . . 740  
 Rereferred to Committee on Finance . . . . . 741  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1423, 1425  
 Read third time . . . . . 1444  
 Reading of amendments waived . . . . . 1449  
 Committee amendments agreed to . . . . . 1449  
 Engrossed . . . . . 1449  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendments agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 450 (effective 7/1/04)

**H.B. 873. Alert and warning system;** localities to establish in event of emergency or disaster.

Amending § 44-146.19.  
 Patrons: Van LANDINGHAM, et al.  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 434  
 Reported with amendment . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of amendment waived . . . . . 749  
 Committee amendment agreed to . . . . . 749  
 Engrossed . . . . . 749  
 Passed Senate . . . . . 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate amendment agreed to by House . . . . . 821  
 Signed by President . . . . . 1781  
 Approved by Governor-Chapter 302 (effective 7/1/04)

**H.B. 874. Affordable housing;** applicable in Alexandria City. Amending § 15.2-2304.

Patrons: Van Landingham, et al.

Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1072  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor-Chapter 543 (effective 7/1/04)

**H.B. 875. Patient records;** transfer or copies in conjunction with sale or relocation of practice.

Amending § 54.1-2405.

Patron: O'Bannon

Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 53 (effective 7/1/04)

**H.B. 876. Mental health information;** disclosure. Amending §§ 37.1-226 through 37.1-230.

Patron: O'Bannon

Passed House . . . . . 372  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time and passed Senate . . . . . 610, 612  
 Signed by President . . . . . 787  
 Approved by Governor-Chapter 54 (effective 7/1/04)

**H.B. 877. Health records;** procedure for certain patients to obtain access to their records.

Amending §§ 2.2-3705, 8.01-413, 32.1-127.1:03, 37.1-230 and 38.2-608.

Patron: O'Bannon

Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time . . . . . 610  
 Reading of amendments waived . . . . . 611  
 Committee amendments agreed to . . . . . 611  
 Engrossed . . . . . 611  
 Passed Senate . . . . . 612  
 Senate amendments agreed to by House . . . . . 702  
 Signed by President . . . . . 1139  
 House concurred in Governor's recommendation . . . . . 1654  
 Senate concurred in Governor's recommendation . . . . . 1675  
 Signed by President as reenrolled . . . . . 1697  
 Enacted, Chapter 65 (effective 7/1/04)

**H.B. 878. Health records;** access by guardians ad litem and attorneys representing minors and certain adults. Amending §§ 16.1-266, 16.1-343, 32.1-127.1:03, 37.1-67.3, 37.1-134.9, 37.1-134.12 and 37.1-134.21.

Patron: O'Bannon

Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377

**H.B. 878 (continued)**

Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time . . . . . 610  
 Reading of amendments waived . . . . . 611  
 Committee amendments agreed to . . . . . 611  
 Engrossed . . . . . 611  
 Passed Senate . . . . . 612  
 Senate amendments agreed to by House . . . . . 702  
 Signed by President . . . . . 1140  
 House concurred in Governor's recommendation . . . . . 1654  
 Senate concurred in Governor's recommendation . . . . . 1676  
 Signed by President as reenrolled . . . . . 1697  
 Enacted, Chapter 66 (effective 7/1/04)

**H.B. 879. Health records; privacy provisions. Amending § 32.1-127.1:03.**

Patron: O'Bannon  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported with amendments . . . . . 562  
 Constitutional reading dispensed, passed by for day . . . . . 586, 587  
 Read third time . . . . . 610  
 Reading of amendments waived . . . . . 611  
 Committee amendments agreed to . . . . . 611  
 Engrossed . . . . . 612  
 Passed Senate . . . . . 612  
 Senate amendments agreed to by House . . . . . 702  
 Signed by President . . . . . 1140  
 House concurred in Governor's recommendation . . . . . 1655  
 Senate concurred in Governor's recommendation . . . . . 1676  
 Signed by President as reenrolled . . . . . 1697  
 Enacted, Chapter 67 (effective 7/1/04)

**H.B. 883. Conservation easements; holders to have principal office in State. Amending § 10.1-1010.**

Patrons: Plum, et al.  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported with amendment . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 784, 785  
 Read third time . . . . . 811  
 Reading of amendment waived . . . . . 811  
 Committee amendment agreed to . . . . . 811  
 Passed by for day . . . . . 811, 1070  
 Engrossed . . . . . 1096  
 Passed Senate . . . . . 1096  
 Senate amendment agreed to by House . . . . . 1404  
 Signed by President . . . . . 1814  
 Approved by Governor-Chapter 364 (effective 7/1/04)

**H.B. 884. Nonstock corporations; terms of directors. Amending § 13.1-857.**

Patron: Plum  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 298  
 Reported . . . . . 772

**H.B. 884 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1810  
 Approved by Governor—Chapter 303 (effective 7/1/04)

**H.B. 887. Emissions inspections; exempts hybrid vehicles. Amending §§ 46.2-1176 and 46.2-1178.**

Patron: Plum  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor—Chapter 915 (effective 7/1/04)

**H.B. 889. Bail; denied due to multiple DUI offenses. Amending § 19.2-120.**

Patrons: Bell, et al.  
 Passed House . . . . . 688  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with substitute . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1484  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509  
 Reading of substitute waived . . . . . 1512  
 Committee substitute agreed to . . . . . 1512  
 Engrossed . . . . . 1512  
 Passed Senate . . . . . 1516  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1835  
 Approved by Governor—Chapter 954 (effective 7/1/04)

**H.B. 891. Nursing homes and assisted living facilities; notification to electric utilities. Amending §§ 32.1-126 and 63.2-1800.**

Patrons: Sickles, et al.  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1802  
 Approved by Governor—Chapter 304 (effective 7/1/04)

**H.B. 894. Property Owners' Association Act; access to association records. Amending § 55-510.**

Patron: Sickles  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758

**H.B. 894 (continued)**

Signed by President . . . . . 1802  
 Approved by Governor-Chapter 193 (effective 7/1/04)

**H.B. 898. Homeowners insurance;** notice to insured on changes in deductibles. Adding § 38.2-2127.

Patron: Wardrup  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 334  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 745 (effective 7/1/04)

**H.B. 899. Golf carts and utility vehicles;** registration and operation. Amending §§ 46.2-100 and 46.2-676; adding §§ 46.2-916.1, 46.2-916.2 and 46.2-916.3.

Patrons: Wardrup, et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 746 (effective 7/1/04)

**H.B. 900. License plates, special;** technical changes in various statutes. Amending §§ 46.2-725, 46.2-736.2, 46.2-742 through 46.2-742.2, 46.2-745, 46.2-746.3, 46.2-746.7, 46.2-749 and 46.2-749.4.

Patrons: Wardrup, et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 763  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 747 (effective 7/1/04)

**H.B. 902. Income tax, state;** filing of returns. Amending §§ 58.1-305 and 58.1-306.

Patron: Wardrup  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 639  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 544 (effective 7/1/04)

**H.B. 904. Transportation Commissioner;** may enter into agreements with cities and towns. Adding § 33.1-12.1.

Patron: Wardrup  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 298  
 Reported . . . . . 723

**H.B. 904 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time and passed Senate . . . . . 774, 778  
 Signed by President . . . . . 1779  
 Approved by Governor—Chapter 623 (effective 7/1/04)

**H.B. 905. Interstate Route 81;** all vehicles will be subject to toll. Repealing third enactment of Chapter 593, 2002 Acts.

Patron: Wardrup  
 Passed House . . . . . 545  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 547  
 Continued to 2005 Session in Senate Committee on Transportation . . . . . 1794

**H.B. 907. Medical assistance services;** filing of application for admittance to a Veterans Care Center. Amending § 63.2-405.

Patrons: Watts, et al.  
 Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 315  
 Reported with amendment . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time . . . . . 774  
 Reading of amendment waived. . . . . 776  
 Committee amendment agreed to . . . . . 776  
 Engrossed . . . . . 776  
 Passed Senate . . . . . 778  
 Senate amendment agreed to by House . . . . . 1115  
 Signed by President . . . . . 1810  
 Approved by Governor—Chapter 305 (effective 7/1/04)

**H.B. 908. House of Delegates and Senatorial districts;** changes in provisions. Amending §§ 24.2-303.2 and 24.2-304.02.

Patrons: Abbitt, et al.  
 Passed House . . . . . 688  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 697  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1072  
 Read third time . . . . . 1087  
 Reading of amendments waived. . . . . 1093  
 Amendments by Senator Ruff agreed to. . . . . 1093  
 Engrossed . . . . . 1093  
 Passed Senate . . . . . 1095  
 Senate amendments agreed to by House. . . . . 1404  
 Signed by President . . . . . 1814  
 Approved by Governor—Chapter 451 (effective 7/1/04)

**H.B. 909. Heritage Music Trail: The Crooked Road;** designating as certain highways in Southwest Virginia.

Patron: Phillips  
 Passed House . . . . . 688  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Reported . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Passed by for day . . . . . 1552  
 Reconsideration of passed by for day agreed to . . . . . 1572  
 Passed Senate . . . . . 1572  
 Signed by President . . . . . 1832  
 Approved by Governor—Chapter 624 (effective 7/1/04)

**H.B. 910. Country Music Highway;** designating portion of Route 23 lying within Wise, Lee, and Scott Counties.  
 Patron: Phillips  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 696  
 Reported ..... 1471  
 Constitutional reading dispensed, passed by for day ..... 1519, 1520  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1832  
 Approved by Governor–Chapter 625 (effective 7/1/04)

**H.B. 911. Tourism Development Authority;** authorized to form corporations, etc., for purpose of promoting economic development. Amending § 15.2-5504.  
 Patron: Phillips  
 Passed House ..... 333  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1072  
 Read third time and passed Senate ..... 1087, 1095  
 Signed by President ..... 1806  
 Approved by Governor–Chapter 806 (effective 7/1/04)

**H.B. 916. Criminal history records check;** applicable to justices, judges, substitute judges and magistrates. Amending §§ 16.1-69.9, 16.1-69.9:1, 16.1-69.9:4, 17.1-303, 17.1-400, 17.1-501, 17.1-509, 17.1-512 and 19.2-35.  
 Patron: Phillips  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported ..... 1495  
 Constitutional reading dispensed ..... 1566  
 Read third time and passed Senate ..... 1566, 1570  
 Signed by President ..... 1832  
 Approved by Governor–Chapter 452 (effective 7/1/04)

**H.B. 918. Restaurants;** exemptions include convenience stores and gas stations. Amending § 35.1-25.  
 Patron: Phillips  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 697  
 Reported with substitute ..... 1118  
 Constitutional reading dispensed, passed by for day ..... 1397  
 Read third time ..... 1415  
 Reading of substitute waived ..... 1418  
 Committee substitute agreed to..... 1418  
 Engrossed ..... 1418  
 Passed Senate ..... 1419  
 Senate substitute agreed to by House ..... 1538  
 Signed by President ..... 1819  
 Approved by Governor–Chapter 227 (effective 7/1/04)

**H.B. 919. Water and sewer authorities;** conduits for fiber optic cable. Amending § 15.2-5114.  
 Patron: Phillips  
 Passed House ..... 333  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334

**H.B. 919 (continued)**

Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1070, 1072  
 Read third time and passed Senate . . . . . 1087, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor-Chapter 545 (effective 7/1/04)

**H.B. 920. Natural gas; direct sales to certain public schools. Amending § 56-265.1.**

Patron: Phillips  
 Passed House . . . . . 688  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 696  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 748 (effective 7/1/04)

**H.B. 923. License plates, special; issuance to supporters of Boy Scouts of America. Adding § 46.2-749.30:2.**

Patron: Phillips  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 924. Delinquent taxes; collection by local government treasurers. Amending § 58.1-1803.**

Patrons: Johnson, et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 418  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 546 (effective 7/1/04)

**H.B. 925. Real estate; nonjudicial sale of tax delinquent property. Adding § 58.1-3975.**

Patrons: Ingram, et al.  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time and passed Senate . . . . . 724, 725  
 Signed by President . . . . . 1429  
 Approved by Governor-Chapter 100 (effective 7/1/04)

**H.B. 926. Personal Property Tax Relief Act of 1998; payments when taxes paid in full. Amending § 58.1-3528.**

Patrons: Ingram, et al.  
 Passed House . . . . . 688  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 547 (effective 7/1/04)

**H.B. 928. Real estate tax;** alternative payment schedules for elderly and handicapped persons in Prince William County. Adding § 58.1-3916.02.  
 Patrons: Frederick, et al.  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee on Finance ..... 696  
 Reported with amendments ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time ..... 1066  
 Reading of amendments waived ..... 1069  
 Committee amendments agreed to ..... 1069  
 Engrossed ..... 1069  
 Passed Senate ..... 1069  
 Senate amendments rejected by House ..... 1143  
 Senate insisted on amendments and requested committee of conference ..... 1410  
 House acceded to request ..... 1467  
 Conferees appointed ..... 1486  
 Conference report adopted by Senate ..... 1703  
 Conference report adopted by House ..... 1719  
 Signed by President ..... 1843  
 Approved by Governor-Chapter 548 (effective 7/1/04)

**H.B. 930. Septic systems;** validity of septic tank permits. Amending § 32.1-164.1:1.  
 Patron: Suit  
 Passed House ..... 494  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 498  
 Reported ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time and passed Senate ..... 1136  
 Signed by President ..... 1814  
 Approved by Governor-Chapter 916 (effective 7/1/04)

**H.B. 931. Governing bodies;** meetings. Amending § 15.2-1416.  
 Patrons: Marshall, D.W., et al.  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 609  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1072  
 Read third time and passed Senate ..... 1088, 1095  
 Signed by President ..... 1806  
 Approved by Governor-Chapter 549 (effective 7/1/04)

**H.B. 932. Advanced Learning and Research, Institute for;** increases membership of governing board. Amending § 23-231.20.  
 Patrons: Marshall, D.W., et al.  
 Passed House ..... 314  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 315  
 Reported ..... 703  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time and passed Senate ..... 743, 753  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758  
 Signed by President ..... 1802  
 Approved by Governor-Chapter 856 (effective 7/1/04)

**H.B. 933. Advanced Learning and Research, Institute for;** designated an educational institution. Amending § 23-14.  
 Patrons: Marshall, D.W., et al.  
 Passed House ..... 401  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 403  
 Reported ..... 703  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time and passed Senate ..... 743, 753  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758  
 Signed by President ..... 1803  
 Approved by Governor–Chapter 857 (effective 7/1/04)

**H.B. 934. Constitutional officers;** employment. Amending § 15.2-1604.  
 Patrons: Marshall, D.W., et al.  
 Passed House ..... 333  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 334  
 Reported ..... 794  
 Constitutional reading dispensed, passed by for day ..... 1070, 1072  
 Read third time and passed Senate ..... 1088, 1095  
 Signed by President ..... 1806  
 Approved by Governor–Chapter 453 (effective 7/1/04)

**H.B. 935. Consumer Choice Benefits Plan Act;** created. Amending §§ 38.2-4214 and 38.2-4319; adding §§ 38.2-3419.2 through 38.2-3419.8.  
 Patrons: Marshall, D.W., et al.  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 696  
 Continued to 2005 Session in Senate Committee on Commerce and Labor ..... 1793

**H.B. 938. Telephone companies;** local exchange service competition policy. Adding § 56-235.5:1.  
 Patron: Kilgore  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 696  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time and passed Senate ..... 1456  
 Reconsideration of vote on Senate passage agreed to ..... 1456  
 Passed Senate ..... 1456  
 Statement on vote ..... 1456  
 Signed by President ..... 1591  
 Approved by Governor–Chapter 151 (effective 7/1/04)

**H.B. 942. Grand jurors;** procedure for selection. Amending § 19.2-194.  
 Patron: Pollard  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 696  
 Reported ..... 1119  
 Constitutional reading dispensed, passed by for day ..... 1397  
 Read third time and passed Senate ..... 1415, 1419  
 Signed by President ..... 1800  
 Approved by Governor–Chapter 306 (effective 7/1/04)

**H.B. 947. Silvicultural activities;** notification of commercial harvesting of timber. Amending §§ 10.1-1181.2 and 10.1-1181.3.  
 Patron: Ingram  
 Passed House ..... 297  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 298  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 228 (effective 7/1/04)

**H.B. 948. Court documents;** abbreviated social security number of judgment debtor. Amending §§ 8.01-446.1, 8.01-449, 8.01-487.1, 8.01-511 and 8.01-512.3.  
 Patrons: Howell, A.T., et al.  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 696  
 Reported ..... 1434  
 Constitutional reading dispensed, passed by for day ..... 1482, 1483  
 Reconsideration of passed by agreed to ..... 1484  
 Recommitted to Committee for Courts of Justice ..... 1485  
 Continued to 2005 Session in Senate Committee for Courts of Justice ..... 1793

**H.B. 949. Elizabeth River;** Governor to convey certain subaqueous lands to Norfolk City.  
 Patrons: Howell, A.T., et al.  
 Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 529  
 Reported ..... 740  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Passed by for day ..... 799  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1810  
 Approved by Governor-Chapter 454 (effective 7/1/04)

**H.B. 950. Public defender's office;** establishment in Arlington County and Falls Church City. Amending § 19.2-163.2.  
 Patrons: Ebbin, et al.  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 696  
 Reported ..... 740  
 Rereferred to Committee on Finance ..... 741  
 Continued to 2005 Session in Senate Committee on Finance ..... 1793

**H.B. 952. Adult protective services;** changes in provisions, Commissioner of Department of Social Services to report on certain aspects of adult abuse, neglect and exploitation. Amending §§ 63.2-1603 through 63.2-1606, 63.2-1608, 63.2-1609 and 63.2-1610; repealing § 63.2-1607.  
 Patrons: Ebbin, et al.  
 Passed House ..... 688  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services ..... 697  
 Reported with substitute ..... 722  
 Constitutional reading dispensed, passed by for day ..... 762, 764  
 Read third time ..... 774  
 Reading of substitute waived ..... 776  
 Committee substitute agreed to ..... 776  
 Engrossed ..... 776

**H.B. 952 (continued)**

Passed Senate . . . . . 778  
 Senate substitute rejected by House . . . . . 1110  
 Senate insisted on substitute and requested committee of conference . . . . . 1148  
 House acceded to request . . . . . 1432  
 Conferees appointed . . . . . 1463  
 Conference report adopted by Senate . . . . . 1683  
 Conference report adopted by House . . . . . 1689  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 749 (effective 7/1/04)

**H.B. 955. Animal feeding operations;** penalty for violation. Amending §§ 62.1-44.17:1 and 62.1-44.17:1.1.

Patron: Barlow  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 298  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 455 (effective 7/1/04)

**H.B. 959. Grievance procedures;** state employee request for administrative review. Amending § 2.2-3006.

Patron: Barlow  
 Passed House . . . . . 559  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 229 (effective 7/1/04)

**H.B. 963. Exterior lighting;** allows James City County to regulate illumination levels of buildings and property.

Patron: Barlow  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time . . . . . 1099  
 Reading of amendment waived. . . . . 1099  
 Amendment by Senator Norment agreed to . . . . . 1099  
 Engrossed . . . . . 1099  
 Passed Senate . . . . . 1099  
 Senate amendment agreed to by House . . . . . 1404  
 Signed by President . . . . . 1814  
 Approved by Governor-Chapter 550

**H.B. 964. License plates, special;** issuance to bicycle enthusiasts. Adding § 46.2-749.101.

Patron: Barlow  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418

**H.B. 965. License plates, special;** issuance to U.S. Navy chief petty officers. Adding § 46.2-746.2:2.2.  
 Patron: Barlow  
 Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 529

**H.B. 968. Williamsburg, City of, charter;** amending.  
 Patron: Barlow  
 Passed House ..... 432  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 794  
 Constitutional reading dispensed, passed by for day ..... 1070, 1071  
 Read third time and passed Senate ..... 1088, 1095  
 Signed by President ..... 1806  
 Approved by Governor-Chapter 551 (effective 7/1/04)

**H.B. 970. Grass or lawn areas;** Isle of Wight County authorized to enforce cutting. Amending § 15.2-1215.  
 Patron: Barlow  
 Passed House ..... 456  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 457  
 Reported ..... 794  
 Constitutional reading dispensed, passed by for day ..... 1071, 1072  
 Read third time ..... 1100  
 Reading of amendment waived. .... 1100  
 Amendment by Senator Norment agreed to ..... 1100  
 Engrossed ..... 1100  
 Passed Senate ..... 1100  
 Senate amendment rejected by House ..... 1402  
 Senate insisted on amendment and requested committee of conference ..... 1435  
 House acceded to request ..... 1493  
 Conferees appointed ..... 1530

**H.B. 974. Residential Landlord and Tenant Act;** access by landlord to correct nonemergency property condition. Amending § 55-248.18.  
 Patron: Reese  
 Passed House ..... 559  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 561  
 Reported ..... 705  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time and passed Senate ..... 743, 753  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758  
 Signed by President ..... 1803  
 Approved by Governor-Chapter 307 (effective 7/1/04)

**H.B. 975. Recordation tax;** exemptions include contracts on real or personal property. Amending § 58.1-811.  
 Patron: Reese  
 Passed House ..... 417  
 Constitutional reading dispensed, referred to Committee on Finance ..... 418  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1070, 1072  
 Read third time and passed Senate ..... 1088, 1095  
 Signed by President ..... 1806  
 Approved by Governor-Chapter 626 (effective 7/1/04)

**H.B. 976. Pleadings and other actions by parties not represented by attorneys; provisions.**

Amending §§ 16.1-88.03 and 55-246.1.

Patron: Reese

Passed House ..... 353  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 355  
 Reported with amendment ..... 703  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time ..... 743  
 Reading of amendment waived..... 749  
 Committee amendment agreed to ..... 749  
 Engrossed ..... 749  
 Passed Senate ..... 753  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758  
 Senate amendment agreed to by House ..... 821  
 Signed by President ..... 1781  
 Approved by Governor-Chapter 365 (effective 7/1/04)

**H.B. 977. Circuit court records; fees allowed for remote access. Amending § 17.1-276.**

Patron: Reese

Passed House ..... 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 608  
 Reported ..... 741  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 230 (effective 7/1/04)

**H.B. 978. School divisions; consolidation. Amending § 22.1-25.**

Patrons: Reese, et al.

Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 529  
 Reported ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1101, 1103  
 Read third time and passed Senate ..... 1121, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1133  
 Signed by President ..... 1814  
 Approved by Governor-Chapter 917 (effective 7/1/04)

**H.B. 979. Garnishment; service on a corporation through a managing employee. Amending § 8.01-513.**

Patron: Reese

Passed House ..... 600  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 608  
 Reported ..... 741  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1797  
 Approved by Governor-Chapter 231 (effective 7/1/04)

**H.B. 980. Service of process; failure to return shall not invalidate service. Amending § 8.01-294.**

Patron: Reese

Passed House ..... 354  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 355

**H.B. 980 (continued)**  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 627 (effective 7/1/04)

**H.B. 981. Residential Landlord and Tenant Act; noncompliance of rental agreement, award of attorneys' fees. Amending § 55-248.31.**  
 Patron: Reese  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 753  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 232 (effective 7/1/04)

**H.B. 982. Process; fees for services in circuit court. Amending §§ 16.1-69.48:5, 16.1-107 and 16.1-112.**  
 Patron: Reese  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with substitute . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time . . . . . 800  
 Reading of substitute waived . . . . . 802  
 Committee substitute agreed to . . . . . 802  
 Engrossed . . . . . 802  
 Passed Senate . . . . . 805  
 Senate substitute agreed to by House . . . . . 1116  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 366 (effective 7/1/04)

**H.B. 983. Fiduciaries; mailing of notice by clerk of court. Amending § 26-7.2.**  
 Patron: Reese  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1797  
 Approved by Governor-Chapter 367 (effective 7/1/04)

**H.B. 984. Conservators and guardians; definition to include tax-exempt organizations that provide services to incapacitated persons. Amending § 37.1-134.6.**  
 Patron: Reese  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 608  
 Reported with substitute . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of substitute waived . . . . . 749  
 Committee substitute agreed to . . . . . 750  
 Engrossed . . . . . 750

**H.B. 984 (continued)**

Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate substitute agreed to by House . . . . . 821  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 858 (effective 7/1/04)

**H.B. 985. State property management;** Division of Engineering and Buildings to establish and report on performance standards to determine effectiveness. Adding § 2.2-1131.1.

Patrons: Reese, et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported with substitute . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time . . . . . 1121  
 Reading of substitute waived . . . . . 1125  
 Committee substitute agreed to. . . . . 1125  
 Engrossed . . . . . 1125  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1819  
 Approved by Governor-Chapter 750 (effective 7/1/04)

**H.B. 986. Polling places;** voting equipment must remain in plain view of officers of election. Amending §§ 24.2-638 and 24.2-642.

Patron: Hugo  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor-Chapter 978 (effective 7/1/04)

**H.B. 988. Land use proceedings;** disclosures. Amending § 15.2-852.

Patrons: Hugo, et al.  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609  
 Reported . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time and passed Senate . . . . . 1476, 1478  
 Signed by President . . . . . 1819  
 Approved by Governor-Chapter 552 (effective 1/1/05)

**H.B. 989. Transfer Module;** created to facilitate transfer of course credit between 2- and 4-year institutions. Adding § 23-9.14:2.

Patrons: Hugo, et al.  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 457  
 Reported . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758

**H.B. 989 (continued)**

Signed by President . . . . . 1803  
 Approved by Governor-Chapter 553 (effective 7/1/04)

**H.B. 992. Ballots;** political party designation. Amending §§ 24.2-613 and 24.2-640.

Patrons: Hugo, et al.  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 575

**H.B. 993. Racing;** conduct punishable as involuntary manslaughter due to death of another, punishment for injury of another. Amending § 46.2-867; adding § 46.2-865.1.

Patrons: Hugo, et al.  
 Passed House . . . . . 688  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Rereferred to Committee for Courts of Justice . . . . . 1078  
 Reported with amendments . . . . . 1434  
 Rereferred to Committee on Finance . . . . . 1434  
 Reported . . . . . 1530  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1568  
 Reading of amendments waived . . . . . 1568  
 Committee amendments agreed to . . . . . 1568  
 Engrossed . . . . . 1568  
 Passed Senate . . . . . 1570  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 859 (effective 7/1/04)

**H.B. 994. Clifton, Town of, charter;** amending.

Patron: Hugo  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 334  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor-Chapter 554 (effective 7/1/04)

**H.B. 995. Banquet and mixed beverage licenses;** issuance. Amending §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231 and 4.1-233.

Patron: Hugo  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . . . . . 377  
 Reported . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time . . . . . 774  
 Reading of amendment waived . . . . . 776  
 Amendment by Senator Stosch agreed to . . . . . 777  
 Engrossed . . . . . 777  
 Passed Senate . . . . . 778  
 House ruled Senate amendment not germane . . . . . 1110  
 Parliamentary inquiry . . . . . 1148  
 Passed by for day . . . . . 1148  
 Ruling of the Chair . . . . . 1409  
 Parliamentary inquiry . . . . . 1409

**H.B. 997. Fairfax Station Road;** designating entire length in Fairfax County as a Virginia byway.  
 Patron: Hugo  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 609  
 Reported ..... 1078  
 Constitutional reading dispensed, passed by for day ..... 1138  
 Read third time and passed Senate ..... 1393, 1394  
 Signed by President ..... 1814  
 Approved by Governor-Chapter 628 (effective 7/1/04)

**H.B. 998. Pleasant Valley Road;** designating portion thereof in Fairfax County as a Virginia byway.  
 Patrons: Hugo, et al.  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 609  
 Reported ..... 1078  
 Constitutional reading dispensed, passed by for day ..... 1138  
 Read third time and passed Senate ..... 1393, 1394  
 Signed by President ..... 1814  
 Approved by Governor-Chapter 629 (effective 7/1/05)

**H.B. 1001. Transient occupancy tax;** additional imposition in Fairfax County. Adding § 58.1-3824.  
 Patrons: Hugo, et al.  
 Passed House ..... 354  
 Constitutional reading dispensed, referred to Committee on Finance ..... 355  
 Reported ..... 403  
 Constitutional reading dispensed, passed by for day ..... 421, 422  
 Read third time and passed Senate ..... 436, 437  
 Signed by President ..... 683  
 Approved by Governor-Chapter 9 (effective 7/1/04)

**H.B. 1002. Motor vehicles;** registration fees, changes formula for distribution of “four for life” fund. Amending § 46.2-694.  
 Patron: Orrock  
 Passed House ..... 546  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 547  
 Reported ..... 723  
 Constitutional reading dispensed, passed by for day ..... 762, 764  
 Read third time and passed Senate ..... 774, 778  
 Signed by President ..... 1779  
 Approved by Governor-Chapter 194 (effective 7/1/04)

**H.B. 1005. Dulles Corridor;** issuance of transportation credit assistance revenue bonds for funding mass transit. Amending §§ 33.1-268, 33.1-269 and 33.1-277.  
 Patrons: Callahan, et al.  
 Passed House ..... 689  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 696  
 Rereferred to Committee on Finance ..... 1078  
 Reported ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time and passed Senate ..... 1476, 1478  
 Signed by President ..... 1819  
 Approved by Governor-Chapter 807 (effective 7/1/04)

**H.B. 1007. Homeowners insurance;** exclusion of coverage for an insured's dangerous or vicious animal. Adding § 38.2-2127.  
 Patron: Rust  
 Passed House ..... 606  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 609  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time and passed Senate ..... 1444, 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Signed by President ..... 1844  
 Approved by Governor-Chapter 751 (effective 7/1/04)

**H.B. 1009. Educational Ventures Consortium;** created. Adding §§ 23-231.24 through 23-231.30.  
 Patron: Rust  
 Passed House ..... 546  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 547  
 Rereferred to Committee on Finance ..... 825  
 Continued to 2005 Session in Senate Committee on Finance ..... 1793

**H.B. 1012. Gangs;** presumption against bail, presentence report due to criminal participation. Amending §§ 19.2-120 and 19.2-299.  
 Patron: Rust  
 Passed House ..... 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 608  
 Reported ..... 703  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time and passed Senate ..... 743, 754  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758  
 Signed by President ..... 1803  
 Approved by Governor-Chapter 308 (effective 7/1/04)

**H.B. 1013. At-Risk Student Academic Achievement Program and Fund;** created. Adding § 22.1-199.4.  
 Patrons: Dillard, et al.  
 Passed House ..... 689  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 697  
 Reported ..... 1470  
 Constitutional reading dispensed, passed by for day ..... 1519, 1520  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1832  
 Approved by Governor-Chapter 456 (effective 7/1/04)

**H.B. 1014. Standards of Quality in public schools;** changes in provisions. Amending §§ 22.1-19.1, 22.1-209.1:2, 22.1-225, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.2, 22.1-279.3:1, 22.1-279.6 and 22.1-292.1; adding §§ 22.1-200.01 and 22.1-202.1.  
 Patrons: Dillard, et al.  
 Passed House ..... 546  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 547  
 Reported ..... 1470  
 Constitutional reading dispensed, passed by for day ..... 1519, 1520  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1832  
 Approved by Governor-Chapter 955 (effective 7/1/04)

**H.B. 1015. Family life education;** curriculum to include steps to avoid sexual assault, and availability of counseling and legal resources, etc. Amending § 22.1-207.1.

Patrons: Dillard, et al.

Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 575  
 Reported with amendments . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time . . . . . 1553  
 Reading of amendments waived . . . . . 1554  
 Committee amendments agreed to . . . . . 1554  
 Engrossed . . . . . 1554  
 Passed Senate . . . . . 1556  
 Senate amendments rejected by House . . . . . 1654  
 Senate receded from amendments . . . . . 1665  
 Signed by President . . . . . 1847  
 House rejected Governor’s recommendation amendment No. 1 . . . . . 1883  
 House concurred in Governor’s recommendation amendment No. 2. . . . . 1883  
 Senate concurred in Governor’s recommendation amendment No. 2. . . . . 1888  
 Signed by President as reenrolled. . . . . 1907  
 Approved by Governor-Chapter 1030 (effective 7/1/04)

**H.B. 1016. Health insurance;** coverage for certain persons. Amending § 38.2-3525.

Patrons: Dillard, et al.

Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 639  
 Continued to 2005 Session in Senate Committee on Commerce and Labor . . . . . 1793

**H.B. 1018. Animal dissection in public schools;** alternatives. Adding § 22.1-200.01.

Patrons: Dillard, et al.

Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 529  
 Reported . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time and passed Senate . . . . . 1562  
 Reconsideration of vote on Senate passage agreed to . . . . . 1565  
 Passed Senate . . . . . 1565  
 Signed by President . . . . . 1832  
 Approved by Governor-Chapter 918 (effective 7/1/04)

**H.B. 1022. Auctioneers;** continuing education. Adding § 54.1-603.1.

Patrons: Dillard, et al.

Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 334  
 Reported with amendment . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time . . . . . 1121  
 Reading of amendment waived. . . . . 1125  
 Committee amendment agreed to . . . . . 1125  
 Engrossed . . . . . 1125  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 956 (effective 7/1/04)

**H.B. 1024. Saltwater fishing licenses and permits;** fees increased. Amending § 28.2-201.  
 Patrons: Dillard, et al.  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 529  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1797  
 Approved by Governor—Chapter 860 (effective 7/1/04)

**H.B. 1026. Campaign finance disclosure;** requirements for political campaign advertisements. Amending §§ 24.2-900, 24.2-901, 24.2-905, 24.2-908, 24.2-921, 24.2-926, 24.2-929, 24.2-943 and 24.2-944.  
 Patron: Albo  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor—Chapter 457 (effective 7/1/04)

**H.B. 1027. Lottery Law;** changes in provisions giving department and director more authority. Amending §§ 58.1-4004, 58.1-4006, 58.1-4007, 58.1-4010, 58.1-4014 and 58.1-4020.1.  
 Patron: Albo  
 Passed House . . . . . 494  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1814  
 Approved by Governor—Chapter 630 (effective 7/1/04)

**H.B. 1028. Lottery Board;** criminal background checks for members, officers and employees of lottery vendors. Amending §§ 58.1-4008 and 58.1-4009.  
 Patron: Albo  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time and passed Senate . . . . . 1121, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1814  
 Approved by Governor—Chapter 555 (effective 7/1/04)

**H.B. 1029. Mary Washington College;** name changed to University of Mary Washington. Amending §§ 23-9.5, 23-14, 23-31, 23-91.34, 23-91.35, 23-91.37, 23-91.39, 23-91.40, 23-91.41, 23-91.43 and 23-91.44.  
 Patrons: Cole, et al.  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 298  
 Reported . . . . . 704

**H.B. 1029 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 758  
 Signed by President . . . . . 1803  
 Approved by Governor—Chapter 195 (effective 7/1/04)

**H.B. 1030. Personal property exempt from taxation;** includes trailers used to transport farm animals or other farm products. Amending §§ 58.1-3505 and 58.1-3506.

Patron: Cole  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported with amendment . . . . . 697  
 Constitutional reading dispensed, passed by for day . . . . . 705, 706  
 Read third time . . . . . 724  
 Reading of amendment waived. . . . . 725  
 Committee amendment agreed to . . . . . 725  
 Reading of amendment waived. . . . . 725  
 Amendment by Senator Hanger agreed to . . . . . 725  
 Engrossed . . . . . 725  
 Passed Senate . . . . . 725  
 Senate amendments agreed to by House. . . . . 792  
 Signed by President . . . . . 1728  
 Approved by Governor—Chapter 556 (effective 7/1/04)

**H.B. 1037. Debt Collection, Division of;** retention of revenues, use for collection of debts, referral of certain accounts to Office of Attorney General. Amending §§ 2.2-518 and 2.2-4806.

Patrons: Saxman, et al.  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 434  
 Rereferred to Committee on Finance . . . . . 825  
 Reported with amendment . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time . . . . . 1476  
 Reading of amendment waived. . . . . 1477  
 Committee amendment agreed to . . . . . 1477  
 Engrossed . . . . . 1477  
 Passed Senate . . . . . 1478  
 Senate amendment agreed to by House . . . . . 1595  
 Signed by President . . . . . 1819  
 Approved by Governor—Chapter 919 (effective 7/1/04)

**H.B. 1038. Child abuse or neglect;** reporting by school personnel. Adding § 22.1-291.3.

Patron: Saxman  
 Passed House . . . . . 354  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 355  
 Reported with substitute . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of substitute waived . . . . . 750  
 Committee substitute agreed to. . . . . 750  
 Engrossed . . . . . 750  
 Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate substitute agreed to by House . . . . . 821

**H.B. 1038 (continued)**

Signed by President . . . . . 1810  
 Approved by Governor-Chapter 752 (effective 7/1/04)

**H.B. 1039. Procurement Act, Public;** contracts for architectural or professional engineering services. Amending § 2.2-4301.

Patrons: Saxman, et al.  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 575  
 Reported with substitute . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time . . . . . 1122  
 Reading of substitute waived . . . . . 1125  
 Committee substitute agreed to. . . . . 1125  
 Engrossed . . . . . 1125  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1819  
 Approved by Governor-Chapter 458 (effective 7/1/04)

**H.B. 1040. Procurement Act, Public;** public notice of Request for Proposals. Amending § 2.2-4301.

Patrons: Saxman, et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608

**H.B. 1041. Child abuse or neglect;** definition. Amending §§ 16.1-228 and 63.2-100.

Patrons: Saxman, et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 608  
 Reported with substitute . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1101, 1103  
 Read third time . . . . . 1122  
 Reading of substitute waived . . . . . 1125  
 Committee substitute agreed to. . . . . 1125  
 Reading of amendments waived. . . . . 1126  
 Amendments by Senator Obenshain agreed to. . . . . 1126  
 Engrossed . . . . . 1126  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate substitute with amendments rejected by House . . . . . 1593  
 Senate insisted on substitute with amendments and requested committee of conference . . . . . 1609  
 House acceded to request . . . . . 1663  
 Conferees appointed . . . . . 1686  
 Conference report adopted by Senate . . . . . 1743  
 Conference report adopted by House . . . . . 1758  
 Signed by President . . . . . 1843  
 Approved by Governor-Chapter 753 (effective 7/1/04)

**H.B. 1042. Correctional facilities;** utilization of private contracts.

Patrons: Saxman, et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . . . . . 608  
 Reported . . . . . 722

**H.B. 1042 (continued)**

Rereferred to Committee on Finance . . . . . 723  
 Reported with substitute . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time . . . . . 1476  
 Reading of substitute waived . . . . . 1477  
 Committee substitute agreed to . . . . . 1477  
 Engrossed . . . . . 1477  
 Passed Senate . . . . . 1478  
 Senate substitute agreed to by House . . . . . 1595  
 Signed by President . . . . . 1843  
 Approved by Governor—Chapter 861 (effective 7/1/04)

**H.B. 1043. Competitive Government Act;** created, reports. Adding §§ 2.2-5512 and 2.2-5513.

Patrons: Saxman, et al.  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported with substitute . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1483  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509  
 Reading of substitute waived . . . . . 1512  
 Committee substitute agreed to . . . . . 1512  
 Reading of amendment waived . . . . . 1513  
 Amendment by Senator Stosch agreed to . . . . . 1513  
 Engrossed . . . . . 1513  
 Passed Senate . . . . . 1516  
 Senate substitute with amendment agreed to by House . . . . . 1658  
 Signed by President . . . . . 1835  
 House concurred in Governor's recommendation . . . . . 1880  
 Senate concurred in Governor's recommendation . . . . . 1889  
 Signed by President as reenrolled . . . . . 1905  
 Enacted, Chapter 994 (effective 7/1/04)

**H.B. 1044. Wild animals;** baiting prohibited. Amending § 29.1-521.

Patron: Saxman  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 609  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 784, 785  
 Read third time and passed Senate . . . . . 811  
 Signed by President . . . . . 1798  
 Approved by Governor—Chapter 862 (effective 7/1/04)

**H.B. 1047. Children with disabilities;** special education services for those placed across jurisdictional lines. Amending § 2.2-5211.

Patron: Nixon  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 561  
 Reported . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756

**H.B. 1047 (continued)**

Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 631 (effective 7/1/04)

**H.B. 1048. Teachers;** licensing of those providing instruction in special education. Amending § 22.1-299.3.

Patron: Hamilton  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1103  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1814  
 Approved by Governor-Chapter 920 (effective 7/1/04)

**H.B. 1049. Dentistry or dental hygiene;** temporary licenses to persons enrolled in advanced dental education programs. Amending § 54.1-2712; adding § 54.1-2711.1.

Patron: Hamilton  
 Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 315  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1103  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1814  
 Approved by Governor-Chapter 754 (effective 4/12/04)

**H.B. 1053. Criminal penalties;** revision throughout Code. Amending §§ 8.01-44.4, 9.1-902, 9.1-908, 9.1-910, 16.1-69.48:1, 16.1-260, 16.1-269.1, 17.1-275.1, 17.1-275.2, 17.1-275.7, 17.1-805, 18.2-9, 18.2-10, 18.2-25, 18.2-31, 18.2-32, 18.2-46.1, 18.2-46.5, 18.2-46.6, 18.2-49, 18.2-49.1, 18.2-53, 18.2-53.1, 18.2-54.1, 18.2-54.2, 18.2-55, 18.2-57, 18.2-57.02, 18.2-57.2, 18.2-67.1, 18.2-67.2, 18.2-67.9, 18.2-67.10, 18.2-128, 18.2-144, 18.2-147.1, 18.2-289, 18.2-300, 18.2-370.2, 18.2-427, 18.2-481, 19.2-163, 19.2-215.1, 19.2-218.1, 19.2-218.2, 19.2-264.4, 19.2-270.1, 19.2-297.1, 19.2-298.01, 19.2-299, 19.2-303.4, 19.2-327.2, 19.2-327.3, 19.2-335, 19.2-336, 53.1-40.01, 53.1-131.2, 53.1-151, 54.1-2989 and 63.2-1719; adding §§ 18.2-47.1 through 18.2-47.5, 18.2-48.01, 18.2-48.02, 18.2-51.01 through 18.2-51.05, 18.2-52.01, 18.2-52.02; repealing §§ 18.2-47, 18.2-48, 18.2-48.1, 18.2-51, 18.2-51.1, 18.2-51.2 and 18.2-67.2:1.

Patrons: Albo, et al.  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 1054. Sexual offenses;** provisions, penalties. Amending §§ 9.1-902, 15.2-1724, 16.1-272, 17.1-805, 18.2-62, 18.2-63, 18.2-67.5:2, 18.2-67.8, 18.2-345, 18.2-346, 18.2-346.1, 18.2-348, 18.2-356, 18.2-359, 18.2-360, 18.2-370, 18.2-370.1, 18.2-370.2, 18.2-371, 18.2-374.3, 19.2-268.2, 19.2-271.2, 19.2-299, 32.1-58, 32.1-126.01, 32.1-162.9:1, 37.1-20.3, 37.1-183.3, 37.1-197.2, 63.2-1719, 63.2-1726 and 63.2-1727; adding § 18.2-361.1; repealing § 18.2-344.

Patron: Albo  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 1055. Crimes and Offenses Generally (Title 18.2);** revising and amending various statutes. Amending §§ 17.1-805, 18.2-124, 18.2-374.3 and 19.2-299; repealing §§ 18.2-111.1, 18.2-114, 18.2-123, 18.2-161, 18.2-202, 18.2-203, 18.2-211, 18.2-351, 18.2-352, 18.2-353, 18.2-358 and 18.2-367.  
 Patrons: Albo, et al.

Passed House ..... 494  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 498  
 Reported with amendments ..... 1495  
 Constitutional reading dispensed, passed by for day ..... 1566  
 Read third time ..... 1568  
 Reading of amendments waived ..... 1569  
 Committee amendments agreed to ..... 1569  
 Engrossed ..... 1569  
 Passed Senate ..... 1570  
 Senate amendments rejected by House ..... 1654  
 Senate insisted on amendments and requested committee of conference ..... 1666  
 House acceded to request ..... 1688  
 Conferees appointed ..... 1693  
 Conference report adopted by House ..... 1772  
 Conference report adopted by Senate ..... 1774  
 Signed by President ..... 1843  
 Approved by Governor-Chapter 459 (effective 7/1/04)

**H.B. 1056. Public Defender Commission;** name changed to Indigent Defense Commission. Amending §§ 16.1-266, 19.2-159, 19.2-163.7, 19.2-163.8 and 53.1-124; adding §§ 19.2-163.01 through 19.2-163.04 and 19.2-163.4:1; repealing §§ 19.2-163.1, 19.2-163.2 and 19.2-163.6.  
 Patrons: Moran, et al.

Passed House ..... 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported with substitute ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1103  
 Read third time ..... 1122  
 Reading of substitute waived ..... 1126  
 Committee substitute agreed to ..... 1126  
 Engrossed ..... 1126  
 Passed Senate ..... 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1133  
 Senate substitute rejected by House ..... 1593  
 Senate insisted on substitute and requested committee of conference ..... 1610  
 House acceded to request ..... 1663  
 Conferees appointed ..... 1686  
 Conference report adopted by House ..... 1758  
 Conference report adopted by Senate ..... 1762  
 Signed by President ..... 1843  
 Approved by Governor-Chapter 921 (effective 7/1/05)

**H.B. 1057. Bail bondsmen;** regulation and licensure. Amending §§ 9.1-102, 9.1-143, 16.1-77, 19.2-149, 38.2-1800, 38.2-1824, 38.2-2411, 38.2-2412 and 58.1-3724; adding §§ 9.1-185 through 9.1-199.4, 38.2-2412.1 and 38.2-2412.2; repealing §§ 19.2-152.1 through 19.2-152.1:7 and 38.2-1865.6 through 38.2-1865.13.  
 Patrons: Melvin, et al.

Passed House ..... 574

**H.B. 1057 (continued)**

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 575

Reported . . . . . 741

Rereferred to Committee on Finance . . . . . 741

Reported . . . . . 1145

Constitutional reading dispensed, passed by for day . . . . . 1424, 1425

Read third time and passed Senate . . . . . 1444, 1452

Reconsideration of vote on Senate passage agreed to . . . . . 1459

Passed Senate . . . . . 1460

Signed by President . . . . . 1841

Approved by Governor-Chapter 460

**H.B. 1058. Forfeiture statutes;** transfer to criminal procedure code. Amending §§ 18.2-246.13, 18.2-246.14, 18.2-283.1, 18.2-287.4, 18.2-308, 18.2-308.1:2, 18.2-308.1:3, 18.2-308.1:4, 18.2-308.2, 18.2-308.2:01, 18.2-308.2:1, 18.2-308.4, 18.2-308.5, 18.2-308.7, 18.2-374.1:1, 19.2-386.1 through 19.2-386.5 and 59.1-148.4; adding §§ 19.2-386.15 through 19.2-386.31; repealing §§ 18.2-46.9, 18.2-110, 18.2-152.16, 18.2-190.7, 18.2-246.4, 18.2-249, 18.2-253, 18.2-253.1, 18.2-253.2, 18.2-265.4, 18.2-310, 18.2-336 and 18.2-374.2.

Patrons: McDonnell, et al.

Passed House . . . . . 494

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498

Reported . . . . . 1434

Constitutional reading dispensed, passed by for day . . . . . 1482, 1483

Reconsideration of passed by agreed to . . . . . 1485

Passed by for day . . . . . 1486

Read third time and passed Senate . . . . . 1509, 1516

Signed by President . . . . . 1819

House concurred in Governor’s recommendation . . . . . 1881

Senate concurred in Governor’s recommendation . . . . . 1890

Signed by President as reenrolled . . . . . 1905

Enacted, Chapter 995 (effective 7/1/04)

**H.B. 1059. Mandatory minimum punishment;** definition. Amending §§ 4.1-305, 18.2-36.1, 18.2-51.1, 18.2-53.1, 18.2-57, 18.2-121, 18.2-154, 18.2-248, 18.2-248.01, 18.2-248.1, 18.2-248.5, 18.2-255, 18.2-255.2, 18.2-270, 18.2-308.1, 18.2-308.2, 18.2-308.2:2, 18.2-308.4, 19.2-120, 30-19.1:4, 46.2-301, 46.2-341.28, 46.2-357, 46.2-391, 53.1-116 and 53.1-203; adding § 18.2-12.1.

Patrons: McDonnell, et al.

Passed House . . . . . 494

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498

Reported . . . . . 1434

Constitutional reading dispensed, passed by for day . . . . . 1482, 1483

Reconsideration of passed by agreed to . . . . . 1485

Passed by for day . . . . . 1486

Read third time and passed Senate . . . . . 1509, 1516

Signed by President . . . . . 1819

Approved by Governor-Chapter 461 (effective 7/1/04)

**H.B. 1060. Crimes and Offenses Generally (Title 18.2);** revising, rearranging and amending various statutes. Amending §§ 15.2-926, 16.1-278.8, 18.2-46.1, 18.2-258, 18.2-308 and 29.1-338; adding §§ 8.01-27.3, 8.01-226.8, 8.01-226.9, 15.2-912.2, 15.2-912.3, 15.2-915.2, 15.2-915.3, 15.2-926.2, 15.2-1209.1, 15.2-1812.2, 48-16 and 48-17; repealing

**H.B. 1060 (continued)**

§§ 18.2-105, 18.2-138.1, 18.2-287, 18.2-287.1, 18.2-340.32, 18.2-389, 18.2-432 and 18.2-433.

Patrons: McDonnell, et al.

Passed House .....	494
Constitutional reading dispensed, referred to Committee for Courts of Justice.....	498
Reported .....	1434
Constitutional reading dispensed, passed by for day .....	1482, 1483
Reconsideration of passed by agreed to .....	1485
Passed by for day .....	1486
Read third time and passed Senate .....	1509, 1516
Signed by President .....	1819
Approved by Governor-Chapter 462 (effective 7/1/04)	

**H.B. 1062. Juveniles;** intake officer may proceed if petition alleges an adult offense.

Amending § 16.1-260.

Patron: Armstrong

Passed House .....	574
Constitutional reading dispensed, referred to Committee for Courts of Justice.....	575
Reported .....	823
Constitutional reading dispensed, passed by for day .....	1102, 1103
Read third time and passed Senate .....	1122, 1130
Reconsideration of vote on Senate passage agreed to .....	1132
Passed Senate .....	1133
Signed by President .....	1814
Approved by Governor-Chapter 309 (effective 7/1/04)	

**H.B. 1063. Estates;** damages resulting from legal malpractice concerning irrevocable trusts.

Amending § 64.1-145.

Patrons: Armstrong, et al.

Passed House .....	574
Constitutional reading dispensed, referred to Committee for Courts of Justice.....	575
Reported with amendment .....	1119
Constitutional reading dispensed, passed by for day .....	1397
Read third time .....	1421
Reading of amendment waived.....	1421
Committee amendment agreed to .....	1421
Engrossed .....	1421
Passed Senate .....	1421
Senate amendment rejected by House .....	1534
Senate receded from amendment .....	1610
Signed by President .....	1835
Approved by Governor-Chapter 368 (effective 7/1/04)	

**H.B. 1067. Enterprise zones;** designations. Amending § 59.1-274.

Patrons: Armstrong, et al.

Passed House .....	638
Constitutional reading dispensed, referred to Committee on Finance .....	639
Continued to 2005 Session in Senate Committee on Finance .....	1793

**H.B. 1069. Damage stamp program;** extends coverage to beekeepers. Amending §§ 29.1-352 and 29.1-355.

Patron: Armstrong

Passed House .....	297
Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources .....	298
Reported .....	739

**H.B. 1069 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 463 (effective 7/1/04)

**H.B. 1076. Property exempt from taxation;** provisions for certain charitable and other related organizations. Amending §§ 58.1-3400 and 58.1-3651.

Patron: Parrish  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported with substitute . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time . . . . . 1444  
 Reading of substitute waived . . . . . 1449  
 Committee substitute agreed to . . . . . 1449  
 Engrossed . . . . . 1449  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 557 (effective 4/12/04)

**H.B. 1080. Gangs;** notice to school superintendent of prohibited participation or recruitment of juveniles for criminal street activity. Amending § 16.1-260.

Patron: Parrish  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 575  
 Reported with substitute . . . . . 703  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of substitute waived . . . . . 750  
 Committee substitute agreed to . . . . . 750  
 Engrossed . . . . . 750  
 Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate substitute agreed to by House . . . . . 821  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 558 (effective 7/1/04)

**H.B. 1083. Victim impact testimony;** admission in proceedings. Amending § 19.2-295.3.

Patrons: Scott, E.T., et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1103  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 310 (effective 7/1/04)

**H.B. 1084. Retail Sales and Use Tax;** extends sunset provision for textbooks for free distribution to professors. Amending § 58.1-609.6.  
 Patrons: Scott, E.T., et al.  
 Passed House ..... 417  
 Constitutional reading dispensed, referred to Committee on Finance ..... 418  
 Reported ..... 576  
 Constitutional reading dispensed, passed by for day ..... 616  
 Read third time and passed Senate ..... 640, 641  
 Signed by President ..... 1140  
 Approved by Governor–Chapter 63 (effective 7/1/04)

**H.B. 1085. Professional librarians;** qualifications, use of state funds. Amending § 42.1-15.1.  
 Patrons: Scott, E.T., et al.  
 Passed House ..... 601  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 608  
 Reported ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1102, 1103  
 Read third time and passed Senate ..... 1122, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1133  
 Signed by President ..... 1815  
 Approved by Governor–Chapter 559 (effective 7/1/04)

**H.B. 1088. Radford, City of, charter;** amending.  
 Patron: Nutter  
 Passed House ..... 432  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 794  
 Constitutional reading dispensed, passed by for day ..... 1071, 1072  
 Read third time and passed Senate ..... 1088, 1095  
 Signed by President ..... 1806  
 Approved by Governor–Chapter 632 (effective 7/1/04)

**H.B. 1093. Abuse and neglect of incapacitated adult;** penalty. Amending § 18.2-369.  
 Patron: Moran  
 Passed House ..... 494  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 498  
 Reported ..... 703  
 Rereferred to Committee on Finance ..... 705  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time and passed Senate ..... 1444, 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Signed by President ..... 1841  
 Approved by Governor–Chapter 863 (effective 7/1/04)

**H.B. 1094. State agencies;** establishment of alternative work schedule and telecommuting policy. Amending §§ 2.2-203.1 and 2.2-2817.1.  
 Patrons: Moran, et al.  
 Passed House ..... 560  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 561  
 Reported with substitute ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1102, 1103  
 Read third time ..... 1122  
 Reading of substitute waived ..... 1127

**H.B. 1094 (continued)**

Committee substitute agreed to. . . . . 1127  
 Engrossed . . . . . 1127  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 755 (effective 7/1/04)

**H.B. 1095. Trials; exclusion of witnesses. Amending § 19.2-265.1.**

Patron: Moran  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1103  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 311 (effective 7/1/04)

**H.B. 1096. Juveniles; fingerprints and photographs required if charged with certain delinquent acts. Amending § 16.1-299.**

Patron: Moran  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 575  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1103  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 464 (effective 7/1/04)

**H.B. 1101. Budget bill; amounts appropriated from any state special fund to be repaid if diverted for another purpose. Amending § 2.2-1509.2.**

Patrons: Moran, et al.  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 561

**H.B. 1103. Guardians of incapacitated persons; prohibited from seeking a change in a person's marital status without prior court approval. Amending § 37.1-137.4.**

Patron: Moran  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 608  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1103  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 756 (effective 7/1/04)

**H.B. 1107. Driving under influence of alcohol or drugs; penalty for third conviction.**

Amending § 18.2-270.  
 Patrons: Moran, et al.  
 Passed House . . . . . 601

**H.B. 1107 (continued)**

Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendment . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time . . . . . 1122  
 Reading of amendment waived. . . . . 1127  
 Committee amendment agreed to . . . . . 1127  
 Engrossed . . . . . 1127  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate amendment rejected by House . . . . . 1534  
 Senate insisted on amendment and requested committee of conference . . . . . 1610  
 House acceded to request . . . . . 1663  
 Conferees appointed . . . . . 1686  
 Conference report adopted by Senate . . . . . 1748  
 Conference report adopted by House . . . . . 1758  
 Signed by President . . . . . 1844  
 Approved by Governor-Chapter 957 (effective 7/1/04)

**H.B. 1108. Community-based programs for adults; Board of Correctional Education to develop.** Amending §§ 22.1-340, 22.1-342 and 22.1-343.

Patron: Moran  
 Passed House . . . . . 297  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 298  
 Reported with amendment . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of amendment waived. . . . . 750  
 Committee amendment rejected . . . . . 750  
 Reading of amendments waived. . . . . 751  
 Amendments by Senator Howell agreed to . . . . . 751  
 Engrossed . . . . . 751  
 Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate amendments agreed to by House. . . . . 1115  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 465 (effective 7/1/04)

**H.B. 1109. Foster care; establishment of independent living services for persons transitioning to self sufficiency.** Amending § 63.2-100; adding § 63.2-905.1.

Patron: Moran  
 Passed House . . . . . 314  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . . . . . 315  
 Reported . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time and passed Senate . . . . . 774, 779  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 196 (effective 7/1/04)

**H.B. 1110. License plates, special; issuance to retired law-enforcement officers.** Adding § 46.2-746.8:2.

Patrons: Moran, et al.  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529

**H.B. 1111. Divorce;** property distribution. Amending § 20-107.3.

Patron: Moran  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendment . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time . . . . . 1122  
 Reading of amendment waived. . . . . 1127  
 Committee amendment agreed to . . . . . 1127  
 Engrossed . . . . . 1127  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1835  
 Approved by Governor-Chapter 757 (effective 7/1/04)

**H.B. 1112. Harrisonburg, City of, charter;** amending.

Patrons: Weatherholtz, et al.  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 696  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1806

**H.B. 1116. Crime prevention specialists;** certification approval. Amending §§ 9.1-161 and 9.1-162.

Patrons: Weatherholtz, et al.  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 377  
 Reported . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 466 (effective 7/1/04)

**H.B. 1117. Firearms;** school divisions may establish policies on possession on school property. Adding § 22.1-277.07:1.

Patrons: Weatherholtz, et al.  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 561  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 560 (effective 7/1/04)

**H.B. 1119. Salvage and nonrepairable vehicles;** disposition. Amending §§ 43-34, 46.2-1203 and 46.2-1603.1.

Patron: Weatherholtz  
 Passed House . . . . . 527

**H.B. 1119 (continued)**

Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time and passed Senate . . . . . 774, 779  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 369 (effective 7/1/04)

**H.B. 1120. Mopeds; drivers to have identification. Amending § 46.2-914.**

Patrons: Weatherholtz, et al.  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported with amendment . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time . . . . . 780  
 Reading of amendment waived. . . . . 780  
 Committee amendment agreed to . . . . . 780  
 Engrossed . . . . . 780  
 Passed Senate . . . . . 780  
 Reconsideration of vote on Senate passage agreed to . . . . . 782  
 Passed Senate . . . . . 782  
 Senate amendment agreed to by House . . . . . 1115  
 Signed by President . . . . . 1810  
 Approved by Governor-Chapter 758 (effective 7/1/04)

**H.B. 1122. Business taxes; appeal of local assessments. Amending §§ 58.1-3703.1 and 58.1-3983.1.**

Patrons: Lingamfelter, et al.  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 639

**H.B. 1123. Racketeer Influenced and Corrupt Organization (RICO) Act; created.**

Amending §§ 2.2-511, 19.2-10.1 and 58.1-1017; adding §§ 18.2-511 through 18.2-516.  
 Patrons: McDonnell, et al.  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported with amendment . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 784, 785  
 Read third time . . . . . 811  
 Reading of amendment waived. . . . . 811  
 Committee amendment agreed to . . . . . 811  
 Engrossed . . . . . 811  
 Passed Senate . . . . . 812  
 Senate amendment agreed to by House . . . . . 1116  
 Signed by President . . . . . 1810  
 House concurred in Governor's recommendation . . . . . 1881  
 Senate concurred in Governor's recommendation . . . . . 1891  
 Signed by President as reenrolled. . . . . 1905  
 Enacted, Chapter 996 (effective 7/1/04)

**H.B. 1124. Surplus real property; state agencies to identify and report. Amending §§ 2.2-1153 and 2.2-1156.**

Patrons: McDonnell, et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported with amendment . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104

**H.B. 1124 (continued)**

Read third time . . . . . 1122  
 Reading of amendment waived. . . . . 1127  
 Committee amendment agreed to . . . . . 1128  
 Engrossed . . . . . 1128  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1836  
 House concurred in Governor’s recommendation . . . . . 1881  
 Senate concurred in Governor’s recommendation . . . . . 1892  
 Signed by President as reenrolled. . . . . 1905  
 Enacted, Chapter 997 (effective 7/1/04)

**H.B. 1125. Computer crimes; penalty when committed by adults. Amending § 18.2-374.3.**

Patron: McDonnell  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 608  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1798  
 Approved by Governor–Chapter 864 (effective 7/1/04)

**H.B. 1127. Venue; applicable to defendant who conducts substantial business activity.**

Amending § 8.01-262.  
 Patrons: McDonnell, et al.  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Read third time and passed Senate . . . . . 1575  
 Reconsideration of vote on Senate passage agreed to . . . . . 1577  
 Passed Senate . . . . . 1578  
 Signed by President . . . . . 1832  
 Approved by Governor–Chapter 979 (effective 7/1/04)

**H.B. 1129. Motion pictures; penalty for audiovisual recording. Adding § 18.2-187.2.**

Patron: McDonnell  
 Passed House . . . . . 574  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 575  
 Reported with amendment . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1518  
 Reading of amendment waived. . . . . 1518  
 Committee amendment agreed to . . . . . 1518  
 Engrossed . . . . . 1518  
 Passed Senate . . . . . 1518  
 Senate amendment agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor–Chapter 759 (effective 7/1/04)

**H.B. 1130. Driving under influence of alcohol or drugs;** forfeiture of vehicle for third offense. Amending § 18.2-270.  
 Patrons: McDonnell, et al.  
 Passed House . . . . . 689  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with substitute . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1576  
 Reading of substitute waived . . . . . 1576  
 Committee substitute agreed to . . . . . 1576  
 Engrossed . . . . . 1576  
 Passed Senate . . . . . 1576  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1836  
 Approved by Governor-Chapter 958 (effective 7/1/04)

**H.B. 1132. Bail;** denied due to multiple DUI offenses. Amending § 19.2-120.  
 Patrons: McDonnell, et al.  
 Passed House . . . . . 601  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported with amendment . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time . . . . . 800  
 Reading of amendment waived . . . . . 803  
 Committee amendment agreed to . . . . . 803  
 Engrossed . . . . . 803  
 Passed Senate . . . . . 805  
 Senate amendment agreed to by House . . . . . 1116  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 959 (effective 7/1/04)

**H.B. 1133. Infants;** screening tests required after delivery. Amending § 32.1-65.  
 Patron: McDonnell  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1133  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 760 (effective 7/1/04)

**H.B. 1135. Child protective services;** training and investigation procedures. Amending § 63.2-1502; adding § 63.2-1516.01.  
 Patrons: McDonnell, et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . . . . . 418  
 Reported . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time and passed Senate . . . . . 774, 779  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 233 (effective 7/1/04)

**H.B. 1136. Driver's license; administrative suspension for persons charged with DUI.**  
 Amending § 46.2-391.2.  
 Patron: McDonnell

Passed House .....	690
Constitutional reading dispensed, referred to Committee on Transportation .....	696
Rereferred to Committee for Courts of Justice .....	1078
Reported with substitute .....	1434
Constitutional reading dispensed, passed by for day .....	1482, 1483
Reconsideration of passed by agreed to .....	1485
Passed by for day .....	1486
Read third time .....	1509
Reading of substitute waived .....	1513
Committee substitute agreed to .....	1513
Engrossed .....	1513
Passed Senate .....	1516
Senate substitute rejected by House .....	1654
Senate insisted on substitute and requested committee of conference .....	1666
House acceded to request .....	1688
Conferees appointed .....	1693
Conference report adopted by Senate .....	1756
Conference report adopted by House .....	1758
Signed by President .....	1847
Approved by Governor-Chapter 960 (effective 7/1/04)	

**H.B. 1137. Driver's license; suspension for nonpayment of certain judgments. Amending § 46.2-417.**  
 Patron: McDonnell

Passed House .....	601
Constitutional reading dispensed, referred to Committee on Transportation .....	608
Rereferred to Committee for Courts of Justice .....	723
Reported with amendments .....	1495
Constitutional reading dispensed .....	1566
Read third time .....	1569
Reading of amendments waived .....	1569
Committee amendments agreed to .....	1569
Engrossed .....	1569
Passed Senate .....	1570
Senate amendments agreed to by House .....	1656
Signed by President .....	1837
House concurred in Governor's recommendation .....	1881
Senate concurred in Governor's recommendation .....	1893
Signed by President as reenrolled .....	1905
Enacted, Chapter 998 (effective 7/1/04)	

**H.B. 1138. Driving under influence of alcohol or drugs; mandatory ignition interlock upon conviction. Amending § 18.2-270.1.**  
 Patrons: McDonnell, et al.

Passed House .....	602
Constitutional reading dispensed, referred to Committee for Courts of Justice .....	608
Reported .....	1434
Constitutional reading dispensed, passed by for day .....	1482, 1483
Reconsideration of passed by agreed to .....	1485
Passed by for day .....	1486
Read third time and passed Senate .....	1509, 1516

**H.B. 1138 (continued)**

Signed by President ..... 1820  
 Approved by Governor-Chapter 961 (effective 7/1/04)

**H.B. 1139. Magistrates; appointment. Amending §§ 19.2-35, 19.2-36 and 19.2-38.**

Patron: McDonnell  
 Passed House ..... 602  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 608  
 Reported ..... 1434  
 Constitutional reading dispensed, passed by for day ..... 1482, 1483  
 Reconsideration of passed by agreed to ..... 1485  
 Passed by for day ..... 1486  
 Read third time and passed Senate ..... 1509, 1516  
 Signed by President ..... 1820  
 Approved by Governor-Chapter 370 (effective 7/1/04)

**H.B. 1141. Misdemeanors, traffic infractions, etc.; fixed fee in district court. Amending § 16.1-69.48:1.**

Patron: McDonnell  
 Passed House ..... 690  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported ..... 1434  
 Constitutional reading dispensed, passed by for day ..... 1482, 1484  
 Reconsideration of passed by agreed to ..... 1485  
 Passed by for day ..... 1486  
 Read third time and passed Senate ..... 1509, 1516  
 Signed by President ..... 1820  
 Approved by Governor-Chapter 371 (effective 7/1/04)

**H.B. 1142. Aquatic nuisance species, nonindigenous; control and eradication. Amending § 29.1-573.**

Patrons: McDonnell, et al.  
 Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 529  
 Reported with substitute ..... 1118  
 Constitutional reading dispensed, passed by for day ..... 1397  
 Read third time ..... 1415  
 Reading of substitute waived ..... 1418  
 Committee substitute agreed to..... 1418  
 Engrossed ..... 1418  
 Passed Senate ..... 1419  
 Senate substitute agreed to by House ..... 1538  
 Signed by President ..... 1820  
 Approved by Governor-Chapter 467 (effective 7/1/04)

**H.B. 1143. Trauma Center Fund; established to accept funds paid for DUI convictions. Adding § 18.2-270.01.**

Patrons: McDonnell, et al.  
 Passed House ..... 690  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 696  
 Reported ..... 741  
 Rereferred to Committee on Finance ..... 741  
 Reported with substitute ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time ..... 1444  
 Reading of substitute waived ..... 1450

**H.B. 1143 (continued)**

Committee substitute agreed to. . . . . 1450  
 Engrossed . . . . . 1450  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1820  
 House concurred in Governor’s recommendation . . . . . 1881  
 Senate concurred in Governor’s recommendation . . . . . 1894  
 Signed by President as reenrolled. . . . . 1905  
 Enacted, Chapter 999 (effective 7/1/04)

**H.B. 1144. Firearms; regulations governing purchase in or outside State. Amending § 18.2-308.2:2.**

Patron: McDonnell

Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 434  
 Reported with substitute . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time . . . . . 1122  
 Reading of substitute waived . . . . . 1128  
 Committee substitute agreed to. . . . . 1128  
 Engrossed . . . . . 1128  
 Passed Senate . . . . . 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 922 (effective 7/1/04)

**H.B. 1145. Procurement Act, Public; small, and women- and minority-owned business participation. Amending §§ 2.2-4310 and 2.2-4343; adding § 15.2-965.1.**

Patrons: McDonnell, et al.

Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 865 (effective 7/1/04)

**H.B. 1146. Juvenile court cases; appeals. Amending §§ 16.1-269.6 and 16.1-296.**

Patron: McDonnell

Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported with amendments . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1482, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509  
 Reading of amendments waived . . . . . 1513  
 Committee amendments agreed to . . . . . 1513  
 Engrossed . . . . . 1513

**H.B. 1146 (continued)**

Passed Senate . . . . . 1516  
 Senate amendments agreed to by House . . . . . 1656  
 Signed by President . . . . . 1837  
 Approved by Governor–Chapter 468 (effective 7/1/04)

**H.B. 1147. Driving under influence of alcohol or drugs;** mandatory minimum sentence for a second or third offense. Amending § 18.2-270.

Patrons: McDonnell, et al.  
 Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with substitute . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509  
 Reading of substitute waived . . . . . 1514  
 Committee substitute agreed to . . . . . 1514  
 Engrossed . . . . . 1514  
 Passed Senate . . . . . 1516  
 Senate substitute rejected by House . . . . . 1654  
 Senate insisted on substitute and requested committee of conference . . . . . 1666  
 House acceded to request . . . . . 1688  
 Conferees appointed . . . . . 1693  
 Conference report adopted by House . . . . . 1758  
 Conference report adopted by Senate . . . . . 1763  
 Signed by President . . . . . 1844  
 Approved by Governor–Chapter 962 (effective 7/1/04)

**H.B. 1148. Sentencing guidelines;** felony offenses include solicitation to commit murder and certain other terrorist activities. Amending § 17.1-805.

Patrons: McDonnell, et al.  
 Passed House . . . . . 494  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 498  
 Reported . . . . . 703  
 Rereferred to Committee on Finance . . . . . 705  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1844  
 Approved by Governor–Chapter 866 (effective 7/1/04)

**H.B. 1149. Gangs;** expands list of predicate criminal acts that define a pattern of criminal activity. Amending § 18.2-46.1.

Patrons: McDonnell, et al.  
 Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with amendments . . . . . 741  
 Rereferred to Committee on Finance . . . . . 741  
 Reported with substitute . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time . . . . . 1444  
 Reading of amendments waived . . . . . 1450  
 Committee amendments rejected . . . . . 1450

**H.B. 1149 (continued)**

Reading of substitute waived . . . . . 1450  
 Committee substitute agreed to . . . . . 1450  
 Engrossed . . . . . 1450  
 Passed Senate . . . . . 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate substitute agreed to by House . . . . . 1538  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 867 (effective 7/1/04)

**H.B. 1150. Firearms; control by localities. Amending § 15.2-915.**

Patron: McDonnell  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1458  
 Read third time and passed Senate . . . . . 1480  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 923 (effective 7/1/04)

**H.B. 1154. Route 17; designating portion as a Virginia byway.**

Patrons: Morgan, et al.  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1553, 1556  
 Signed by President . . . . . 1832  
 Approved by Governor-Chapter 633 (effective 7/1/04)

**H.B. 1155. Interstate Insurance Product Regulation Compact; created. Adding §§ 38.2-6100 and 38.2-6101.**

Patrons: Morgan, et al.  
 Passed House . . . . . 333  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 334  
 Reported with amendments . . . . . 1530  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1569  
 Reading of amendments waived . . . . . 1570  
 Committee amendments agreed to . . . . . 1570  
 Engrossed . . . . . 1570  
 Passed Senate . . . . . 1570  
 Senate amendments agreed to by House . . . . . 1657  
 Signed by President . . . . . 1844  
 Approved by Governor-Chapter 761 (effective 7/1/04)

**H.B. 1157. Toll facilities; penalty for failure to pay toll. Amending §§ 46.2-819 and 46.2-819.1; adding § 46.2-819.3.**

Patrons: Rust, et al.  
 Passed House . . . . . 575  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 575  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 762, 764  
 Read third time and passed Senate . . . . . 774, 779  
 Signed by President . . . . . 1779  
 Approved by Governor-Chapter 924 (effective 7/1/04)

**H.B. 1158. Sanitary districts;** amendment in Fairfax County. Amending § 15.2-858.  
 Patron: Hull  
 Passed House ..... 432  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time and passed Senate ..... 1476, 1478  
 Signed by President ..... 1820  
 Approved by Governor-Chapter 561 (effective 7/1/04)

**H.B. 1159. Income tax, state;** electronic filing by tax preparers. Amending § 58.1-9.  
 Patron: Hull  
 Passed House ..... 690  
 Constitutional reading dispensed, referred to Committee on Finance ..... 696  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time and passed Senate ..... 1444, 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Signed by President ..... 1844  
 Approved by Governor-Chapter 562 (effective 7/1/04)

**H.B. 1167. Vacancies in elected office;** filling. Adding § 24.2-201.1.  
 Patron: Frederick  
 Passed House ..... 690  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections ..... 697  
 Rereferred to Committee on Rules ..... 794

**H.B. 1170. License plates, special;** issuance commemorating 275th anniversary of County of Prince William. Adding § 46.2-749.101.  
 Patrons: Frederick, et al.  
 Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 529

**H.B. 1171. Teachers;** rehiring of those who are retired, designation of critical need areas. Amending §§ 22.1-79 and 51.1-155; adding § 22.1-70.3.  
 Patron: Dillard  
 Passed House ..... 401  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 403  
 Reported ..... 1470  
 Constitutional reading dispensed, passed by for day ..... 1519, 1520  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1832  
 Approved by Governor-Chapter 563 (effective 4/12/04)

**H.B. 1172. Legal aid societies;** funding. Amending § 17.1-278.  
 Patron: Kilgore  
 Passed House ..... 602  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 608  
 Reported ..... 1119  
 Rereferred to Committee on Finance ..... 1119  
 Reported with amendment ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time ..... 1456  
 Reading of amendment waived ..... 1457  
 Committee amendment agreed to ..... 1457  
 Engrossed ..... 1457

**H.B. 1172 (continued)**

Passed Senate . . . . . 1457  
 Senate amendment rejected by House . . . . . 1534  
 Passed by temporarily . . . . . 1611  
 Senate insisted on amendments and requested committee of conference . . . . . 1634  
 House acceded to request . . . . . 1663  
 Conferees appointed . . . . . 1686  
 Conference report adopted by Senate . . . . . 1744  
 Conference report adopted by House . . . . . 1758  
 Signed by President . . . . . 1844  
 Approved by Governor—Chapter 925 (effective 7/1/04)

**H.B. 1173. Legal aid societies; contributions. Amending § 54.1-3916.**

Patron: Kilgore  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 561  
 Continued to 2005 Session in Senate Committee for Courts of Justice . . . . . 1793

**H.B. 1174. Telecommunications services; proposed taxation changes.**

Patrons: Bryant, et al.  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 639  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Passed by temporarily . . . . . 1457  
 Read third time and passed Senate . . . . . 1458  
 Signed by President . . . . . 1841  
 Approved by Governor—Chapter 634 (effective 7/1/04)

**H.B. 1176. Energy Performance-Based Contract Procedures; increases payback period.**

Amending § 11-34.3.  
 Patrons: Bryant, et al.  
 Passed House . . . . . 495  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor—Chapter 197 (effective 7/1/04)

**H.B. 1177. Stormwater management programs; reorganization. Amending §§ 10.1-603.2 through 10.1-603.9, 10.1-603.11 through 10.1-603.15 and 62.1-44.5; adding §§ 10.1-603.2:1, 10.1-603.2:2, 10.1-603.4:1, 10.1-603.12:1 through 10.1-603.12:7 and 10.1-603.13:1; repealing § 10.1-603.10.**

Patrons: Bryant, et al.  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 402  
 Reported with substitute . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time . . . . . 800  
 Reading of substitute waived . . . . . 803  
 Committee substitute agreed to . . . . . 803  
 Engrossed . . . . . 803  
 Passed Senate . . . . . 805

**H.B. 1177 (continued)**

Senate substitute agreed to by House . . . . . 1116  
 Signed by President . . . . . 1827  
 Approved by Governor-Chapter 372

**H.B. 1178. Nursing facilities and nursing homes; vaccination of residents. Amending § 32.1-127.**

Patrons: Bryant, et al.  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 762 (effective 7/1/04)

**H.B. 1179. Long-term care insurance; development for state employees. Adding § 2.2-1208.**

Patrons: Bryant, et al.  
 Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 312 (effective 7/1/04)

**H.B. 1181. Insurance; annuity nonforfeiture. Amending §§ 38.2-3220, 38.2-3221, 38.2-3222 and 38.2-3229.**

Patrons: Bryant, et al.  
 Passed House . . . . . 334  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 334  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 313 (effective 7/1/04)

**H.B. 1182. Monacan Bridge; designating as Lynchburg bypass bridge across James River between Amherst County and Lynchburg City.**

Patrons: Bryant, et al.  
 Passed House . . . . . 417  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 418  
 Reported with amendments . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time . . . . . 1553  
 Reading of amendments waived . . . . . 1555  
 Committee amendments agreed to . . . . . 1555  
 Engrossed . . . . . 1555  
 Passed Senate . . . . . 1556  
 Senate amendments agreed to by House . . . . . 1657  
 Signed by President . . . . . 1837  
 Approved by Governor-Chapter 763 (effective 7/1/04)

**H.B. 1183. Limited liability companies;** registered agents. Amending §§ 13.1-1011 and 13.1-1015.  
 Patron: Bryant  
 Passed House ..... 297  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 298  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1811  
 Approved by Governor-Chapter 314 (effective 7/1/04)

**H.B. 1185. Income tax, corporate;** credit for land preservation. Amending § 58.1-513.  
 Patron: Bryant  
 Passed House ..... 456  
 Constitutional reading dispensed, referred to Committee on Finance ..... 457  
 Reported ..... 793  
 Constitutional reading dispensed, passed by for day ..... 1071, 1072  
 Read third time and passed Senate ..... 1088, 1095  
 Signed by President ..... 1806  
 Approved by Governor-Chapter 635 (effective 7/1/04)

**H.B. 1186. Insurance;** actuarial opinions. Amending §§ 38.2-4123, 38.2-4214, 38.2-4319 and 38.2-4509; adding § 38.2-1315.1.  
 Patron: Bryant  
 Passed House ..... 297  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 298  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1799  
 Approved by Governor-Chapter 315 (effective 7/1/04)

**H.B. 1187. State Corporation Commission;** refunds for overpayment of fees. Amending §§ 13.1-1065, 13.1-1255, 50-73.70 and 50-73.83.  
 Patron: Bryant  
 Passed House ..... 297  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 298  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1811  
 Approved by Governor-Chapter 316 (effective 7/1/04)

**H.B. 1189. Credit cards;** contract formation, occurrence of transaction. Adding § 11-33.3.  
 Patrons: Scott, J.M., et al.  
 Passed House ..... 495  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 498  
 Reported ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time and passed Senate ..... 1122, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134  
 Signed by President ..... 1815  
 Approved by Governor-Chapter 373 (effective 7/1/04)

**H.B. 1190. Local Government, Commission on;** changes in duties. Amending § 15.2-2903.  
 Patron: Scott, J.M.  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609  
 Reported . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time and passed Senate . . . . . 1476, 1478  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 234 (effective 7/1/04)

**H.B. 1191. Campaign finance disclosure;** increases amount for reporting requirements.  
 Amending § 24.2-911.  
 Patron: Scott, J.M.  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 561  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor-Chapter 469 (effective 7/1/04)

**H.B. 1193. Private security services professionals;** includes certified detector canine handlers. Amending §§ 9.1-138 and 9.1-139.  
 Patron: Scott, J.M.  
 Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 470 (effective 7/1/04)

**H.B. 1194. Land use permit;** release of surety in association with performance of work.  
 Amending § 2.2-1151.1.  
 Patron: Scott, J.M.  
 Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1138  
 Read third time and passed Senate . . . . . 1393, 1394  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 636 (effective 7/1/04)

**H.B. 1198. Public water supplies;** emergency plans for safe handling during any extended power outage. Amending § 32.1-170.  
 Patron: Jones, D.C.  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758

**H.B. 1198 (continued)**

Signed by President . . . . . 1803  
 Approved by Governor-Chapter 317

**H.B. 1201. Procurement from commercial vendors; regulations for outsourcing. Amending § 2.2-1111.**

Patrons: Cline, et al.  
 Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported with substitute . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time . . . . . 1137  
 Reading of substitute waived . . . . . 1137  
 Committee substitute agreed to. . . . . 1137  
 Engrossed . . . . . 1137  
 Passed Senate . . . . . 1137  
 Senate substitute agreed to by House . . . . . 1539  
 Signed by President . . . . . 1820

**H.B. 1202. Pharmaceutical assistance programs and discount purchasing cards; development of a single application form, Commissioners of Health and of Department for Aging to report on development. Amending § 32.1-23.1.**

Patron: Cline  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 377  
 Reported with substitute . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 761  
 Reading of substitute waived . . . . . 761  
 Committee substitute agreed to. . . . . 761  
 Engrossed . . . . . 761  
 Passed Senate . . . . . 761  
 Senate substitute agreed to by House . . . . . 822  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 318 (effective 7/1/04)

**H.B. 1205. Concealed weapons; carrying by certain law-enforcement officers. Amending § 18.2-308.**

Patron: Cline  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 434  
 Reported with amendments . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509  
 Reading of amendments waived . . . . . 1514  
 Committee amendments agreed to . . . . . 1514  
 Engrossed . . . . . 1514  
 Passed Senate . . . . . 1516  
 Senate amendments agreed to by House. . . . . 1657  
 Signed by President . . . . . 1844  
 Approved by Governor-Chapter 926 (effective 7/1/04)

**H.B. 1206. Glasgow, Town of, charter; amending.**

Patron: Cline  
 Passed House . . . . . 432

**H.B. 1206 (continued)**

Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1806  
 Approved by Governor-Chapter 564 (effective 7/1/04)

**H.B. 1207. Bad checks;** increases charge upon return. Amending §§ 2.2-614.1 and 15.2-106.

Patrons: BaCote, et al.  
 Passed House . . . . . 495  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 565 (effective 7/1/04)

**H.B. 1208. Retail Sales and Use Tax;** entitles Newport News City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3.

Patrons: BaCote, et al.  
 Passed House . . . . . 456  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 457  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Passed by for day . . . . . 1070  
 Read third time and passed Senate . . . . . 1097  
 Reconsideration of vote on Senate passage agreed to . . . . . 1100  
 Passed Senate . . . . . 1101  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 566 (effective 7/1/04)

**H.B. 1209. Juveniles;** criteria for detention or shelter care. Amending § 16.1-248.1.

Patrons: BaCote, et al.  
 Passed House . . . . . 690  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 374 (effective 7/1/04)

**H.B. 1211. Community development authorities;** issuance of revenue bonds. Amending § 15.2-5158.

Patron: Hall  
 Passed House . . . . . 606  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609  
 Reported with amendment . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time . . . . . 1476  
 Reading of amendment waived . . . . . 1478  
 Committee amendment agreed to . . . . . 1478

**H.B. 1211 (continued)**

Engrossed . . . . . 1478  
 Passed Senate . . . . . 1478  
 Senate amendment agreed to by House . . . . . 1595  
 Signed by President . . . . . 1820  
 Approved by Governor—Chapter 637 (effective 7/1/04)

**H.B. 1212. Agriculture and Forestry, Secretary of;** established. Amending §§ 2.2-200 and 2.2-204; adding § 2.2-203.3.

Patrons: Landes, et al.  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 529  
 Reported with amendment . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time . . . . . 800  
 Reading of amendment waived. . . . . 803  
 Committee amendment agreed to . . . . . 803  
 Engrossed . . . . . 803  
 Passed Senate . . . . . 805  
 Senate amendment rejected by House . . . . . 1110  
 Senate insisted on amendment and requested committee of conference . . . . . 1148  
 House acceded to request . . . . . 1433  
 Conferees appointed . . . . . 1463  
 Conference report adopted by Senate . . . . . 1704  
 Conference report adopted by House . . . . . 1719  
 Signed by President . . . . . 1844  
 Approved by Governor—Chapter 963

**H.B. 1213. Rural Virginia, Center for;** created. Adding §§ 2.2-2720 through 2.2-2724.

Patrons: Landes, et al.  
 Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 608  
 Reported . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1553, 1556  
 Signed by President . . . . . 1832  
 Approved by Governor—Chapter 964 (effective 7/1/04)

**H.B. 1227. Rappahannock River Basin Commission;** created as an independent local entity without political subdivision status, membership. Amending §§ 62.1-69.26, 62.1-69.29 and 62.1-69.30; adding §§ 62.1-69.33:1 and 62.1-69.33:2.

Patron: Wardrup  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 529  
 Reported . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1519, 1520  
 Read third time and passed Senate . . . . . 1553, 1556  
 Signed by President . . . . . 1832  
 Approved by Governor—Chapter 471 (effective 7/1/04)

**H.B. 1228. Frontier Culture Museum;** deemed an educational institution, reduces membership of Board of Trustees, report. Amending §§ 23-296 and 23-297.

Patron: Wardrup  
 Passed House . . . . . 373  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 377

**H.B. 1230. Wine Board and Wine Promotion Fund;** created, abolishes Winegrowers Advisory Board. Amending § 3.1-6.1; adding §§ 3.1-1064.1 through 3.1-1064.7; repealing §§ 3.1-1057 through 3.1-1064.  
 Patrons: Landes, et al.  
 Passed House ..... 602  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 608  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1798  
 Approved by Governor-Chapter 319 (effective 7/1/04)

**H.B. 1231. Collegial bodies;** changes and conformity of provisions. Amending §§ 2.2-508, 2.2-1503, 2.2-2423, 2.2-2424, 2.2-2434, 2.2-2453, 2.2-2457, 2.2-2626, 2.2-2666.1, 2.2-2669, 2.2-2676, 2.2-2685, 2.2-5601, 9.1-108, 9.1-111, 10.1-1325, 15.2-4507, 15.2-4510, 15.2-4512, 15.2-4832, 15.2-4836, 17.1-700, 17.1-701, 17.1-704, 17.1-802, 17.1-901, 17.1-904, 22.1-354.6, 23-50.16:5, 23-231.2, 23-231.3, 23-231.15, 23-231.20, 24.2-306, 30-34.1, 30-56, 30-58.3, 30-112, 30-145, 30-156, 30-158, 30-171, 30-173, 30-174, 30-175, 30-178, 30-179, 30-182, 30-183, 30-186 through 30-189, 30-192.1, 30-192.2, 30-192.8, 30-192.9, 30-192.10, 30-192.12, 30-193, 30-198, 30-202, 30-203, 30-219, 30-220, 32.1-357, 51.1-124.20, 51.5-39.2, 58.1-202.2, 65.2-1301, 65.2-1302, 65.2-1303 and third enactment of Chapters 749 and 766, 2003 Acts; adding §§ 2.2-5700.1, 15.2-4503.1, 22.1-358, 22.1-359, 30-226 through 30-240, 30-241, 30-242 through 30-247, 30-248, 30-249 and 30-250; repealing §§ 10.1-2116, 24.2-300, 24.2-301, 24.2-301.1, 62.1-69.5 through 62.1-69.20, Chapter 630, 1964 Acts, Chapter 449, 1968 Acts, Chapters 295 and 422, 1972 Acts, Chapters 251 and 520, 1974 Acts, Chapter 141, 1976 Acts, Chapter 144, 1980 Acts, Chapter 227, 1981 Acts of Assembly and Chapter 149, 1989 Acts.  
 Patron: Griffith  
 Passed House ..... 690  
 Constitutional reading dispensed, referred to Committee on Rules ..... 697  
 Reported with amendments ..... 1470  
 Constitutional reading dispensed, passed by for day ..... 1520, 1521  
 Read third time ..... 1553  
 Reading of amendments waived ..... 1557  
 Committee amendments agreed to ..... 1557  
 Passed by for day ..... 1557  
 Reading of amendments waived ..... 1639  
 Amendments by Senator Whipple agreed to ..... 1639  
 Engrossed ..... 1639  
 Passed Senate ..... 1640  
 Senate amendments rejected by House ..... 1687  
 Senate insisted on amendments and requested committee of conference ..... 1690  
 House acceded to request ..... 1694  
 Conferees appointed ..... 1695  
 Conference report adopted by House ..... 1727  
 Conference report adopted by Senate ..... 1746  
 Signed by President ..... 1844  
 House concurred in Governor's recommendation ..... 1881  
 Passed by temporarily ..... 1896  
 Senate concurred in Governor's recommendation ..... 1902

**H.B. 1231 (continued)**

Signed by President as reenrolled. . . . . 1905  
Enacted, Chapter 1000 (effective 7/1/04)

**H.B. 1233. Domestic violence, sexual assault, stalking and violation of protective orders;**

training of personnel to handle. Amending §§ 9.1-102, 16.1-253.2, 16.1-279.1, 19.2-81.4  
and 63.2-1502.

Patrons: Griffith, et al.

Passed House . . . . . 691  
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
Reported with amendments . . . . . 741  
Rereferred to Committee on Finance . . . . . 741  
Reported . . . . . 1145  
Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
Read third time . . . . . 1444  
Reading of amendments waived . . . . . 1451  
Committee amendments agreed to . . . . . 1451  
Engrossed . . . . . 1451  
Passed Senate . . . . . 1452  
Reconsideration of vote on Senate passage agreed to . . . . . 1459  
Passed Senate . . . . . 1460  
Senate amendments agreed to by House . . . . . 1537  
Signed by President . . . . . 1836  
Approved by Governor—Chapter 980 (effective 7/1/04)

**H.B. 1234. Domestic Violence Victim Fund; created. Amending §§ 16.1-69.48:1 and 20-15;  
adding § 9.1-116.1.**

Patron: Griffith

Passed House . . . . . 602  
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
Reported with substitute . . . . . 741  
Constitutional reading dispensed, passed by for day . . . . . 783, 785  
Read third time . . . . . 800  
Reading of substitute waived . . . . . 804  
Committee substitute agreed to . . . . . 804  
Engrossed . . . . . 804  
Passed Senate . . . . . 805  
Senate substitute agreed to by House . . . . . 1116  
Signed by President . . . . . 1827  
Approved by Governor—Chapter 375 (effective 7/1/04)

**H.B. 1237. Sexually violent predators; civil commitment. Amending §§ 37.1-70.5 through  
37.1-70.9.**

Patron: Griffith

Passed House . . . . . 691  
Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
Reported with amendments . . . . . 1434  
Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
Reconsideration of passed by agreed to . . . . . 1485  
Passed by for day . . . . . 1486  
Read third time . . . . . 1509  
Reading of amendments waived . . . . . 1515  
Committee amendments agreed to . . . . . 1515  
Engrossed . . . . . 1515  
Passed Senate . . . . . 1516  
Senate amendments agreed to by House . . . . . 1657

**H.B. 1237 (continued)**

Signed by President ..... 1838  
 Approved by Governor-Chapter 764 (effective 7/1/04)

**H.B. 1238. Insurance Continuing Education Board; membership. Amending § 38.2-1867.**

Patron: Griffith  
 Passed House ..... 298  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 298  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1811  
 Approved by Governor-Chapter 765 (effective 7/1/04)

**H.B. 1241. Retail Sales and Use Tax; allows dealer to file and pay taxes he collects with local commissioner of revenue, etc. Amending § 58.1-615.**

Patron: Griffith  
 Passed House ..... 691  
 Constitutional reading dispensed, referred to Committee on Finance ..... 696  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1811  
 Approved by Governor-Chapter 567 (effective 7/1/04)

**H.B. 1243. Retail Sales and Use Tax; entitles Salem City to revenues generated by transactions in public facilities to pay for bonds issued for such facilities. Amending § 58.1-608.3.**

Patron: Griffith  
 Passed House ..... 456  
 Constitutional reading dispensed, referred to Committee on Finance ..... 457  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Passed by for day ..... 1070  
 Read third time ..... 1098  
 Reading of amendment waived. .... 1098  
 Amendment by Senator Reynolds agreed to. .... 1098  
 Engrossed ..... 1098  
 Motion; substitute motion. .... 1098  
 Reconsideration of floor amendment agreed to ..... 1098  
 Passed by for day ..... 1098  
 Amendment by Senator Reynolds rejected. .... 1134  
 Passed Senate ..... 1134  
 Signed by President ..... 1815  
 Approved by Governor-Chapter 568 (effective 7/1/04)

**H.B. 1245. Fair Housing Law; evidence of unlawful discriminatory practices. Amending § 36-96.3.**

Patron: Griffith  
 Passed House ..... 602  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 608

**H.B. 1246. Freedom of Information Act; exempts certain records of Department of Criminal Justice Services. Amending § 2.2-3705.**

Patron: Scott, J.M.  
 Passed House ..... 691  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 697  
 Reported ..... 1434  
 Constitutional reading dispensed, passed by for day ..... 1483, 1484

**H.B. 1246 (continued)**

Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 766 (effective 7/1/04)

**H.B. 1248. Falls Church, City of, charter; amending.**

Patrons: Scott, J.M., et al.  
 Passed House . . . . . 432  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 434  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 569 (effective 7/1/04)

**H.B. 1254. School Performance Report Card; reporting requirements for each school.**

Amending § 22.1-253.13:3.  
 Patron: Hull  
 Passed House . . . . . 527  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 529  
 Reported . . . . . 823  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1130  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1815  
 Approved by Governor-Chapter 472 (effective 7/1/04)

**H.B. 1255. Cash proffers; localities authorized to accept. Adding § 15.2-975.**

Patron: Orrock  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609  
 Reported . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time and passed Senate . . . . . 1476, 1478  
 Signed by President . . . . . 1820  
 Approved by Governor-Chapter 927 (effective 7/1/04)

**H.B. 1256. School term; provisions due to severe weather conditions or other emergency situation. Amending § 22.1-98.**

Patrons: Van LANDINGHAM, et al.  
 Passed House . . . . . 401  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported with substitute . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of substitute waived . . . . . 751  
 Committee substitute agreed to . . . . . 751  
 Engrossed . . . . . 751  
 Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate substitute agreed to by House . . . . . 822  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 868

**H.B. 1257. Diplomas;** local school board to award verified units of credit. Amending Chapter 577, 2002 Acts.  
 Patrons: Councill, et al.  
 Passed House ..... 402  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 403  
 Reported ..... 704  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time and passed Senate ..... 743, 754  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758  
 Signed by President ..... 1803  
 Approved by Governor-Chapter 473 (effective 4/12/04)

**H.B. 1258. City council;** salary payment. Amending § 15.2-1414.5.  
 Patrons: Baskerville, et al.  
 Passed House ..... 432  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 434  
 Reported ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time and passed Senate ..... 1476, 1478  
 Signed by President ..... 1821  
 Approved by Governor-Chapter 570 (effective 7/1/04)

**H.B. 1261. Employment Commission;** conveying certain real property in Petersburg City to such City.  
 Patron: Bland  
 Passed House ..... 560  
 Constitutional reading dispensed, referred to Committee for Courts of Justice..... 561  
 Reported with amendments ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time ..... 1122  
 Reading of amendments waived ..... 1128  
 Committee amendments agreed to ..... 1128  
 Engrossed ..... 1128  
 Passed Senate ..... 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134  
 Senate amendments agreed to by House ..... 1537  
 Signed by President ..... 1836  
 Approved by Governor-Chapter 571 (effective 7/1/04)

**H.B. 1262. Retail Sales and Use Tax;** extends sunset provision for film and audiovisual works. Amending § 58.1-609.6.  
 Patrons: Janis, et al.  
 Passed House ..... 417  
 Constitutional reading dispensed, referred to Committee on Finance ..... 418  
 Reported with substitute ..... 576  
 Constitutional reading dispensed, passed by for day ..... 616  
 Read third time ..... 640  
 Reading of substitute waived ..... 641  
 Committee substitute agreed to ..... 641  
 Engrossed ..... 641  
 Passed Senate ..... 641  
 Senate substitute agreed to by House ..... 737

**H.B. 1262 (continued)**

Signed by President . . . . . 1429  
 Approved by Governor–Chapter 101 (effective 7/1/04)

**H.B. 1263. Landfill gas pipelines; notification to counties of location. Adding § 33.1-223.2:9.**

Patron: Ingram  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 639  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1138  
 Read third time and passed Senate . . . . . 1393, 1395  
 Signed by President . . . . . 1815  
 Approved by Governor–Chapter 808 (effective 7/1/04)

**H.B. 1264. Deeds of trust; notice of sale shall include instrument number or deed book and page numbers. Amending § 55-59.1.**

Patron: Athey  
 Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 1119  
 Constitutional reading dispensed, passed by for day . . . . . 1397  
 Read third time and passed Senate . . . . . 1415, 1419  
 Signed by President . . . . . 1800  
 House concurred in Governor’s recommendation . . . . . 1882  
 Senate concurred in Governor’s recommendation . . . . . 1896  
 Signed by President as reenrolled. . . . . 1906  
 Enacted, Chapter 1001 (effective 7/1/04)

**H.B. 1265. Process; fees of sheriffs for service on repossessions, evictions, etc. Amending §§ 8.01-499 and 17.1-272.**

Patron: Cosgrove  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1696  
 Approved by Governor–Chapter 198 (effective 7/1/04)

**H.B. 1266. Voter registrars; appointment, term, and removal. Amending §§ 24.2-103, 24.2-109, 24.2-110, 24.2-230 and 24.2-234; adding § 24.2-109.1.**

Patron: Jones, S.C.  
 Passed House . . . . . 433  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 548  
 Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time and passed Senate . . . . . 578, 579  
 Signed by President . . . . . 765  
 Approved by Governor–Chapter 27 (effective 7/1/04)

**H.B. 1267. Workers’ compensation; eligibility of electoral board members. Amending § 65.2-101.**

Patron: Byron  
 Passed House . . . . . 433  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 434  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069

**H.B. 1267 (continued)**

Signed by President ..... 1811  
 Approved by Governor-Chapter 928 (effective 7/1/04)

**H.B. 1269. Banks;** loans and other extensions of credit to executive officers and directors.

Amending § 6.1-62.

Patron: Drake

Passed House ..... 402  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 403  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1811  
 Approved by Governor-Chapter 320 (effective 7/1/04)

**H.B. 1271. Soil and water conservation districts;** nonpoint source pollution activities.

Amending § 10.1-104.1; adding § 10.1-546.1.

Patron: Dillard

Passed House ..... 402  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 402  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 784, 785  
 Read third time and passed Senate ..... 812  
 Signed by President ..... 1798  
 Approved by Governor-Chapter 474 (effective 7/1/04)

**H.B. 1274. Juveniles;** temporary custody if found delinquent. Amending § 16.1-275.

Patron: Moran

Passed House ..... 602  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 608  
 Reported ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time and passed Senate ..... 1122, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134  
 Signed by President ..... 1815  
 Approved by Governor-Chapter 321 (effective 7/1/04)

**H.B. 1278. Oysters and clams;** penalty for theft of certain. Amending § 28.2-527.

Patron: Suit

Passed House ..... 402  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 402  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1798  
 Approved by Governor-Chapter 475 (effective 7/1/04)

**H.B. 1282. Voter registration cards;** not to be used as evidence of identity or residence.

Amending §§ 23-7.4, 38.2-1800.1, 46.2-323 and 46.2-323.1; adding § 24.2-407.2.

Patron: Cole

Passed House ..... 433  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections ..... 434

**H.B. 1283. Erosion and Sediment Control Law;** definition of land-disturbing activity includes certain surface or deep mining activities. Amending § 10.1-560.  
 Patron: Ware, R.L.  
 Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 529  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 783, 785  
 Read third time and passed Senate ..... 800, 805  
 Signed by President ..... 1798  
 Approved by Governor—Chapter 476 (effective 7/1/04)

**H.B. 1285. License plates, special;** issuance to supporters of Project Lifesaver. Adding § 46.2-749.101.  
 Patron: Hogan  
 Passed House ..... 527  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 529

**H.B. 1288. Unemployment compensation;** applicable to a military spouse. Amending §§ 60.2-528 and 60.2-618.  
 Patrons: Tata, et al.  
 Passed House ..... 818  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 822  
 Continued to 2005 Session in Senate Committee on Commerce and Labor ..... 1793

**H.B. 1290. Abortion clinics;** regulation and licensure. Amending §§ 32.1-102.1, 32.1-102.2, 32.1-123, 32.1-125, 32.1-125.1, 32.1-126, 32.1-127, 32.1-129, 32.1-130, 32.1-131, 32.1-133 and 32.1-135.  
 Patrons: Reid, et al.  
 Passed House ..... 560  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 561

**H.B. 1291. Woodlawn Road;** Department of Transportation to assert property rights of State with respect thereto in Fairfax County and Fort Belvoir.  
 Patrons: Amundson, et al.  
 Passed House ..... 607  
 Constitutional reading dispensed, referred to Committee on Rules ..... 609  
 Reported ..... 1470  
 Constitutional reading dispensed, passed by for day ..... 1520, 1521  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1832  
 Approved by Governor—Chapter 235 (effective 7/1/04)

**H.B. 1293. Sexual assault;** venue for criminal prosecutions. Amending § 18.2-359.  
 Patron: Bell  
 Passed House ..... 691  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 696  
 Reported with amendment ..... 1434  
 Constitutional reading dispensed, passed by for day ..... 1483, 1484  
 Reconsideration of passed by agreed to ..... 1485  
 Passed by for day ..... 1486  
 Read third time ..... 1509  
 Reading of amendment waived ..... 1515  
 Committee amendment agreed to ..... 1515  
 Engrossed ..... 1515  
 Passed Senate ..... 1516  
 Senate amendment agreed to by House ..... 1657

**H.B. 1293 (continued)**  
 Signed by President ..... 1838  
 Approved by Governor-Chapter 869 (effective 7/1/04)

**H.B. 1294. School corrective action plans; enforcement.** Amending §§ 2.2-4018, 22.1-253.13:3, 22.1-253.13:6 and 22.1-253.13:8.  
 Patrons: Reid, et al.  
 Passed House ..... 402  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 403  
 Reported ..... 1470  
 Constitutional reading dispensed, passed by for day ..... 1520, 1521  
 Read third time and passed Senate ..... 1553, 1556  
 Signed by President ..... 1832  
 Approved by Governor-Chapter 965

**H.B. 1295. License plates, special; issuance to supporters of Mothers Against Drunk Driving.**  
 Adding § 46.2-749.101.  
 Patron: Reid  
 Passed House ..... 528  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 529

**H.B. 1296. James Madison University; authorized to facilitate ability to begin construction needed as result of fire damage.**  
 Patrons: Putney, et al.  
 Passed House ..... 354  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 355  
 Reported ..... 562  
 Constitutional reading dispensed ..... 586  
 Read third time and passed Senate ..... 587  
 Signed by President ..... 635  
 Approved by Governor-Chapter 1 (effective 2/19/04)

**H.B. 1298. Budget bill; not to include general fund revenues in excess of projected general fund revenues.** Amending § 2.2-1509.  
 Patron: Reese  
 Passed House ..... 691  
 Constitutional reading dispensed, referred to Committee on Finance ..... 696

**H.B. 1299. Law-enforcement officer certification examination; waiver based on previous experience.** Amending § 15.2-1706.  
 Patrons: Weatherholtz, et al.  
 Passed House ..... 691  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 696  
 Reported ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time and passed Senate ..... 1476, 1478  
 Signed by President ..... 1821  
 Approved by Governor-Chapter 477 (effective 7/1/04)

**H.B. 1302. Firearms; abolishes provisions regulating sales and purchases in contiguous states.**  
 Repealing §§ 59.1-148.1 and 59.1-148.2.  
 Patron: Lingamfelter  
 Passed House ..... 433  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 434  
 Reported ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time and passed Senate ..... 1122, 1130  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134

**H.B. 1302 (continued)**

Signed by President . . . . . 1815  
 Approved by Governor-Chapter 929 (effective 7/1/04)

**H.B. 1303. Pneumatic guns;** regulation and use. Amending §§ 15.2-1209, 18.2-299 and 22.1-277.07; adding § 15.2-915.2.

Patron: Lingamfelter  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 561  
 Reported with substitute . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1509  
 Reading of substitute waived . . . . . 1515  
 Committee substitute agreed to . . . . . 1515  
 Engrossed . . . . . 1515  
 Passed Senate . . . . . 1516  
 Senate substitute agreed to by House . . . . . 1657  
 Signed by President . . . . . 1836  
 Approved by Governor-Chapter 930 (effective 7/1/04)

**H.B. 1305. Motor carriers;** penalty for violation of International Fuels Tax Agreement.

Amending § 46.2-703.  
 Patron: Parrish  
 Passed House . . . . . 528  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 529  
 Reported with amendment . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time . . . . . 774  
 Reading of amendment waived . . . . . 777  
 Committee amendment agreed to . . . . . 777  
 Engrossed . . . . . 777  
 Passed Senate . . . . . 779  
 Senate amendment agreed to by House . . . . . 1116  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 376 (effective 7/1/04)

**H.B. 1307. Assault and battery;** penalty for first offense when committed against a family or household member. Amending § 18.2-57.3.

Patron: Hurt  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 377 (effective 7/1/04)

**H.B. 1308. Pretrial services;** applicable for adults and juveniles transferred for trial as adults. Amending §§ 19.2-152.2, 53.1-95.8 and 53.1-109.

Patron: Hurt  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 1434

**H.B. 1308 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 378 (effective 7/1/04)

**H.B. 1309. Alcoholic beverages; underage alcohol offenders may be placed on community-based probation. Amending § 4.1-305.**

Patron: Hurt  
 Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 608  
 Reported with amendment . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time . . . . . 781  
 Reading of amendment waived. . . . . 781  
 Committee amendment agreed to . . . . . 781  
 Engrossed . . . . . 781  
 Passed Senate . . . . . 781  
 Senate amendment agreed to by House . . . . . 1116  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 322 (effective 7/1/04)

**H.B. 1312. Safety equipment, specialized mobile; use on job site. Amending § 46.2-700.**

Patron: May  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported with amendment . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1138  
 Read third time . . . . . 1393  
 Reading of amendment waived. . . . . 1394  
 Committee amendment agreed to . . . . . 1394  
 Engrossed . . . . . 1394  
 Passed Senate . . . . . 1395  
 Senate amendment agreed to by House . . . . . 1537  
 Signed by President . . . . . 1836  
 Approved by Governor-Chapter 478 (effective 7/1/04)

**H.B. 1313. William Jennings Hargis, Jr. Library; designating library at Institute of Marine Science.**

Patron: Morgan  
 Passed House . . . . . 354  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 355  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 572 (effective 7/1/04)

**H.B. 1314. ABC stores; operation on Sunday in certain areas in Northern Virginia. Amending § 4.1-120.**

Patron: Albo  
 Passed House . . . . . 402  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 403

**H.B. 1314 (continued)**  
 Reported . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time and passed Senate . . . . . 781  
 Signed by President . . . . . 1780  
 House concurred in Governor’s recommendation . . . . . 1882  
 Senate concurred in Governor’s recommendation . . . . . 1897  
 Reconsideration of Governor’s recommendation agreed to . . . . . 1900  
 Senate concurred in Governor’s recommendation . . . . . 1900  
 Signed by President as reenrolled. . . . . 1906  
 Enacted, Chapter 1002 (effective 7/1/04)

**H.B. 1315. Abortion;** procedure if performed after first trimester. Adding § 18.2-73.1.  
 Patrons: Black, et al.  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 697

**H.B. 1316. Wineries and farm wineries;** delivery and shipment requirements. Amending § 4.1-201.  
 Patrons: Dudley, et al.  
 Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 608  
 Reported with amendments . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time . . . . . 774  
 Reading of amendments waived . . . . . 777  
 Committee amendments agreed to . . . . . 777  
 Engrossed . . . . . 777  
 Passed Senate . . . . . 779  
 Senate amendments agreed to by House . . . . . 1116  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 379 (effective 7/1/04)

**H.B. 1320. House of Delegates districts;** changes in boundaries in Norfolk City. Amending § 24.2-304.02.  
 Patrons: Drake, et al.  
 Passed House . . . . . 433  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 479 (effective 7/1/04)

**H.B. 1321. Campaign finance disclosure;** filing of statement of organization. Amending §§ 24.2-904, 24.2-928 and 24.2-929.  
 Patron: Brink  
 Passed House . . . . . 334  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 334  
 Reported with amendment . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time . . . . . 1088  
 Reading of amendment waived. . . . . 1093  
 Committee amendment agreed to . . . . . 1093  
 Engrossed . . . . . 1093  
 Passed Senate . . . . . 1095  
 Senate amendment agreed to by House . . . . . 1404

**H.B. 1321 (continued)**

Signed by President ..... 1816  
 Approved by Governor–Chapter 480 (effective 7/1/04)

**H.B. 1326. Compulsory school attendance; enforcement.** Amending §§ 16.1-241.2, 16.1-263, 22.1-263 and 22.1-279.3; adding § 16.1-290.1.

Patron: Marrs  
 Passed House ..... 528  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 529  
 Reported ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time and passed Senate ..... 1122, 1131  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134  
 Signed by President ..... 1816  
 Approved by Governor–Chapter 573 (effective 7/1/04)

**H.B. 1327. Multiple employer welfare arrangements (MEWA);** eliminates regulatory jurisdiction of State Corporation Commission. Amending § 38.2-3420.

Patron: Dudley  
 Passed House ..... 433  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 434  
 Reported ..... 772  
 Constitutional reading dispensed, passed by for day ..... 814, 815  
 Read third time and passed Senate ..... 1066, 1069  
 Signed by President ..... 1811  
 Approved by Governor–Chapter 236 (effective 7/1/04)

**H.B. 1330. Government databases and data communications;** reporting of incidents that threaten security. Amending §§ 2.2-603 and 2.2-2009.

Patron: Miles  
 Passed House ..... 602  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 608  
 Reported with amendment ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time ..... 1122  
 Reading of amendment waived ..... 1128  
 Committee amendment agreed to ..... 1128  
 Engrossed ..... 1128  
 Passed Senate ..... 1131  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134  
 Senate amendment agreed to by House ..... 1537  
 Signed by President ..... 1836  
 Approved by Governor–Chapter 638 (effective 1/1/05)

**H.B. 1331. Student conduct;** code regulations to include guidelines on hazing. Amending §§ 22.1-279.6 and 22.1-279.9.

Patron: Tata  
 Passed House ..... 528  
 Constitutional reading dispensed, referred to Committee on Education and Health ..... 529  
 Reported ..... 704  
 Constitutional reading dispensed, passed by for day ..... 731, 733  
 Read third time and passed Senate ..... 743, 754  
 Reconsideration of vote on Senate passage agreed to ..... 756  
 Passed Senate ..... 758

**H.B. 1331 (continued)**

Signed by President . . . . . 1803  
 Approved by Governor-Chapter 574 (effective 7/1/04)

**H.B. 1335. Motor vehicle warning lights;** certain use on Department of Military Affairs and National Guard vehicles. Amending § 46.2-1022.

Patrons: Spruill, et al.  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 723  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time and passed Senate . . . . . 774, 779  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 323 (effective 7/1/04)

**H.B. 1336. School boards;** salary in Manassas Park City. Amending § 22.1-32.

Patron: Parrish  
 Passed House . . . . . 402  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 403  
 Reported . . . . . 704  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1803  
 Approved by Governor-Chapter 199 (effective 7/1/04)

**H.B. 1337. Power of attorney;** revocation of authority for an incapacitated person. Amending § 11-9.1.

Patron: Watts  
 Passed House . . . . . 602  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 608  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1811  
 Approved by Governor-Chapter 380 (effective 7/1/04)

**H.B. 1338. Virginia Museum of Natural History;** powers and duties, salary of director, gifts and endowments. Amending §§ 10.1-2009 and 10.1-2011.

Patrons: Hurt, et al.  
 Passed House . . . . . 402  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources . . . . . 402  
 Reported . . . . . 739  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 870 (effective 7/1/04)

**H.B. 1340. Voter registration;** applicable to certain persons under age 18. Amending § 24.2-403.

Patron: Alexander  
 Passed House . . . . . 433  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095

**H.B. 1340 (continued)**

Signed by President ..... 1807  
 Approved by Governor-Chapter 481 (effective 7/1/04)

**H.B. 1342. Motor vehicle insurance;** disclosure to insured information on third party representatives in connection with a glass claim. Amending § 38.2-517.

Patrons: Morgan, et al.  
 Passed House ..... 560  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor ..... 561  
 Reported ..... 1145  
 Constitutional reading dispensed, passed by for day ..... 1424, 1425  
 Read third time and passed Senate ..... 1444, 1452  
 Reconsideration of vote on Senate passage agreed to ..... 1459  
 Passed Senate ..... 1460  
 Signed by President ..... 1841  
 Approved by Governor-Chapter 767 (effective 7/1/04)

**H.B. 1346. Commercial motor vehicles;** limited use of certain lanes on certain interstate highways. Amending § 46.2-803.1.

Patron: Saxman  
 Passed House ..... 638  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 639  
 Reported with amendment ..... 1471  
 Constitutional reading dispensed, passed by for day ..... 1520, 1521  
 Read third time ..... 1553  
 Reading of amendment waived ..... 1555  
 Committee amendment agreed to ..... 1555  
 Engrossed ..... 1555  
 Passed Senate ..... 1556  
 Senate amendment agreed to by House ..... 1657  
 Signed by President ..... 1838  
 Approved by Governor-Chapter 809 (effective 7/1/04)

**H.B. 1350. Environmental permit fees;** applicable to water and nonhazardous solid waste. Amending §§ 10.1-1322, 10.1-1402, 10.1-1402.1, 62.1-44.15:6 and third enactment of Chapter 822, 2002 Acts; adding § 10.1-1402.1:1.

Patron: Orrock  
 Passed House ..... 607  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural Resources ..... 609  
 Reported ..... 739  
 Constitutional reading dispensed, passed by for day ..... 784, 785  
 Passed by for day ..... 812, 1070  
 Read third time and passed Senate ..... 1097  
 Signed by President ..... 1807  
 Approved by Governor-Chapter 324

**H.B. 1355. Juveniles;** disposition for those who are delinquent. Amending § 16.1-278.8.

Patron: Hamilton  
 Passed House ..... 575  
 Constitutional reading dispensed, referred to Committee for Courts of Justice ..... 575  
 Reported ..... 823  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time and passed Senate ..... 1122, 1131  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134

**H.B. 1355 (continued)**  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 325 (effective 7/1/04)

**H.B. 1357. Freedom of Information Act; exempts certain meetings of General Assembly.**  
 Amending § 2.2-3707; adding § 2.2-3707.01.  
 Patron: Griffith  
 Passed House . . . . . 525  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 529  
 Reported with substitute . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time . . . . . 1519  
 Reading of substitute waived . . . . . 1519  
 Committee substitute agreed to. . . . . 1519  
 Passed by for day . . . . . 1519  
 Reading of amendment waived. . . . . 1560  
 Amendment by Senator Houck agreed to. . . . . 1560  
 Engrossed . . . . . 1560  
 Passed Senate . . . . . 1560  
 Reconsideration of vote on Senate passage agreed to . . . . . 1564  
 Passed Senate . . . . . 1564  
 Senate substitute with amendment agreed to by House . . . . . 1658  
 Signed by President . . . . . 1836  
 Approved by Governor-Chapter 768 (effective 7/1/04)

**H.B. 1358. School calendar; “good cause” circumstances for a school division to open before Labor Day.** Amending § 22.1-79.1.  
 Patrons: Griffith, et al.  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 561

**H.B. 1360. Information technology and telecommunications procurement; shall be in accordance with accessibility standards.** Amending § 2.2-2012.  
 Patron: Nixon  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1131  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 237 (effective 7/1/04)

**H.B. 1361. Income tax, corporate; changes in provisions for permissible and impermissible transactions between interrelated companies.** Amending §§ 58.1-302 and 58.1-402.  
 Patron: Nixon  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696

**H.B. 1363. Campaign advertisements; requirements for radio and television advertisements.**  
 Amending §§ 24.2-943 and 24.2-944.  
 Patron: Jones, S.C.  
 Passed House . . . . . 433  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 434  
 Reported with substitute . . . . . 548

**H.B. 1363 (continued)**

Constitutional reading dispensed, passed by for day . . . . . 566  
 Read third time . . . . . 578  
 Reading of substitute waived . . . . . 579  
 Committee substitute agreed to. . . . . 579  
 Engrossed . . . . . 579  
 Passed Senate . . . . . 579  
 Senate substitute agreed to by House . . . . . 696  
 Signed by President . . . . . 1140  
 Approved by Governor-Chapter 55 (effective 7/1/04)

**H.B. 1364. Freedom of Information Act; exempts certain emergency service records.**

Amending § 2.2-3705.  
 Patron: Jones, S.C.  
 Passed House . . . . . 433  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 1434  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 482 (effective 7/1/04)

**H.B. 1369. Industrial development authorities; Portsmouth City authorized to refer thereto as an economic development authority. Amending § 15.2-4903.**

Patrons: Melvin, et al.  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609

**H.B. 1370. Lobbyists; certain to file special reports of receipts and expenditures. Adding § 2.2-421.1.**

Patrons: Cole, et al.  
 Passed House . . . . . 691  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 697

**H.B. 1372. Product liability; exemption for products containing open and obvious dangers. Adding § 8.01-44.6.**

Patrons: Janis, et al.  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696

**H.B. 1373. Service districts; powers concerning road construction. Amending § 15.2-2403.**

Patron: Hugo  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 609  
 Reported . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time and passed Senate . . . . . 1476, 1479  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 810 (effective 7/1/04)

**H.B. 1376. Toll facilities; tolls may vary to encourage travel during off-peak hours. Adding § 33.1-223.2:9.**

Patrons: Fralin, et al.  
 Passed House . . . . . 638  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 639  
 Reported . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521

**H.B. 1376 (continued)**

Read third time and passed Senate . . . . . 1562  
 Reconsideration of vote on Senate passage agreed to . . . . . 1571  
 Passed Senate . . . . . 1571  
 Signed by President . . . . . 1832  
 House concurred in Governor’s recommendation . . . . . 1882  
 Senate concurred in Governor’s recommendation . . . . . 1898  
 Signed by President as reenrolled. . . . . 1906  
 Enacted, Chapter 1003 (effective 7/1/04)

**H.B. 1379. Servicemembers Civil Relief Act; created. Adding § 8.01-15.2.**

Patrons: Cox, et al.  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported with amendments . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Read third time . . . . . 1570  
 Reading of amendments waived . . . . . 1570  
 Committee amendments agreed to . . . . . 1570  
 Engrossed . . . . . 1570  
 Passed Senate . . . . . 1571  
 Senate amendments agreed to by House. . . . . 1657  
 Signed by President . . . . . 1838  
 Approved by Governor-Chapter 381 (effective 7/1/04)

**H.B. 1383. DMV records; access by insurance companies. Amending § 46.2-208.**

Patron: McDougle  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 696  
 Reported . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time and passed Senate . . . . . 1563  
 Signed by President . . . . . 1832  
 Approved by Governor-Chapter 811 (effective 7/1/04)

**H.B. 1386. Biotechnology Research Park Authority; renamed Biotechnology Research Partnership Authority. Amending Chapter 731, 2000 Acts.**

Patron: Watts  
 Passed House . . . . . 495  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Continued to 2005 Session in Senate Committee on General Laws. . . . . 1793

**H.B. 1388. Trusts; provisions for total return investing. Adding § 55-277.4:1.**

Patrons: Janis, et al.  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 1495  
 Constitutional reading dispensed . . . . . 1566  
 Read third time and passed Senate . . . . . 1566, 1571  
 Signed by President . . . . . 1833  
 Approved by Governor-Chapter 639 (effective 7/1/04)

**H.B. 1390. Cultural Economic Development Revolving Fund and Advisory Board; created, report. Amending §§ 62.1-198, 62.1-199 and 62.1-203; adding §§ 2.2-5105 through 2.2-5116.**

Patrons: Callahan, et al.  
 Passed House . . . . . 639  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 639

**H.B. 1392. Police;** allows private higher educational institutions to enter into reciprocal agreements with outside localities. Amending § 15.2-1727.  
 Patron: Weatherholtz  
 Passed House ..... 560  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 561  
 Reported ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time and passed Senate ..... 1476, 1479  
 Signed by President ..... 1821  
 Approved by Governor–Chapter 769 (effective 7/1/04)

**H.B. 1393. Regional Industrial Facility Authority;** remittance of tax revenue. Amending §§ 15.2-6400 and 15.2-6406.  
 Patron: Keister  
 Passed House ..... 692  
 Constitutional reading dispensed, referred to Committee on Local Government ..... 696  
 Reported with substitute ..... 1405  
 Constitutional reading dispensed, passed by for day ..... 1457, 1458  
 Read third time ..... 1476  
 Reading of substitute waived ..... 1478  
 Committee substitute agreed to ..... 1478  
 Engrossed ..... 1478  
 Passed Senate ..... 1479  
 Senate substitute agreed to by House ..... 1595  
 Signed by President ..... 1836  
 Approved by Governor–Chapter 640 (effective 7/1/04)

**H.B. 1394. Wine or beer shippers;** license application does not require a background check.  
 Amending § 4.1-230.  
 Patrons: Abbitt, et al.  
 Passed House ..... 603  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 608  
 Reported ..... 722  
 Constitutional reading dispensed, passed by for day ..... 763, 764  
 Read third time and passed Senate ..... 774, 779  
 Signed by President ..... 1780  
 Approved by Governor–Chapter 382 (effective 7/1/04)

**H.B. 1396. Freedom of Information Act;** exempts records and meetings of Commission on Military Bases. Amending §§ 2.2-3705 and 2.2-3711.  
 Patron: Cosgrove  
 Passed House ..... 603  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 608  
 Reported ..... 1434  
 Constitutional reading dispensed, passed by for day ..... 1483, 1484  
 Reconsideration of passed by agreed to ..... 1485  
 Passed by for day ..... 1486  
 Read third time and passed Senate ..... 1509, 1516  
 Signed by President ..... 1821  
 Approved by Governor–Chapter 770 (effective 4/12/04)

**H.B. 1398. Commerce and Trade, Secretary of;** duties include review of urban issues.  
 Amending § 2.2-206.  
 Patron: Bland  
 Passed House ..... 560  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 561

**H.B. 1398 (continued)**  
 Reported . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time and passed Senate . . . . . 743, 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Signed by President . . . . . 1804  
 Approved by Governor-Chapter 238 (effective 7/1/04)

**H.B. 1403. Morning-after pill;** parental consent for minors required. Amending § 54.1-2969; adding § 54.1-2969.1.  
 Patrons: Byron, et al.  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 697

**H.B. 1404. Health insurance;** coverage for dependent children. Amending § 38.2-3525.  
 Patrons: Byron, et al.  
 Passed House . . . . . 560  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 561  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 771 (effective 7/1/04)

**H.B. 1405. Small Business Financing Authority;** membership, voting privileges. Amending § 2.2-2282.  
 Patron: Plum  
 Passed House . . . . . 495  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 498  
 Reported with amendment . . . . . 705  
 Constitutional reading dispensed, passed by for day . . . . . 731, 733  
 Read third time . . . . . 743  
 Reading of amendment waived. . . . . 752  
 Committee amendment agreed to . . . . . 752  
 Engrossed . . . . . 752  
 Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate amendment agreed to by House . . . . . 821  
 Signed by President . . . . . 1781  
 Approved by Governor-Chapter 239 (effective 7/1/04)

**H.B. 1407. Birth-Related Neurological Injury Compensation Act;** increases participating physician and hospital assessment. Amending §§ 38.2-5001, 38.2-5009 and 38.2-5020.  
 Patron: Tata  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 696  
 Reported with amendments . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time . . . . . 1444  
 Reading of amendments waived. . . . . 1451  
 Committee amendments agreed to . . . . . 1451  
 Engrossed . . . . . 1451  
 Passed Senate . . . . . 1452

**H.B. 1407 (continued)**

Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Senate amendments agreed to by House. . . . . 1537  
 Signed by President . . . . . 1836  
 Approved by Governor-Chapter 931 (effective 7/1/04)

**H.B. 1408. Health insurance;** requirements when providing insured with claims experience or medical costs record. Amending §§ 38.2-3540.1 and 38.2-4319.

Patron: Carrico  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 696  
 Reported . . . . . 1145  
 Constitutional reading dispensed, passed by for day . . . . . 1424, 1425  
 Read third time and passed Senate . . . . . 1444, 1452  
 Reconsideration of vote on Senate passage agreed to . . . . . 1459  
 Passed Senate . . . . . 1460  
 Signed by President . . . . . 1841  
 Approved by Governor-Chapter 772 (effective 1/1/05)

**H.B. 1410. Mechanic's lien;** extent where owner has less than fee in land. Amending § 43-3.

Patron: Armstrong  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee for Courts of Justice. . . . . 696  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 240 (effective 7/1/04)

**H.B. 1413. Highways;** designation of Korean War, Vietnam and World War II Veterans Memorial Highways.

Patron: Armstrong  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time and passed Senate . . . . . 1553, 1556  
 Signed by President . . . . . 1833  
 Approved by Governor-Chapter 641 (effective 7/1/04)

**H.B. 1414. Morning-after pill;** institutions of higher education prohibited from making such available. Adding § 23-7.5:1.

Patrons: Marshall, R.G., et al.  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 697

**H.B. 1419. Transportation district;** created within Charlottesville City and Albemarle County. Adding §§ 33.1-447 through 33.1-463.

Patrons: Marshall, D.W., et al.  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported with amendment . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time . . . . . 1563  
 Reading of amendment waived. . . . . 1563

**H.B. 1419 (continued)**

Committee amendment agreed to . . . . . 1564  
 Engrossed . . . . . 1564  
 Passed Senate . . . . . 1564  
 Senate amendment rejected by House . . . . . 1654  
 Senate receded from amendment . . . . . 1667  
 Signed by President . . . . . 1847  
 Approved by Governor-Chapter 966 (effective 7/1/04)

**H.B. 1423. Motor vehicle dealers;** increases number of manual DMV transactions per month.

Amending § 46.2-1530.2.  
 Patrons: Stump, et al.  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1138  
 Read third time and passed Senate . . . . . 1393, 1395  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 812 (effective 4/14/04)

**H.B. 1424. Personal Information Privacy Act;** restricting use of date of birth as condition for accepting checks. Amending §§ 59.1-443 and 59.1-444; adding § 59.1-443.1.

Patron: Dudley  
 Passed House . . . . . 561  
 Constitutional reading dispensed, referred to Committee on Commerce and Labor . . . . . 561  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Read third time and passed Senate . . . . . 1066, 1069  
 Signed by President . . . . . 1799  
 Approved by Governor-Chapter 241 (effective 7/1/04)

**H.B. 1425. Motor vehicle safety inspection stations;** required to carry garage liability insurance. Amending § 46.2-1166.

Patron: Phillips  
 Passed House . . . . . 546  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 547  
 Reported with amendment . . . . . 1471  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time . . . . . 1553  
 Reading of amendment waived. . . . . 1557  
 Committee amendment agreed to . . . . . 1557  
 Passed by for day . . . . . 1557  
 Engrossed . . . . . 1640  
 Passed Senate . . . . . 1640  
 Senate amendment agreed to by House . . . . . 1695  
 Signed by President . . . . . 1847  
 Approved by Governor-Chapter 383 (effective 7/1/04)

**H.B. 1426. Coal and gas road improvement tax;** distribution of revenues to local public service authority. Amending § 58.1-3713.

Patron: Phillips  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095

**H.B. 1426 (continued)**

Signed by President . . . . . 1807  
 Approved by Governor-Chapter 871 (effective 7/1/04)

**H.B. 1427. House of Delegates and Senatorial districts; changes in boundaries in Pulaski and**

Wise Counties. Amending §§ 24.2-303.2 and 24.2-304.02.  
 Patron: Phillips  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Privileges and Elections . . . . . 697  
 Reported with substitute . . . . . 794  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time . . . . . 1088  
 Reading of substitute waived . . . . . 1094  
 Committee substitute agreed to . . . . . 1094  
 Reading of amendments waived . . . . . 1094  
 Amendments by Senator Puckett agreed to . . . . . 1094  
 Engrossed . . . . . 1094  
 Passed Senate . . . . . 1095  
 Senate substitute with amendments agreed to by House . . . . . 1539  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 932 (effective 7/1/04)

**H.B. 1430. Drug Treatment Court Act; created, report. Amending §§ 16.1-69.48:1, 16.1-69.48:3, 17.1-275, 17.1-275.8 and 18.2-251.02; adding § 18.2-254.1.**

Patron: Kilgore  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported with substitute . . . . . 1119  
 Rereferred to Committee on Finance . . . . . 1119  
 Reported with substitute . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1458  
 Read third time . . . . . 1481  
 Reading of substitute waived . . . . . 1481  
 Committee substitute rejected . . . . . 1481  
 Reading of substitute waived . . . . . 1481  
 Committee substitute agreed to . . . . . 1481  
 Passed by for day . . . . . 1481, 1518, 1558  
 Reading of amendments waived . . . . . 1642  
 Amendments by Senator Stolle agreed to . . . . . 1642  
 Engrossed . . . . . 1642  
 Passed Senate . . . . . 1642  
 Senate substitute with amendments agreed to by House . . . . . 1695  
 Signed by President . . . . . 1836  
 House concurred in Governor's recommendation . . . . . 1882  
 Senate concurred in Governor's recommendation . . . . . 1899  
 Signed by President as reenrolled . . . . . 1906  
 Enacted, Chapter 1004 (effective 7/1/04)

**H.B. 1432. Lovettsville Union Cemetery Company; updating incorporation thereof.**

Amending Chapter 1, 1879 Acts.  
 Patron: May  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported . . . . . 1434  
 Constitutional reading dispensed, passed by for day . . . . . 1483, 1484  
 Reconsideration of passed by agreed to . . . . . 1485

**H.B. 1432 (continued)**  
 Passed by for day . . . . . 1486  
 Read third time and passed Senate . . . . . 1509, 1516  
 Signed by President . . . . . 1821  
 Approved by Governor—Chapter 642 (effective 7/1/04)

**H.B. 1435. Real Estate Cooperative Act;** changes in provisions. Amending §§ 55-429, 55-460, 55-462, 55-467, 55-478, 55-479, 55-484 and 55-486; adding § 55-473.1.  
 Patron: Suit  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 697  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1131  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1816  
 Approved by Governor—Chapter 242 (effective 7/1/04)

**H.B. 1436. Elizabeth River;** Marine Resources Commission to grant easement to VEPCO for electrical transmission lines.  
 Patron: Suit  
 Passed House . . . . . 528  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 529  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 784, 786  
 Read third time and passed Senate . . . . . 812  
 Signed by President . . . . . 1798  
 Approved by Governor—Chapter 483 (effective 7/1/04)

**H.B. 1441. Charitable corporations;** direct purchase from cooperative procurements by free clinics. Amending § 2.2-1120.  
 Patron: Brink  
 Passed House . . . . . 603  
 Constitutional reading dispensed, referred to Committee on General Laws . . . . . 608  
 Reported . . . . . 824  
 Constitutional reading dispensed, passed by for day . . . . . 1102, 1104  
 Read third time and passed Senate . . . . . 1122, 1131  
 Reconsideration of vote on Senate passage agreed to . . . . . 1132  
 Passed Senate . . . . . 1134  
 Signed by President . . . . . 1816  
 Approved by Governor—Chapter 484 (effective 7/1/04)

**H.B. 1443. School admissions;** applicability when parent of student is deployed outside of United States as member of National Guard or U.S. Armed Forces. Amending §§ 22.1-3, 22.1-5 and 22.1-270.  
 Patrons: Baskerville, et al.  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Education and Health . . . . . 609  
 Reported with substitute . . . . . 1470  
 Constitutional reading dispensed, passed by for day . . . . . 1520, 1521  
 Read third time . . . . . 1553  
 Reading of substitute waived . . . . . 1555  
 Committee substitute agreed to . . . . . 1555  
 Engrossed . . . . . 1555  
 Passed Senate . . . . . 1556  
 Senate substitute agreed to by House . . . . . 1658

**H.B. 1443 (continued)**  
 Signed by President ..... 1836  
 Approved by Governor-Chapter 967 (effective 7/1/04)

**H.B. 1444. Humelsine Parkway;** designating as Route 199 between I-64 east and west of Williamsburg City.  
 Patrons: Barlow, et al.  
 Passed House ..... 607  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 609  
 Reported ..... 1078  
 Constitutional reading dispensed, passed by for day ..... 1138  
 Read third time and passed Senate ..... 1393, 1395  
 Signed by President ..... 1816  
 Approved by Governor-Chapter 643 (effective 7/1/04)

**H.B. 1445. School crossing guards;** use of hand-held stop signs to control traffic. Amending § 46.2-834.  
 Patrons: Howell, A.T., et al.  
 Passed House ..... 607  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 609  
 Reported with amendments ..... 723  
 Constitutional reading dispensed, passed by for day ..... 763, 764  
 Read third time ..... 774  
 Reading of amendments waived ..... 778  
 Committee amendments agreed to ..... 778  
 Engrossed ..... 778  
 Passed Senate ..... 779  
 Senate amendments agreed to by House ..... 1116  
 Signed by President ..... 1811  
 Approved by Governor-Chapter 575 (effective 7/1/04)

**H.B. 1446. License plates, special;** issuance to supporters of Interdenominational Children's Foundation of Virginia. Adding § 46.2-749.98:1; repealing § 46.2-749.98.  
 Patrons: Howell, A.T., et al.  
 Passed House ..... 546  
 Constitutional reading dispensed, referred to Committee on Transportation ..... 547

**H.B. 1447. State agencies;** Department of Accounts to conduct recovery audits of state contracts. Adding § 2.2-1822.1.  
 Patrons: Scott, E.T., et al.  
 Passed House ..... 603  
 Constitutional reading dispensed, referred to Committee on General Laws ..... 608  
 Reported with amendment ..... 824  
 Constitutional reading dispensed, passed by for day ..... 1102, 1104  
 Read third time ..... 1122  
 Reading of amendment waived ..... 1129  
 Committee amendment agreed to ..... 1129  
 Engrossed ..... 1129  
 Passed Senate ..... 1131  
 Reconsideration of vote on Senate passage agreed to ..... 1132  
 Passed Senate ..... 1134  
 Senate amendment agreed to by House ..... 1537  
 Signed by President ..... 1836  
 Approved by Governor-Chapter 644 (effective 7/1/04)

**H.B. 1448. Wine or beer shippers;** fees for licenses. Amending § 4.1-233.  
 Patrons: Scott, E.T., et al.  
 Passed House ..... 603

**H.B. 1448 (continued)**

Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services . 608  
 Reported . . . . . 722  
 Constitutional reading dispensed, passed by for day . . . . . 763, 764  
 Read third time and passed Senate . . . . . 774, 779  
 Signed by President . . . . . 1780  
 Approved by Governor-Chapter 384 (effective 7/1/04)

**H.B. 1450. Petroleum Storage Tank Fund; reimbursements. Amending § 62.1-44.34:11.**

Patron: Oder  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural  
 Resources . . . . . 609  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 485 (effective 7/1/04)

**H.B. 1452. Fresh water and saltwater fishing; a combined license may be established.**

Amending §§ 28.2-302.1 and 29.1-311; adding §§ 28.2-302.2:1 and 29.1-310.2.  
 Patron: Oder  
 Passed House . . . . . 528  
 Constitutional reading dispensed, referred to Committee on Agriculture, Conservation and Natural  
 Resources . . . . . 529  
 Reported . . . . . 740  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 486 (effective 1/1/05)

**H.B. 1453. Real estate tax; collection proceedings for delinquent taxes. Amending § 58.1-3967.**

Patrons: Gear, et al.  
 Passed House . . . . . 692  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696  
 Reported . . . . . 793  
 Constitutional reading dispensed, passed by for day . . . . . 1071, 1072  
 Read third time and passed Senate . . . . . 1088, 1095  
 Signed by President . . . . . 1807  
 Approved by Governor-Chapter 645 (effective 7/1/04)

**H.B. 1454. Public defender's office; establishment in Hampton City. Amending § 19.2-163.2.**

Patron: Gear  
 Passed House . . . . . 693  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 823  
 Rereferred to Committee on Finance . . . . . 825  
 Continued to 2005 Session in Senate Committee on Finance . . . . . 1793

**H.B. 1456. Nuisances; abatement, sale of property for delinquent taxes, etc. Amending §§ 15.2-906, 15.2-1115, 58.1-3965 and 58.1-3970.1.**

Patron: Jones, D.C.  
 Passed House . . . . . 693  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 696  
 Reported with amendments . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1458  
 Read third time . . . . . 1481

**H.B. 1456 (continued)**

Reading of amendments waived . . . . . 1482  
 Committee amendments agreed to . . . . . 1482  
 Engrossed . . . . . 1482  
 Passed Senate . . . . . 1482  
 Senate amendments agreed to by House . . . . . 1595  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 968 (effective 7/1/04)

**H.B. 1460. Judgment and legal rate of interest;** lowered. Amending §§ 6.1-330.53, 6.1-330.54 and 8.01-382.

Patron: Reese  
 Passed House . . . . . 693  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 784, 786  
 Read third time and passed Senate . . . . . 813  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 646 (effective 7/1/04)

**H.B. 1461. Real estate assessments;** establishment of department in Powhatan County. Amending § 58.1-3274.

Patron: Ware, R.L.  
 Passed House . . . . . 561  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 561  
 Reported . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time and passed Senate . . . . . 1476, 1479  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 576 (effective 7/1/04)

**H.B. 1463. Retail Sales and Use Tax;** constitutional nexus for imposition. Adding § 8.01-184.1.

Patron: Hugo  
 Passed House . . . . . 693  
 Constitutional reading dispensed, referred to Committee for Courts of Justice . . . . . 696  
 Reported . . . . . 741  
 Constitutional reading dispensed, passed by for day . . . . . 783, 785  
 Read third time and passed Senate . . . . . 800, 805  
 Signed by President . . . . . 1798  
 Approved by Governor-Chapter 647 (effective 7/1/04)

**H.B. 1474. Stuart Finley Bridge;** designating as bridge on Potterton Drive over Lake Barcroft in Fairfax County.

Patron: Hull  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Transportation . . . . . 609  
 Reported . . . . . 1078  
 Constitutional reading dispensed, passed by for day . . . . . 1138  
 Read third time and passed Senate . . . . . 1393, 1395  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 969 (effective 7/1/04)

**H.B. 1475. Vietnamese-American Heritage Flag;** recognition. Adding § 2.2-3310.2.

Patrons: Hull, et al.  
 Passed House . . . . . 607  
 Constitutional reading dispensed, referred to Committee on Rules . . . . . 609  
 Reported . . . . . 1470

**H.B. 1475 (continued)**

Constitutional reading dispensed, passed by for day	1520, 1521
Read third time and passed Senate	1553, 1556
Signed by President	1833
Approved by Governor—Chapter 970 (effective 7/1/04)	

**H.B. 1480. Virginia-Asian Advisory Board; purpose. Amending § 2.2-2448.**

Patrons: McDonnell, et al.	
Passed House	693
Constitutional reading dispensed, referred to Committee on General Laws	697
Reported	824
Constitutional reading dispensed, passed by for day	1102, 1104
Read third time	1122
Reading of amendments waived	1129
Amendments by Senator Wagner agreed to	1129
Engrossed	1129
Passed Senate	1131
Reconsideration of vote on Senate passage agreed to	1132
Passed Senate	1134
Senate amendments agreed to by House	1537
Signed by President	1836
House concurred in Governor’s recommendation	1882
Senate concurred in Governor’s recommendation	1899
Signed by President as reenrolled	1906
Enacted, Chapter 1005 (effective 7/1/04)	

**H.B. 1481. Driving under influence of alcohol or drugs; damages for persons injured as a result. Amending § 8.01-44.5.**

Patron: McDonnell	
Passed House	693
Constitutional reading dispensed, referred to Committee for Courts of Justice	696

**H.B. 1482. Explosives; excludes small arms ammunition or components. Amending §§ 27-97 and 59.1-137.**

Patron: McDonnell	
Passed House	693
Constitutional reading dispensed, referred to Committee on General Laws	697
Reported with amendments	824
Constitutional reading dispensed, passed by for day	1102, 1104
Passed by for day	1137
Read third time	1396
Reading of amendments waived	1396
Committee amendments agreed to	1396
Motion; substitute motion	1396
Rereferred to Committee for Courts of Justice	1396

**H.B. 1483. Communicable diseases of public health threat; procedure for quarantine and isolation. Amending §§ 2.2-3705, 17.1-503, 32.1-42, 32.1-43, 32.1-44, 32.1-45, 32.1-48, 32.1-48.01 through 32.1-48.04, 32.1-116.3, 32.1-127.1:03, 44-146.16 and 44-146.17; adding §§ 32.1-48.05 through 32.1-48.17.**

Patron: O’Bannon	
Passed House	603
Constitutional reading dispensed, referred to Committee on Education and Health	608
Reported with amendments	704
Constitutional reading dispensed, passed by for day	731, 733
Read third time	743
Reading of amendments waived	752

**H.B. 1483 (continued)**

Committee amendments agreed to . . . . . 752  
 Engrossed . . . . . 752  
 Passed Senate . . . . . 754  
 Reconsideration of vote on Senate passage agreed to . . . . . 756  
 Passed Senate . . . . . 758  
 Senate amendments agreed to by House. . . . . 821  
 Signed by President . . . . . 1781  
 Approved by Governor-Chapter 773 (effective 4/12/04)

**H.B. 1485. Liability insurance for localities;** includes fire department and police department operational medical directors, and physician course directors. Amending § 15.2-1518.

Patron: Sickles  
 Passed House . . . . . 693  
 Constitutional reading dispensed, referred to Committee on Local Government . . . . . 696  
 Reported with amendment . . . . . 1405  
 Constitutional reading dispensed, passed by for day . . . . . 1457, 1458  
 Read third time . . . . . 1476  
 Reading of amendment waived. . . . . 1478  
 Committee amendment agreed to . . . . . 1478  
 Engrossed . . . . . 1478  
 Passed Senate . . . . . 1479  
 Senate amendment agreed to by House . . . . . 1595  
 Signed by President . . . . . 1821  
 Approved by Governor-Chapter 648 (effective 7/1/04)

**H.B. 1486. Income tax, state;** limiting legislation creating voluntary contribution of refunds to charitable organizations. Adding §§ 30-19.1:10 and 58.1-344.3.

Patron: Purkey  
 Passed House . . . . . 639  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 639  
 Reported . . . . . 772  
 Constitutional reading dispensed, passed by for day . . . . . 814, 815  
 Passed by for day . . . . . 1066  
 Read third time . . . . . 1087  
 Reading of amendment waived. . . . . 1088  
 Amendment by Senator Stosch agreed to . . . . . 1088  
 Engrossed . . . . . 1088  
 Passed Senate . . . . . 1094  
 Senate amendment agreed to by House . . . . . 1404  
 Signed by President . . . . . 1816  
 Approved by Governor-Chapter 649 (effective 7/1/04)

**H.B. 1488. Retail Sales and Use Tax;** eliminates numerous commercial and industrial exemptions. Amending § 58.1-609.3.

Patrons: Hamilton, et al.  
 Passed House . . . . . 693  
 Constitutional reading dispensed, referred to Committee on Finance . . . . . 696

**H.B. 1489. Banquet and mixed beverage licenses;** issuance. Amending §§ 4.1-209, 4.1-210, 4.1-230, 4.1-231 and 4.1-233.

Patron: Hugo  
 Passed House . . . . . 1534  
 Constitutional reading dispensed, referred to Committee on Rehabilitation and Social Services 1539  
 Reported . . . . . 1597  
 Read second time . . . . . 1649  
 Constitutional reading dispensed . . . . . 1649

**H.B. 1489 (continued)**

Passed Senate . . . . . 1649  
 Signed by President . . . . . 1836  
 Approved by Governor—Chapter 487 (effective 7/1/04)

**H.J.R. 1. General Assembly;** schedule for conduct of business for 2004 Regular Session.

Patrons: Griffith, et al.  
 Agreed to by House . . . . . 138  
 Read first time, referred to Committee on Rules . . . . . 138  
 Rules suspended . . . . . 138  
 Committee discharged . . . . . 138  
 Readings waived . . . . . 138  
 Taken up for immediate consideration . . . . . 138  
 Agreed to by Senate . . . . . 144

**H.J.R. 2. General Assembly;** schedule for conduct of business until first day of 2005 Session.

Patrons: Griffith, et al.  
 Agreed to by House . . . . . 145  
 Read first time, referred to Committee on Rules . . . . . 145  
 Rules suspended . . . . . 145  
 Committee discharged . . . . . 145  
 Readings waived . . . . . 145  
 Taken up for immediate consideration . . . . . 145  
 Agreed to by Senate . . . . . 148

**H.J.R. 6. Public Records Act;** joint subcommittee to study, including electronic records and effect on state depository system.

Patrons: Cox, et al.  
 Agreed to by House . . . . . 693  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 9. Constitutional amendment;** succession to office of Governor (second reference).

Amending Section 16 of Article V.  
 Patron: Putney  
 Agreed to by House . . . . . 314  
 Reading waived, referred to Committee on Privileges and Elections . . . . . 315  
 Reported . . . . . 548  
 Read second time . . . . . 570  
 Read third time . . . . . 593  
 Agreed to by Senate . . . . . 594  
 Signed by President . . . . . 1849  
 Assigned Chapter 982 (effective 7/1/04)

**H.J.R. 10. Mills, Meredith Lee;** recording sorrow upon death.

Patrons: Shuler, et al.  
 Agreed to by House . . . . . 167  
 Laid on Clerk's Desk . . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 11. Pandapas, James J.;** recording sorrow upon death.

Patron: Shuler  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk . . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 12. Helems, M. Dallas, Jr;** commending.  
 Patrons: Shuler, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 13. Governor, two-term;** joint subcommittee to study appropriate balance of power between legislative and executive branches to support.  
 Patron: Landes  
 Agreed to by House . . . . . 693  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 14. Menaker, Edward G;** recording sorrow upon death.  
 Patrons: Landes, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 15. Lockridge, B. K. "Bobby";** recording sorrow upon death.  
 Patrons: Landes, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 16. Maddox, Ellen;** commending.  
 Patrons: Landes, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 18. Payne, Otis;** recording sorrow upon death.  
 Patrons: Shuler, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 19. Pettigrew, Allie;** commending.  
 Patrons: Cox, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 22. Teal, John Robert "J.R.;"** recording sorrow upon death.  
 Patrons: Hargrove, et al.  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 23. Oak Knoll Middle School Odyssey of the Mind team;** commending.  
 Patron: Hargrove  
 Agreed to by House . . . . . 168  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 24. Atlee High School girls' basketball team;** commending.  
 Patron: Hargrove  
 Agreed to by House . . . . . 168

<b>H.J.R. 24 (continued)</b>	
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 25. Rural Point Elementary School Odyssey of the Mind team; commending.</b>	
Patron: Hargrove	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 26. Vorous, Randall; commending.</b>	
Patron: Sherwood	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 27. Garden Club of Virginia; commemorating September 11, 2001.</b>	
Patron: Pollard	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 28. Corell, James E.; recording sorrow upon death.</b>	
Patrons: Shuler, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	248
<b>H.J.R. 29. J. J. Kelly High School golf team; commending.</b>	
Patron: Kilgore	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 30. Rye Cove High School girls' volleyball team; commending.</b>	
Patron: Kilgore	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 31. Rye Cove High School girls' volleyball team; commending.</b>	
Patron: Kilgore	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 32. Gate City High School girls' tennis team; commending.</b>	
Patron: Kilgore	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 33. Slash Christian Church Disciples of Christ; commemorating its 275th anniversary.</b>	
Patron: Hargrove	
Agreed to by House . . . . .	168
Laid on Clerk's Desk . . . . .	171
Agreed to by Senate . . . . .	252
<b>H.J.R. 34. Retirement System; joint subcommittee to study and review benefits of public safety officers who are injured in line of duty.</b>	
Patron: Putney	
Agreed to by House . . . . .	693

**H.J.R. 34 (continued)**

Reading waived, referred to Committee on Rules . . . . .	697
Reported with substitute . . . . .	1470
Reading waived, passed by for day . . . . .	1521, 1522
Read third time . . . . .	1578
Reading of substitute waived . . . . .	1579
Committee substitute agreed to. . . . .	1579
Engrossed . . . . .	1579
Agreed to by Senate . . . . .	1586
Senate substitute agreed to by House . . . . .	1659

**H.J.R. 35. Whiting, Priscilla; recording sorrow upon death.**

Patrons: Van Yahres, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	248

**H.J.R. 36. Tremblay, E. Gerald; recording sorrow upon death.**

Patrons: Van Yahres, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	248

**H.J.R. 37. Maupin, Ora Ann; recording sorrow upon death.**

Patrons: Van Yahres, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	248

**H.J.R. 38. Society of St. Andrew; commemorating its 25th anniversary.**

Patrons: Putney, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	252

**H.J.R. 40. Armentrout, Lynn C.; commending.**

Patron: Athey	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	252

**H.J.R. 43. Eyre, Peter; commending.**

Patrons: Shuler, et al.	
Agreed to by House . . . . .	149
Laid on Clerk's Desk . . . . .	150
Rules suspended . . . . .	159
Taken up for immediate consideration . . . . .	159
Agreed to by Senate . . . . .	159

**H.J.R. 44. Goodykoontz, Charles Alfred "Alf", Jr.; recording sorrow upon death.**

Patrons: Hall, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	248

**H.J.R. 45. Martin, Ruby Grant; recording sorrow upon death.**

Patrons: Hall, et al.	
Agreed to by House . . . . .	168
Laid on Clerk's Desk. . . . .	171
Agreed to by Senate . . . . .	248

**H.J.R. 46. Story, Jessica;** commending.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 47. Cole, Jo Anne;** commending.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 48. Miller, Nan L.;** commending.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 49. Sullivan, Walter F.;** commending.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 50. Alabama Power Company;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 51. Tampa Electric Company;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 52. Progress Energy, Inc.;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 53. Savannah Electric Company;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 54. Southern Company;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 55. SCANA Corporation;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 56. OGE Energy Corporation;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 57. NSTAR;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 58. Entergy Corporation;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 59. Florida Power & Light Company;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 60. Georgia Power Company;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 61. Hydro-Quebec;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 62. Duke Power Company;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 63. Duquesne Light;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 64. Detroit Edison;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 65. American Electric Power;** commending its employees.

Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 66. Allegheny Power;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 67. Cleco Corporation;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 68. CenterPoint Energy;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 69. Central Hudson Gas & Electric Corporation;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 70. Consumers Energy;** commending its employees.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 169  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 71. English proficiency, limited;** Secretary of Health and Human Resources to develop a plan for increasing awareness of requirements to provide meaningful access to information and services.  
 Patron: Cox  
 Agreed to by House ..... 693  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported with substitute ..... 1470  
 Reading waived, passed by for day ..... 1521, 1522  
 Read third time ..... 1578  
 Reading of substitute waived ..... 1580  
 Committee substitute agreed to..... 1580  
 Engrossed ..... 1580  
 Agreed to by Senate ..... 1586  
 Senate substitute agreed to by House ..... 1659

**H.J.R. 72. Nutrient Management Plans;** Joint Legislative Audit and Review Commission to study effectiveness of implementation, performance and enforcement thereof.  
 Patron: Cox  
 Agreed to by House ..... 693  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported ..... 1470  
 Reading waived, passed by for day ..... 1521, 1522  
 Read third time ..... 1578  
 Agreed to by Senate ..... 1586

**H.J.R. 74. Occoquan, Town of;** commemorating its 200th anniversary.  
 Patrons: McQuigg, et al.  
 Agreed to by House ..... 169

**H.J.R. 74 (continued)**  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 77. Rasin, Alicia;** commending.  
 Patron: Jones, D.C.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 78. Brown v. Board of Education 50th Anniversary Commission;** commemorating  
 50th anniversary of desegregation of public schools.  
 Patrons: Bryant, et al.  
 Agreed to by House . . . . . 149  
 Laid on Clerk's Desk . . . . . 149  
 Rules suspended . . . . . 149  
 Taken up for immediate consideration . . . . . 149  
 Agreed to by Senate . . . . . 149

**H.J.R. 79. Mistaken identification in criminal cases;** Crime Commission to study.  
 Patron: Purkey  
 Agreed to by House . . . . . 693  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 82. Cultural institutions, nonstate agency;** Department of Taxation to collect sales tax  
 data pertaining to economic impact thereof.  
 Patrons: Fralin, et al.  
 Agreed to by House . . . . . 693  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with amendments . . . . . 1470  
 Read second time . . . . . 1526  
 Read third time . . . . . 1587  
 Reading of amendments waived . . . . . 1587  
 Committee amendments agreed to . . . . . 1587  
 Engrossed . . . . . 1587  
 Agreed to by Senate . . . . . 1587  
 Senate amendments agreed to by House. . . . . 1658

**H.J.R. 88. Snodgrass, Melvin C.;** commending.  
 Patrons: Johnson, et al.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 89. Washington County Service Authority;** commemorating its 50th anniversary.  
 Patrons: Johnson, et al.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 95. Blackford, Staige D., Jr.;** recording sorrow upon death.  
 Patrons: Van Yahres, et al.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 96. Cross, Robert D.;** recording sorrow upon death.  
 Patrons: Van Yahres, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 248

**H.J.R. 97. Blanton, Wyndham Bolling, Jr.;** recording sorrow upon death.  
 Patrons: Hall, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 248

**H.J.R. 98. Carey, Robert M.;** commending.  
 Patrons: Van Yahres, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 99. Gulotta, Alex;** commending.  
 Patrons: Van Yahres, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 100. Ayers, Edward L.;** commending.  
 Patrons: Van Yahres, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 101. De Noyer, John M.;** commending.  
 Patrons: Rust, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 103. Aging population;** Joint Legislative Audit and Review Commission to study impact thereof on demand for and cost of state agency services, policies and program management.  
 Patron: Reid  
 Agreed to by House ..... 694  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported with amendments ..... 1470  
 Reading waived, passed by for day ..... 1521, 1522  
 Read third time ..... 1578  
 Reading of amendments waived..... 1580  
 Committee amendments agreed to ..... 1580  
 Engrossed ..... 1580  
 Agreed to by Senate ..... 1586  
 Senate amendments agreed to by House..... 1658

**H.J.R. 105. School infrastructure for K-12;** joint subcommittee to study level of assistance to localities necessary for adequate development.  
 Patron: Drake  
 Agreed to by House ..... 694  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported with substitute ..... 1470  
 Reading waived, passed by for day ..... 1521, 1522  
 Read third time ..... 1578

**H.J.R. 105 (continued)**  
 Reading of substitute waived . . . . . 1580  
 Committee substitute agreed to. . . . . 1580  
 Engrossed . . . . . 1581  
 Agreed to by Senate . . . . . 1586  
 Senate substitute agreed to by House . . . . . 1659

**H.J.R. 106. Adamowski, James;** recording sorrow upon death.  
 Patrons: Albo, et al.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 248

**H.J.R. 107. Broman, George E.;** commending.  
 Patrons: McQuigg, et al.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 252

**H.J.R. 108. Leadership in Energy and Environmental Design (LEED) Green Building Rating System;** Department of General Services to use in state and local practices for design and procurement of construction projects.  
 Patron: Van Yahres  
 Agreed to by House . . . . . 354  
 Reading waived, referred to Committee on Rules . . . . . 355  
 Continued to 2005 Session in Senate Committee on Rules . . . . . 1794

**H.J.R. 109. Leadership in Energy and Environmental Design (LEED) Green Building Rating System;** public institutions of higher education, et al., to use in practices for design and procurement of construction projects.  
 Patron: Van Yahres  
 Agreed to by House . . . . . 354  
 Reading waived, referred to Committee on Rules . . . . . 355  
 Continued to 2005 Session in Senate Committee on Rules . . . . . 1794

**H.J.R. 110. Leadership in Energy and Environmental Design (LEED) Green Building Rating System;** local school boards and governing bodies to use in practices for design and procurement of construction projects.  
 Patron: Van Yahres  
 Agreed to by House . . . . . 354  
 Reading waived, referred to Committee on Rules . . . . . 355  
 Continued to 2005 Session in Senate Committee on Rules . . . . . 1794

**H.J.R. 113. Burke, James Patrick;** recording sorrow upon death.  
 Patron: Black  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 114. Child Day Care Centers, Standards for Licensed;** Joint Legislative Audit and Review Commission to study potential impact on providers, parents and children.  
 Patrons: Marrs, et al.  
 Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with substitute . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Reading of substitute waived . . . . . 1581  
 Committee substitute agreed to. . . . . 1581  
 Engrossed . . . . . 1581

**H.J.R. 114 (continued)**

Agreed to by Senate . . . . . 1586  
 Senate substitute agreed to by House . . . . . 1659

**H.J.R. 117. School boards;** encouraged to use performance-based contracts to evaluate division superintendents.

Patron: Jones, D.C.  
 Agreed to by House . . . . . 603  
 Reading waived, referred to Committee on Rules . . . . . 609  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 118. Pharmacy, School of;** established in Buchanan County.

Patrons: Stump, et al.  
 Agreed to by House . . . . . 373  
 Reading waived, referred to Committee on Rules . . . . . 377  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 120. Nanotechnology research and related economic development opportunities;**

Joint Commission on Technology and Science to identify.  
 Patron: May  
 Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 122. Campus safety;** Crime Commission to study at public and private institutions of higher education.

Patrons: Hamilton, et al.  
 Agreed to by House . . . . . 373  
 Reading waived, referred to Committee on Rules . . . . . 377  
 Reported with substitute . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Reading of substitute waived . . . . . 1581  
 Committee substitute agreed to. . . . . 1581  
 Engrossed . . . . . 1581  
 Agreed to by Senate . . . . . 1586  
 Senate substitute agreed to by House . . . . . 1659

**H.J.R. 123. Principals and assistant principals;** Board of Education to review its regulations to incorporate an alternative licensure route.

Patrons: Hamilton, et al.  
 Agreed to by House . . . . . 495  
 Reading waived, referred to Committee on Rules . . . . . 498  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 124. Educational Leadership, Commission to Review, Study and Reform;**

continued.

Patrons: Hamilton, et al.

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 125. Career and technical education; Board of Education, et al., to develop a template for a statewide articulation agreement therefor.**

Patron: Hamilton

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1522  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 126. Career and technical education; recognizing leadership and contributions of local advisory councils.**

Patron: Hamilton

Agreed to by House . . . . . 238  
 Reading waived, referred to Committee on Rules . . . . . 239  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 132. Entrepreneurial Education Region; posting of appropriate markers at entrances thereto.**

Patrons: Carrico, et al.

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with substitute . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Reading of substitute waived . . . . . 1581  
 Committee substitute agreed to. . . . . 1581  
 Engrossed . . . . . 1581  
 Agreed to by Senate . . . . . 1586  
 Senate substitute agreed to by House . . . . . 1659

**H.J.R. 133. Pre-hospital emergency medical services; Joint Legislative Audit and Review Commission to study.**

Patrons: O'Bannon, et al.

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 134. Health records;** Joint Commission on Health Care to study use and disclosure thereof.  
 Patron: O'Bannon  
 Agreed to by House ..... 694  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported ..... 1470  
 Reading waived, passed by for day ..... 1521, 1523  
 Read third time ..... 1578  
 Agreed to by Senate ..... 1586

**H.J.R. 137. Evans, Geraldine Jackson;** recording sorrow upon death.  
 Patron: Jones, D.C.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 249

**H.J.R. 138. Hutchinson, L. Harold;** recording sorrow upon death.  
 Patrons: Dudley, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 249

**H.J.R. 139. Prince Edward County;** commemorating its 250th anniversary.  
 Patrons: Hogan, et al.  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 140. Floyd County High School girls' cross country team;** commending.  
 Patron: Dudley  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 141. Georgalas, A. Jack;** commending.  
 Patron: Joannou  
 Agreed to by House ..... 170  
 Laid on Clerk's Desk..... 171  
 Agreed to by Senate ..... 252

**H.J.R. 142. Norfolk and Portsmouth Cities;** joint subcommittee to study consolidation.  
 Patron: Joannou  
 Agreed to by House ..... 694  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported with amendment ..... 1531  
 Reading waived..... 1588  
 Read third time ..... 1589  
 Reading of amendment waived..... 1589  
 Committee amendment agreed to ..... 1589  
 Engrossed ..... 1589  
 Agreed to by Senate ..... 1589  
 Senate amendment agreed to by House ..... 1658

**H.J.R. 146. General Assembly;** notifying Governor of organization.  
 Patron: Griffith  
 Agreed to by House ..... 33  
 Taken up for immediate consideration ..... 34  
 Agreed to by Senate ..... 34

**H.J.R. 152. Housing-related issues; Housing Study Commission to study certain.**

Patrons: Drake, et al.

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Agreed to by Senate . . . . . 1586

**H.J.R. 153. Underground utility distribution lines; State Corporation Commission to study placement thereof.**

Patron: Drake

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with amendments . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Reading of amendments waived . . . . . 1582  
 Committee amendments agreed to . . . . . 1582  
 Engrossed . . . . . 1582  
 Agreed to by Senate . . . . . 1586  
 Senate amendments agreed to by House . . . . . 1658

**H.J.R. 154. Health Literacy Month; designating as October 2004, and each succeeding year thereafter.**

Patrons: Baskerville, et al.

Agreed to by House . . . . . 528  
 Reading waived, referred to Committee on Rules . . . . . 529  
 Reported with amendment . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Reading of amendment waived . . . . . 1582  
 Committee amendment agreed to . . . . . 1582  
 Engrossed . . . . . 1582  
 Agreed to by Senate . . . . . 1586  
 Senate amendment rejected by House . . . . . 1655  
 Senate insisted on amendment and requested committee of conference . . . . . 1667  
 House acceded to request . . . . . 1689  
 Conferees appointed . . . . . 1693

**H.J.R. 162. Smart driver's licenses and identification cards; joint subcommittee to study issuance.**

Patron: Byron

Agreed to by House . . . . . 694  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with substitute . . . . . 1470  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1578  
 Reading of substitute waived . . . . . 1582  
 Committee substitute agreed to . . . . . 1582  
 Engrossed . . . . . 1582  
 Agreed to by Senate . . . . . 1586  
 Senate substitute agreed to by House . . . . . 1659

- H.J.R. 163. Reston community;** requesting various boards and departments of State to implement transportation plan therein.  
Patrons: Plum, et al.  
Agreed to by House ..... 603  
Reading waived, referred to Committee on Rules ..... 609  
Reported ..... 1470  
Reading waived, passed by for day ..... 1521, 1523  
Read third time ..... 1578  
Agreed to by Senate ..... 1586
- H.J.R. 164. Infant screening program for metabolic disorders;** Joint Commission on Health Care to collect information thereon.  
Patron: Plum  
Agreed to by House ..... 694  
Reading waived, referred to Committee on Rules ..... 697  
Reported ..... 1470  
Reading waived, passed by for day ..... 1521, 1523  
Read third time ..... 1578  
Agreed to by Senate ..... 1586
- H.J.R. 168. Great Virginia Teach-In;** designating as March 27-28, 2004.  
Patron: Ward  
Agreed to by House ..... 603  
Reading waived, referred to Committee on Rules ..... 609  
Reported ..... 1470  
Reading waived, passed by for day ..... 1521, 1523  
Read third time ..... 1579  
Agreed to by Senate ..... 1586
- H.J.R. 170. Growth and Economic Development, Commission on;** continued.  
Patron: Hall  
Agreed to by House ..... 694  
Reading waived, referred to Committee on Rules ..... 697  
Reported with substitute ..... 1471  
Reading waived, passed by for day ..... 1521, 1523  
Read third time ..... 1579  
Reading of substitute waived ..... 1582  
Committee substitute agreed to ..... 1583  
Engrossed ..... 1583  
Agreed to by Senate ..... 1586  
Senate substitute agreed to by House ..... 1659
- H.J.R. 172. Income tax, state;** Joint Legislative Audit and Review Commission to collect data and information from other states and countries that have replaced such revenues with sales and use tax revenues.  
Patron: Lingamfelter  
Agreed to by House ..... 694  
Reading waived, referred to Committee on Rules ..... 697  
Reported ..... 1471  
Reading waived, passed by for day ..... 1521, 1523  
Read third time ..... 1579  
Agreed to by Senate ..... 1586
- H.J.R. 174. Voting equipment;** joint subcommittee to study certification process, performance, and deployment thereof.  
Patron: Hugo  
Agreed to by House ..... 695

**H.J.R. 174 (continued)**

Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1586

**H.J.R. 176. Retail Sales and Use Tax, remote; joint subcommittee to study impact of collection on economy.**

Patron: Hugo

Agreed to by House . . . . . 695  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with substitute . . . . . 1471  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1579  
 Reading of substitute waived . . . . . 1583  
 Committee substitute agreed to. . . . . 1583  
 Engrossed . . . . . 1583  
 Agreed to by Senate . . . . . 1586  
 Senate substitute agreed to by House . . . . . 1659

**H.J.R. 179. Pledge of Allegiance; encouraging Supreme Court to uphold public school district policy on recitation.**

Patrons: Cole, et al.

Agreed to by House . . . . . 276  
 Reading waived, referred to Committee on Rules . . . . . 278

**H.J.R. 180. Celebrate Adoption Day; designating as third Saturday in November 2004, and each succeeding year thereafter.**

Patrons: Saxman, et al.

Agreed to by House . . . . . 374  
 Reading waived, referred to Committee on Rules . . . . . 377  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1521, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1586

**H.J.R. 183. Trauma centers in hospitals; Joint Legislative Audit and Review Commission to study use and financing thereof.**

Patron: McDonnell

Agreed to by House . . . . . 695  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1586

**H.J.R. 185. Route 460 Communications Committee; continued.**

Patron: McDonnell

Agreed to by House . . . . . 695  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported with substitute . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Reading of substitute waived . . . . . 1583  
 Committee substitute agreed to. . . . . 1583  
 Reading of amendment waived. . . . . 1583  
 Amendment by Senator Norment agreed to . . . . . 1583

**H.J.R. 185 (continued)**

Engrossed . . . . .	1583
Agreed to by Senate . . . . .	1586
Senate substitute with amendment agreed to by House . . . . .	1660

**H.J.R. 186. Conflicts of interests and lobbyist disclosure filings;** joint subcommittee to study.

Patron: McDonnell	
Agreed to by House . . . . .	695
Reading waived, referred to Committee on Rules . . . . .	697
Reported . . . . .	1471
Reading waived, passed by for day . . . . .	1522, 1523
Read third time . . . . .	1579
Agreed to by Senate . . . . .	1586

**H.J.R. 187. Marriage;** urging Congress to propose constitutional amendment to protect fundamental institution thereof.

Patrons: McDonnell, et al.	
Agreed to by House . . . . .	276
Reading waived, referred to Committee on Rules . . . . .	278
Reported with amendments . . . . .	1471
Read second time . . . . .	1526
Read third time . . . . .	1587
Reading of amendments waived . . . . .	1588
Committee amendments agreed to . . . . .	1588
Engrossed . . . . .	1588
Agreed to by Senate . . . . .	1588
Senate amendments agreed to by House . . . . .	1659

**H.J.R. 192. No Child Left Behind Act;** memorializing Congress to include a mechanism for automatic waiver for school accountability for states.

Patrons: Landes, et al.	
Agreed to by House . . . . .	276
Reading waived, referred to Committee on Rules . . . . .	278
Reported with amendment . . . . .	1471
Reading waived, passed by for day . . . . .	1522, 1523
Read third time . . . . .	1579
Reading of amendment waived . . . . .	1584
Committee amendment agreed to . . . . .	1584
Engrossed . . . . .	1584
Agreed to by Senate . . . . .	1586
Senate amendment rejected by House . . . . .	1689
Senate insisted on amendment and requested committee of conference . . . . .	1691
House acceded to request . . . . .	1694
Conferees appointed . . . . .	1695

**H.J.R. 193. Social services system;** Joint Legislative Audit and Review Commission to study operation and performance thereof.

Patrons: Landes, et al.	
Agreed to by House . . . . .	695
Reading waived, referred to Committee on Rules . . . . .	697
Reported . . . . .	1471
Reading waived, passed by for day . . . . .	1522, 1523
Read third time . . . . .	1579
Agreed to by Senate . . . . .	1586

**H.J.R. 194. Constitution of U.S.;** General Assembly rescinds and withdraws all past resolutions applying to Congress to call a convention to amend.  
 Patrons: Landes, et al.  
 Agreed to by House ..... 608  
 Reading waived, referred to Committee on Rules ..... 609  
 Reported with amendments ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Reading of amendments waived ..... 1584  
 Committee amendments agreed to ..... 1584  
 Engrossed ..... 1584  
 Agreed to by Senate ..... 1586  
 Senate amendments agreed to by House ..... 1659

**H.J.R. 195. Community health workers;** James Madison University to study status, impact, and utilization thereof.  
 Patron: Landes  
 Agreed to by House ..... 695  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Agreed to by Senate ..... 1586

**H.J.R. 196. Criminal code;** Crime Commission to develop plan for revisions to Title 18.2.  
 Patrons: McDonnell, et al.  
 Agreed to by House ..... 695  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Agreed to by Senate ..... 1587

**H.J.R. 197. Higher educational institutions;** Council of Higher Education to consider establishing in South Central Virginia.  
 Patrons: Armstrong, et al.  
 Agreed to by House ..... 695  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Agreed to by Senate ..... 1587

**H.J.R. 205. Nurse practitioner prescriptive authority;** Board of Nursing to collect information thereon.  
 Patrons: Bryant, et al.  
 Agreed to by House ..... 695  
 Reading waived, referred to Committee on Rules ..... 697  
 Reported ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Agreed to by Senate ..... 1587

**H.J.R. 207. Moak, Samuel K.;** recording sorrow upon death.  
 Patrons: Baskerville, et al.  
 Agreed to by House ..... 170

**H.J.R. 207 (continued)**  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 208. Sydnor, Eugene B., Jr.;** recording sorrow upon death.  
 Patron: Hall  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 250

**H.J.R. 209. Nelson, Captain O.;** recording sorrow upon death.  
 Patron: McDougale  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 210. Wade, Mary B.;** recording sorrow upon death.  
 Patron: McDougale  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 211. Custalow, Webster "Little Eagle";** recording sorrow upon death.  
 Patron: McDougale  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 212. Doggett, Frederick E., Sr.;** recording sorrow upon death.  
 Patron: McDougale  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 213. Hart, April Marie;** recording sorrow upon death.  
 Patron: McDougale  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 249

**H.J.R. 214. Action in Community through Service of Prince William County;**  
 commemorating its 35th anniversary.  
 Patrons: McQuigg, et al.  
 Agreed to by House . . . . . 170  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 215. Woodrum, Clifton A. "Chip";** commending.  
 Patrons: Ware, O., et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 216. Hanover County Sheriff's Office;** commending.  
 Patron: McDougale  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 217. Bell, Jane R.;** commending.  
 Patron: McDougale  
 Agreed to by House . . . . . 171

**H.J.R. 217 (continued)**  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 218. Burch, Sean; commending.**  
 Patron: Reese  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 219. Westfield High School football team; commending.**  
 Patrons: Reese, et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 220. Moore, Hulihan Williams; commending.**  
 Patrons: Morgan, et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 221. Fort Defiance High School boys' cross country team; commending.**  
 Patrons: Landes, et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 222. O'Brien, William G.; commending.**  
 Patrons: Landes, et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 223. Gretna High School football team; commending.**  
 Patrons: Dudley, et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 224. Grizzard, Richard C. "Dick"; commending.**  
 Patrons: Councill, et al.  
 Agreed to by House . . . . . 171  
 Laid on Clerk's Desk. . . . . 171  
 Agreed to by Senate . . . . . 253

**H.J.R. 225. Commonwealth's Attorneys; Crime Commission to study operations of offices.**  
 Patrons: McDonnell, et al.  
 Agreed to by House . . . . . 695  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1587

**H.J.R. 226. Natural aquatic resources; Institute of Marine Science, et al., to study those associated with available water resources.**  
 Patron: Morgan  
 Agreed to by House . . . . . 695  
 Reading waived, referred to Committee on Rules . . . . . 697  
 Continued to 2005 Session in Senate Committee on Rules . . . . . 1794

**H.J.R. 228. Adjusted Gross Revenue insurance;** encouraging farmers to purchase to protect against loss due to natural disasters or market fluctuations.  
 Patron: Bland  
 Agreed to by House ..... 276  
 Reading waived, referred to Committee on Rules ..... 278  
 Reported with amendment ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Reading of amendment waived..... 1584  
 Committee amendment agreed to..... 1584  
 Engrossed ..... 1584  
 Agreed to by Senate ..... 1587  
 Senate amendment agreed to by House ..... 1659

**H.J.R. 229. Williamsburg Session;** to be held at Colonial Williamsburg on February 7, 2004.  
 Patron: Griffith  
 Agreed to by House ..... 159  
 Read first time, referred to Committee on Rules ..... 160  
 Rules suspended ..... 160  
 Taken up for immediate consideration ..... 160  
 Agreed to by Senate ..... 160

**H.J.R. 230. Beeton, William A., Jr.;** recording sorrow upon death.  
 Patron: Athey  
 Agreed to by House ..... 276  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 348

**H.J.R. 231. Baggarly, George B.;** commending.  
 Patron: Athey  
 Agreed to by House ..... 276  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 232. Higgs, Joe;** commending.  
 Patron: Athey  
 Agreed to by House ..... 276  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 233. Hall, William A.;** commending.  
 Patron: Athey  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 234. Rudacille, Stuart L.;** commending.  
 Patron: Athey  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 235. Miller, Doris D.;** commending.  
 Patron: Athey  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 236. New Kent County;** commemorating its 350th anniversary.  
 Patrons: McDougle, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 237. Weatherford, Lloyd C.;** recording sorrow upon death.  
 Patrons: Cox, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 347

**H.J.R. 238. Austin, Columbus Augustus “Joe”, Jr.;** recording sorrow upon death.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 347

**H.J.R. 239. Hockaday, Wesley A. B.;** recording sorrow upon death.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 347

**H.J.R. 240. Watson, Leroy P.;** recording sorrow upon death.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 347

**H.J.R. 241. Johnson, India Anna Taylor;** recording sorrow upon death.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 347

**H.J.R. 242. Cave Spring High School girls' volleyball team;** commending.  
 Patrons: Griffith, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 243. Talbot Park Baptist Church;** commemorating its 60th anniversary.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 244. Harrison, Thelma;** commending.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 245. Guns, Geoffrey V.;** commending.  
 Patrons: Alexander, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk..... 279  
 Agreed to by Senate ..... 349

**H.J.R. 247. State Waste Empowerment and Enforcement Provision Act of 2003; urging**  
 Congress to enact.  
 Patrons: Louderback, et al.  
 Agreed to by House ..... 495  
 Reading waived, referred to Committee on Rules ..... 498  
 Reported with substitute ..... 1471  
 Reading waived, passed by for day ..... 1522, 1523  
 Read third time ..... 1579  
 Reading of substitute waived ..... 1585  
 Committee substitute agreed to. .... 1585  
 Engrossed ..... 1585  
 Agreed to by Senate ..... 1587  
 Senate substitute rejected by House ..... 1655  
 Senate insisted on substitute and requested committee of conference ..... 1667  
 House acceded to request ..... 1689  
 Conferees appointed ..... 1693  
 Conference report adopted by House ..... 1727  
 Conference report adopted by Senate ..... 1749

**H.J.R. 248. Woodlawn Road; memorializing Congress to restore public access thereto**  
 through Fort Belvoir in Fairfax County.  
 Patrons: Amundson, et al.  
 Agreed to by House ..... 495  
 Reading waived, referred to Committee on Rules ..... 498

**H.J.R. 249. Hamlar, Lawrence H.; recording sorrow upon death.**  
 Patrons: Ware, O., et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk. .... 279  
 Agreed to by Senate ..... 347

**H.J.R. 250. Brooks, Joseph E.; recording sorrow upon death.**  
 Patrons: Hall, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk. .... 279  
 Agreed to by Senate ..... 347

**H.J.R. 251. Gray, C. Michael and Sledd, Robert C.; commending.**  
 Patrons: Hall, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk. .... 279  
 Agreed to by Senate ..... 349

**H.J.R. 252. Higgs, Joe; commending.**  
 Patrons: Lingamfelter, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk. .... 279  
 Agreed to by Senate ..... 349

**H.J.R. 253. Weeks, Larry L.; commending.**  
 Patrons: Lingamfelter, et al.  
 Agreed to by House ..... 277  
 Laid on Clerk's Desk. .... 279  
 Agreed to by Senate ..... 349

**H.J.R. 254. Winkelmann, Joe; commending.**  
 Patrons: Lingamfelter, et al.  
 Agreed to by House ..... 277

**H.J.R. 254 (continued)**  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 349

**H.J.R. 255. Judges;** election in circuit court, general district court, juvenile and domestic relations district court, members of Judicial Inquiry and Review Commission, and member of Workers' Compensation Commission.  
 Patron: Kilgore  
 Agreed to by House . . . . . 200  
 Rules suspended . . . . . 202  
 Taken up for immediate consideration . . . . . 202  
 Readings waived. . . . . 202  
 Agreed to by Senate . . . . . 202

**H.J.R. 256. Hurley, Joshua Charles;** recording sorrow upon death.  
 Patrons: Lingamfelter, et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 257. Grove, Jake;** commending.  
 Patrons: Putney, et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 349

**H.J.R. 258. Testa, Robert M., Jr.;** commending.  
 Patrons: Alexander, et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 349

**H.J.R. 259. Virginia Historical Society;** designating as Official State Historical Society.  
 Patron: Howell, W.J.  
 Agreed to by House . . . . . 495  
 Reading waived, referred to Committee on Rules . . . . . 498  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1587

**H.J.R. 260. School divisions;** urging to provide diversified health, nutrition and physical education activities for students.  
 Patron: Tata  
 Agreed to by House . . . . . 374  
 Reading waived, referred to Committee on Rules . . . . . 377  
 Reported with amendment . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Reading of amendment waived. . . . . 1585  
 Committee amendment agreed to. . . . . 1585  
 Engrossed . . . . . 1585  
 Agreed to by Senate . . . . . 1587  
 Senate amendment agreed to by House . . . . . 1659

**H.J.R. 261. Growth and Manufacturing Renewal, Manufacturing Association's Strategy for;** General Assembly to support.  
 Patron: Hogan  
 Agreed to by House . . . . . 374  
 Reading waived, referred to Committee on Rules . . . . . 377

**H.J.R. 261 (continued)**  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1587

**H.J.R. 262. Trollinger, Olga R.;** recording sorrow upon death.  
 Patrons: Scott, J.M., et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 263. Rosenwasser, Arthur;** recording sorrow upon death.  
 Patrons: Scott, J.M., et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 264. Sprague, Nancy F.;** recording sorrow upon death.  
 Patrons: Scott, J.M., et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 265. Netherton, Ann Rohrke “Nan”;** recording sorrow upon death.  
 Patrons: Scott, J.M., et al.  
 Agreed to by House . . . . . 277  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 266. Mott, James;** recording sorrow upon death.  
 Patrons: Scott, J.M., et al.  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 267. Maestas, Mario G.;** recording sorrow upon death.  
 Patron: Suit  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 268. Retzer, Thomas E.;** recording sorrow upon death.  
 Patron: Suit  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 269. Tapper, David Martin;** recording sorrow upon death.  
 Patron: Suit  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 347

**H.J.R. 270. St. Paul's Episcopal Church of Hanover Courthouse;** commemorating its 300th anniversary.  
 Patron: Hargrove  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 349

**H.J.R. 271. Gate City High School football team; commending.**  
 Patrons: Kilgore, et al.  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 349

**H.J.R. 272. McCamy, Sharon Grove; commending.**  
 Patrons: Cole, et al.  
 Agreed to by House . . . . . 278  
 Laid on Clerk's Desk. . . . . 279  
 Agreed to by Senate . . . . . 349

**H.J.R. 273. State Corporation Commission; election of member.**  
 Patron: Putney  
 Agreed to by House . . . . . 243  
 Rules suspended . . . . . 244  
 Taken up for immediate consideration . . . . . 244  
 Agreed to by Senate . . . . . 244

**H.J.R. 275. Protection and Advocacy, Office for; confirming appointments.**  
 Patron: Ingram  
 Agreed to by House . . . . . 417  
 Reading waived, referred to Committee on Privileges and Elections . . . . . 418  
 Reported with amendment . . . . . 794  
 Reading waived, passed by for day . . . . . 1072, 1073  
 Read third time . . . . . 1104  
 Reading of amendment waived. . . . . 1104  
 Committee amendment agreed to . . . . . 1104  
 Engrossed . . . . . 1104  
 Agreed to by Senate . . . . . 1104  
 Senate amendment agreed to by House . . . . . 1404

**H.J.R. 276. VCU Health System Authority; confirming appointments.**  
 Patron: Ingram  
 Agreed to by House . . . . . 418  
 Reading waived, referred to Committee on Privileges and Elections . . . . . 418  
 Reported with amendment . . . . . 794  
 Reading waived, passed by for day . . . . . 1072, 1073  
 Read third time . . . . . 1104  
 Reading of amendment waived. . . . . 1105  
 Committee amendment agreed to . . . . . 1105  
 Engrossed . . . . . 1105  
 Agreed to by Senate . . . . . 1105  
 Senate amendment agreed to by House . . . . . 1404

**H.J.R. 278. National Guard and Reserve members; to be recognized and supported by conducting awareness programs and by holding Military Appreciation Day and other ceremonies therefor.**  
 Patrons: Johnson, et al.  
 Agreed to by House . . . . . 418  
 Reading waived, referred to Committee on Rules . . . . . 418  
 Reported with amendment . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Reading of amendment waived. . . . . 1585  
 Committee amendment agreed to . . . . . 1585  
 Engrossed . . . . . 1585

**H.J.R. 278 (continued)**  
 Agreed to by Senate . . . . . 1587  
 Senate amendment agreed to by House . . . . . 1659

**H.J.R. 279. Albemarle Housing Improvement Program; commending.**  
 Patrons: Van Yahres, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 280. University of Virginia men's lacrosse team; commending.**  
 Patrons: Van Yahres, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 281. West Springfield High School cheerleading team; commending.**  
 Patrons: Albo, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 282. Tuckahoe Volunteer Rescue Squad; commemorating its 50th anniversary.**  
 Patrons: O'Bannon, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 283. York County School of Arts; commending.**  
 Patrons: Rapp, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 284. University of Virginia Pep Band; commemorating its 30th anniversary.**  
 Patrons: Van Yahres, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Passed by for day . . . . . 451  
 Referred to Committee on Rules . . . . . 571

**H.J.R. 285. Religious faith; urging Congress to continue to preserve State's sovereignty in matters related thereto.**  
 Patrons: Black, et al.  
 Agreed to by House . . . . . 639  
 Reading waived, referred to Committee on Rules . . . . . 639

**H.J.R. 286. Federal burial allowance for veterans; urging Congress to increase.**  
 Patron: Pollard  
 Agreed to by House . . . . . 495  
 Reading waived, referred to Committee on Rules . . . . . 498

**H.J.R. 287. Naval District Washington West Area (Dahlgren) Base; General Assembly to support.**  
 Patrons: Pollard, et al.  
 Agreed to by House . . . . . 495  
 Reading waived, referred to Committee on Rules . . . . . 498  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1587

**H.J.R. 288. Supreme Court of Virginia;** encouraged to amend Rules of Court on electronic filing.  
 Patrons: Phillips, et al.  
 Agreed to by House . . . . . 603  
 Reading waived, referred to Committee on Rules . . . . . 609  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1587

**H.J.R. 291. Interstate Route 81;** Transportation Board and Department of Transportation to review ways to address congestion and safety problems.  
 Patron: Cline  
 Agreed to by House . . . . . 603  
 Reading waived, referred to Committee on Rules . . . . . 609  
 Reported with substitute . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Reading of substitute waived . . . . . 1586  
 Committee substitute agreed to. . . . . 1586  
 Engrossed . . . . . 1586  
 Agreed to by Senate . . . . . 1587  
 Senate substitute agreed to by House . . . . . 1660

**H.J.R. 292. Take Your Kids to Vote Day;** designating as November 2, 2004, and each Election Day thereafter.  
 Patron: Petersen  
 Agreed to by House . . . . . 528  
 Reading waived, referred to Committee on Rules . . . . . 529  
 Reported . . . . . 1471  
 Reading waived, passed by for day . . . . . 1522, 1523  
 Read third time . . . . . 1579  
 Agreed to by Senate . . . . . 1587

**H.J.R. 294. Keller, Teresa;** commending.  
 Patrons: Johnson, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 295. Lowe, Canon J. Fletcher, Jr.;** commending.  
 Patron: Reid  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 296. Mills Godwin High School boys' tennis team;** commending.  
 Patrons: Reid, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 297. Mills Godwin High School girls' tennis team;** commending.  
 Patrons: Reid, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 298. Mills Godwin High School boys' soccer team; commending.**  
 Patrons: Reid, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 299. Future, Council on Virginia's; commending.**  
 Patrons: McQuigg, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 300. Littlepage, Bill; commending.**  
 Patrons: Ingram, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 301. Parker, Marshall; commending.**  
 Patrons: Ingram, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 302. Hopewell High School football team; commending.**  
 Patrons: Ingram, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 303. Hubbard, Joseph E.; commending.**  
 Patrons: Ingram, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 304. Patrick, William T. "Pat", Jr.; commending.**  
 Patrons: Miles, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 305. Vesilind, Rima; commending.**  
 Patrons: Amundson, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 306. Boy Scouts of America Venture Crew 80; commending.**  
 Patrons: Amundson, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 307. Washington Mill Elementary School; commending.**  
 Patrons: Amundson, et al.  
 Agreed to by House ..... 374  
 Laid on Clerk's Desk..... 377  
 Agreed to by Senate ..... 452

**H.J.R. 308. Arnold, Kenneth Fox;** commending.  
 Patrons: Lewis, et al.  
 Agreed to by House . . . . . 374  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 309. Cook, Tecumseh Deerfoot;** recording sorrow upon death.  
 Patron: McDougle  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 451

**H.J.R. 310. Evelyn, Charles H., Sr., and Lillian F.;** recording sorrow upon death.  
 Patrons: Miles, et al.  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 451

**H.J.R. 311. Genuario, Louis Vincent, Sr.;** recording sorrow upon death.  
 Patrons: Amundson, et al.  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 451

**H.J.R. 312. Joint Legislative Audit and Review Commission;** confirming appointment.  
 Patrons: Putney, et al.  
 Agreed to by House . . . . . 546  
 Reading waived, referred to Committee on Privileges and Elections . . . . . 547  
 Reported . . . . . 794  
 Reading waived, passed by for day . . . . . 1072, 1073  
 Read third time . . . . . 1105  
 Agreed to by Senate . . . . . 1105

**H.J.R. 313. Virginia Save Our Streams;** commending.  
 Patrons: Plum, et al.  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 314. National Guard;** commending.  
 Patrons: Cox, et al.  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 315. Davis, Rodney L.;** recording sorrow upon death.  
 Patrons: Bell, et al.  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 451

**H.J.R. 316. Sullivan, Laurie J.;** commending.  
 Patrons: Eisenberg, et al.  
 Agreed to by House . . . . . 375  
 Laid on Clerk's Desk. . . . . 377  
 Agreed to by Senate . . . . . 452

**H.J.R. 317. Hoy, Thomas L.;** commending.  
 Patrons: Reid, et al.  
 Agreed to by House . . . . . 375

**H.J.R. 317 (continued)**

Laid on Clerk's Desk. . . . .	377
Agreed to by Senate . . . . .	452

**H.J.R. 318. Mitchell, James Douglas "Doug"; commending.**

Patrons: Ware, R.L., et al.	
Agreed to by House . . . . .	375
Laid on Clerk's Desk. . . . .	377
Agreed to by Senate . . . . .	452

**H.J.R. 319. Keating, John A.; recording sorrow upon death.**

Patrons: Sickles, et al.	
Agreed to by House . . . . .	375
Laid on Clerk's Desk. . . . .	377
Agreed to by Senate . . . . .	451

**H.J.R. 320. McKnight, Linda Hines; recording sorrow upon death.**

Patron: Carrico	
Agreed to by House . . . . .	375
Laid on Clerk's Desk. . . . .	377
Agreed to by Senate . . . . .	451

**H.J.R. 321. Wise County Chamber of Commerce; commemorating its 50th anniversary.**

Patron: Phillips	
Agreed to by House . . . . .	375
Laid on Clerk's Desk. . . . .	377
Agreed to by Senate . . . . .	452

**H.J.R. 322. Vaughan, Marlon K. "Kent"; commending.**

Patrons: Carrico, et al.	
Agreed to by House . . . . .	375
Laid on Clerk's Desk. . . . .	377
Agreed to by Senate . . . . .	452

**H.J.R. 323. Wells, W. T. "Ham"; recording sorrow upon death.**

Patrons: Landes, et al.	
Agreed to by House . . . . .	495
Laid on Clerk's Desk. . . . .	498
Agreed to by Senate . . . . .	571

**H.J.R. 324. Technology Student Association; commending.**

Patrons: Landes, et al.	
Agreed to by House . . . . .	495
Laid on Clerk's Desk. . . . .	498
Agreed to by Senate . . . . .	571

**H.J.R. 325. Higgs, Jack; commending.**

Patrons: Landes, et al.	
Agreed to by House . . . . .	495
Laid on Clerk's Desk. . . . .	498
Agreed to by Senate . . . . .	571

**H.J.R. 326. Fishburne Military School rifle team; commending.**

Patrons: Landes, et al.	
Agreed to by House . . . . .	495
Laid on Clerk's Desk. . . . .	498
Agreed to by Senate . . . . .	571

**H.J.R. 327. Herndon, Town of; commemorating its 125th anniversary.**

Patrons: Rust, et al.	
Agreed to by House . . . . .	495
Laid on Clerk's Desk. . . . .	498
Agreed to by Senate . . . . .	571

**H.J.R. 328. Mendelsohn, Stuart;** commending.  
 Patrons: Rust, et al.  
 Agreed to by House ..... 495  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 329. Roberson, James C.;** recording sorrow upon death.  
 Patrons: Kilgore, et al.  
 Agreed to by House ..... 495  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 330. Simpson, J. Herbert, Sr.;** recording sorrow upon death.  
 Patron: Joannou  
 Agreed to by House ..... 495  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 331. University of Virginia's College at Wise;** commemorating its 50th anniversary.  
 Patrons: Kilgore, et al.  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 332. Duman, Mike;** commending.  
 Patron: Jones, S.C.  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 333. Annandale High School;** commemorating its 50th anniversary.  
 Patron: Watts  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 334. Garfield Elementary School;** commemorating its 50th anniversary.  
 Patrons: Watts, et al.  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 335. Maher, Chris;** commending.  
 Patron: Scott, J.M.  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 336. Page County High School cheerleading team;** commending.  
 Patron: Louderback  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 337. Page County High School boys' cross country team;** commending.  
 Patron: Louderback  
 Agreed to by House ..... 496  
 Laid on Clerk's Desk..... 498  
 Agreed to by Senate ..... 571

**H.J.R. 338. Animal Welfare Coalition of Hampton Roads; commending.**

Patrons: Drake, et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 339. Redd, Nancy Amanda; commending.**

Patrons: Armstrong, et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 340. Nelson, Candice; commending.**

Patrons: Armstrong, et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 341. Draper, Christina; commending.**

Patrons: Armstrong, et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 342. Yecke, Cheri Pierson; commending.**

Patrons: Ware, R.L., et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 343. Altieri, Michael F.; recording sorrow upon death.**

Patron: Callahan	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 344. McMahon, Toni Winters; recording sorrow upon death.**

Patrons: Plum, et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 345. Blanton, Taylor V.; recording sorrow upon death.**

Patrons: McDougle, et al.	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 346. Cromer, Willie S., Jr.; commending.**

Patron: Ingram	
Agreed to by House .....	496
Laid on Clerk's Desk.....	498
Agreed to by Senate .....	571

**H.J.R. 347. Craw, Victoria Wesson "Vicki"; recording sorrow upon death.**

Patrons: Van Yahres, et al.	
Agreed to by House .....	603
Laid on Clerk's Desk.....	609
Agreed to by Senate .....	710

**H.J.R. 348. Green, George Mason, Jr.;** recording sorrow upon death.

Patrons: Callahan, et al.

Agreed to by House . . . . . 603

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 710

**H.J.R. 349. Whetzel, Charlie;** commending.

Patron: Weatherholtz

Agreed to by House . . . . . 603

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 350. Majewski, Steven Raymond;** commending.

Patrons: Bell, et al.

Agreed to by House . . . . . 603

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 351. Charlottesville-Albemarle Rescue Squad, Inc.;** commending.

Patrons: Bell, et al.

Agreed to by House . . . . . 604

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 352. Breaks Interstate Park;** commemorating its 50th anniversary.

Patrons: Phillips, et al.

Agreed to by House . . . . . 604

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 353. Bell, Nora Kizer;** recording sorrow upon death.

Patrons: Fralin, et al.

Agreed to by House . . . . . 604

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 710

**H.J.R. 354. Smith, Stanley W.;** recording sorrow upon death.

Patrons: Petersen, et al.

Agreed to by House . . . . . 736

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 355. Monticello High School football team;** commending.

Patron: Bell

Agreed to by House . . . . . 604

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 356. Lafayette High School field hockey team;** commending.

Patrons: Rapp, et al.

Agreed to by House . . . . . 604

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 357. W. T. Woodson High School field hockey team;** commending.

Patrons: Petersen, et al.

Agreed to by House . . . . . 604

Laid on Clerk's Desk. . . . . 609

Agreed to by Senate . . . . . 712

**H.J.R. 358. Goodwin, Ray C.;** commending.  
 Patrons: Hamilton, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 359. Powhatan High School football team;** commending.  
 Patrons: Ware, R.L., et al.  
 Agreed to by House . . . . . 561  
 Laid on Clerk's Desk. . . . . 562  
 Agreed to by Senate . . . . . 712

**H.J.R. 360. Stith, Bryant;** commending.  
 Patrons: Wright, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 361. Williamsburg Session;** joint assembly to receive Governor and other distinguished guests and establish rules of conduct.  
 Patron: Griffith  
 Agreed to by House . . . . . 483  
 Taken up for immediate consideration . . . . . 483  
 Reading waived. . . . . 484  
 Agreed to by Senate . . . . . 484

**H.J.R. 362. Mount Vernon-Lee Chamber of Commerce;** commemorating its 50th anniversary.  
 Patrons: Amundson, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 363. Kroontje, Wybe;** recording sorrow upon death.  
 Patrons: Shuler, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 710

**H.J.R. 364. Ballou, Ernest Wade;** recording sorrow upon death.  
 Patrons: Fralin, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 710

**H.J.R. 365. Pendleton, Eugene Barbour "Bob", Jr.;** recording sorrow upon death.  
 Patrons: Janis, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 711

**H.J.R. 366. Brown, Robert "Bob";** commending.  
 Patron: Ingram  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 367. Thomas, A. Victor;** commending.  
 Patrons: Fralin, et al.  
 Agreed to by House . . . . . 604

**H.J.R. 367 (continued)**  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 368. Pirok, Darryl J.;** commending.  
 Patrons: Morgan, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 369. Nichols, Joseph M.;** commending.  
 Patrons: Morgan, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 370. Smith, Click D., Jr.;** recording sorrow upon death.  
 Patron: Callahan  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 710

**H.J.R. 371. River Basin Grand Winners of the Clean Water Farm and Bay Friendly Farm Awards;** commending.  
 Patrons: Weatherholtz, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 372. Agencies, companies, organizations, and individuals;** commending assistance provided during and after Hurricane Isabel.  
 Patrons: Morgan, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 373. Wingo, W. Bruce;** commending.  
 Patrons: Drake, et al.  
 Agreed to by House . . . . . 604  
 Laid on Clerk's Desk. . . . . 609  
 Agreed to by Senate . . . . . 712

**H.J.R. 374. William Fleming High School football team;** commending.  
 Patrons: Ware, O., et al.  
 Agreed to by House . . . . . 736  
 Laid on Clerk's Desk. . . . . 739  
 Agreed to by Senate . . . . . 1073

**H.J.R. 375. Kuiper, Alexis;** commending.  
 Patron: Petersen  
 Agreed to by House . . . . . 736  
 Laid on Clerk's Desk. . . . . 739  
 Agreed to by Senate . . . . . 1073

**H.J.R. 376. Bernd, David L.;** commending.  
 Patrons: McDonnell, et al.  
 Agreed to by House . . . . . 721  
 Laid on Clerk's Desk. . . . . 722  
 Agreed to by Senate . . . . . 1073

<b>H.J.R. 377. Williamsburg Session;</b> expressing appreciation for hospitality extended by Colonial Williamsburg Foundation and The College of William and Mary in Virginia.	
Patron: Griffith	
Agreed to by House . . . . .	595
Rules suspended . . . . .	596
Taken up for immediate consideration . . . . .	596
Agreed to by Senate . . . . .	596
<b>H.J.R. 378. Pearce, Charles H.;</b> recording sorrow upon death.	
Patrons: Miles, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 379. Harder, Alicia;</b> commending.	
Patrons: Plum, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 380. Women of the Moose, Chapter 2092;</b> commending.	
Patron: Pollard	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 381. Oatlands;</b> commemorating its 200th anniversary.	
Patron: May	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 382. Gring, David M.;</b> commending.	
Patrons: Griffith, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 383. Casas, Bradford Maurice "Brad";</b> recording sorrow upon death.	
Patrons: Cosgrove, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 384. Hylton, Scott Allen;</b> recording sorrow upon death.	
Patrons: Nutter, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 385. Chesapeake Emergency Operations Center;</b> commending.	
Patrons: Cosgrove, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073
<b>H.J.R. 386. Mitchell, Linda;</b> commending.	
Patrons: Plum, et al.	
Agreed to by House . . . . .	736
Laid on Clerk's Desk. . . . .	739
Agreed to by Senate . . . . .	1073

**H.J.R. 387. Thomas, R. B., Jr.; commending.**

Patrons: Parrish, et al.

Agreed to by House . . . . . 736

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 388. King, Waverly G., Jr.; recording sorrow upon death.**

Patrons: O'Bannon, et al.

Agreed to by House . . . . . 736

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 392. Adkins, Lawrence E. "Sam"; recording sorrow upon death.**

Patrons: Armstrong, et al.

Agreed to by House . . . . . 736

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 393. Simmons, Richard M. "Dick", Jr.; recording sorrow upon death.**

Patrons: Armstrong, et al.

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 394. Winston, Judith E.; commending.**

Patrons: Armstrong, et al.

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 395. Ms. Virginia Senior America Pageant; commemorating its 20th anniversary.**

Patron: Petersen

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1073

**H.J.R. 396. Fairfax, City of; commemorating its 200th anniversary.**

Patrons: Petersen, et al.

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1074

**H.J.R. 397. McLain, Patrick S.; commending.**

Patrons: Rapp, et al.

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1074

**H.J.R. 398. McLean, Joseph D.; commending.**

Patrons: Rapp, et al.

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1074

**H.J.R. 399. McAllister, Michael L.; commending.**

Patrons: Rapp, et al.

Agreed to by House . . . . . 737

Laid on Clerk's Desk. . . . . 739

Agreed to by Senate . . . . . 1074

**H.J.R. 400. Lepine, Callyn and Inova Health System; commending.**  
 Patrons: Sickles, et al.  
 Agreed to by House ..... 737  
 Laid on Clerk's Desk..... 739  
 Agreed to by Senate ..... 1074

**H.J.R. 401. Butler, James Robert; recording sorrow upon death.**  
 Patrons: Van Yahres, et al.  
 Agreed to by House ..... 1110  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1461

**H.J.R. 402. Croy, Lillian Bradford; recording sorrow upon death.**  
 Patrons: Shannon, et al.  
 Agreed to by House ..... 1110  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1461

**H.J.R. 403. Vienna Raiders football team; commending.**  
 Patrons: Shannon, et al.  
 Agreed to by House ..... 1110  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1462

**H.J.R. 404. James River High School softball team; commending.**  
 Patrons: Putney, et al.  
 Agreed to by House ..... 1110  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1462

**H.J.R. 405. Dickinson, R. DuVal; commending.**  
 Patrons: Cole, et al.  
 Agreed to by House ..... 1111  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1462

**H.J.R. 406. Ingram, James F.; recording sorrow upon death.**  
 Patrons: Marshall, D.W., et al.  
 Agreed to by House ..... 1111  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1461

**H.J.R. 407. Backus, John L.; recording sorrow upon death.**  
 Patron: Welch  
 Agreed to by House ..... 1111  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1461

**H.J.R. 408. Manuel, Ian D.; recording sorrow upon death.**  
 Patrons: Jones, S.C., et al.  
 Agreed to by House ..... 1111  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1461

**H.J.R. 409. Seiff, Judy; commending.**  
 Patrons: Scott, J.M., et al.  
 Agreed to by House ..... 1111  
 Laid on Clerk's Desk..... 1118  
 Agreed to by Senate ..... 1462

<b>H.J.R. 410. Bluford, Robert, Jr.;</b> commending.	
Patrons: Hargrove, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 411. Carter, Mary Lee;</b> commending.	
Patrons: Cole, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 412. Pitts, Benjamin T.;</b> commending.	
Patrons: Cole, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 413. West Point Volunteer Fire Department and Rescue Squad;</b> commemorating its 100th anniversary.	
Patrons: Morgan, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 414. River's Edge Cafe and Smurfit-Stone Container Corporation's West Point paper mill;</b> commending its employees.	
Patrons: Morgan, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 415. Children's Hospital of the King's Daughters;</b> commending.	
Patrons: Alexander, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 416. Hebron Presbyterian Church;</b> commemorating its 160th anniversary.	
Patrons: Janis, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1462
<b>H.J.R. 417. Fleischmann, Isaac;</b> recording sorrow upon death.	
Patron: Hull	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1461
<b>H.J.R. 418. Bonds, Marshall O.;</b> recording sorrow upon death.	
Patrons: Cox, et al.	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1461
<b>H.J.R. 419. Chrisman, Doris B.;</b> recording sorrow upon death.	
Patron: Fralin	
Agreed to by House . . . . .	1111
Laid on Clerk's Desk. . . . .	1118
Agreed to by Senate . . . . .	1461

**H.J.R. 420. H. L. Hunley;** commending the crew.

Patron: Griffith	
Agreed to by House	1111
Laid on Clerk's Desk	1118
Agreed to by Senate	1462

**H.J.R. 421. Hunt, Kenny;** commending.

Patrons: Byron, et al.	
Agreed to by House	1111
Laid on Clerk's Desk	1118
Agreed to by Senate	1462

**H.J.R. 422. Williams, James L. "Jim";** recording sorrow upon death.

Patrons: Ward, et al.	
Agreed to by House	1111
Laid on Clerk's Desk	1118
Agreed to by Senate	1461

**H.J.R. 423. Hanley, Katherine K.;** commending.

Patrons: Scott, J.M., et al.	
Agreed to by House	1111
Laid on Clerk's Desk	1118
Agreed to by Senate	1462

**H.J.R. 424. Domenech, Daniel A.;** commending.

Patrons: Scott, J.M., et al.	
Agreed to by House	1074
Laid on Clerk's Desk	1074
Agreed to by Senate	1075

**H.J.R. 425. Bedford County;** commemorating its 250th anniversary.

Patrons: Putney, et al.	
Agreed to by House	1111
Laid on Clerk's Desk	1118
Agreed to by Senate	1462

**H.J.R. 426. Blessed Sacrament-Huguenot Academy football team;** commending.

Patrons: Ware, R.L., et al.	
Agreed to by House	1111
Laid on Clerk's Desk	1118
Agreed to by Senate	1462

**H.J.R. 427. Gent, Mally Paige;** commending.

Patrons: Stump, et al.	
Agreed to by House	1074
Laid on Clerk's Desk	1074
Agreed to by Senate	1075

**H.J.R. 428. Garrett, Ann;** commending.

Patrons: Purkey, et al.	
Agreed to by House	1493
Laid on Clerk's Desk	1495
Agreed to by Senate	1678

**H.J.R. 429. Miller, Donna;** commending.

Patrons: Plum, et al.	
Agreed to by House	1493
Laid on Clerk's Desk	1495
Agreed to by Senate	1678

**H.J.R. 430. Graves, Ellen;** commending.  
 Patrons: Plum, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1678

**H.J.R. 431. Whole Foods Market;** commending its owners.  
 Patrons: Plum, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1678

**H.J.R. 432. Giesen, Arthur R. "Pete", Jr.;** commending.  
 Patrons: Landes, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1679

**H.J.R. 433. Deep Run High School golf team;** commending.  
 Patrons: Janis, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Rules suspended ..... 1529  
 Taken up for immediate consideration ..... 1529  
 Agreed to by Senate ..... 1529

**H.J.R. 434. Fawson, E. Curtis;** recording sorrow upon death.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1677

**H.J.R. 435. Amherst County High School baseball team;** commending.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1679

**H.J.R. 436. Wyatt, Landon R., Jr.;** commending.  
 Patrons: Marshall, D.W., et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1679

**H.J.R. 437. Trexler, Edward Coleman, Jr.;** commending.  
 Patron: Petersen  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1679

**H.J.R. 438. Darnell, Brittany Taylor;** commending.  
 Patrons: Armstrong, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1679

**H.J.R. 439. Reel, Robert Morris "Bob";** recording sorrow upon death.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1493  
 Laid on Clerk's Desk..... 1495  
 Agreed to by Senate ..... 1677

<b>H.J.R. 440. Walling, William Woodrow “Bud”;</b> recording sorrow upon death.	
Patrons: Johnson, et al.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1677
<b>H.J.R. 441. Shacochis, John P.;</b> recording sorrow upon death.	
Patrons: Callahan, et al.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1677
<b>H.J.R. 442. Stonewall Jackson Hospital;</b> commemorating its 50th anniversary.	
Patrons: Cline, et al.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679
<b>H.J.R. 443. Fairfax Police Youth Club;</b> commemorating its 40th anniversary.	
Patrons: Petersen, et al.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679
<b>H.J.R. 444. Eure, John D.;</b> recording sorrow upon death.	
Patron: Jones, S.C.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1677
<b>H.J.R. 445. Bradley, Jamie, Joines, Eric, and Price, Stephen;</b> commending.	
Patrons: Carrico, et al.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679
<b>H.J.R. 446. Adams, Carole G.;</b> commending.	
Patron: Jones, S.C.	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679
<b>H.J.R. 447. Dietetic Association;</b> commemorating its 75th anniversary.	
Patron: O'Bannon	
Agreed to by House .....	1493
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679
<b>H.J.R. 448. Thomas Jefferson High School for Science and Technology;</b> commending.	
Patrons: Dillard, et al.	
Agreed to by House .....	1494
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679
<b>H.J.R. 449. Long, Frank M., Jr.;</b> commending.	
Patrons: Miles, et al.	
Agreed to by House .....	1494
Laid on Clerk's Desk.....	1495
Agreed to by Senate .....	1679

**H.J.R. 450. Smith, Samuel O.;** commending.

Patron: Miles

Agreed to by House . . . . . 1494

Laid on Clerk's Desk. . . . . 1495

Agreed to by Senate . . . . . 1679

**H.J.R. 451. Motorsports Coalition;** commending.

Patrons: Marshall, D.W., et al.

Agreed to by House . . . . . 1494

Laid on Clerk's Desk. . . . . 1495

Agreed to by Senate . . . . . 1679

**H.J.R. 452. Evans, Greta;** recording sorrow upon death.

Patrons: Ware, O., et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 453. O'Neil, Pinky;** commending.

Patron: Plum

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 454. Ward, Doris J.;** commending.

Patrons: Hugo, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 455. Watkins, William R., III;** recording sorrow upon death.

Patrons: Hogan, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 456. Wells, Ollie B., Sr.;** recording sorrow upon death.

Patron: Jones, D.C.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 457. Herndon, Anthony Kevin "Tony";** recording sorrow upon death.

Patrons: Byron, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 458. Forbes, Malcolm J., Sr.;** recording sorrow upon death.

Patrons: Cosgrove, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 459. Davis, William Gravely "Bill";** recording sorrow upon death.

Patron: Dudley

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

<b>H.J.R. 460. King, Martin Kirwan;</b> recording sorrow upon death.	
Patrons: Pollard, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 461. Long, William E.;</b> commending.	
Patrons: Reid, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 462. Harriet Tubman Day;</b> commemorating.	
Patrons: Baskerville, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 463. Piercy, Josh and Jake;</b> commending.	
Patrons: Bell, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 464. Virginia Union University men's basketball team;</b> commending.	
Patrons: Baskerville, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 465. Kessinger, Temple;</b> commending.	
Patrons: Shuler, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 466. Smith, Bruce;</b> commending.	
Patrons: Bland, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 467. Howell, Hannibal E.;</b> recording sorrow upon death.	
Patron: Howell, A.T.	
Agreed to by House . . . . .	1594
Laid on Clerk's Desk. . . . .	1596
Rules suspended . . . . .	1650
Taken up for immediate consideration . . . . .	1650
Agreed to by Senate . . . . .	1650
<b>H.J.R. 468. Whitehead, Stephen Louis, Jr.;</b> recording sorrow upon death.	
Patrons: Joannou, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752
<b>H.J.R. 469. Woltz, Robert W. "Bobby", Sr.;</b> recording sorrow upon death.	
Patrons: Marrs, et al.	
Agreed to by House . . . . .	1713
Laid on Clerk's Desk. . . . .	1719
Agreed to by Senate . . . . .	1752

**H.J.R. 470. Middleton, Norwood C. “Woody”;** recording sorrow upon death.

Patrons: Griffith, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 471. Shelor, Winton Warren, Sr.;** recording sorrow upon death.

Patrons: Griffith, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 472. Phelps, William T. “Willie”, Sr.;** recording sorrow upon death.

Patrons: Cosgrove, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 473. Sale, Lucy Pannill;** recording sorrow upon death.

Patrons: Armstrong, et al.

Agreed to by House . . . . . 1713

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 474. Kranz, Patricia Ann;** recording sorrow upon death.

Patron: Moran

Agreed to by House . . . . . 1714

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 475. Beatley, Charles E. “Chuck”, Jr.;** recording sorrow upon death.

Patrons: Moran, et al.

Agreed to by House . . . . . 1714

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 476. Hurt, Sarah-Elizabeth;** commending.

Patrons: Fralin, et al.

Agreed to by House . . . . . 1714

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 477. Peace, Nina K.;** recording sorrow upon death.

Patrons: McDougale, et al.

Agreed to by House . . . . . 1714

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 478. Pickral, Edna Moore McCormick;** recording sorrow upon death.

Patron: Cline

Agreed to by House . . . . . 1714

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 479. Grow, George David “Pidge”;** recording sorrow upon death.

Patron: Cline

Agreed to by House . . . . . 1714

Laid on Clerk's Desk. . . . . 1719

Agreed to by Senate . . . . . 1752

**H.J.R. 480. Claytor, Glenn L.;** recording sorrow upon death.  
 Patron: Cline  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1752

**H.J.R. 481. Northern Virginia Transportation Commission;** commemorating its 40th anniversary.  
 Patrons: Scott, J.M., et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1752

**H.J.R. 482. Stokes, Gerald S.;** commending.  
 Patrons: Ingram, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1752

**H.J.R. 483. Virginia Military Institute;** commending its contributions to the War on Terrorism.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1752

**H.J.R. 484. Davis, Robert;** commending.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1752

**H.J.R. 485. Honts, George E., III;** commending.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1752

**H.J.R. 486. Hess, Joseph E.;** commending.  
 Patrons: Cline, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 487. Robert E. Lee High School Scholastic Bowl team;** commending.  
 Patrons: Saxman, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 488. Lineberry, Dwight;** commending.  
 Patrons: Carrico, et al.  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 489. Kline, William H. "Bill", Jr.;** commending.  
 Patron: Joannou  
 Agreed to by House ..... 1714  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

<b>H.J.R. 490. Martinsville-Henry County Dental Clinic and Health Fair; commending</b> volunteers. Patrons: Hurt, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 491. Franklin, Kim and Joel, Mount Cross Volunteer Fire Department, and Ramsey, Bill; commending.</b> Patrons: Hurt, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 492. Bloxom, Robert S.; commending.</b> Patrons: Van Landingham, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Co-patrons added .....	1753
Agreed to by Senate .....	1753
<b>H.J.R. 493. Sikes, Thomas D.; commending.</b> Patrons: Landes, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 494. Kiser, Orvin H.; commending.</b> Patrons: Saxman, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 495. Roanoke Valley Governor's School for Science and Technology; commending.</b> Patrons: Griffith, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 496. Tripp, N. Wayne; commending.</b> Patrons: Griffith, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 497. Salem Swift Water Rescue Team; commending.</b> Patrons: Griffith, et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 498. Luther Jackson Middle School; commemorating its 50th anniversary.</b> Patrons: Scott, J.M., et al.	
Agreed to by House .....	1714
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753
<b>H.J.R. 499. Smith, Bruce; commending.</b> Patrons: McDonnell, et al.	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 500. Rager, Arlene;** commending.

Patrons: Moran, et al.	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 501. Rideout, Stephen W.;** commending.

Patrons: Moran, et al.	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 502. Alexandria Bar Association;** commemorating its 75th anniversary.

Patrons: Moran, et al.	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 503. Benedetti, Joseph B.;** commending.

Patrons: Hargrove, et al.	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 504. Wood, Roy C.;** commending.

Patron: Cline	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 505. Mayerchak, Patrick M.;** commending.

Patron: Cline	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 506. Kelley, Cynthia J.;** commending.

Patron: Cline	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 507. Hanger, J. Donald;** commending.

Patrons: Cline, et al.	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 508. Fauber, Roy;** commending.

Patron: Cline	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 509. Harris, Will;** commending.

Patron: Cline	
Agreed to by House .....	1715
Laid on Clerk's Desk.....	1719
Agreed to by Senate .....	1753

**H.J.R. 510. Sauder, Nanalou;** commending.  
 Patron: Cline  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 511. Stagner, Nancy;** commending.  
 Patron: Cline  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 512. York High School;** commemorating its 50th anniversary.  
 Patrons: Rapp, et al.  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 513. Lafayette High School girls' swimming team;** commending.  
 Patrons: Rapp, et al.  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 514. Gould, Alec;** commending.  
 Patrons: Rapp, et al.  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 515. Norfolk Southern Corporation and its partner organizations;** commending.  
 Patrons: Armstrong, et al.  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 516. Robbins, Diana “Deannie”;** commending.  
 Patrons: Ingram, et al.  
 Agreed to by House ..... 1715  
 Laid on Clerk's Desk..... 1719  
 Agreed to by Senate ..... 1753

**H.J.R. 517. Judges;** election in circuit court, general district court, and juvenile and domestic relations district court.  
 Patron: Kilgore  
 Agreed to by House ..... 1606  
 Rules suspended ..... 1607  
 Taken up for immediate consideration ..... 1607  
 Reading of amendments waived..... 1607  
 Amendment No. 2 by Senator Stolle agreed to..... 1607  
 Amendment No. 1 by Senator Stolle agreed to..... 1607  
 Engrossed ..... 1607  
 Agreed to by Senate ..... 1607

**H.J.R. 518. Retirement System Board of Trustees;** confirming appointments.  
 Patron: Howell, W.J.  
 Agreed to by House ..... 1689  
 Reading waived, referred to Committee on Rules ..... 1690  
 Rules suspended ..... 1710  
 Committee discharged ..... 1710

**H.J.R. 518 (continued)**  
 Reading waived. . . . . 1710  
 Taken up for immediate consideration . . . . . 1710  
 Read third time . . . . . 1710  
 Agreed to by Senate . . . . . 1711

**H.J.R. 519. General Assembly; amending budget bill conferees deadline date. Amending HJR 1, 2004.**  
 Patron: Griffith  
 Agreed to by House . . . . . 1616  
 Read first time, referred to Committee on Rules . . . . . 1616  
 Rules suspended . . . . . 1651  
 Committee discharged . . . . . 1651  
 Reading waived. . . . . 1651  
 Taken up for immediate consideration . . . . . 1651  
 Read third time . . . . . 1651  
 Agreed to by Senate . . . . . 1651

**H.J.R. 520. Judges; election in circuit court, general district court, and juvenile and domestic relations district court.**  
 Patron: Kilgore  
 Agreed to by House . . . . . 1619  
 Rules suspended . . . . . 1620  
 Readings waived. . . . . 1620  
 Taken up for immediate consideration . . . . . 1620  
 Agreed to by Senate . . . . . 1620

**H.J.R. 521. Gill, Bernard A. “Barney”, Jr.; commending.**  
 Patrons: Purkey, et al.  
 Agreed to by House . . . . . 1756  
 Laid on Clerk's Desk. . . . . 1759  
 Agreed to by Senate . . . . . 1770

**H.J.R. 522. General Assembly; amending budget bill conferees deadline date and extension of session. Amending HJRs 1 and 519, 2004.**  
 Patron: Griffith  
 Agreed to by House . . . . . 1759  
 Read first time, referred to Committee on Rules . . . . . 1759  
 Rules suspended . . . . . 1770  
 Committee discharged . . . . . 1770  
 Reading waived. . . . . 1770  
 Taken up for immediate consideration . . . . . 1770  
 Read third time . . . . . 1770  
 Reading of amendments waived. . . . . 1771  
 Amendment No. 1 by Senator Norment agreed to . . . . . 1771  
 Amendment No. 2 by Senator Norment agreed to . . . . . 1771  
 Reading of amendment waived. . . . . 1771  
 Amendment by Senator Bolling agreed to . . . . . 1771  
 Engrossed . . . . . 1771  
 Agreed to by Senate . . . . . 1771  
 Senate amendments agreed to by House. . . . . 1772

**H.J.R. 524. General Assembly; adjournment sine die.**  
 Patron: Griffith  
 Agreed to by House . . . . . 1801  
 Taken up for immediate consideration . . . . . 1801  
 Agreed to by Senate . . . . . 1801