

2011 General Assembly Session

Thank you for your interest during the 2011 Session of the General Assembly. I wanted to follow up with you and provide a summary of some of the areas of particular interest during the session.

The 2011 Virginia General Assembly finished its work on Sunday, February 27th at around 8 p.m. in the evening. This being the short session, the most important issue dealt with the ongoing biennial budget which was originally adopted last year.

Most of the significant changes that took place in the budget were built around the governor's proposals he submitted in the form of amendments to that original budget. The general fund revenues have finally stabilized and the primary focus was to attempt to stabilize the impacts from last year on local governments.

The most significant change requested by the governor dealt with the potential transfer of \$150M from the general fund to transportation, which is a non-general fund subset of the budget. This proposed change was not approved, and, instead, the General Assembly opted to cover funding for education, public safety, and health care.

Legislatively, the governor's proposal to privatize ABC was not allowed a vote -- in either the Senate or House of Delegates. As one of the patrons of this legislation, I felt it was extremely shortsighted on the part of the legislature to not even allow for discussion on the issue or a vote even in committee.

One of the issues that did pass was a proposal for a constitutional amendment that would provide a more adequate system of reimbursing land owners for property taken as a result of eminent domain actions. This amendment passed in both the House and the Senate and must be approved at the next regular session of the legislature in order that it may be a matter of referendum potentially as early as the fall general election in 2012.

Another constitutional amendment which would have enabled a two-thirds majority of the states to repeal a federal law failed in the Senate Privileges and Elections Committee. I felt the amendment was extraordinarily important in that the federal government is engaged in initiatives at this time that are attempting to usurp the authority of state and local governments. This amendment would have been one potential check against the federal takeover of state and local governance.

One of the issues I was involved in ultimately wound up being undertaken in the budget conferences: that was with changes to the Virginia Retirement System (VRS).

What ultimately evolved was a requirement that state employees would begin paying five percent of their wages towards VRS. This would be offset with a five percent increase in the salaries of state employees. This will not affect local government employees or teachers.

I feel very strongly that the requirement to contribute to the retirement system should be paid by all employees, state and local. I also feel very strongly that we should go further and make available to state and local employees and teachers a defined contribution retirement plan that would give them greater flexibility in the potential for a higher participation rate on the part of the employer governing body. Additionally, the budget transferred \$100M plus into the retirement system to begin repayment of the funds diverted from the fund last year.

Other legislative proposals provided for the removal of the social security offset for individuals eligible for unemployment and social security. We also began the process of further deregulating the telecom industry to entice better technologies and greater system efficiencies. Legislation was approved that would provide for insurance coverage up to a specified cap for individuals diagnosed in the autism spectrum.

There was an agreement between trial lawyers and physicians to a phased increase in the medical malpractice cap in Virginia. This increase would be for 20 years, and the cap would move up at a rate of \$50,000 per year. Legislation was passed which would prohibit the sale of "spice," otherwise known as synthetic marijuana.

Additional legislation was introduced to reduce the onerous provisions utilized by some local governments in the proposal of Urban Development Areas (UDAs). Some local governments had utilized UDAs in order to require the implementation of conservation easements and the prohibition on utilities and roads in those easements. It also disallowed the utilization of easement acreages in the calculation of development densities. All of these requirements within UDAs equated to what I would call a "taking." The legislation I introduced prohibited these activities. Other legislation which I was in support of would have made the utilization of UDAs optional. The current criteria are so lax that it promotes the misuse and abuse of this concept.

Another important piece of legislation that passed this year will implement the real property tax exemptions for 100 percent disabled veterans. This legislation passed with an emergency clause in order that it may go into effect immediately.

Finally, legislation was introduced to develop a timeline for the production and sale of fertilizers that would no longer contain the element of phosphorus. Phosphorus is needed for the establishment of new crops and new grass areas, but the ongoing maintenance of both does not require the further addition of phosphorus. This should help eliminate some of the accumulation of phosphorus runoff in lakes and rivers, thus having a favorable environmental affect.

I appreciate the opportunity to be allowed to represent the 10th Senatorial District, and welcome your comments or questions at my office at 804.379.2063 or by email at district10@senate.virginia.gov.