

WEDNESDAY, APRIL 23, 2008

The Senate met at 12 m. in Reconvened Session of the 2008 Regular Session and was called to order by Lieutenant Governor William T. Bolling.

The Reverend David R. Stokes, Fair Oaks Church, Fairfax, Virginia, offered the following prayer:

Almighty God,

We come before You today in this place dedicated to the people's work, to ask for Your guidance and grace.

And we ask, also, that You would guard our hearts. Guard them from unbridled personal ambition. Guard them from myopic self-interest. And guard them from the extremes of mean-spirited and polarizing partisanship, as well as the seductive, yet equally destructive "me-to-ism" of group think.

We ask for Your wisdom that we might have a constructive debate and a spirit of cooperation. And help us to be mindful of ancient words, those from a prophet named Micah, who long ago proclaimed:

"He hath showed thee, O man, what is good; and what doth the Lord require of thee, but to do justly, and to love mercy, and to walk humbly with thy God?" (Micah 6:8 KJV)

May these values be true of us this day, Dear Lord—Amen.

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

Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins.

A quorum was present.

After the roll call, Senators Barker, Blevins, Norment, Smith, and Whipple 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--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

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 AMENDMENTS**

S.B. 7 (seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 7

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, after *and*
strike

24.1-703.1

insert

24.2-703.1

2. Line 106, enrolled, after *illness*
insert

; or any duly registered person who is unable to go in person to the polls on the day of the election because of pregnancy

3. Line 199, enrolled, after ~~disability~~
insert

; or any duly registered person who is unable to go in person to the polls on the day of the election because of pregnancy

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 7, on motion of Senator Deeds, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 62 (sixty-two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:

SENATE BILL NO. 62

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 28, enrolled, after *form*

insert

from the applicant

2. Line 33, enrolled

strike

the applicant mails his completed form directly to

insert

a completed form is mailed directly to or completed in the office of

3. After line 33, enrolled

insert

2. That applications printed prior to the effective date of this act may be used until supplies are exhausted.

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

S.B. 62, on motion of Senator Howell, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 116 (one hundred sixteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 116

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 50, enrolled, after *vehicle*.
insert

Any driver's license issued to a person required to register pursuant to Chapter 9 of Title 9.1 shall expire on the applicant's birthday in years which the applicant attains an age equally divisible by five.

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 116, on motion of Senator McDougle, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

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 11, 2008

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 amendment be made:

1. Line 19, enrolled, after *or*

strike

peak

insert

designed

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

S.B. 145, on motion of Senator Stosch, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Watkins, Whipple--38.

NAYS--0.

RULE 36--Wampler--1.

S.B. 171 (one hundred seventy-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:

SENATE BILL NO. 171

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 51, enrolled, after *adoption*

insert

, who have legal rights and obligations in respect to the child,

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

S.B. 171, on motion of Senator Blevins, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 226 (two hundred twenty-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 226

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 35, enrolled, after *purchasing*
insert
, possessing or transporting

2. Line 37, enrolled, after *incompetent*
strike
or
insert
, (comma)

3. Line 37, enrolled, after *incapacitated*
insert
or adjudicated an incapacitated person

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 226, on motion of Senator McDougle, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 246 (two hundred forty-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:

SENATE BILL NO. 246

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 3, enrolled, Title, after *through*
strike
37.2-817,
2. Line 1094, enrolled, after *five*
insert
business
3. Line 1104, enrolled, after *case to the*
strike
general
4. Line 1119, enrolled, after *mandatory*
insert
outpatient
5. Line 1203, enrolled, after *subsection A*
insert
of
6. Line 1221, enrolled, after *of*
strike
§ 37.2-817
insert
§ 37.2-815
7. Line 1234, enrolled, after clerk *of the*

strike

general

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 246, on motion of Senator Howell, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 301 (three hundred one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 301

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 125, enrolled, after *or after*
strike

October 1, 2008

insert

January 1, 2009

2. Line 1072, enrolled, after *delivered*.

insert

The resale certificate shall be delivered within 14 days of receipt of such request.

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 301, on motion of Senator Whipple, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 314 (three hundred fourteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 314

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 30, enrolled, after of
strike
three
insert
four
2. Line 32, enrolled, after consecutive
strike
three-year
insert
four-year
3. Line 67, enrolled, after be
strike
three
insert
four

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 314, on motion of Senator Edwards, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 320 (three hundred twenty) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:

SENATE BILL NO. 320

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 29, enrolled, after C.

strike

the remainder of line 29 and all of lines 30 and 31

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

S.B. 320, on motion of Senator Wagner, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 464 (four hundred sixty-four) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 464

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 3, enrolled, after *through*
strike

30-300

insert

30-301

2. Line 9, enrolled, after through
strike

30-300

insert

30-301

3. Line 16, enrolled, after 67.
insert

In particular, the Commission shall examine ways to increase energy independence, with an emphasis on conservation and clean fuel technologies; expand consumer energy education to overcome barriers to implementing energy-efficiency and conservation actions; reduce greenhouse gas emissions; and capitalize on economic development opportunities through business expansion and increased research and development in alternate transportation fuels, nuclear technology, coastal energy production, and carbon capture and storage.

4. Line 64, enrolled, at the beginning of the line
strike

carbon

insert

market-based greenhouse gas reduction

5. Line 64, enrolled, after *on*
insert

global climate change and

6. Line 98, enrolled, after line 97
insert

§ 30-298. Greenhouse gas emissions reporting. In order to gather information necessary to analyze and reduce greenhouse gas emissions, the Commission shall work with the Department of Environmental Quality to establish a voluntary greenhouse gas reporting system. Under such reporting system, the Department of Environmental Quality shall request all stationary sources of air pollutants that are required to report emissions under the Air Pollution Control

Act (Chapter 13 of Title 10.1) to include greenhouse gas emissions in those reports. Where appropriate and to the maximum extent feasible, the reporting system shall incorporate standards and protocols developed by other widely recognized and verified greenhouse gas inventory programs. The Department of Environmental Quality shall also request that the Virginia Department of Transportation annually provide information to maintain a greenhouse gas emissions inventory for roads throughout the Commonwealth, including information regarding annual vehicle miles traveled, traffic trends, and characteristics of vehicles. The Department of Environmental Quality shall provide an analysis of the information gathered through the greenhouse gas reporting system to the Commission at least once per year.

7. Line 98, enrolled, after §
strike
30-298
insert
30-299

8. Line 117, enrolled, after §
strike
30-300
insert
30-301

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

Senator Whipple moved that the Senate refuse to amend **S.B. 464** in accordance with the recommendations of the Governor.

The question was put on agreeing to amend **S.B. 464** in accordance with the recommendations of the Governor.

The Senate refused to so amend **S.B. 464**.

The recorded vote is as follows:

YEAS--1. NAYS--37. RULE 36--0.

YEAS--Colgan--1.

NAYS--Barker, Blevins, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--37.

RULE 36--0.

S.B. 472 (four hundred seventy-two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 472

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 305, enrolled, after *be*
insert
alone

2. Line 307, enrolled, after *be*
insert
alone

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 472, 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--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.
RULE 36--0.

S.B. 562 (five hundred sixty-two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 562

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 26, enrolled

strike

all of lines 26 through 28

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 562, on motion of Senator Obenshain, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 584 (five hundred eighty-four) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:

SENATE BILL NO. 584

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/ Timothy M. Kaine
Governor

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR SENATE BILL NO. 584

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact §§ 4.1-100, 4.1-209, 4.1-324, and 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; prohibited acts by licensees; exceptions for sangria.

The reading of the communication was waived.

S.B. 584, on motion of Senator Ticer, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:
 YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.
 RULE 36--0.

S.B. 588 (five hundred eighty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
 Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
 SENATE BILL NO. 588

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 73, enrolled, after borrower
 strike
 ~~as security for~~
 insert
 as security for

2. Line 73, enrolled, after ~~for~~
 strike
 the remainder of line 73 through *with* on line 74

3. Line 86, enrolled, after *(b)*
 strike
 120
 insert
 150

4. Line 90, enrolled, after licensee
 insert
 as security for any loan

5. Line 186, enrolled, after *with*
 insert
 , *at the option of the borrower,*

/s/ Timothy M. Kaine
 Governor

The reading of the communication was waived.

S.B. 588, on motion of Senator Puckett, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--McDougle--1.

S.B. 590 (five hundred ninety) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 590

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 18, enrolled, after 18.2-63

insert

unless registration is required pursuant to Subsection E.1,

2. Line 19, enrolled, after 18.2-374.1:1;

insert

subsection B, C, or D of § 18.2-374.3,

3. Line 24, enrolled, after ~~of~~

strike

§ 18.2-374.3 or where

insert

Where

4. Line 40, enrolled, after clause (i)

strike

or (iii)

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

S.B. 590, on motion of Senator Howell, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

S.B. 596 (five hundred ninety-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO: SENATE OF VIRGINIA
SENATE BILL NO. 596

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 4, enrolled, Title, after *Virginia*,

insert

and to amend and reenact the third enactments of Chapter 888 and Chapter 933 of the Acts of Assembly of 2007,

2. Line 565, enrolled, after line 564

insert

4. That the third enactment of Chapter 888 of the Acts of Assembly of 2007 is amended and reenacted as follows:

3. That it is in the public interest, and is consistent with the energy policy goals in § 67-102 of the Code of Virginia, to promote cost-effective conservation of energy through fair and effective demand side management, conservation, energy efficiency, and load management programs, including consumer education. These programs may include activities by electric utilities, public or private organizations, or both electric utilities and public or private organizations. The Commonwealth shall have a stated goal of reducing ~~the consumption of electric energy by retail customers through the implementation of such programs by the year 2022 by an amount equal to ten percent of the amount of electric energy consumed by retail customers in 2006~~ by 2023 the 2008-2023 growth rate by 40 percent of (i) the summer peak load measured in megawatts and (ii) the annual net energy measured in gigawatt hours in the Virginia portion of each investor-owned public utility's PJM geographic zone, as reported in the PJM Interconnection's January, 2008, PJM Peak Load Forecast Report, Tables B-1 and E-1. ~~The State Corporation Commission shall conduct a proceeding to (i) determine whether the ten percent electric energy consumption reduction goal can be achieved cost effectively through the operation of such programs, and if not, determine the appropriate goal for the year 2022 relative to base year of 2006, (ii) identify the mix of programs that~~

~~should be implemented in the Commonwealth to cost effectively achieve the defined electric energy consumption reduction goal by 2022, including but not limited to demand side management, conservation, energy efficiency, load management, real time pricing, and consumer education, (iii) develop a plan for the development and implementation of recommended programs, with incentives and alternative means of compliance to achieve such goals, (iv) determine the entity or entities that could most efficiently deploy and administer various elements of the plan, and (v) estimate the cost of attaining the energy consumption reduction goal. The Commission shall, on or before December 15, 2007, submit its findings and recommendations to the Governor and General Assembly, which shall include recommendations for any additional legislation necessary to implement the plan to meet the energy consumption reduction goal. In developing a plan to meet the goal, the Commission may consider providing for a public benefit fund and shall consider the fair and reasonable allocation by customer class of the incremental costs of meeting the goal that are recovered in accordance with subdivision A 5 b of § 56-585.1 of the Code of Virginia. When considering an application filed by an investor-owned incumbent electric utility or electrical cooperative for a certificate of public convenience and necessity to construct a new generation facility or for approval and certification of electric transmission facilities, and when assessing the need for such facility or facilities, the State Corporation Commission shall consider only the peak load reductions and net energy usage reductions reasonably expected to be achieved by utility-sponsored or supported demand side management and energy efficiency programs based on actual measured and verified reductions previously achieved, or on such other evidence that the Commission finds justifies such reasonable expectations.~~

5. That the third enactment of Chapter 933 of the Acts of Assembly of 2007 is amended and reenacted as follows:

3. That it is in the public interest, and is consistent with the energy policy goals in § 67-102 of the Code of Virginia, to promote cost-effective conservation of energy through fair and effective demand side management, conservation, energy efficiency, and load management programs, including consumer education. These programs may include activities by electric utilities, public or private organizations, or both electric utilities and public or private organizations. The Commonwealth shall have a stated goal of reducing the consumption of electric energy by retail customers through the implementation of such programs by the year 2022 by an amount equal to ten percent of the amount of electric energy consumed by retail customers in 2006 by 2023 the 2008-2023 growth rate by 40 percent of (i) the summer peak load measured in megawatts and (ii) the annual net energy measured in gigawatt hours in the Virginia portion of each investor-owned public utility's PJM geographic zone, as reported in the PJM Interconnection's January, 2008, PJM Peak Load Forecast Report, Tables B-1 and E-1. ~~The State Corporation Commission shall conduct a proceeding to (i) determine whether the ten percent electric energy consumption reduction goal can be achieved cost effectively through the operation of such programs, and if not, determine the appropriate goal for the year 2022 relative to base year of 2006, (ii) identify the mix of programs that should be implemented in the Commonwealth to cost effectively achieve the defined electric energy consumption reduction goal by 2022, including but not limited to demand side management, conservation, energy efficiency, load management, real time pricing, and consumer education, (iii) develop a plan for the development and implementation of recommended programs, with~~

~~incentives and alternative means of compliance to achieve such goals, (iv) determine the entity or entities that could most efficiently deploy and administer various elements of the plan, and (v) estimate the cost of attaining the energy consumption reduction goal. The Commission shall, on or before December 15, 2007, submit its findings and recommendations to the Governor and General Assembly, which shall include recommendations for any additional legislation necessary to implement the plan to meet the energy consumption reduction goal. In developing a plan to meet the goal, the Commission may consider providing for a public benefit fund and shall consider the fair and reasonable allocation by customer class of the incremental costs of meeting the goal that are recovered in accordance with subdivision A 5 b of § 56-585.1 of the Code of Virginia. When considering an application filed by an investor-owned incumbent electric utility or electrical cooperative for a certificate of public convenience and necessity to construct a new generation facility or for approval and certification of electric transmission facilities, and when assessing the need for such facility or facilities, the State Corporation Commission shall consider only the peak load reductions and net energy usage reductions reasonably expected to be achieved by utility-sponsored or supported demand side management and energy efficiency programs based on actual measured and verified reductions previously achieved, or on such other evidence that the Commission finds justifies such reasonable expectations.~~

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

Senator Norment moved that the Senate refuse to amend **S.B. 596** in accordance with the recommendations of the Governor.

The question was put on agreeing to amend **S.B. 596** in accordance with the recommendations of the Governor.

The Senate refused to so amend **S.B. 596**.

The recorded vote is as follows:

YEAS--1. NAYS--38. RULE 36--0.

YEAS--Puckett--1.

NAYS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

RULE 36--0.

RECONSIDERATION

Senator Norment moved to reconsider the vote by which the Senate refused to amend **S.B. 596** (five hundred ninety-six) in accordance with the recommendations of the Governor.

The motion was agreed to.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

Senator Norment moved that the Senate refuse to amend **S.B. 596** in accordance with the recommendations of the Governor.

The question was put on agreeing to amend **S.B. 596** in accordance with the recommendations of the Governor.

The Senate refused to so amend **S.B. 596**.

The recorded vote is as follows:

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

YEAS--0.

NAYS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

RULE 36--0.

S.B. 772 (seven hundred seventy-two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 772

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 34, enrolled, after *duties from*
insert
physically
2. Line 34, enrolled, after *office*;
strike
or
3. Line 35, enrolled, after line 34

insert

3c. The court may, in its discretion, suspend from his office a person who holds an elected constitutional office and who is accused of his felony arising from the performance of his duties until the matter is finally disposed of. During the suspension, the court may appoint some suitable person to act in the officer's place; or

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

Senator Hurt moved to amend **S.B. 772** in accordance with recommendations of the the Governor.

Senator Stolle requested that, pursuant to Senate Rule 31, there be a division of the recommendations for consideration.

S.B. 772, on motion of Senator Hurt, was amended in accordance with recommendation No. 1 of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

The question was put on agreeing to amend **S.B. 772** in accordance with recommendations Nos. 2 and 3 of the Governor.

The Senate refused to so amend **S.B. 772** in accordance with recommendations Nos. 2 and 3 of the Governor.

The recorded vote is as follows:

YEAS--2. NAYS--36. RULE 36--0.

YEAS--Hurt, Reynolds--2.

NAYS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wampler, Watkins, Whipple--36.

RULE 36--0.

S.B. 797 (seven hundred ninety-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE SENATE OF VIRGINIA:
SENATE BILL NO. 797

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 18, enrolled, after *instrument*.

insert

For purposes of determining the yield on United States Treasury securities, the yield used shall be the yield in effect on the date the loan was originated. If no yield was in effect for the applicable maturity on that date, the yield for the next closest maturity shall be used.

2. Line 19, enrolled, after *maturities*,

strike

the interest rate of the loan will be compared with the yield for the Treasury securities having a lower yield.

insert

the maturity having a lower yield shall be used.

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

S.B. 797, on motion of Senator Puckett, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

At 12:50 p.m., Senator Saslaw moved that the Senate recess until 2:44 p.m.

The motion was agreed to.

The hour of 2:44 p.m. having arrived, the Chair was resumed.

At 2:45 p.m., Senator Saslaw moved that the Senate recess until 3:35 p.m.

The motion was agreed to.

The hour of 3:35 p.m. having arrived, the Chair was resumed.

HOUSE COMMUNICATIONS

The following communications were received:

In the House of Delegates

April 23, 2008

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING HOUSE BILLS:

- H.B. 12.** An Act to amend and reenact §§ 6.1-459, 6.1-460, 6.1-461, 6.1-467, and 6.1-469 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 6.1-453.1 and 6.1-469.1, relating to the Payday Loan Act.
- H.B. 499.** An Act to amend and reenact §§ 16.1-337, 19.2-169.6, 19.2-176, 19.2-177.1, 32.1-127.1:03, 37.2-800, 37.2-808, 37.2-809, 37.2-813 through 37.2-818, 37.2-821, and 53.1-40.2 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 37.2-817.1 through 37.2-817.4 and by adding in Article 1 of Chapter 8 of Title 37.2 a section numbered 37.2-804.2, relating to involuntary commitment.
- H.B. 516.** An Act to amend and reenact §§ 54.1-2105.1, 54.1-2130, 55-79.41, 55-79.58, 55-79.58:1, 55-79.74, 55-79.79, 55-79.81, 55-79.84:1, 55-79.86, 55-79.89, 55-79.93:1, 55-79.95, 55-79.97, 55-362, 55-362.1, 55-374.1, 55-374.2, 55-375, 55-392.1, 55-484, 55-487, 55-496, 55-504.1, 55-508, 55-509, 55-509.2, 55-510, 55-513, 55-513.1, 55-514, 55-514.2, 55-516.1, 55-528, 55-529, and 55-530 of the Code of Virginia; to amend the Code of Virginia by adding in Title 54.1 a chapter numbered 23.3, consisting of sections numbered 54.1-2345 through 54.1-2354, by adding sections numbered 55-79.97:1, 55-79.97:2, and 55-79.97:3, by adding sections numbered 55-509.3 through 55-509.10, and by adding in Chapter 29 of Title 55 a section numbered 55-530.1; and to repeal §§ 55-511 and 55-512 of the Code of Virginia, relating to common interest communities.
- H.B. 538.** An Act to amend and reenact §§ 3.1-796.66, 3.1-796.104, and 58.1-3109 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 3.1-796.71:1, by adding in Chapter 27.4 of Title 3.1 an article numbered 2.1, consisting of sections numbered 3.1-796.77:1 through 3.1-796.77:6, and by adding a section numbered 3.1-796.122:1, relating to the breeding of companion animals; penalty.
- H.B. 546.** An Act to amend and reenact §§ 56-484.19 and 56-484.23 of the Code of Virginia, relating to 9-1-1 emergency calls on multiline telephone systems.
- H.B. 709.** An Act to amend and reenact §§ 18.2-308.1:1 and 18.2-308.2:2 of the Code of Virginia, relating to purchase of firearms; consent form; mental health questions; penalty.
- H.B. 721.** An Act to amend and reenact §§ 15.2-2259 and 15.2-2260 of the Code of Virginia, relating to plats.
- H.B. 766.** An Act to amend and reenact §§ 23-276.1, 23-276.10, and 23-276.12 of the Code of Virginia, relating to fraudulent academic credentials; penalties.

H.B. 819. An Act to amend and reenact § 32.1-102.3:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-102.3:1.1, relating to certificate of public need for certain nursing facilities.

H.B. 931. An Act to amend the Code of Virginia by adding a section numbered 18.2-248.03, relating to manufacturing, selling, giving, or distributing of methamphetamine; penalty.

H.B. 1135. An Act to amend the Code of Virginia by adding a section numbered 22.1-203.3, relating to voluntary expression of religious viewpoints in public schools.

H.B. 1331. An Act to amend and reenact §§ 2.2-203.3 and 15.2-902 of the Code of Virginia; to amend the Code of Virginia by adding a title numbered 3.2, containing Subtitle I, consisting of chapters numbered 1 through 10, containing sections numbered 3.2-100 through 3.2-1011, Subtitle II, consisting of chapters numbered 11 through 31, containing sections numbered 3.2-1100 through 3.2-3111, Subtitle III, consisting of chapters numbered 32 through 50, containing sections numbered 3.2-3200 through 3.2-5000, Subtitle IV, consisting of chapters numbered 51 through 58, containing sections numbered 3.2-5100 through 3.2-5820, and Subtitle V, consisting of chapters numbered 59 through 65, containing sections numbered 3.2-5900 through 3.2-6590, and by adding in Chapter 2 of Title 10.1 an article numbered 4, consisting of sections numbered 10.1-217.1 through 10.1-217.6; and to repeal Title 3.1 (§§ 3.1-1 through 3.1-1114.1) and Article 3.1 (§§ 10.1-559.1 through 10.1-559.11) of Chapter 5 of Title 10.1 of the Code of Virginia, relating to revising and recodifying the laws pertaining to Agriculture, Animal Care, and Food.

H.B. 1407. An Act to amend and reenact § 46.2-395 of the Code of Virginia, relating to suspended license; unpaid fines.

H.B. 1442. An Act to amend and reenact § 18.2-270.1 of the Code of Virginia, relating to ignition interlock limitations.

H.B. 1487. An Act to amend and reenact §§ 6.1-409, 6.1-414, 6.1-425, 6.1-428, 6.1-430, 19.2-389, and 30-261 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 6.1-423.1 and 6.1-423.2, relating to the Mortgage Lender and Broker Act; the owner-occupancy requirement in the definition of a mortgage loan; failure to pay appraisal fee as grounds for license suspension or revocation; background investigations; employee training; the power of the State Corporation Commission to enforce certain laws; and the duties of the Virginia Housing Commission; penalties; all pertaining to home ownership protection.

H.B. 1551. An Act to authorize the review of the current fee structure applied to vehicles operating under permits for weight pursuant to Articles 17 and 18 of Chapter 10 of Title 46.2 of the Code of Virginia and to amend and reenact the second enactment of Chapter 738 of the Acts of Assembly of 2007, relating to vehicle weights; fee structure.

THE HOUSE OF DELEGATES HAS AGREED TO AMENDMENTS 1-3, 6-8, 10-11, 13-17, 20-39, 41 IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR & HAS REJECTED AMENDMENTS 4, 5, 9, 12, 18, 19, 40 OF THE FOLLOWING HOUSE BILL:

H.B. 30. An Act for all appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2009, and the thirtieth day of June, 2010.

IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

/s/ Bruce F. Jamerson
Clerk, House of Delegates

In the House of Delegates
April 23, 2008

THE HOUSE OF DELEGATES HAS REFUSED TO AMEND IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR THE FOLLOWING SENATE BILL:

S.B. 320. An Act to amend and reenact §§ 67-700 and 67-701 of the Code of Virginia, relating to covenants restricting solar energy collection devices.

THE HOUSE OF DELEGATES HAS AGREED TO AMENDMENT NO. 1 IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR AND HAS REJECTED AMENDMENTS NOS. 2-3 ON THE FOLLOWING SENATE BILL:

S.B. 7. An Act to amend and reenact §§ 24.2-101, 24.2-700, 24.2-701, and 24.2-703.1 through 24.2-705.1 of the Code of Virginia, relating to voters eligible to vote absentee.

THE HOUSE OF DELEGATES HAS AGREED TO AMENDMENT NO. 1 IN ACCORDANCE WITH THE RECOMMENDATION OF THE GOVERNOR ON THE FOLLOWING SENATE BILL:

S.B. 772. An Act to amend and reenact § 19.2-123 of the Code of Virginia, relating to conditions of bond.

THE HOUSE OF DELEGATES HAS AMENDED IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GOVERNOR THE FOLLOWING SENATE BILLS:

S.B. 62. An Act to amend and reenact § 24.2-416.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-418.1, relating to voter registration procedures; applications and receipts.

S.B. 116. An Act to amend and reenact § 46.2-330 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-214.2, relating to service charges imposed and collected by the Department of Motor Vehicles; issuance of driver's licenses and learner's permits.

S.B. 145. An Act to amend the Code of Virginia by adding a section numbered 56-235.9, relating to the recovery of funds used for capital projects prior to a rate case for strategic natural gas facilities.

S.B. 171. An Act to amend and reenact § 63.2-1201 of the Code of Virginia, and to amend the code of Virginia by adding a section numbered 63.2-1201.1, relating to adoption by former spouses.

S.B. 226. An Act to amend and reenact §§ 18.2-308.1:1 and 18.2-308.2:2 of the Code of Virginia, relating to purchase of firearms; consent form; mental health questions; penalty.

S.B. 246. An Act to amend and reenact §§ 16.1-337, 19.2-169.6, 19.2-176, 19.2-177.1, 32.1-127.1:03, 37.2-800, 37.2-808, 37.2-809, 37.2-813 through 37.2-818, 37.2-821, and 53.1-40.2 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 37.2-817.1 through 37.2-817.4 and by adding in Article 1 of Chapter 8 of Title 37.2 a section numbered 37.2-804.2, relating to involuntary commitment.

- S.B. 301.** An Act to amend and reenact §§ 54.1-2105.1, 54.1-2130, 55-79.41, 55-79.58, 55-79.58:1, 55-79.74, 55-79.79, 55-79.81, 55-79.84:1, 55-79.86, 55-79.89, 55-79.93:1, 55-79.95, 55-79.97, 55-362, 55-362.1, 55-374.1, 55-374.2, 55-375, 55-392.1, 55-484, 55-487, 55-496, 55-504.1, 55-508, 55-509, 55-509.2, 55-510, 55-513, 55-513.1, 55-514, 55-514.2, 55-516.1, 55-528, 55-529, and 55-530 of the Code of Virginia; to amend the Code of Virginia by adding in Title 54.1 a chapter numbered 23.3, consisting of sections numbered 54.1-2345 through 54.1-2354, by adding sections numbered 55-79.97:1, 55-79.97:2, and 55-79.97:3, by adding sections numbered 55-509.3 through 55-509.10, and by adding in Chapter 29 of Title 55 a section numbered 55-530.1; and to repeal §§ 55-511 and 55-512 of the Code of Virginia, relating to common interest communities.
- S.B. 314.** An Act to amend and reenact §§ 2.2-2715 and 2.2-2716 of the Code of Virginia, relating to the Veterans Services Foundation.
- S.B. 472.** An Act to amend and reenact §§ 22.1-323.2, 37.2-408, 63.2-1737, and 66-24 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 37.2-408.1, relating to regulation of group homes and residential facilities for children.
- S.B. 562.** An Act to amend the Code of Virginia by adding a section numbered 18.2-248.03, relating to manufacturing, selling, giving, distributing of methamphetamine; penalty.
- S.B. 584.** An Act to amend and reenact §§ 4.1-100, 4.1-324, and 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; prohibited acts by licensees; exceptions for sangria.
- S.B. 588.** An Act to amend and reenact §§ 6.1-459, 6.1-460, 6.1-461, 6.1-467, and 6.1-469 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 6.1-453.1 and 6.1-469.1, relating to the Payday Loan Act.
- S.B. 590.** An Act to amend and reenact §§ 9.1-902, 9.1-908, and 9.1-910 of the Code of Virginia, relating to sex offenders; registration; penalty.
- S.B. 797.** An Act to amend the Code of Virginia by adding a section numbered 55-59.1:1, relating to notice and additional time before acceleration of high-risk mortgage loans.

/s/ Bruce F. Jamerson
Clerk, House of Delegates

On motion of Senator Saslaw, 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--1. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

NAYS--McEachin--1.

RULE 36--0.

HOUSE BILLS WITH GOVERNOR'S AMENDMENTS

H.B. 12 (twelve) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 12

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 73, enrolled, after borrower
unstrike
~~as security for~~
2. Line 73, enrolled, after ~~for~~
strike
the remainder of line 73 through with on line 74
3. Line 86, enrolled, after *(b)*
strike
120
Insert
150
4. Line 90, enrolled, after licensee
insert
as security for any loan
5. Line 186, enrolled, after *with*
insert
, at the option of the borrower,

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 12, on motion of Senator Saslaw, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--1.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--McDougle--1.

H.B. 30 (thirty) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE HOUSE OF DELEGATES

HOUSE BILL 30

I approve the general purpose of this bill, but I am returning it without my signature with the request that 41 amendments be adopted. I am grateful to all members of the House of Delegates and the Senate for the quality of the budget amendments contained in House Bill 30. I believe that they achieve several notable objectives that will move Virginia forward. The House and Senate are to be commended also for addressing the long-term fiscal balance of the Commonwealth by avoiding one-time actions that would call into question our ability to sustain the budget over the long haul. With a similar sentiment, I am signing House Bill 29 as presented to me so that we may begin to execute the actions it requires in the current fiscal year.

I appreciate funding to expand the Virginia Preschool Initiative so that additional students can be served. The authorizing language will allow local school divisions the opportunity to increase the number of at-risk students served through additional funding to the Virginia Preschool Initiative. An increase in per pupil spending from \$5,700 to \$6,000 and 0.5000 cap on the local ability-to-pay reasserts Virginia's commitment to establishing a foundation for lifelong learning, especially for those at-risk students.

In the health and human resources area, I applaud the General Assembly's agreement to respond in the strongest terms to the need for more widely available mental health care. By ensuring that those citizens who are troubled or mentally ill have access to needed services, we are demonstrating our commitment to the welfare and safety of everyone in our schools, workplaces, and communities. I am also encouraged by the steps we have taken to bolster our foster care and child welfare programs through increased foster care rates and additional training funds for caseworkers and other child welfare professionals. The progress on this front will help ensure that these most vulnerable children are able to live in safe and supportive environments while, wherever possible, avoiding more expensive group home settings.

The military, as one of the largest employers in the Commonwealth, helps sustain economic development as well as Virginia's budget. To help ensure the long-term federal military contribution to Virginia's economy, specific actions to enhance economic development impacted by the military's changes in the Commonwealth included full funding of \$10 million for the retention of DARPA and an additional \$2 million for the expansion of Fort Lee.

I am disappointed, however, that the General Assembly removed the increased funding that I recommended for prisoner reentry. Our growing inmate population creates the need for additional expensive prison space. Most inmates released from prison who commit new crimes do so during their first months after release. More closely overseeing their transition to society and enhancing their ability to function in it would help reduce recidivism rates slowing our need for additional prisons and, most importantly, keep our communities safer.

Although the enrolled bill addresses most of my concerns, I am returning it with 41 amendments. Only six of my amendments to House Bill 30 require increased state spending and these spending amendments total \$8.9 million. In addition, I am offering an amendment to the Medicaid program that will result in \$1.5 million in savings over the biennium. Most of the remaining amendments are technical changes or address necessary language revisions that do not change the intent of the General Assembly.

The budget you presented me left \$9.1 million unallocated. My proposed amendments will leave a total uncommitted, unappropriated balance of approximately \$5.2 million to provide a reserve for unforeseen circumstances (such as a natural disaster). This is in line with previous unappropriated balances.

The more significant spending amendments are concentrated in a few areas: preservation of our natural resources and enhancing economic development opportunities for the Commonwealth. I am offering an amendment to provide \$5.0 million to the Civil War Historic Site Preservation Fund. The Department of Historic Resources will use these funds to make grants to private, non-profit organizations to match federal and other monies for preservation of endangered Virginia Civil War historic sites. Eligibility for these grants will require recipient non-profit organizations to provide at least \$2 in matching funds for each \$1 received from the Civil War Historic Site Preservation Fund. Sites identified that are eligible for funding include, but are not limited to: Appomattox in Appomattox County, Brandy Station in Culpeper County, Chancellorsville in Spotsylvania County, Cold Harbor in Hanover County, Fredericksburg in the City of Fredericksburg and Spotsylvania County, Glendale in Henrico County, New Market in Shenandoah County, and Petersburg in the City of Petersburg and Dinwiddie County. I have also included an amendment for \$525,000 each year to provide enhanced operational support for the Virginia Outdoors Foundation to respond to requests for assistance from landowners so that they may put their land under conservation easement in a timely manner.

My other major funding amendment provides \$2.0 million each year for the continuation of incentive payments to SRI International. This funding is vital to the establishment of the SRI projects. The dollars will be used to recruit the researchers needed to keep this project on target.

In consultation with your conferees working on the proposed capital bond package, one of my amendments supplants general fund support for existing capital projects with bond funding, freeing up \$50 million for a proposed new project planning fund. From this planning fund, resources can be provided for preplanning and more detailed planning of proposed capital projects to generate more accurate cost estimates. This should reduce project cost overruns in the future. It is anticipated that, when construction funding is provided for a capital project based on the estimates generated by detailed plans, the planning fund can be replenished to be used for new projects. Through this approach, our capital outlay process will be enhanced and we can have greater faith in the true costs of new capital projects.

Attached to this letter are my proposed amendments. In reading these proposals, I think you will find they are necessary and will make the good budget enacted by the General Assembly even better.

Accordingly, I respectfully request your adoption of these amendments so that they may be incorporated into the Appropriation Act for the 2008-2010 biennium.

Respectfully submitted,

/s/ Timothy M. Kaine

Amendment #1: Revenue adjustments

Item 0

Revenues

Revenues

Language

Language:

Page 1, line 23, strike "\$192,536,232" and insert "\$247,536,232".

Page 1, line 23, strike "\$192,987,998" and insert "\$247,987,998".

Page 1, line 27, strike "\$16,980,043,586" and insert "\$17,035,043,586".

Page 1, line 27, strike "\$34,558,014,099" and insert "\$34,613,014,099".

Page 1, line 33, strike "\$1,277,293,373" and insert "\$1,338,293,373".

- Page 1, line 33, strike "\$246,000,000" and insert "\$240,000,000".
- Page 1, line 33, strike "\$1,523,293,373" and insert "\$1,578,293,373".
- Page 1, line 35, strike "\$24,669,983,502" and insert "\$24,730,983,502".
- Page 1, line 35, strike "\$21,024,611,219" and insert "\$21,018,611,219".
- Page 1, line 35, strike "\$45,694,594,721" and insert "\$45,749,594,721".
- Page 1, line 36, strike "\$41,650,027,088" and insert "\$41,766,027,088".
- Page 1, line 36, strike "\$38,602,591,732" and insert "\$38,596,591,732".
- Page 1, line 36, strike "\$80,252,608,820" and insert "\$80,362,608,820".

Amendment #2: Deposit of clerks' fees

Item 74

Administration

Compensation Board

Language

Language:

Page 57, line 50, after "Virginia", insert "or otherwise provided by law".

Amendment #3:

Convert Division of Real Estate Services to full internal service fund

Item 79

Administration

Department of General Services

Language

Language:

Page 67, line 48, insert "A." before "This".

Page 68, line 9, strike "\$2,109,566" and "\$2,109,566" and insert "\$59,200,000" and "\$59,200,000".

Page 68, after line 14, insert:

"B. The Director, Department of Planning and Budget, is authorized to transfer general fund appropriations from this Item to agencies paying the Department of General Services' real estate service charges from general fund appropriations based on real estate surcharge rates approved by the Joint Legislative Audit and Review Commission."

Amendment #4: Provide language for sale of Dove Street Armory

Item 79

Administration

Department of General Services

Language

Language:

Page 67, line 48, insert "A." before "This appropriation".

Page 68, after line 14, insert:

"B. The Department of General Services, in consultation with the Department of Military Affairs, is authorized to sell the former Dove Street Armory property located at 500 Dove Street, Richmond, Virginia, to the Richmond Redevelopment Housing Authority pursuant to § 2.2-1150. Notwithstanding any law to the contrary, the proceeds from the sale, after deduction of fees and expenses, will be retained by the Department of Military Affairs for facility repairs and improvements."

Amendment #5: Provide consistency in green building requirements

Item 81

Administration

Department of General Services

Language

Language:

Page 70, Line 52, strike "or the Green Globes rating system" and insert:

“(including the use of Virginia forest products with alternate certifications) or the United States Environmental Protection Agency/Department of Energy’s “Energy Star” rating.”

Amendment #6: Provide funding for the Daniel Boone Visitor Center

Item 130

Commerce and Trade

Virginia Tourism Authority

	FY 08-09	FY 09-10	
	\$100,000	\$100,000	GF

Language:

Page 107, line 20, strike “\$14,369,330” and insert “\$14,469,330”.

Page 107, line 20, strike “\$14,369,330” and insert “\$14,469,330”.

Page 108, after line 46, insert:

“K. Out of the amounts for Tourist Promotion shall be provided \$100,000 the first year and \$100,000 the second year from the general fund for the Daniel Boone Visitor Center.”

Amendment #7: Provide funding for the Virginia Career Education Foundation (VCEF)

Item 139

Education: Elementary and Secondary

FY 08-09	FY 09-10
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Direct Aid to Public Education

\$50,000	\$50,000	GF
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Language:

Page 116, line 11, strike “\$6,865,750” and insert “\$6,915,750”.

Page 116, line 11, strike “\$6,558,250” and insert “\$6,608,250”.

Page 118, after line 34 insert:

“J. Out of the amounts for this Item, shall be provided \$50,000 the first year and \$50,000 the second year from the general fund for the Virginia Career Education Foundation.”

Amendment #8: Provide support for modeling and simulation efforts

Item 185

Education: Higher Education

FY 08-09	FY 09-10
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Old Dominion University

\$1,500,000	(\$1,500,000)	GF
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Language:

Page 182, line 14, strike “\$14,917,163” and insert “\$16,417,163”.

Page 182, line 14, strike “\$14,917,163” and insert “\$13,417,163”.

Page 182, line 20, strike “\$1,500,000 each” and insert “\$3,000,000 the first”.

Amendment #9: Authorize Secretary of Health and Human Resources to establish program

Item 282

Health & Human Resources

Secretary of Health and Human Resources

Language

Language:

Page 254, after line 59, insert “E. The Secretary of Health and Human Resources is authorized to expend up to \$500,000 each year from amounts recovered from private health insurance for public health services to match available private donations on a dollar for dollar basis to establish a pilot program in Eastern Virginia providing health insurance for low-income, uninsured workers employed by small businesses. At least 30 days prior to the start of the program, the Secretary of Health and Human Resources shall provide an implementation plan to the Chairmen of the House Appropriations and Senate Finance Committees.

Amendment #10: Clarify language to require use of Medicaid services when appropriate
Item 283

Health & Human Resources

Comprehensive Services for At-Risk Youth and Families

Language

Language:

Page 260, line 15, strike “.”

Page 260, line 15, after “youth” insert:

“except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child.”

Amendment #11: Provide coverage for newborns born to mothers enrolled in FAMIS
Item 305

Health & Human Resources

Department of Medical Assistance Services

Language

Language:

Page 282, after line 35, insert:

“E. The Department of Medical Assistance Services shall have the authority to provide eligibility in the Family Access to Medical Insurance Security (FAMIS) Plan to infants born to mothers enrolled in FAMIS, for the month of birth plus two additional months, even if eligibility is not yet established for the newborn. If federal funds are not available for those months of eligibility, the department shall use state funding. The department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.”

Amendment #12: Add behavioral health drugs to the Medicaid Preferred Drug List
Item 306

Health & Human Resources

Department of Medical Assistance Services

FY 08-09

(\$500,000)

FY 09-10

(\$1,000,000)

GF

(\$500,000)

(\$1,000,000)

NGF

Language:

Page 282, line 36, strike “\$5,493,345,441” and insert “\$5,492,345,441”.

Page 282, line 36, strike “\$5,793,807,165” and insert “\$5,791,807,165”.

Page 288, strike lines 11 through 22, and insert:

“7. The department and its Pharmacy and Therapeutics Committee shall review mental health drug classes, including antidepressants, anti-psychotics, and anti-anxiety medications for inclusion in the Preferred Drug List program. In conducting the review of these drug classes, the department and the committee shall exercise prudence to ensure clinical efficacy and patient access to needed prescription medications, including the use of any appropriate clinical criteria as provided in subparagraph 2.a. The department, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2008, on the actions taken with respect to the drug classes added to the Preferred Drug List program and the precautions and safeguards built into the program to ensure appropriate patient access to necessary medications.”

Amendment #13: Increase Medicaid rates for ambulance providers
Item 306

Health & Human Resources

Department of Medical Assistance Services

Language

Language:

Page 297, after line 24, insert:

“WW. Out of this appropriation, \$2,700,000 the first year and \$2,700,000 the second year from the general fund, and \$2,700,000 the first year and \$2,700,000 the second year from nongeneral funds shall be used to increase Medicaid reimbursement rates paid to providers of ambulance services.”

Amendment #14: Change language to reflect the correct reduction for nursing home rates

Item 306

Health & Human Resources

Department of Medical Assistance Services

Language

Language:

Page 297, line 18, after “by”, strike “1.654” and insert “1.329”.

Amendment #15: Clarify number of Mental Retardation Waiver slots

Item 316

Health & Human Resources

Grants To Localities

Language

Language:

Page 311, line 55, strike “\$2,296,875” and insert “\$11,675,400”.

Page 311, line 56, strike “\$4,921,875” and insert “\$17,542,200”.

Page 311, line 57, strike “\$2,296,875” and insert “\$11,675,400”.

Page 311, line 57, strike “\$4,921,875” and insert “\$17,542,200”.

Page 312, line 3, strike “75” and insert “600”.

Page 312, line 4, strike “150” and insert “600”.

Page 312, line 6, after “.”, insert:

“The Department of Mental Health, Mental Retardation and Substance Abuse Services shall phase in the allocation of slots during the first year consistent with the funding provided in this Item.”

Amendment #16: Provide additional support for the Virginia Outdoors Foundation

Item 362

Natural Resources

FY 08-09

FY 09-10

Department of Conservation and Recreation

\$525,000

\$525,000

GF

Language:

Page 348, line 1, strike “\$48,437,884” and insert “\$48,962,884”.

Page 348, line 1, strike “\$48,687,884” and insert “\$49,212,884”.

Page 348, line 44, strike “\$1,525,000” and insert “\$2,050,000”.

Page 348, line 45, strike “\$1,525,000” and insert “\$2,050,000”.

Amendment #17: Provide funding for the preservation of Civil War historic battlefields

Item 374

Natural Resources

FY 08-09

FY 09-10

Department of Historic Resources

\$5,000,000

\$0

GF

Language:

Page 354, line 23, strike “\$5,315,801” and insert “\$10,315,801”.

Page 356, line 10, strike “\$190,000 each” and insert “\$5,190,000 the first year and \$190,000 the second”.

Amendment #18: Exempt Patrick County from jail construction moratorium
Item 388

Public Safety

Department of Corrections

Language

Language:

Page 365, line 49, after “Martinsville” insert “or, alternatively, Patrick County, in order to proceed in planning for a replacement of the existing local jail facility”.

Amendment #19: Post-secondary education in correctional centers

Item 390

Public Safety

Department of Corrections

Language

Language:

Page 369, line 51, strike “Liberty University shall” and insert “any public or private institution of higher education may”.

Page 369, line 54, strike “Liberty University” and insert “the institution of higher education”.

Page 370, line 5, strike “shall” and insert “may”.

Page 370, line 6, strike “Green Rock Correctional Center” and insert “any correctional center”.

Page 370, strike lines 8 through 10.

Page 370, line 11, strike “otherwise” and insert “the institution of higher education”.

Amendment #20: Provide Woodrum funding

Item 391

Public Safety

FY 08-09

FY 09-10

Department of Corrections

\$29,362

\$0

GF

Language:

Page 370, line 23, strike “\$78,013,144” and insert “\$78,042,506”.

Page 373, after line 35, insert:

“L. Included in the appropriation for this Item is \$29,362 the first year from the general fund for the estimated net increase in the operating costs of adult correctional centers resulting from the enactment of HB 113 and SB 368 (\$16,887), and of SB 284 (\$12,475) by the 2008 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.”

Amendment #21: Clarify HB 599 distribution

Item 397

Public Safety

Department of Criminal Justice Services

Language

Language:

Page 377, line 32, after “A.”, strike “The” and insert “Except for the funds referred to in paragraph E. of this Item, the”

Amendment #22: County improvements to state system roadways

Item 458

Transportation

Department of Transportation

Language

Language:

Page 418, strike lines 52 through 56 and insert:

“F. The Department of Transportation is encouraged to promote the construction and improvement of primary and secondary highways by counties, consistent with Section 33.1-75.3 of the Code of Virginia, whether or not such improvements are contained in the Six-Year Improvement Program or Plan. If such improvements are not contained in the Six-Year Improvement Program or Plan, the counties may not seek reimbursement from the department for the improvements.”

Page 419, strike lines 1 through 6.

Amendment #23: Provide economic development incentive for research related entity

Item 473

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$2,000,000	\$2,000,000	GF

Language:

Page 444, line 7, strike “\$20,956,806” and insert “\$22,956,806”.

Page 444, line 7, strike “\$41,016,406” and insert “\$43,016,406”.

Page 448, after line 12 insert:

“M. Out of the general fund appropriation for this Item, the Governor is authorized to expend \$2,000,000 the first year and \$2,000,000 the second year to provide an incentive for the location of a research-related entity in accordance with § 2.2-2240.1, Code of Virginia.”

Amendment #24: Domestic and foreign corporation annual registration fee enactment date

Item 479

Independent Agencies

State Corporation Commission Language

Language:

Page 453, line 10, strike “2006” and insert “2008”.

Amendment #25: Revert additional GF capital amounts

Item 2-0

Capital General Conditions

Capital General Conditions Language

Language:

Page 465, after line 46 insert:

“S. On or before August 30, 2008, the State Comptroller shall revert to the general fund an amount estimated at \$55,000,000 from the following capital projects listed in the table below by agency, fund code, and project code; provided however, that the Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the director shall subsequently verify an unpaid obligation cannot be paid as a result of this reversion:

Agency Code	Project Code	Fund Code
194	17091	0100
194	17490	0100
199	16937	0100
204	17189	0100
208	16713	0100
208	16792	0100
208	16793	0100
208	17424	0100
208	17494	0100
211	17119	0100
212	16798	0100
212	17306	0100
214	16301	0100

214	16802	0100
214	17017	0100
214	17317	0100
214	17323	0100
215	17325	0100
216	16808	0100
216	16809	0100
217	16813	0100
221	17339	0100
236	16403	0100
236	16825	0100
236	17452	0100
242	16774	0100
246	17362	0100
246	17451	0100
260	16178	0100
260	16501	0100
260	16614	0100
260	16718	0100
260	16837	0100
260	16841	0100
260	16850	0100
268	17489	0100
425	17209	0100
702	17231	0100
720	17140	0100
777	17179	0100
799	16110	0100
799	16113	0100

Amendment #26: Change project title and move funds from second year to first year

Item C-36.50

Education: Higher Education	FY 08-09	FY 09-10	
George Mason University	\$6,000,000	(\$6,000,000)	NGF

Language:

Page 471, line 14, strike “Swing Space and Data Center” and insert “Surge Space on Fairfax Campus”.

Page 471, line 15, strike “\$0” and insert “\$6,000,000”.

Page 471, line 15, strike “\$6,000,000” and insert “\$0”.

Amendment #27: Authorize a capital lease for Prince William research laboratory space

Item C-36.60

Education: Higher Education	
George Mason University	Language

Language:

Page 471, after line 16, insert new item:

“C-36.60. George Mason University is authorized to enter into a capital lease, as defined by Generally Accepted Accounting Principles (GAAP), for research laboratory space adjacent to the Prince William campus. The university will report such lease to the Department of Accounts, the Department of the Treasury, and the Department of Planning and Budget. Approval is granted to expend a total of \$12,000,000 for such lease over a term not to exceed 10 years. Any such agreement

is exempt from Section 4-3.03 b.2. of this act. The lease will be funded from indirect cost recoveries or other non-Educational and General Program revenues.”

Amendment #28: Expands scope of capital project “New Construction: Residence Halls.”

Item C-44.20

Education: Higher Education

University of Mary Washington

Language

Language:

Page 473, after line 1, insert:

“C-44.20. The project listed in Item C-86.50, Chapter 847, 2007 Acts of Assembly, is authorized to include renovation of residence halls in the scope of the project.”

Amendment #29: Remove capital project language related to battlefield preservation

Item C-110

Natural Resources

Department of Conservation and Recreation

Language

Language:

Page 484, line 24, strike “the Department of”.

Page 484, line 25, strike “Historic Resources,”.

Page 484, line 29, strike “A”.

Page 484, strike lines 30 through 33.

Amendment #30: Revise language regarding bonds for maintenance reserve projects

Item C-176

Central Appropriations

Central Capital Outlay

Language

Language:

Page 496, line 34 strike “funds:” and insert “funds to finance the following capital costs:”.

Page 496, line 46, strike “or address minor deficiencies”.

Amendment #31: Provide supplemental funding for George Mason University

Item C-177

Central Appropriations

FY 08-09

FY 09-10

Central Capital Outlay

\$5,000,000

\$0

NGF

Language:

Page 497, line 14, strike “\$34,405,000” and insert “\$39,405,000”.

Page 497, after line 32, insert:

“George Mason University 17365 Construct Academic VI and Research II”.

Amendment #32: Redirect planning dollars

Item C-177.10

Central Appropriations

FY 08-09

FY 09-10

Central Capital Outlay

\$5,000,000

(\$5,000,000)

GF

Language:

Page 498, line 49, strike “\$0” and insert “\$5,000,000”.

Page 498, line 49, strike “\$5,300,000” and insert “\$300,000”.

Page 498, strike lines 51 through 55 and insert:

“A.1. Out of this appropriation, \$250,000 the first year from the general fund is designated but not limited to determining the technical and functional requirements and acquisition, provided the appropriation is sufficient for purchase, of a capital project electronic information management

solution by the Department of General Services to implement the provisions of HB 5001 and SB 5001 of the 2008 Special Session I of the General Assembly. The Department of General Services shall determine the procurement processes, pursuant to § 2.2-4300 et seq. of the Code of Virginia, that result in the most cost efficient and timely means to satisfy the requirements of this provision and in doing so, may determine that such procurement processes specifically related to information technology goods and services not be subject to § 2.2-2005 et seq. of the Code of Virginia. The Department of General Services shall also have the authority to determine if the software solution is best hosted by the provider or the Virginia Information Technologies Agency. The Director, Department of Planning and Budget, shall transfer this amount to the Department of General Services on July 1, 2008.

2. Out of this appropriation, \$300,000 the first year from the general fund and \$300,000 the second year from the general fund is designated for hiring the required professional staff within the Department of General Services to implement the provisions of HB 5001 and SB 5001 of the 2008 Special Session I of the General Assembly. The Director, Department of Planning and Budget, shall transfer this amount to the Department of General Services on July 1 of each fiscal year.”

Page 499, strike lines 1 through 6.

Page 499, line 7 strike “2.” and insert “3.”

Page 499, after line 15, insert:

“B. The Director, Department of Planning and Budget may transfer the remaining amount of the first year appropriation in this Item to the Treasury Board to pay for the additional debt service costs attributable to capital outlay projects authorized for debt financing in the 2008 Regular Session or in the 2008 Special Session I of the General Assembly.”

Amendment #33: Increase supplanting of general fund capital with VPBA debt
Item C-181.10

Central Appropriations	FY 08-09	FY 09-10	
9(D) Revenue Bonds	\$10,700,000	\$0	NGF

Language:

Page 503, after line 60, insert:

“C-181.10 Supplant Capital Projects - VPBA (17643)	\$10,700,000	\$0
Fund Sources: Bond Proceeds	\$10,700,000	\$0

A.1. This Item authorizes capital projects to be financed pursuant to Article X, Section 9(d) of the Constitution of Virginia.

2. This paragraph shall constitute the authority for the Virginia Public Building Authority to finance capital projects contained in Item C-326.30 of HB 29 as enacted by the 2008 Session of the General Assembly as well as the following capital projects listed in this Item through the issuance of revenue bonds in aggregate principal amounts not to exceed \$125,000,000, plus amounts to fund related issuance costs, reserve funds, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia Public Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.

3. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency, fund code, and project code:

Agency Code	Project Code	Fund Code
194	17091	0100
194	17490	0100
199	16937	0100
425	17209	0100
702	17231	0100
720	17140	0100

777	17179	0100
799	16110	0100
799	16113	0100

4. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, an amount equivalent to the general fund appropriation reverted from the capital projects contained in Item C-326.30 of HB 29 as enacted by the 2008 Session of the General Assembly.

5. The appropriations for the capital projects contained in this Item and in Item C-326.30 of HB 29, as enacted by the 2008 Session of the General Assembly, are subject to paragraph F. of § 2-0 of this act.”

Amendment #34: Add project funding to the 9(d) revenue bond table

Item C-182

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 504, line 7, strike “\$112,561,373” and insert “\$117,561,373”.

Page 505, line 27, strike “\$34,405,000” and insert “\$39,405,000”.

Page 505, line 28, strike “\$112,561,373” and insert “\$117,561,373”.

Amendment #35: Increase supplanting of general fund capital with VCBA debt

Item C-182.10

Central Appropriations

9(D) Revenue Bonds

FY 08-09

FY 09-10

\$44,300,000

\$0

NGF

Language:

Page 505, after line 28, insert:

“C-182.10 Supplant Capital Projects - VCBA (17644) \$44,300,000 \$0

Fund Sources: Bond Proceeds \$44,300,000 \$0

A.1. This Item shall constitute the authority for the Virginia College Building Authority to finance the capital projects contained in Item C-326.30 of HB 29, as enacted by the 2008 Session of the General Assembly, as well as the following capital projects listed in this Item through the issuance of bonds pursuant to § 23-30.24 et seq. Code of Virginia in aggregate principal amounts not to exceed \$230,000,000. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia College Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.

2. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia College Building Authority pursuant to § 23-30.24 et seq. Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency, fund code, and project code:

Agency Code	Project Code	Fund Code
204	17189	0100
208	16713	0100
208	16792	0100
208	16793	0100
208	17424	0100
208	17494	0100
211	17119	0100
212	16798	0100
212	17306	0100
214	16301	0100

214	16802	0100
214	17017	0100
214	17317	0100
214	17323	0100
215	17325	0100
216	16808	0100
216	16809	0100
217	16813	0100
221	17339	0100
236	16403	0100
236	16825	0100
236	17452	0100
242	16774	0100
246	17362	0100
246	17451	0100
260	16178	0100
260	16501	0100
260	16614	0100
260	16718	0100
260	16837	0100
260	16841	0100
260	16850	0100
268	17489	0100

3. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia College Building Authority pursuant to § 23.20.24 et seq. Code of Virginia, an amount equivalent to the general fund appropriation reverted from the capital projects contained in Item C-326.30 of HB 29 as enacted by the 2008 Session of the General Assembly.

4. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

5. The appropriations for the capital projects contained in this Item and in Item C-326.30 of HB 29, as enacted by the 2008 Session of the General Assembly, are subject to paragraph F. of § 2-0 of this act.”

Amendment #36: Eliminate taking interest from the State Asset Forfeiture Fund

Item 3-3.04

General Fund Deposits

Interest Earnings

Language

Language:

Page 512, strike line 33.

Amendment #37: Eliminate overly restrictive limitations to withhold appropriations

Item 4-1.02

Appropriations

Withholding of Spending Authority

Language

Language:

Page 517, line 27, after “action” insert:

“pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue”

Page 518, line 33, after “appropriations.” strike the remainder of the line.

Page 518, strike lines 34 through 38.

Amendment #38: Modify language on separation of powers

Item 4-1.06

Appropriations

Limited Adjustments Of Appropriations

Language

Language:

Page 523, line 35, after “with” strike “the written concurrence of” and insert “notification to”.

Amendment #39: Correct language regarding settlements in favor of the Commonwealth

Item 4-2.02

Revenues

General Fund Revenue

Language

Language:

Page 527, line 30, after “contract,” insert “(c) involving the interest of the Virginia Retirement System,”.

Page 527, line 30, strike “(c)” and insert “(d)”.

Amendment #40: Remove language restricting the Governor’s powers of appointment

Item 4-6.01

Positions and Employment

Employee Compensation

Language

Language:

Page 545, line 26 after “shown.” strike the remainder of the line.

Page 545, strike lines 27 through 29.

Amendment #41: Amend language for Virginia Community College System

Item 4-6.01

Positions and Employment

Employee Compensation

Language

Language:

Page 551, line 29, after “reflect”, strike “the” and insert “an”.

Page 551, line 30, strike “required by this act”

Page 551, line 30, after “institutions”, insert “and for faculty at Northern Virginia Community College”

The reading of the communication was waived.

H.B. 30, on motion of Senator Colgan, was amended in accordance with recommendation Nos. 1-3, 6-8, 10-11, 15-17, 20-39, and 41 of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

Senator Houck moved that the Senate refuse to amend **H.B. 30** in accordance with recommendation No. 13 of the Governor.

The question was put on agreeing to amend **H.B. 30** in accordance with recommendation No. 13 of the Governor.

The Senate refused to so amend **H.B. 30** in accordance with recommendation No. 13 of the Governor.

The recorded vote is as follows:

YEAS--0. NAYS--38. RULE 36--0.

YEAS--0.

NAYS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

RULE 36--0.

H.B. 30, on motion of Senator Houck, was amended in accordance with recommendation No. 14 of the Governor.

The recorded vote is as follows:

YEAS--25. NAYS--14. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, McEachin, Miller, J.C., Miller, Y.B., Northam, Petersen, Puckett, Puller, Reynolds, Saslaw, Stuart, Ticer, Whipple--25.

NAYS--Martin, McDougle, Newman, Norment, Obenshain, Quayle, Ruff, Smith, Stolle, Stosch, Vogel, Wagner, Wampler, Watkins--14.

RULE 36--0.

STATEMENT ON VOTE

Senator Blevins stated that he voted yea on the question of agreeing to amend **H.B. 30** in accordance with recommendation No. 14 of the Governor, whereas he intended to vote nay.

H.B. 499 (four hundred ninety-nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO: THE HOUSE OF DELEGATES
HOUSE BILL NO. 499

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 1093, enrolled, after *five*

insert

business

2. Line 1103, enrolled, after *case to the*
strike

general

3. Line 1118, enrolled, after *mandatory*
insert

outpatient

4. Line 1202, enrolled, after *subsection A*
insert

of

5. Line 1220, enrolled, after of
strike

§ 37.2-817

insert

§ 37.2-815

6. Line 1233, enrolled, after clerk *of the*
strike

general

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

H.B. 499, on motion of Senator Marsh, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

H.B. 516 (five hundred sixteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 516

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 125, enrolled after or after
strike

October 1, 2008

insert

January 1, 2009

2. Line 1072, enrolled, after *delivered*.

insert

The resale certificate shall be delivered within 14 days of receipt of such request.

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 516, on motion of Senator Locke, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 538 (five hundred thirty-eight) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 538

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 222, enrolled, after this
strike
chapter
insert
section
2. Line 262, enrolled, after Commissioner
insert
, the State Veterinarian,
3. Line 268, enrolled, after this
strike
chapter
insert
article
4. Line 335, enrolled, after on
strike
July
insert
January
5. Line 336, enrolled
strike
all of lines 336 through 338

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 538, on motion of Senator Colgan, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

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 11, 2008

TO THE VIRGINIA 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 16, enrolled, after *to*
insert
the
2. Line 16, enrolled, after *telephone*
insert
station

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 546, on motion of Senator Saslaw, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 709 (seven hundred nine) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 709

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 35, enrolled, after *purchasing*

insert
, *possessing or transporting*

2. Line 37, enrolled, after *incompetent*
strike

or
insert
a comma (,)

3. Line 37, enrolled, after *incapacitated*
insert

or adjudicated an incapacitated person

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 709, on motion of Senator Marsh, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.
RULE 36--0.

H.B. 721 (seven hundred twenty-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 721

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 124, enrolled, after *plats*
strike
or plans

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 721, on motion of Senator Lucas, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

YEAS--38. NAYS--0. RULE 36--0.

YEAS--Barker, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--38.

NAYS--0.

RULE 36--0.

H.B. 766 (seven hundred sixty-six) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 766

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 105, enrolled, after *shall*
Strike
use
Insert
physically present

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 766, on motion of Senator Houck, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 819 (eight hundred nineteen) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 819

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. At the beginning of Line 50, enrolled
strike
All of line 50

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 819, on motion of Senator Houck, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.
NAYS--0.
RULE 36--0.

H.B. 931 (nine hundred thirty-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 931

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 26, enrolled,

Strike

all of lines 26 through 28

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 931, on motion of Senator Colgan, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 1135 (one thousand one hundred thirty-five) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 1135

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 10, enrolled, after *submissions*.
strike

Such home

insert

Home

2. Line 11, enrolled, after *relevance and*
strike

against

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 1135, on motion of Senator Houck, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 1331 (one thousand three hundred thirty-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO: THE HOUSE OF DELEGATES

HOUSE BILL NO. 1331

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 3853, enrolled, after *the Speaker of the House of Delegates*
strike
in accordance with the principles of proportional representation contained in the Rules of the House of Delegates
2. Line 3856, enrolled, after *on*
strike
Privileges and Elections
insert
Rules
3. Line 3859, enrolled, after *The*
strike
Commissioner
insert
Secretary of Agriculture and Forestry or his designee
4. Line 3875, enrolled, after *and the*
strike
Commissioner
insert
Secretary of Agriculture and Forestry or his designee
5. At the beginning of Line 3881, enrolled,
strike
Commissioner

insert

Secretary of Agriculture and Forestry or his designee

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

H.B. 1331, on motion of Senator Ticer, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 1407 (one thousand four hundred seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:

HOUSE BILL NO. 1407

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/ Timothy M. Kaine

Governor

AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR HOUSE BILL NO. 1407

[The substitute having been printed separately, the title only is recorded as follows:]

A BILL to amend and reenact § 46.2-395 of the Code of Virginia, relating to suspended license; unpaid fines.

The reading of the communication was waived.

H.B. 1407, on motion of Senator Marsh, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougale, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

H.B. 1442 (one thousand four hundred forty-two) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA

Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:

HOUSE BILL NO. 1442

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 23, enrolled, after subsequent offense
unstrike

~~and~~

2. Line 24, enrolled, after percent,
strike

and (iv) shall, for any violation of the conditions of a restricted license,

/s/ Timothy M. Kaine

Governor

The reading of the communication was waived.

H.B. 1442, on motion of Senator Marsh, was amended in accordance with the recommendations of the Governor.

The recorded vote is as follows:

YEAS--37. NAYS--2. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--37.

NAYS--McDougale, Quayle--2.

RULE 36--0.

H.B. 1487 (one thousand four hundred eighty-seven) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 1487

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 121, enrolled, after 7.3
insert
of this title

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 1487, on motion of Senator Saslaw, was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.
RULE 36--0.

H.B. 1551 (one thousand five hundred fifty-one) was taken up together with the following communication from the Governor:

COMMONWEALTH OF VIRGINIA
Office of the Governor

April 11, 2008

TO THE VIRGINIA HOUSE OF DELEGATES:
HOUSE BILL NO. 1551

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 25, enrolled, after to
strike
July 1, 2008
insert
June 30, 2008

/s/ Timothy M. Kaine
Governor

The reading of the communication was waived.

H.B. 1551, on motion of Senator Miller, Y.B., was amended in accordance with the recommendation of the Governor.

The recorded vote is as follows:

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

YEAS--Barker, Blevins, Colgan, Deeds, Edwards, Hanger, Herring, Houck, Howell, Hurt, Locke, Lucas, Marsh, Martin, McDougle, McEachin, Miller, J.C., Miller, Y.B., Newman, Norment, Northam, Obenshain, Petersen, Puckett, Puller, Quayle, Reynolds, Ruff, Saslaw, Smith, Stolle, Stosch, Stuart, Ticer, Vogel, Wagner, Wampler, Watkins, Whipple--39.

NAYS--0.

RULE 36--0.

At 4:15 p.m., Senator Saslaw moved that the Senate recess until 4:30 p.m.

The motion was agreed to.

The hour of 4:30 p.m. having arrived, the Chair was resumed.

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:

April 23, 2008

H.B. 12. (Reenrolled.) An Act to amend and reenact §§ 6.1-459, 6.1-460, 6.1-461, 6.1-467, and 6.1-469 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 6.1-453.1 and 6.1-469.1, relating to the Payday Loan Act.

H.B. 499. (Reenrolled.) An Act to amend and reenact §§ 16.1-337, 19.2-169.6, 19.2-176, 19.2-177.1, 32.1-127.1:03, 37.2-800, 37.2-808, 37.2-809, 37.2-813 through 37.2-818, 37.2-821, and 53.1-40.2 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 37.2-817.1 through 37.2-817.4 and by adding in Article 1 of Chapter 8 of Title 37.2 a section numbered 37.2-804.2, relating to involuntary commitment.

H.B. 516. (Reenrolled.) An Act to amend and reenact §§ 54.1-2105.1, 54.1-2130, 55-79.41, 55-79.58, 55-79.58:1, 55-79.74, 55-79.79, 55-79.81, 55-79.84:1, 55-79.86, 55-79.89, 55-79.93:1, 55-79.95, 55-79.97, 55-362, 55-362.1, 55-374.1, 55-374.2, 55-375, 55-392.1, 55-484, 55-487, 55-496, 55-504.1, 55-508, 55-509, 55-509.2, 55-510, 55-513, 55-513.1, 55-514, 55-514.2, 55-516.1, 55-528, 55-529, and 55-530 of the Code of Virginia; to amend the Code of Virginia by adding in Title 54.1 a chapter numbered 23.3, consisting of sections numbered 54.1-2345 through 54.1-2354, by adding sections numbered 55-79.97:1, 55-79.97:2, and 55-79.97:3, by adding sections numbered 55-509.3 through 55-509.10, and by adding in Chapter 29 of Title 55 a section numbered 55-530.1; and to repeal §§ 55-511 and 55-512 of the Code of Virginia, relating to common interest communities.

- H.B. 538.** (Reenrolled.) An Act to amend and reenact §§ 3.1-796.66, 3.1-796.104, and 58.1-3109 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 3.1-796.71:1, by adding in Chapter 27.4 of Title 3.1 an article numbered 2.1, consisting of sections numbered 3.1-796.77:1 through 3.1-796.77:6, and by adding a section numbered 3.1-796.122:1, relating to the breeding of companion animals; penalty.
- H.B. 546.** (Reenrolled.) An Act to amend and reenact §§ 56-484.19 and 56-484.23 of the Code of Virginia, relating to 9-1-1 emergency calls on multiline telephone systems.
- H.B. 709.** (Reenrolled.) An Act to amend and reenact §§ 18.2-308.1:1 and 18.2-308.2:2 of the Code of Virginia, relating to purchase of firearms; consent form; mental health questions; penalty.
- H.B. 721.** (Reenrolled.) An Act to amend and reenact §§ 15.2-2259 and 15.2-2260 of the Code of Virginia, relating to plats.
- H.B. 766.** (Reenrolled.) An Act to amend and reenact §§ 23-276.1, 23-276.10, and 23-276.12 of the Code of Virginia, relating to fraudulent academic credentials; penalties.
- H.B. 819.** (Reenrolled.) An Act to amend and reenact § 32.1-102.3:1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 32.1-102.3:1.1, relating to certificate of public need for certain nursing facilities.
- H.B. 931.** (Reenrolled.) An Act to amend the Code of Virginia by adding a section numbered 18.2-248.03, relating to manufacturing, selling, giving, or distributing of methamphetamine; penalty.
- H.B. 1135.** (Reenrolled.) An Act to amend the Code of Virginia by adding a section numbered 22.1-203.3, relating to voluntary expression of religious viewpoints in public schools.
- H.B. 1331.** (Reenrolled.) An Act to amend and reenact §§ 2.2-203.3 and 15.2-902 of the Code of Virginia; to amend the Code of Virginia by adding a title numbered 3.2, containing Subtitle I, consisting of chapters numbered 1 through 10, containing sections numbered 3.2-100 through 3.2-1011, Subtitle II, consisting of chapters numbered 11 through 31, containing sections numbered 3.2-1100 through 3.2-3111, Subtitle III, consisting of chapters numbered 32 through 50, containing sections numbered 3.2-3200 through 3.2-5000, Subtitle IV, consisting of chapters numbered 51 through 58, containing sections numbered 3.2-5100 through 3.2-5820, and Subtitle V, consisting of chapters numbered 59 through 65, containing sections numbered 3.2-5900 through 3.2-6590, and by adding in Chapter 2 of Title 10.1 an article numbered 4, consisting of sections numbered 10.1-217.1 through 10.1-217.6; and to repeal Title 3.1 (§§ 3.1-1 through 3.1-1114.1) and Article 3.1 (§§ 10.1-559.1 through 10.1-559.11) of Chapter 5 of Title 10.1 of the Code of Virginia, relating to revising and recodifying the laws pertaining to Agriculture, Animal Care, and Food.
- H.B. 1407.** (Reenrolled.) An Act to amend and reenact § 46.2-395 of the Code of Virginia, relating to suspended license; unpaid fines.
- H.B. 1442.** (Reenrolled.) An Act to amend and reenact § 18.2-270.1 of the Code of Virginia, relating to ignition interlock limitations.

- H.B. 1487.** (Reenrolled.) An Act to amend and reenact §§ 6.1-409, 6.1-414, 6.1-425, 6.1-428, 6.1-430, 19.2-389, and 30-261 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 6.1-423.1 and 6.1-423.2, relating to the Mortgage Lender and Broker Act; the owner-occupancy requirement in the definition of a mortgage loan; failure to pay appraisal fee as grounds for license suspension or revocation; background investigations; employee training; the power of the State Corporation Commission to enforce certain laws; and the duties of the Virginia Housing Commission; penalties; all pertaining to home ownership protection.
- H.B. 1551.** (Reenrolled.) An Act to authorize the review of the current fee structure applied to vehicles operating under permits for weight pursuant to Articles 17 and 18 of Chapter 10 of Title 46.2 of the Code of Virginia and to amend and reenact the second enactment of Chapter 738 of the Acts of Assembly of 2007, relating to vehicle weights; fee structure.
- S.B. 62.** (Reenrolled.) An Act to amend and reenact § 24.2-416.2 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-418.1, relating to voter registration procedures; applications and receipts.
- S.B. 116.** (Reenrolled.) An Act to amend and reenact § 46.2-330 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 46.2-214.2, relating to service charges imposed and collected by the Department of Motor Vehicles; issuance of driver's licenses and learner's permits.
- S.B. 145.** (Reenrolled.) An Act to amend the Code of Virginia by adding a section numbered 56-235.9, relating to the recovery of funds used for capital projects prior to a rate case for strategic natural gas facilities.
- S.B. 171.** (Reenrolled.) An Act to amend and reenact § 63.2-1201 of the Code of Virginia, and to amend the code of Virginia by adding a section numbered 63.2-1201.1, relating to adoption by former spouses.
- S.B. 226.** (Reenrolled.) An Act to amend and reenact §§ 18.2-308.1:1 and 18.2-308.2:2 of the Code of Virginia, relating to purchase of firearms; consent form; mental health questions; penalty.
- S.B. 246.** (Reenrolled.) An Act to amend and reenact §§ 16.1-337, 19.2-169.6, 19.2-176, 19.2-177.1, 32.1-127.1:03, 37.2-800, 37.2-808, 37.2-809, 37.2-813 through 37.2-818, 37.2-821, and 53.1-40.2 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 37.2-817.1 through 37.2-817.4 and by adding in Article 1 of Chapter 8 of Title 37.2 a section numbered 37.2-804.2, relating to involuntary commitment.
- S.B. 301.** (Reenrolled.) An Act to amend and reenact §§ 54.1-2105.1, 54.1-2130, 55-79.41, 55-79.58, 55-79.58:1, 55-79.74, 55-79.79, 55-79.81, 55-79.84:1, 55-79.86, 55-79.89, 55-79.93:1, 55-79.95, 55-79.97, 55-362, 55-362.1, 55-374.1, 55-374.2, 55-375, 55-392.1, 55-484, 55-487, 55-496, 55-504.1, 55-508, 55-509, 55-509.2, 55-510, 55-513, 55-513.1, 55-514, 55-514.2, 55-516.1, 55-528, 55-529, and 55-530 of the Code of Virginia; to amend the Code of Virginia by adding in Title 54.1 a chapter numbered 23.3, consisting of sections numbered 54.1-2345 through 54.1-2354, by adding sections numbered 55-79.97:1, 55-79.97:2, and 55-79.97:3, by adding sections numbered 55-509.3 through 55-509.10, and by adding in Chapter 29 of Title 55 a section numbered 55-530.1; and to repeal §§ 55-511 and 55-512 of the Code of Virginia, relating to common interest communities.

- S.B. 314.** (Reenrolled.) An Act to amend and reenact §§ 2.2-2715 and 2.2-2716 of the Code of Virginia, relating to the Veterans Services Foundation.
- S.B. 472.** (Reenrolled.) An Act to amend and reenact §§ 22.1-323.2, 37.2-408, 63.2-1737, and 66-24 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 37.2-408.1, relating to regulation of group homes and residential facilities for children.
- S.B. 562.** (Reenrolled.) An Act to amend the Code of Virginia by adding a section numbered 18.2-248.03, relating to manufacturing, selling, giving, distributing of methamphetamine; penalty.
- S.B. 584.** (Reenrolled.) An Act to amend and reenact §§ 4.1-100, 4.1-209, 4.1-324, and 4.1-325 of the Code of Virginia, relating to alcoholic beverage control; prohibited acts by licensees; exceptions for sangria.
- S.B. 588.** (Reenrolled.) An Act to amend and reenact §§ 6.1-459, 6.1-460, 6.1-461, 6.1-467, and 6.1-469 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 6.1-453.1 and 6.1-469.1, relating to the Payday Loan Act.
- S.B. 590.** (Reenrolled.) An Act to amend and reenact §§ 9.1-902, 9.1-908, and 9.1-910 of the Code of Virginia, relating to sex offenders; registration; penalty.
- S.B. 797.** (Reenrolled.) An Act to amend the Code of Virginia by adding a section numbered 55-59.1:1, relating to notice and additional time before acceleration of high-risk mortgage loans.

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- H.B. 30.** (Reenrolled.) An Act for all appropriations of the Budget submitted by the Governor of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia, and to provide a portion of revenues for the two years ending respectively on the thirtieth day of June, 2009, and the thirtieth day of June, 2010.
- S.B. 7.** (Reenrolled.) An Act to amend and reenact §§ 24.2-101, 24.2-700, 24.2-701, and 24.2-703.1 through 24.2-705.1 of the Code of Virginia, relating to voters eligible to vote absentee.
- S.B. 772.** (Reenrolled.) An Act to amend and reenact § 19.2-123 of the Code of Virginia, relating to conditions of bond.

On motion of Senator Obenshain, a leave of absence for the day was granted Senator Cuccinelli on account of personal family business.

**MESSAGE FROM THE HOUSE
ADJOURNMENT SINE DIE**

A message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had adjourned sine die.

Senator Colgan moved that the Senate adjourn sine die.

The motion was agreed to.

The President declared the Senate adjourned sine die.

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

**MESSAGE FROM THE HOUSE
SUBSEQUENT TO ADJOURNMENT SINE DIE**

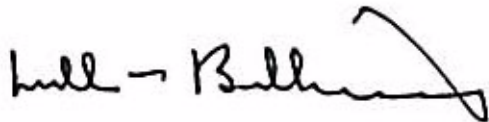
Subsequent to adjournment sine die, a message was received from the House of Delegates by Delegate Griffith, who informed the Senate that the House had agreed to **H.J.R. 619** (six hundred nineteen), as follows; in which it requested the concurrence of the Senate:

HOUSE JOINT RESOLUTION NO. 619

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 Reconvened Session of the 2008 General Assembly is ready to adjourn sine die and to inquire if he has any communication to make.

A handwritten signature in black ink, appearing to read "Bill - Bolling", with a large, sweeping flourish at the end.

William T. Bolling
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

