The Senate met at 11:00 a.m. and was called to order by Lieutenant Governor William T. Bolling.

The Reverend Daniel A. Goodall, Sr., Antioch Baptist Church, Essex County, Virginia, offered the following prayer:

In year 1876, Daniel C. Roberts penned the words to God of Our Fathers for the centennial celebration of the Constitution of the United States of America. How befitting that in this historic year of our nation’s continued progress that it be used as a preamble for the opening of the Virginia Senate. Let us pray.

God of our fathers, whose almighty hand
Leads forth in beauty all the starry band
Of shining worlds in splendor through the skies
Our grateful songs before Thy throne arise.

Thy love divine hath led us in the past,
In this free land by Thee our lot is cast.
Be Thou our Ruler, Guardian, Guide and Stay,
Thy Word our law, Thy paths our chosen way.

From war’s alarms, from deadly pestilence,
Be Thy strong arm our ever sure defense;
Thy true religion in our hearts increase,
Thy bounteous goodness nourish us in peace.

Refresh Thy people on their toilsome way,
Lead us from night to never ending day;
Fill all our lives with love and grace divine,
And glory, laud, and praise be ever Thine.

Create in us a clean heart, O Lord, and renew the right spirit in us. Help this Senate body to seek Your wisdom as they attend to the business at hand for the people of the Commonwealth of Virginia.

Father unify them in a spirit of collaboration to make the best decisions for the citizens of Virginia. Inspire them, O God, to look beyond politics and parasitism and reach for the higher calling which answers the needs of the people during this time of great challenges.

In these times of great uncertainty help this Senate by what they do here, reassure the people of this great Commonwealth that they have the ability to make decisions that will make a real difference to the lives of so many Virginians.

We pray for the care of their families as they serve here in this General Assembly. We pray God for their health and strength as they perform their duty. We are forever mindful of our fellow citizens in uniform who serve on foreign and domestic soil during this time of war.

And I give my special thanks to Thee, O Lord, for You have allowed me to see the goodness of Your love and the fulfillment of Your promise in the land of the living as we celebrated our new president Barack Obama, and the First Family. We pray God that You bless the Commonwealth of Virginia and bless the United States of America. And we give Your name all the praise, the honor and all the glory because You are worthy to be praised. Amen.

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

A quorum was present.

After the roll call, Senators Blevins, Edwards, Herring, Locke, Martin, McEachin, and Whipple notified the Clerk of their presence.

On motion of Senator Stosch, the reading of the Journal was waived.

The recorded vote is as follows:

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


NAYS--0.

RULE 36--0.

HOUSE COMMUNICATION

The following communication was received:

In the House of Delegates
February 23, 2009

THE HOUSE OF DELEGATES HAS PASSED WITH AMENDMENTS THE FOLLOWING SENATE BILLS:

S.B. 1285. A BILL to amend and reenact §§ 15.2-2506 and 22.1-93, as it shall become effective on January 1, 2009, of the Code of Virginia, relating to publication of the school division’s annual school budget.

S.B. 1478. A BILL to amend and reenact § 2.2-3705.3 of the Code of Virginia, relating to the Freedom of Information Act; building and fire code complaints.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING SENATE BILL:

S.B. 1410. A BILL to amend and reenact §§ 46.2-1569 and 46.2-1571 of the Code of Virginia, relating to coercion of motor vehicle dealers by manufacturers, etc.; warranty obligations and sales incentives.

THE HOUSE OF DELEGATES HAS REJECTED THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:
H.B. 1655. A BILL to amend and reenact § 15.2-915 of the Code of Virginia, relating to control of firearms; court costs and attorney fees.


THE HOUSE OF DELEGATES HAS REJECTED THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 2550. A BILL to amend and reenact §§ 2.2-2260, 2.2-2261, 2.2-2263, 2.2-3705.6, 62.1-198, and 62.1-199 of the Code of Virginia and to amend the Code of Virginia by adding in Title 30 a chapter numbered 47, consisting of sections numbered 30-309 through 30-312, relating to economic development; incentive and site development for major employment and investment projects.

H.B. 2607. A BILL to amend and reenact § 58.1-662 of the Code of Virginia, relating to the disposition of communications sales and use tax revenue.

THE HOUSE OF DELEGATES HAS AGREED TO THE REPORT OF THE COMMITTEE OF CONFERENCE ON THE FOLLOWING HOUSE BILL:

H.B. 2504. A BILL to amend and reenact § 58.1-402 of the Code of Virginia, relating to corporate income tax; real estate investment trusts.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING HOUSE JOINT RESOLUTIONS:


H.J.R. 950. Commending the Broad Run High School girls’ soccer team.


H.J.R. 952. Commending the Broad Run High School football team.


H.J.R. 958. Commending the St. Christopher’s School wrestling team.


H.J.R. 969. Commending the Honorable Jean Harrison Clements.

H.J.R. 970. Commending the Town of Timberville on the occasion of its 125th anniversary.

H.J.R. 971. Commending the Virginia State Bar Young Lawyers Conference on 35 years of exemplary legal service to the Commonwealth.


H.J.R. 975. Commending the Bradley Free Clinic on the occasion of its 35th anniversary.


THE HOUSE OF DELEGATES HAS PASSED THE FOLLOWING SENATE BILLS:
S.B. 878. A BILL to amend and reenact § 54.1-2400 of the Code of Virginia, and to amend the Code of Virginia by adding in Article 5 of Chapter 30 of Title 54.1 a section numbered 54.1-3029.1, relating to the Advisory Board on Massage Therapy.


THE HOUSE OF DELEGATES HAS AGREED TO THE AMENDMENTS PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 1657. A BILL to amend and reenact § 37.2-1007 of the Code of Virginia, relating to appointment of guardian or conservator.

H.B. 2311. A BILL to amend and reenact § 17.1-281 of the Code of Virginia, relating to assessment for courthouse construction, renovation, or maintenance.

THE HOUSE OF DELEGATES HAS AGREED TO THE SUBSTITUTES PROPOSED BY THE SENATE TO THE FOLLOWING HOUSE BILLS:

H.B. 2098. A BILL to amend and reenact § 58.1-3230 of the Code of Virginia, relating to real property tax; land use assessment.

H.B. 2243. A BILL for the relief of Kurt E. Beach.

H.B. 2656. A BILL to withhold the declaration as surplus property of certain real estate of the Commonwealth.

THE HOUSE OF DELEGATES HAS AGREED TO THE FOLLOWING SENATE JOINT RESOLUTIONS:

S.J.R. 434. Commending the Hickory High School softball team.


S.J.R. 436. Celebrating the life of Mary Phoebe Enders Willis.


S.J.R. 443. Commending three hospitals in the Commonwealth, Winchester Medical Center, Sentara Norfolk General Hospital, and Bon Secours St. Mary’s Hospital, that have achieved recognition as Magnet Healthcare Organizations from the American Nurses Credentialing Center.

S.J.R. 444. Commending the Virginia National Guard’s 3rd Battalion, 116th Brigade Combat Team.

S.J.R. 445. Commending Farm Fresh Food and Pharmacy.

S.J.R. 446. Celebrating the life of Volney Maurice Taylor.

S.J.R. 447. Commending Commander David W. Alldridge and the crew of the USS Newport News (SSN 750) on the occasion of the 20th anniversary of the submarine’s commissioning.
S.J.R. 448. Commending the Virginia Economic Bridge on the occasion of its 20th anniversary.


S.J.R. 450. Celebrating the life of Thomas A. Colley.


S.J.R. 452. Commending Harriet N. Storm.

S.J.R. 453. Celebrating the life of Sue Edmondson Wilder.

S.J.R. 454. Celebrating the life of Clarence Wesley Harris.


S.J.R. 456. Celebrating the life of John Michael Finn.


IN WHICH ACTION IT REQUESTS THE CONCURRENCE OF THE SENATE.

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

On motion of Senator Saslaw, the Rules were suspended and the reading of the communication from the House of Delegates was waived.

The recorded vote is as follows:
YEAS--38. NAYS--0. RULE 36--0.


NAYS--0.
RULE 36--0.

The House joint resolutions, communicated as agreed to by the House of Delegates, were laid on the Clerk’s Desk under Senate Rule 26 (g) as follows:

GUESTS PRESENTED

On motion of Senator Saslaw, the Rules were suspended for the purpose of granting the privileges of the floor to distinguished persons.

The recorded vote is as follows:
YEAS--38. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

Senator Houck presented Brandon Feagan, the Rally Masters Division world champion of the 71st All-American Soap Box Derby, and his family to the Senate.

INTRODUCTION OF LEGISLATION

Pursuant to the provisions of House Joint Resolution No. 645 and Senate Rule 26 (g), Senator Wampler requested and was granted unanimous consent to introduce a joint resolution; subsequently, the following was presented and laid on the Clerk’s Desk:

S.J.R. 511. Commending the City of Bristol Chamber of Commerce on the occasion of its 100th anniversary.
Patrons--Wampler; Delegates: Johnson and Kilgore

CALENDAR

UNFINISHED BUSINESS—SENATE

S.B. 974 (nine hundred seventy-four) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 17, engrossed, after light
   insert
   conspicuously marked as a golf cart crossing by signs posted by the Virginia Department of Transportation

On motion of Senator Stuart, the amendment was agreed to.

The recorded vote is as follows:
YEAS--38. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.
S.B. 1024 (one thousand twenty-four) was taken up with the amendment in the nature of a substitute with amendment proposed by the House of Delegates, the title of the substitute, printed separately, and amendment being as follows:

A BILL to amend and reenact § 10.1-1801.1 of the Code of Virginia, relating to the Open-Space Lands Preservation Trust Fund.

1. Line 32, substitute, after consents, insert
the Foundation and

On motion of Senator Hanger, the substitute with amendment was agreed to.

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

NAYS--0.
RULE 36--0.

S.B. 1211 (one thousand two hundred eleven) was taken up with the amendments proposed by the House of Delegates as follows:

1. Line 11, engrossed, after introduction insert
of

2. Line 13, engrossed, after The strike Secretary insert Secretaries of Natural Resources and Agriculture and Forestry

3. Line 21, engrossed, after The strike Secretary insert Secretaries of Natural Resources and Agriculture and Forestry

4. Line 22, engrossed, after support strike the remainder of line 22 and through section on line 23

5. Line 24, engrossed, after Secretary insert of Natural Resources

On motion of Senator Quayle, the amendments were agreed to.
The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

S.B. 1243 (one thousand two hundred forty-three) was taken up with the amendment proposed by the House of Delegates as follows:

1. After line 34, engrossed insert

   E. The provisions of subsections C and D of this section regarding rescission and restitution apply only to this chapter.

On motion of Senator Stosch, the amendment was agreed to.

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

NAYS--0.
RULE 36--0.

S.J.R. 314 (three hundred fourteen) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

Recognizing the Virginia Rail Heritage Region in the Commonwealth.

On motion of Senator Edwards, the substitute was agreed to.

S.J.R. 337 (three hundred thirty-seven) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

Requesting the Department of Planning and Budget and the Virginia Liaison Office to advise state agencies of federal grant fund availability and to provide training opportunities for staff and other technical assistance in applying for federal grants.

On motion of Senator Deeds, the substitute was agreed to.

S.J.R. 345 (three hundred forty-five) was taken up with the amendment in the nature of a substitute proposed by the House of Delegates, and printed separately, the title reading as follows:

Encouraging state and local governmental entities to increase the usage of recycling receptacles at public places and governmental facilities.
On motion of Senator Vogel, the substitute was agreed to.

S.J.R. 412 (four hundred twelve) was taken up with the amendment proposed by the House of Delegates as follows:

1. Line 49, engrossed, after trafficking

strike

the remainder of line 49, all of line 50, and through country on line 51

On motion of Senator Newman, the amendment was agreed to.

**HOUSE BILLS ON THIRD READING**

H.B. 2415 (two thousand four hundred fifteen), on motion of Senator Herring, was passed by for the day.

H.B. 2476 (two thousand four hundred seventy-six), on motion of Senator Stolle, was passed by for the day.

Senator Saslaw moved that the following House bills, the titles of the bills having been printed in the Calendar for their third reading as required by Article IV, Section 11, of the Constitution, be placed before the Senate by number only:

H.B. 2366 (two thousand three hundred sixty-six).
H.B. 2465 (two thousand four hundred sixty-five).
H.B. 2037 (two thousand thirty-seven).
H.B. 1587 (one thousand five hundred eighty-seven).
H.B. 1611 (one thousand six hundred eleven).
H.B. 1619 (one thousand six hundred nineteen).
H.B. 1628 (one thousand six hundred twenty-eight).
H.B. 1629 (one thousand six hundred twenty-nine).
H.B. 1694 (one thousand six hundred ninety-four).
H.B. 1720 (one thousand seven hundred twenty).
H.B. 1724 (one thousand seven hundred twenty-four).
H.B. 1752 (one thousand seven hundred fifty-two).
H.B. 1778 (one thousand seven hundred seventy-eight).
H.B. 1782 (one thousand seven hundred eighty-two).
H.B. 1893 (one thousand eight hundred ninety-three).
H.B. 1904 (one thousand nine hundred four).
H.B. 1905 (one thousand nine hundred five).
H.B. 1952 (one thousand nine hundred fifty-two).
H.B. 2008 (two thousand eight).
H.B. 2019 (two thousand nineteen).
H.B. 2075 (two thousand seventy-five).
H.B. 2088 (two thousand eighty-eight).
H.B. 2164 (two thousand one hundred sixty-four).
H.B. 2182 (two thousand one hundred eighty-two).
H.B. 2199 (two thousand one hundred ninety-nine).
H.B. 2233 (two thousand two hundred thirty-three).
H.B. 2285 (two thousand two hundred eighty-five).
H.B. 2293 (two thousand two hundred ninety-three).
H.B. 2317 (two thousand three hundred seventeen).
H.B. 2328 (two thousand three hundred twenty-eight).
H.B. 2401 (two thousand four hundred one).
H.B. 2423 (two thousand four hundred twenty-three).
H.B. 2428 (two thousand four hundred twenty-eight).
H.B. 2433 (two thousand four hundred thirty-three).
H.B. 2500 (two thousand five hundred).
H.B. 2546 (two thousand five hundred forty-six).
H.B. 2594 (two thousand five hundred ninety-four).
H.B. 2627 (two thousand six hundred twenty-seven).
H.B. 2671 (two thousand six hundred seventy-one).

The motion was agreed to.

H.B. 2465 (two thousand four hundred sixty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 24.2-238 of the Code of Virginia, relating to removal of public officials; costs.

The reading of the substitute was waived.

Senator Norment moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.

Senator Norment offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 24.2-233, 24.2-235, and 24.2-238 of the Code of Virginia, relating to removal of public officials; procedures; costs.

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

On motion of Senator Norment, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2037 (two thousand thirty-seven) was taken up.

The following amendments proposed by the Committee on General Laws and Technology were offered:

1. Line 26, engrossed, after periodic basis insert
   or such other period of time approved by the Division

2. Line 29, engrossed, after paid to the Division
insert

; however, no fees shall be paid to the Division on payments to the agency resulting from the agency's participation in the Setoff Debt Collection Act, Article 21 (§ 58.1-520 et seq.) of Chapter 3 of Title 58.1

3. Line 65, engrossed, after Accounts strike

and at the underpayment rate prescribed in § 58.1-15

4. Line 74, engrossed, after debtor

insert

or provided otherwise by statute

5. Line 75, engrossed, after payment.

insert

A public institution of higher education in the Commonwealth may elect to impose a late fee in addition to, or in lieu of, interest for such time as the institution retains the claim pursuant to subsection D of § 2.2-4806.

6. Line 76, engrossed, after $50

insert

unless a higher amount is authorized by statute

7. Line 77, engrossed, after liable for

insert

reasonable

8. Line 78, engrossed, at the beginning of the line strike

of 30 percent of such lesser percentage as the Division may fix of the then unpaid balance,

9. Line 104, engrossed, after subsection C.

insert

Except as otherwise provided in this subsection, where a debtor is paying a debt in periodic payments to an agency or institution, the agency or institution may elect to retain the claim in excess of 60 days provided that such periodic payments are promptly paid until the account is satisfied. In the event the debtor is delinquent (i) by 60 days in paying a periodic payment or (ii) for such other period of time approved by the Division, the account shall be handled in the manner provided by subsections B and C of this section.

E.

10. Line 114, engrossed, after health.

insert

No lien arising out of a judgment under this section shall attach to the judgment debtors' principle residence held by them as tenants by the entireties.

The reading of the amendments was waived.

On motion of Senator McEachin, amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, and 9 were agreed to.
Senator McEachin moved that amendment No. 10 be rejected.

The question was put on agreeing to amendment No. 10.

Amendment No. 10 was rejected.

Senator McEachin offered the following amendments:

1. Line 107, engrossed, after all
   strike emergency
   insert emergency

2. Line 109, engrossed, after in the Commonwealth,
   strike including all follow up inpatient care provided during the initial emergency
   admission to any such hospital,
   insert including all follow up inpatient care provided during the initial emergency
   admission to any such hospital,

3. Line 111, engrossed, after section,
   strike emergency
   insert emergency

On motion of Senator McEachin, the reading of the amendments was waived.

On motion of Senator McEachin, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.B. 2417** (two thousand four hundred seventeen) was taken up, the committee substitute having been agreed to and the amendment offered by Senator Petersen to the substitute having been offered on February 23, 2009.

On motion of Senator Petersen, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

**H.B. 1611** (one thousand six hundred eleven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to designate the Interstate Route 64 bridge near the Town of Clifton Forge at approximately mile marker 24 the “Veterans Memorial Bridge.”

The reading of the substitute was waived.
On motion of Senator Miller, Y.B., the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 1619** (one thousand six hundred nineteen) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 12, engrossed, after the
   strike
   City
   insert
   Cities

2. Line 12, engrossed, after Richmond
   insert
   and Falls Church

3. Line 21, engrossed, after Counties
   strike
   , the Town of Ashland,

4. Line 21, engrossed, after the
   strike
   City
   insert
   Cities

5. Line 22, engrossed, after Richmond
   insert
   and Falls Church

The reading of the amendments was waived.

On motion of Senator Miller, Y.B., the amendments were agreed to.

Senator McDougle offered the following amendment:

1. Line 13, engrossed, after the Town
   strike
   Towns of Ashland and
   insert
   Town of

On motion of Senator McDougle, the reading of the amendment was waived.

On motion of Senator McDougle, the amendment was agreed to.

The amendments were ordered to be engrossed.

**H.B. 1694** (one thousand six hundred ninety-four) was taken up.
The following amendments proposed by the Committee on Transportation were offered:

1. Line 27, engrossed, at the beginning of the line
   strike
   and

2. Line 29, engrossed, after § 15.2-2108.2
   insert
   or commercial vehicles used in the provision of propane gas service, and (vi)
   any vehicle carrying commercial freight in a hazardous or unsightly manner

The reading of the amendments was waived.

On motion of Senator Miller, Y.B., the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 1724 (one thousand seven hundred twenty-four) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 24, engrossed, after complaints;
   strike
   and

2. Line 25, engrossed, after local ordinance
   insert
   who is available at all times

The reading of the amendments was waived.

On motion of Senator Miller, Y.B., the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 1752 (one thousand seven hundred fifty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 46.2-1143 of the Code of Virginia and the second enactment of Chapter 864 of the Acts of Assembly of 2008, and to repeal the third enactment of Chapter 738 of the Acts of Assembly of 2007, relating to overweight truck permits in counties that impose a severance tax on coal and gases and overweight permit fees for tank wagon vehicles.

The reading of the substitute was waived.

On motion of Senator Miller, Y.B., the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 1778 (one thousand seven hundred seventy-eight) was taken up.
The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 46.2-1569, 46.2-1571, and 46.2-1573 of the Code of Virginia, relating to coercion of motor vehicle dealers by manufacturers, etc.; warranty obligations and sales incentives; hearings and other remedies.

The reading of the substitute was waived.

On motion of Senator Miller, Y.B., the substitute was agreed to.

Senator Norment offered the following amendments to the substitute:

1. Line 163, substitute, after nonrenewal
   insert
   (ii) the date the action that resulted in the termination, cancellation, or nonrenewal

2. Line 163, substitute, after first
   strike
   becomes
   insert
   became

3. Line 163, substitute, after knowledge, or
   strike
   (ii)
   insert
   (iii)

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

On motion of Senator Norment, the amendments were agreed to.

The substitute with amendments was ordered to be engrossed.

H.B. 1905 (one thousand nine hundred five) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 40, engrossed, at the beginning of the line
   insert
   but less than 90,000

The reading of the amendment was waived.

On motion of Senator Miller, Y.B., the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 1952 (one thousand nine hundred fifty-two) was taken up.
The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

A BILL to repeal § 30-170 of the Code of Virginia, relating to the sunset provision for the Joint Commission on Health Care.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2019 (two thousand nineteen) was taken up.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 74, engrossed, after 33.1-23.03, insert
   and written notification to the affected local governments,

2. Line 290, engrossed, after years.
   insert
   The plan shall promote economic development and all transportation modes, intermodal connectivity, environmental quality, accessibility for people and freight, and transportation safety.

3. Line 318, engrossed, after studies strike
   in order to determine the required mitigation, if any,

The reading of the amendments was waived.

On motion of Senator Miller, Y.B., the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 2328 (two thousand three hundred twenty-eight) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 37, engrossed, after § 54.1-2986 strike
   , to make decisions for an adult determined incapable of making an informed decision.
   insert
   . In the event no agent or authorized representative is immediately available then consent shall be deemed to be given.

The reading of the amendment was waived.

On motion of Senator Puller, the amendment was agreed to.
The amendment was ordered to be engrossed.

H.B. 2401 (two thousand four hundred one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to designate the U.S. Route 29 bridge over the Rapidan River between Greene and Madison Counties the “Fallen Heroes Memorial Bridge in honor of Corporal Adam J. Fargo and Private First Class Edwin A. Andino,” and to designate the U.S. Route 340 bridge over Overall Run at the Warren County/Page County line the “Corporal Larry E. Smedley (USMC) Memorial Bridge.”

The reading of the substitute was waived.

On motion of Senator Miller, Y.B., the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2423 (two thousand four hundred twenty-three) was taken up.

The following amendments proposed by the Committee on General Laws and Technology were offered:

1. Line 23, engrossed, after follows: [strike two three insert two]
2. Line 25, engrossed, after Delegates; [strike two members one member insert two members]

The reading of the amendments was waived.

On motion of Senator Locke, the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 2433 (two thousand four hundred thirty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:


The reading of the substitute was waived.
On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.B. 2500** (two thousand five hundred) was taken up.

The following amendment proposed by the Committee on Rehabilitation and Social Services was offered:

1. Line 26, engrossed, after the
   strike
   2009
   insert
   2010

The reading of the amendment was waived.

On motion of Senator Puller, the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 2627** (two thousand six hundred twenty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rehabilitation and Social Services was offered, having been printed separately, with its title reading as follows:

**A BILL to amend and reenact § 4.1-305 of the Code of Virginia, relating to alcoholic beverage control; unlawful possession; affirmative defense.**

The reading of the substitute was waived.

On motion of Senator Puller, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Saslaw moved that the passage of the House bills that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Saslaw, the following House bills were passed en bloc with their titles:

**H.B. 2366** (two thousand three hundred sixty-six).
**H.B. 2465** (two thousand four hundred sixty-five) with substitute.
**H.B. 2037** (two thousand thirty-seven) with amendments.
**H.B. 2417** (two thousand four hundred seventeen) with substitute with amendment.
**H.B. 1611** (one thousand six hundred eleven) with substitute.
**H.B. 1619** (one thousand six hundred nineteen) with amendments.
**H.B. 1628** (one thousand six hundred twenty-eight).
**H.B. 1629** (one thousand six hundred twenty-nine).
**H.B. 1694** (one thousand six hundred ninety-four) with amendments.
**H.B. 1720** (one thousand seven hundred twenty).
**H.B. 1724** (one thousand seven hundred twenty-four) with amendments.
H.B. 1752 (one thousand seven hundred fifty-two) with substitute.
H.B. 1778 (one thousand seven hundred seventy-eight) with substitute with amendments.
H.B. 1893 (one thousand eight hundred ninety-three).
H.B. 1904 (one thousand nine hundred four).
H.B. 1905 (one thousand nine hundred five) with amendment.
H.B. 1952 (one thousand nine hundred fifty-two) with substitute.
H.B. 2008 (two thousand eight).
H.B. 2019 (two thousand nineteen) with amendments.
H.B. 2075 (two thousand seventy-five).
H.B. 2088 (two thousand eighty-eight).
H.B. 2182 (two thousand one hundred eighty-two).
H.B. 2199 (two thousand one hundred ninety-nine).
H.B. 2233 (two thousand two hundred thirty-three).
H.B. 2293 (two thousand two hundred ninety-three).
H.B. 2317 (two thousand three hundred seventeen).
H.B. 2328 (two thousand three hundred twenty-eight) with amendment.
H.B. 2401 (two thousand four hundred one) with substitute.
H.B. 2423 (two thousand four hundred twenty-three) with amendments.
H.B. 2428 (two thousand four hundred twenty-eight).
H.B. 2433 (two thousand four hundred thirty-three) with substitute.
H.B. 2500 (two thousand five hundred) with amendment.
H.B. 2546 (two thousand five hundred forty-six).
H.B. 2594 (two thousand five hundred ninety-four).
H.B. 2627 (two thousand six hundred twenty-seven) with substitute.

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

NAYS--0.
RULE 36--0.

H.B. 1587 (one thousand five hundred eighty-seven) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to authorize the Commonwealth’s lack of compliance with certain provisions of the REAL ID Act.

The reading of the substitute was waived.

On motion of Senator Cuccinelli, the substitute was agreed to.

Senator Cuccinelli offered the following amendment to the substitute:

1. Line 41, substitute, after that
   insert
   
   they determine
On motion of Senator Cuccinelli, the reading of the amendment was waived.

On motion of Senator Cuccinelli, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

**H.B. 1587**, on motion of Senator Miller, Y.B., was passed with its title.

The recorded vote is as follows:

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


NAYS--Cuccinelli--1.

RULE 36--0.

**H.B. 1782** (one thousand seven hundred eighty-two) was taken up.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 20, engrossed, after *or guardian*,
   insert
   
   to be included as part of the in-classroom portion of the driver education curriculum,

   The reading of the amendment was waived.

On motion of Senator Miller, Y.B., the amendment was agreed to.

The amendment was ordered to be engrossed.

**H.B. 1782**, on motion of Senator Miller, Y.B., was passed with its title.

The recorded vote is as follows:

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


NAYS--Cuccinelli--1.

RULE 36--0.

**H.B. 2164** (two thousand one hundred sixty-four) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:
A BILL to amend and reenact §§ 18.2-189, 29.1-717.2, 29.1-727, 43-32, 46.2-208, 46.2-617, 46.2-633, 46.2-640, 46.2-1200, 46.2-1202, 46.2-1206, 46.2-1600, 46.2-1601, 54.1-601, 55-417, 55-418, and 55-419 of the Code of Virginia, to amend the Code of Virginia by adding in Article 2 of Chapter 6 of Title 46.2 sections numbered 46.2-644.01, 46.2-644.02, and 46.2-644.03, and by adding a section numbered 46.2-1202.1, and to repeal §§ 43-33, 43-34, 46.2-1204, and 46.2-1208 of the Code of Virginia, relating to mechanics’ liens and acquisition and disposal of abandoned vehicles.

The reading of the substitute was waived.

On motion of Senator Miller, Y.B., the substitute was agreed to.

H.B. 2164, on motion of Senator Miller, Y.B., was passed by for the day.

H.B. 2285 (two thousand two hundred eighty-five) was taken up.

Senator Cuccinelli offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 30-133 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-1115.1, relating to duties of the Auditor of Public Accounts; budget transparency provisions.

On motion of Senator Cuccinelli, the reading of the substitute was waived.

H.B. 2285, on motion of Senator Houck, was passed by for the day.

H.B. 2671 (two thousand six hundred seventy-one), on motion of Senator Whipple, was passed with its title.

The recorded vote is as follows:

YEAS--20. NAYS--17. RULE 36--0.


RULE 36--0.

H.B. 1968 (one thousand nine hundred sixty-eight) was taken up, the committee amendment having been agreed to and ordered to be engrossed on February 19, 2009.

RECONSIDERATION

Senator Stolle moved to reconsider the vote by which the committee amendment to H.B. 1968 (one thousand nine hundred sixty-eight) was agreed to and ordered to be engrossed.

The motion was agreed to.
The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

Senator Stolle moved that the amendment be rejected.

The question was put on agreeing to the amendment.

The amendment was rejected.

Senator Stolle offered an amendment in the nature of a substitute, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 19.2-298 of the Code of Virginia, relating to failure to comply with sentencing order; penalty.

On motion of Senator Stolle, the reading of the substitute was waived.

On motion of Senator Stolle, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 1968, on motion of Senator Marsh, was passed with its title.

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

NAYS--0.
RULE 36--0.

H.B. 2358 (two thousand three hundred fifty-eight) was taken up, the committee amendments having been agreed to and ordered to be engrossed on February 19, 2009.

H.B. 2358, on motion of Senator Marsh, was passed with its title.
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The recorded vote is as follows:
YEAS--24. NAYS--13. RULE 36--0.

NAYS--Barker, Colgan, Cuccinelli, Howell, Locke, Marsh, McEachin, Miller, Y.B., Petersen, Puller, Saslaw, Ticer, Whipple--13.
RULE 36--0.

STATEMENTS ON VOTE

Senator Blevins stated that he was recorded as not voting on the question of the passage of H.B. 2358, whereas he intended to vote yea.
Senator Edwards stated that he was recorded as voting yea on the question of the passage of H.B. 2358, whereas he intended to vote nay.
Senator Lucas stated that she was recorded as voting yea on the question of the passage of H.B. 2358, whereas she intended to vote nay.

H.B. 2455 (two thousand four hundred fifty-five), on motion of Senator Colgan, was passed by for the day.

H.B. 1671 (one thousand six hundred seventy-one), on motion of Senator Lucas, was passed by temporarily.

H.B. 1729 (one thousand seven hundred twenty-nine), on motion of Senator Lucas, was passed by temporarily.

H.B. 1735 (one thousand seven hundred thirty-five) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:
YEAS--38. NAYS--1. RULE 36--0.

NAYS--Ruff--1.
RULE 36--0.

STATEMENT ON VOTE

Senator Cuccinelli stated that he was recorded as voting yea on the question of the passage of H.B. 1735, whereas he intended to vote nay.

H.B. 1780 (one thousand seven hundred eighty) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Privileges and Elections was offered, having been printed separately, with its title reading as follows:
A BILL to amend and reenact §§ 24.2-226 and 24.2-228 of the Code of Virginia, relating to elections; filling vacancies in certain local offices; special elections.

The reading of the substitute was waived.

On motion of Senator Howell, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 1780, on motion of Senator Howell, was passed with its title.

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

NAYS--0.
RULE 36--0.

H.B. 1788 (one thousand seven hundred eighty-eight) was read by title the third time.

The following amendment proposed by the Committee on Local Government was offered:

1. Line 72, engrossed, strike all of lines 72 through 79

The reading of the amendment was waived.

On motion of Senator Lucas, the amendment was agreed to.

H.B. 1788, on motion of Senator Herring, was passed by for the day.

H.B. 1791 (one thousand seven hundred ninety-one) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:
YEAS--38. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

H.B. 1882 (one thousand eight hundred eighty-two) was read by title the third time.

The following amendment proposed by the Committee on Local Government was offered:
1. Line 564, engrossed, strike all of lines 564 through 569

The reading of the amendment was waived.

On motion of Senator Lucas, the amendment was agreed to.

The amendment was ordered to be engrossed.

Senator Lucas moved that H.B. 1882 be passed with its title.

The question was put on passing H.B. 1882 with its title.

H.B. 1882 was defeated with its title.

The recorded vote is as follows:
YEAS--17. NAYS--21. RULE 36--0.
RULE 36--0.

STATEMENT ON VOTE

Senator Cuccinelli stated that he was recorded as not voting on the question of the passage of H.B. 1882, whereas he intended to vote yea.

H.B. 1907 (one thousand nine hundred seven) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:
YEAS--36. NAYS--2. RULE 36--0.
NAYS--Hanger, McDougle--2.
RULE 36--0.

STATEMENT ON VOTE

Senator Watkins stated that he was recorded as not voting on the question of the passage of H.B. 1907, whereas he intended to vote yea.
**H.B. 1912** (one thousand nine hundred twelve) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:

**YEAS**--29. **NAYS**--10. **RULE 36**--0.


**RULE 36**--0.

**H.B. 2084** (two thousand eighty-four) was read by title the third time.

The following amendments proposed by the Committee on Finance were offered:

1. Line 35, engrossed, after state certifying authority.
   
   insert
   
   *Such property shall not include the land on which such equipment or facilities are located.*

2. Line 41, engrossed, after Commonwealth.
   
   insert
   
   2. That the provisions of this act shall be effective for tax years beginning on or after January 1, 2011.

The reading of the amendments was waived.

On motion of Senator Colgan, the amendments were agreed to.

**H.B. 2084**, on motion of Senator Petersen, was passed by for the day.

**H.B. 2138** (two thousand one hundred thirty-eight) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:

**YEAS**--35. **NAYS**--3. **RULE 36**--0.


NAYS--Cuccinelli, Hurt, Martin--3.

**RULE 36**--0.

**H.B. 2158** (two thousand one hundred fifty-eight) was read by title the third time and, on motion of Senator Lucas, was passed with its title.
The recorded vote is as follows:
YEAS--38. NAYS--1. RULE 36--0.

NAYS--Cuccinelli--1.
RULE 36--0.

H.B. 2479 (two thousand four hundred seventy-nine) was read by title the third time.

The following amendment proposed by the Committee on Finance was offered:

1. Line 94, engrossed, after June 30,
   strike       2014
   insert       2013

The reading of the amendment was waived.

On motion of Senator Colgan, the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 2479, on motion of Senator Colgan, was passed with its title.

The recorded vote is as follows:
YEAS--37. NAYS--2. RULE 36--0.

NAYS--Barker, Whipple--2.
RULE 36--0.

H.B. 2480 (two thousand four hundred eighty) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 58.1-3221.3 of the Code of Virginia, relating to real property tax on commercial property in localities embraced by the Northern Virginia Transportation Authority or the Hampton Roads Transportation Authority.

The reading of the substitute was waived.

On motion of Senator Colgan, the substitute was agreed to.

The substitute was ordered to be engrossed.
H.B. 2480, on motion of Senator Colgan, was passed with its title.

The recorded vote is as follows:
YEAS--32. NAYS--5. RULE 36--0.

NAYS--Barker, Locke, Lucas, Ticer, Whipple--5.
RULE 36--0.

H.B. 2528 (two thousand five hundred twenty-eight) was read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:
YEAS--21. NAYS--18. RULE 36--0.

RULE 36--0.

H.B. 2544 (two thousand five hundred forty-four) was read by title the third time and, on motion of Senator Howell, was passed with its title.

The recorded vote is as follows:
YEAS--38. NAYS--1. RULE 36--0.

NAYS--Deeds--1.
RULE 36--0.

H.B. 2653 (two thousand six hundred fifty-three) was read by title the third time.

The following amendments proposed by the Committee on Local Government were offered:

1. Line 155, engrossed, after committed a strike
   zoning

2. Line 155, engrossed, after violation insert pursuant to this subsection

The reading of the amendments was waived.

On motion of Senator Lucas, the amendments were agreed to.
The amendments were ordered to be engrossed.

Senator Lucas moved that H.B. 2653 be passed with its title.

The question was put on passing H.B. 2653 with its title.

H.B. 2653 was defeated with its title.

The recorded vote is as follows:
YEAS--16. NAYS--20. RULE 36--0.

YEAS--Colgan, Deeds, Edwards, Locke, Lucas, Marsh, Norment, Petersen, Puckett, Puller, Quayle, Reynolds, Saslaw, Smith, Ticer, Whipple--16.
RULE 36--0.

H.B. 1703 (one thousand seven hundred three) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Education and Health was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 18.2-511.1 of the Code of Virginia, to amend the Code of Virginia by adding in Title 15.2 a chapter numbered 28.2, consisting of articles numbered 1, 2, and 3, containing sections numbered 15.2-2820 through 15.2-2833, and to repeal Chapter 28 (§§ 15.2-2800 through 15.2-2810) of Title 15.2 of the Code of Virginia, relating to the Virginia Indoor Clean Air Act; penalty.

The reading of the substitute was waived.

On motion of Senator Houck, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 1703, on motion of Senator Houck, was passed with its title.

The recorded vote is as follows:
YEAS--26. NAYS--13. RULE 36--0.

RULE 36--0.

H.B. 1810 (one thousand eight hundred ten) was read by title the third time.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 11, engrossed, after policies
strike remainder of line 11 and all of lines 12 through 14
insert that provide students called to active military duty during an academic semester with the opportunity to earn full course credit. Such policies shall include, as one option, that such students who have completed 75 percent of the course requirements at the time of activation and who meet other specified requirements receive full course credit.

The reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 1810, on motion of Senator Houck, was passed with its title.

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

NAYS--0.
RULE 36--0.

H.B. 2070 (two thousand seventy) was read by title the third time.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 43, engrossed, after parent of
   strike siblings
   insert twins or higher order multiples

2. Line 49, engrossed, after later than
   strike 14
   insert 3

3. Line 50, engrossed, at the beginning of the line
   strike 14
   insert 3

The reading of the amendments was waived.

On motion of Senator Houck, the amendments were agreed to.
Senator Houck offered the following amendment:

1. Line 52, engrossed, after school,
   insert
   or is harmful to the children’s social, developmental or educational progress

On motion of Senator Houck, the reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

The amendments were ordered to be engrossed.

**H.B. 2070**, on motion of Senator Houck, was passed with its title.

The recorded vote is as follows:

YEAS--36. NAYS--3. RULE 36--0.


NAYS--Houck, Petersen, Reynolds--3.

RULE 36--0.

**H.B. 2224** (two thousand two hundred twenty-four) was read by title the third time.

The following amendments proposed by the Committee on Education and Health were offered:

1. Line 22, engrossed, after B.
   strike
   remainder of line 22 and all of line 23
   insert
   Pursuant to § 22.1-305.2, the Advisory Board on Teacher Education and Licensure, in consultation with the Department for the Blind and Vision Impaired, shall make recommendations to the Board of Education, and in turn the Board of Education, pursuant to § 22.1-298.1, shall promulgate regulations governing the qualifications, examinations, licensure, endorsement, and regulation of school personnel who provide instruction to students who are blind or who have visual impairments, including school personnel who provide instruction in Braille. The regulations for individuals seeking an initial license with an endorsement in special education visual impairments preK-12 shall include the requirement that the individual pass the National Literary Braille Competency Test.

2. Line 41, engrossed, at the beginning of the line
   strike
   The
   insert
   For those individuals who provide instruction in Braille but who are not required to be licensed by the Board of Education, the
The reading of the amendments was waived.

On motion of Senator Houck, the amendments were agreed to.

H.B. 2224, on motion of Senator Houck, was passed by for the day.

H.B. 2266 (two thousand two hundred sixty-six) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws and Technology was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 2.2-3705.3 of the Code of Virginia, relating to the Freedom of Information Act; building and fire code complaints.

The reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2266, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:
YEAS--37. NAYS--2. RULE 36--0.


NAYS--Barker, Petersen--2.
RULE 36--0.

H.B. 2305 (two thousand three hundred five) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws and Technology was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact § 55-510 of the Code of Virginia, relating to the Property Owners’ Association Act; access to books and records.

The reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2305, on motion of Senator Locke, was passed with its title.
The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

H.B. 2341 (two thousand three hundred forty-one) was read by title the third time.

The following amendment proposed by the Committee on Education and Health was offered:

1. Line 41, engrossed, after C.
   strike remainder of line 41 and all of lines 42 through 46
   insert A school board may adopt regulations authorizing the principal or his designee
to impose a short-term suspension, pursuant to § 22.1-277.04, upon a student
who has been charged with an offense involving intentional injury enumerated
in subsection G of § 16.1-260, to another student in the same school pending a
decision as to whether to require that such student attend an alternative
education program.

The reading of the amendment was waived.

On motion of Senator Houck, the amendment was agreed to.

Senator Barker offered the following amendment:

1. Line 41, engrossed, after C.
   strike remainder of line 41 and all of lines 42 through 46
   insert A school board may adopt regulations authorizing the principal or his designee
to immediately send a student who has been charged with an offense involving
intentional injury enumerated in subsection G of § 16.1-260, to another student
in the same school, to an alternative education program, as defined in
§ 22.1-276.01, for no more than 10 school days pending a final decision as to
whether to require that the student attend such a program. Such regulations
shall require the same due process as required for short-term suspension
pursuant to § 22.1-277.04.

The committee amendment having been agreed to, the amendment offered by Senator Barker was not
taken up.

The amendment was ordered to be engrossed.

H.B. 2341, on motion of Senator Houck, was passed with its title.
The recorded vote is as follows:
YEAS--30. NAYS--9. RULE 36--0.

RULE 36--0.

H.B. 2672 (two thousand six hundred seventy-two) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on General Laws and Technology was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-203, 2.2-204, 2.2-205.1, 2.2-1400, 2.2-1401, 2.2-1402, 2.2-1403, 2.2-1404, 2.2-1404.1, 2.2-2311, 2.2-3705.6, 2.2-4301, 2.2-4310, 15.2-965.1, and 18.2-340.213.1 of the Code of Virginia, relating to the Department of Minority Business Enterprise.

The reading of the substitute was waived.

On motion of Senator Locke, the substitute was agreed to.

Senator Locke offered the following amendment to the substitute:

1. Line 74, substitute, after of
   
   Commerce and Trade
   
   Administration

On motion of Senator Locke, the reading of the amendment was waived.

On motion of Senator Locke, the amendment was agreed to.

The substitute with amendment was ordered to be engrossed.

H.B. 2672, on motion of Senator Locke, was passed with its title.

The recorded vote is as follows:
YEAS--37. NAYS--1. RULE 36--0.

NAYS--Ruff--1.
RULE 36--0.

STATEMENT ON VOTE

Senator Deeds stated that he was recorded as not voting on the question of the passage of H.B. 2672, whereas he intended to vote yea.
H.B. 1580 (one thousand five hundred eighty), on motion of Senator Stolle, was passed by for the day.

H.B. 1687 (one thousand six hundred eighty-seven) was read by title the third time.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 37, engrossed, after If a dealer
   insert
     , seller or purchaser

2. Line 41, engrossed, after Title 8.9A
   strike
   insert
   and the purchaser shall have the right to return of any downpayment or trade-in submitted by the purchaser provided that any vehicle delivered to the purchaser pursuant to the cancelled contract is returned to the dealer in the same condition as delivered to the purchaser; normal wear and tear excepted.

3. Line 78, engrossed, at the beginning of the line
   insert
   2. That the provisions of this act shall not become effective unless reenacted by the 2010 Regular Session of the General Assembly.
   3. That the Department of Motor Vehicles shall review the provisions of this act and its impact on present law and report the findings of such review to the House and Senate Committees on Transportation prior to December 1, 2009.

The reading of the amendments was waived.

On motion of Senator Miller, Y.B., the amendments were agreed to.

H.B. 1687, on motion of Senator Norment, was passed by for the day.

H.B. 1722 (one thousand seven hundred twenty-two) was read by title the third time.

The following amendment proposed by the Committee on Transportation was offered:

1. Line 11, engrossed, after state and
   insert
   that was

The reading of the amendment was waived.

On motion of Senator Miller, Y.B., the amendment was agreed to.

The amendment was ordered to be engrossed.

H.B. 1722, on motion of Senator Miller, Y.B., was passed with its title.
The recorded vote is as follows:
YEAS--38. NAYS--0. RULE 36--1.

NAYS--0.
RULE 36--Smith--1.

H.B. 1826 (one thousand eight hundred twenty-six) was read by title the third time and, on motion of Senator Miller, Y.B., was passed with its title.

The recorded vote is as follows:
YEAS--36. NAYS--3. RULE 36--0.

NAYS--Cuccinelli, Petersen, Stolle--3.
RULE 36--0.

H.B. 1870 (one thousand eight hundred seventy) was read by title the third time.

The following amendments proposed by the Committee on Transportation were offered:

1. Line 19, engrossed, after it shall be
strike

a traffic infraction

2. Line 20, engrossed, after penalty
insert

, which shall be credited to the Highway Maintenance and Operating Fund,

3. Line 21, engrossed, after one vehicle
insert

, except for motorcycles traveling abreast while traveling in a validly authorized parade, motorcade or motorcycle escort

The reading of the amendments was waived.

On motion of Senator Miller, Y.B., the amendments were agreed to.

The amendments were ordered to be engrossed.

H.B. 1870, on motion of Senator Miller, Y.B., was passed with its title.
The recorded vote is as follows:
YEAS--20. NAYS--19. RULE 36--0.

RULE 36--0.

H.B. 1876 (one thousand eight hundred seventy-six) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend the Code of Virginia by adding a section numbered 46.2-1078.1, relating to the use of handheld personal communications devices in certain motor vehicles; exceptions; penalty.

The reading of the substitute was waived.

On motion of Senator Miller, Y.B., the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 1876, on motion of Senator Miller, Y.B., was passed with its title.

The recorded vote is as follows:
YEAS--33. NAYS--6. RULE 36--0.

NAYS--McDougle, Obenshain, Smith, Stuart, Vogel, Wampler--6.
RULE 36--0.

H.B. 2079 (two thousand seventy-nine), on motion of Senator Stolle, was passed by for the day.

H.B. 2099 (two thousand ninety-nine) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to create the George Washington Toll Road Authority and to prescribe its powers and duties.

The reading of the substitute was waived.

Senator Miller, Y.B., moved that the substitute be rejected.

The question was put on agreeing to the substitute.

The substitute was rejected.
The amendment in the nature of a substitute proposed by the Committee on Finance was offered, having been printed separately, with its title reading as follows:

A BILL to create the George Washington Toll Road Authority and to prescribe its powers and duties.

The reading of the substitute was waived.

On motion of Senator Colgan, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2099, on motion of Senator Colgan, was passed with its title.

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

NAYS--0.
RULE 36--0.

H.B. 2169 (two thousand one hundred sixty-nine) was read by title the third time.

The amendment in the nature of a substitute proposed by the Committee on Transportation was offered, having been printed separately, with its title reading as follows:

A BILL to amend and reenact §§ 2.2-4024, 46.2-2800, 46.2-2801, 46.2-2805, 46.2-2806, 46.2-2809, 46.2-2814, 46.2-2816, 46.2-2821, 46.2-2825, and 46.2-2827 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-2825.1 through 46.2-2825.4, and to repeal §§ 46.2-2810, 46.2-2818, and 46.2-2824 of the Code of Virginia, relating to the Board of Towing and Recovery Operators.

The reading of the substitute was waived.

On motion of Senator Miller, Y.B., the substitute was agreed to.

The substitute was ordered to be engrossed.

H.B. 2169, on motion of Senator Miller, Y.B., was passed with its title.

The recorded vote is as follows:
YEAS--33. NAYS--4. RULE 36--0.

NAYS--Hanger, Smith, Stuart, Vogel--4.
RULE 36--0.
H.B. 2425 (two thousand four hundred twenty-five) was read by title the third time and, on motion of Senator Miller, Y.B., was passed with its title.

The recorded vote is as follows:
YEAS--36. NAYS--2. RULE 36--0.

NAYS--Deeds, Petersen--2.
RULE 36--0.

RECONSIDERATION
Senator Marsh moved to reconsider the vote by which H.B. 2341 (two thousand three hundred forty-one) was passed with its title.

The motion was agreed to.

The recorded vote is as follows:
YEAS--38. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

H.B. 2341, on motion of Senator Houck, was passed with its title.

The recorded vote is as follows:
YEAS--29. NAYS--10. RULE 36--0.

RULE 36--0.

RECONSIDERATION
Senator Saslaw moved to reconsider the vote by which H.B. 1870 (one thousand eight hundred seventy) was passed with its title.

The motion was agreed to.
The recorded vote is as follows:
YEAS--39. NAYS--0. RULE 36--0.

NAYS--0.
RULE 36--0.

H.B. 1870, on motion of Senator Saslaw, was passed by for the day.

RECONSIDERATION

Senator Norment moved to reconsider the vote by which H.B. 2528 (two thousand five hundred twenty-eight) was passed with its title.

The motion was agreed to.

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

NAYS--0.
RULE 36--0.

Senator Stolle offered the following amendment:

1. Line 19, engrossed, after et seq.
   
   insert
   
   or be disposed of in any other appropriate manner.

On motion of Senator Stolle, the reading of the amendment was waived.

Senator Stolle moved that the amendment be agreed to.

The yeas and nays were called for; and, not being supported by one-fifth of the Senators present, the yeas and nays were refused.

The amendment was agreed to.

H.B. 2528, on motion of Senator Reynolds, was passed by for the day.
H.B. 1671 (one thousand six hundred seventy-one) was taken up, read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:
YEAS--36. NAYS--3. RULE 36--0.

NAYS--Cuccinelli, Martin, Smith--3.
RULE 36--0.

STATEMENT ON VOTE

Senator Obenshain stated that he was recorded as voting yea on the question of the passage of H.B. 1671, whereas he intended to vote nay.

H.B. 1729 (one thousand seven hundred twenty-nine) was taken up, read by title the third time and, on motion of Senator Lucas, was passed with its title.

The recorded vote is as follows:
YEAS--37. NAYS--1. RULE 36--0.

NAYS--Cuccinelli--1.
RULE 36--0.

RECONSIDERATION

Senator Deeds moved to reconsider the vote by which H.B. 1587 (one thousand five hundred eighty-seven) was passed with its title.

The motion was agreed to.

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

NAYS--0.
RULE 36--0.

H.B. 1587, on motion of Senator Deeds, was passed with its title.
The recorded vote is as follows:  
YEAS--39. NAYS--0. RULE 36--0.

NAYS--0.  
RULE 36--0.

HOUSE BILL ON SECOND READING

H.B. 1616 (one thousand six hundred sixteen) was read by title the second time.

HOUSE JOINT RESOLUTIONS ON THIRD READING

Senator Saslaw moved that the following House joint resolutions, the titles of the joint resolutions having been printed in the Calendar for their third reading, be placed before the Senate by number only:

H.J.R. 635 (six hundred thirty-five).
H.J.R. 644 (six hundred forty-four).
H.J.R. 651 (six hundred fifty-one).
H.J.R. 652 (six hundred fifty-two).
H.J.R. 653 (six hundred fifty-three).
H.J.R. 674 (six hundred seventy-four).
H.J.R. 678 (six hundred seventy-eight).
H.J.R. 681 (six hundred eighty-one).
H.J.R. 683 (six hundred eighty-three).
H.J.R. 684 (six hundred eighty-four).
H.J.R. 685 (six hundred eighty-five).
H.J.R. 711 (seven hundred eleven).
H.J.R. 715 (seven hundred fifteen).
H.J.R. 722 (seven hundred twenty-two).
H.J.R. 730 (seven hundred thirty).
H.J.R. 754 (seven hundred fifty-four).
H.J.R. 755 (seven hundred fifty-five).
H.J.R. 756 (seven hundred fifty-six).
H.J.R. 771 (seven hundred seventy-one).
H.J.R. 783 (seven hundred eighty-three).
H.J.R. 788 (seven hundred eighty-eight).
H.J.R. 791 (seven hundred ninety-one).
H.J.R. 792 (seven hundred ninety-two).
H.J.R. 793 (seven hundred ninety-three).
H.J.R. 823 (eight hundred twenty-three).

The motion was agreed to.

H.J.R. 651 (six hundred fifty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:
Requesting the school divisions of the Commonwealth to consider launching a Project Lead the Way program in the division’s high schools. Report.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 652** (six hundred fifty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Requesting the school divisions of the Commonwealth to consider using existing intervention, remediation, and at-risk funding to hire K-8 Mathematics Specialists as an effective means to improve the performance of low-achieving students. Report.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 653** (six hundred fifty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Commending the University of Virginia School of Engineering and Applied Science and Central Virginia Community College for establishing the PRODUCED in Virginia program.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 680** (six hundred eighty) was taken up.

The following amendments proposed by the Committee on Rules were offered:

1. Line 38, engrossed, after Council, strike and

2. Line 39, engrossed, after Governor insert , and the Executive Director of the Virginia Capitol Foundation who shall serve ex officio with nonvoting privileges

3. Line 46, engrossed, after However,
strike
remainder of line 46, all of lines 47 and 48, and through funding on line 49
insert
the costs of implementation of the Commission, its work, and the compensation
and reimbursement of members shall be borne by the Commission from such
private funds as it may acquire

The reading of the amendments was waived.

On motion of Senator Whipple, the amendments were agreed to.

The amendments were ordered to be engrossed.

**H.J.R. 681** (six hundred eighty-one) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Directing the Joint Legislative Audit and Review Commission to study Virginia’s corporate income tax system. Report.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 722** (seven hundred twenty-two) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Commending Lyndhurst Station for its distinctive and historic place in Virginia history.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

**H.J.R. 755** (seven hundred fifty-five) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Designating June 27, 2009, as Will F. Jenkins Day in Virginia.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.
H.J.R. 756 (seven hundred fifty-six) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Requesting the Secretary of Transportation to support and assist in the establishment of a Virginia Association of Metropolitan Planning Organizations.

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

H.J.R. 783 (seven hundred eighty-three) was taken up.

The amendment in the nature of a substitute proposed by the Committee on Rules was offered, having been printed separately, with its title reading as follows:

Designating “Virginia’s Rail Heritage Region.”

The reading of the substitute was waived.

On motion of Senator Whipple, the substitute was agreed to.

The substitute was ordered to be engrossed.

Senator Saslaw moved that the questions on agreeing to the House joint resolutions that follow be considered en bloc.

The motion was agreed to.

On motion of Senator Saslaw, the following House joint resolutions were agreed to en bloc:

H.J.R. 635 (six hundred thirty-five).
H.J.R. 644 (six hundred forty-four).
H.J.R. 651 (six hundred fifty-one) with substitute.
H.J.R. 652 (six hundred fifty-two) with substitute.
H.J.R. 653 (six hundred fifty-three) with substitute.
H.J.R. 674 (six hundred seventy-four).
H.J.R. 678 (six hundred seventy-eight).
H.J.R. 680 (six hundred eighty) with amendments.
H.J.R. 681 (six hundred eighty-one) with substitute.
H.J.R. 683 (six hundred eighty-three).
H.J.R. 684 (six hundred eighty-four).
H.J.R. 685 (six hundred eighty-five).
H.J.R. 711 (seven hundred eleven).
H.J.R. 715 (seven hundred fifteen).
H.J.R. 722 (seven hundred twenty-two) with substitute.
H.J.R. 730 (seven hundred thirty).
H.J.R. 754 (seven hundred fifty-four).
H.J.R. 755 (seven hundred fifty-five) with substitute.
H.J.R. 756 (seven hundred fifty-six) with substitute.
H.J.R. 771 (seven hundred seventy-one).
H.J.R. 783 (seven hundred eighty-three) with substitute.
H.J.R. 788 (seven hundred eighty-eight).
H.J.R. 792 (seven hundred ninety-two).
H.J.R. 793 (seven hundred ninety-three).
H.J.R. 823 (eight hundred twenty-three).

H.J.R. 791 (seven hundred ninety-one), on motion of Senator Whipple, was agreed to.

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

       NAYS--0.
       RULE 36--0.

HOUSE BILL ON SECOND READING

H.B. 1616 (one thousand six hundred sixteen) was taken up and, on motion of Senator Barker, was recommitted to the Committee on General Laws and Technology.

SENATE JOINT RESOLUTION ON SECOND READING

S.J.R. 431 (four hundred thirty-one) was read by title the second time.

Senator Stolle moved that the joint resolution be ordered to be engrossed and read by title the third time.

The yeas and nays were called for by the Chair.

The recorded vote is as follows:

       RULE 36--Cuccinelli, Hurt, McDougle, McEachin, Obenshain, Petersen, Quayle--7.

S.J.R. 431 was ordered to be engrossed and read by title the third time.

SUPPLEMENTAL CALENDAR NO. 1

HOUSE BILLS ON SECOND READING

Senator Saslaw moved that the Rules be suspended and the second reading of the titles of the following House bills as required by Article IV, Section 11, of the Constitution, be dispensed with:
H.B. 1693 (one thousand six hundred ninety-three).
H.B. 1709 (one thousand seven hundred nine).
H.B. 1727 (one thousand seven hundred twenty-seven).
H.B. 1843 (one thousand eight hundred forty-three).
H.B. 1866 (one thousand eight hundred sixty-six).
H.B. 1868 (one thousand eight hundred sixty-eight).
H.B. 1901 (one thousand nine hundred one).
H.B. 1982 (one thousand nine hundred eighty-two).
H.B. 1983 (one thousand nine hundred eighty-three).
H.B. 2016 (two thousand sixteen).
H.B. 2024 (two thousand twenty-four).
H.B. 2035 (two thousand thirty-five).
H.B. 2111 (two thousand one hundred eleven).
H.B. 2126 (two thousand one hundred twenty-six).
H.B. 2144 (two thousand one hundred forty-four).
H.B. 2152 (two thousand one hundred fifty-two).
H.B. 2155 (two thousand one hundred fifty-five).
H.B. 2171 (two thousand one hundred seventy-one).
H.B. 2172 (two thousand one hundred seventy-two).
H.B. 2178 (two thousand one hundred seventy-eight).
H.B. 2222 (two thousand two hundred twenty-two).
H.B. 2257 (two thousand two hundred fifty-seven).
H.B. 2262 (two thousand two hundred sixty-two).
H.B. 2303 (two thousand three hundred three).
H.B. 2309 (two thousand three hundred nine).
H.B. 2362 (two thousand three hundred sixty-two).
H.B. 2371 (two thousand three hundred seventy-one).
H.B. 2393 (two thousand three hundred ninety-three).
H.B. 2400 (two thousand four hundred).
H.B. 2406 (two thousand four hundred six).
H.B. 2430 (two thousand four hundred thirty).
H.B. 2434 (two thousand four hundred thirty-four).
H.B. 2435 (two thousand four hundred thirty-five).
H.B. 2445 (two thousand four hundred forty-five).
H.B. 2446 (two thousand four hundred forty-six).
H.B. 2454 (two thousand four hundred fifty-four).
H.B. 2467 (two thousand four hundred sixty-seven).
H.B. 2495 (two thousand four hundred ninety-five).
H.B. 2515 (two thousand five hundred fifteen).
H.B. 2519 (two thousand five hundred nineteen).
H.B. 2541 (two thousand five hundred forty-one).
H.B. 2576 (two thousand five hundred seventy-six).
H.B. 2578 (two thousand five hundred seventy-eight).
H.B. 2580 (two thousand five hundred eighty).
H.B. 2623 (two thousand six hundred twenty-three).
H.B. 2624 (two thousand six hundred twenty-four).
H.B. 2629 (two thousand six hundred twenty-nine).
H.B. 2637 (two thousand six hundred thirty-seven).
H.B. 2651 (two thousand six hundred fifty-one).
H.B. 2655 (two thousand six hundred fifty-five).
H.B. 1683 (one thousand six hundred eighty-three).
H.B. 1851 (one thousand eight hundred fifty-one).
H.B. 1869 (one thousand eight hundred sixty-nine).
H.B. 1888 (one thousand eight hundred eighty-eight).
H.B. 1946 (one thousand nine hundred forty-six).
H.B. 1994 (one thousand nine hundred ninety-four).
H.B. 2041 (two thousand forty-one).
H.B. 2127 (two thousand one hundred twenty-seven).
H.B. 2175 (two thousand one hundred seventy-five).
H.B. 2245 (two thousand two hundred forty-five).
H.B. 2268 (two thousand two hundred sixty-eight).
H.B. 2506 (two thousand five hundred six).
H.B. 2531 (two thousand five hundred thirty-one).
H.B. 2542 (two thousand five hundred forty-two).

The motion was agreed to.

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

NAYS--0.
RULE 36--0.

On motion of Senator Saslaw, the following House bills were passed by for the day:

H.B. 1693 (one thousand six hundred ninety-three).
H.B. 1709 (one thousand seven hundred nine).
H.B. 1727 (one thousand seven hundred twenty-seven).
H.B. 1843 (one thousand eight hundred forty-three).
H.B. 1866 (one thousand eight hundred sixty-six).
H.B. 1868 (one thousand eight hundred sixty-eight).
H.B. 1901 (one thousand nine hundred one).
H.B. 1982 (one thousand nine hundred eighty-two).
H.B. 1983 (one thousand nine hundred eighty-three).
H.B. 2016 (two thousand sixteen).
H.B. 2024 (two thousand twenty-four).
H.B. 2035 (two thousand thirty-five).
H.B. 2111 (two thousand one hundred eleven).
H.B. 2126 (two thousand one hundred twenty-six).
H.B. 2144 (two thousand one hundred forty-four).
H.B. 2152 (two thousand one hundred fifty-two).
H.B. 2155 (two thousand one hundred fifty-five).
H.B. 2171 (two thousand one hundred seventy-one).
H.B. 2172 (two thousand one hundred seventy-two).
H.B. 2178 (two thousand one hundred seventy-eight).
H.B. 2222 (two thousand two hundred twenty-two).
H.B. 2257 (two thousand two hundred fifty-seven).
H.B. 2262 (two thousand two hundred sixty-two).
H.B. 2303 (two thousand three hundred three).
H.B. 2309 (two thousand three hundred nine).
On motion of Senator Quayle, a leave of absence for the day was granted Senator Wagner on account of pressing personal business.
On motion of Senator Colgan, the Senate adjourned until tomorrow at 11:00 a.m.

William T. Bolling
President of the Senate

Susan Clarke Schaar
Clerk of the Senate