



February 12, 2017

We have now passed crossover and are looking to the end of this session on February 25. This **2017 Legislative Crossover Report** focuses on 74 priority and defensive priority bills. The remainder of the 326 bills and budget items that the VMA is monitoring and managing are available for review at <http://vamanufacturers.com/advocacy/key-virginia-legislation/>.

This session continues to illustrate the clash between the Executive and Legislative Branches for power and control. This is a healthy part of our democracy's system of "checks and balances," but there is not much debate by political insiders about the fact that the Executive branch is on the defensive. The Legislative branch is attempting to assert its influence beyond policy into executive management in higher education research and development, taxation and economic development. The business community's role will be to help balance these competing interests as an expression of our ongoing legislative advocacy and political action in future elections.

A few bills that we would like to highlight in this report involve international trade (HB2471/SB1574), workplace safety (HB1883/SB1542) and the budget (SB900/HB1500). Last session, HB858 established the [Virginia International Trade Corporation](#) (VITC). Through the budget and HB2471/SB1574, the VITC will be effectively terminated before it was ever implemented, thus, relegating international trade to a secondary resource for Virginia businesses. HB1883 and SB1542 increase workplace safety violation fines by 78%, but both bodies stripped the new \$1.6 million in funding created by the fine increases, thus, providing no help for business with voluntary compliance and workplace safety programs as was included in the Governor's introduced budget. Finally, the VMA's top priority bill last session created the New Economy Workforce Credentials program to cover 2/3 of the cost for individuals successfully completing industry credential training and certification. The program has been so successful in its first six months, enrolling 409 people in production occupations training alone, that the Virginia Community College System has requested an additional \$1 million in funding.

Finally, looking to next year, the VMA will continue to work on our proposals to protect our facilities from drone trespassing, improve recycling for beneficial use in manufacturing and reform Virginia's real and tangible personal property tax valuation and appraisal system. Members interested in these topics should contact VMA Member Services to join the appropriate committee or working group.

As *Industry's Advocate™*, the VMA is working aggressively to make Virginia the best business environment in the United States for world-class advanced technology companies to manufacture and headquarter their businesses for maximum productivity and profitability. We need your active engagement in this process.

Sincerely,

Brett A. Vassey

President & CEO



VMA | 2017 Crossover Report

Advanced technology industries, such as manufacturing, are essential to the United States of America and Virginia economies. Due to the global nature of manufacturing, industry is susceptible to the increasing costs of worker training, taxation, energy, and regulation. Because of our pro-business climate, Virginia has an opportunity to reinforce its position as a national leader in manufacturing. We must advocate for common sense legislation which supports industry to strengthen Virginia's competitive standing. The U.S. and individual states must be vigilant in continually adopting competitive regulations in comparison to competing trading partners because of the mobility of the industry. Priorities include:

- **Close the Skills and Career Planning Gaps by 2020**
- **Stop Taxing Technology**
- **Expand MFG Exports 50% by 2025 and Restructure Economic Development**
- **Keep Energy Costs Affordable and Reliable**
- **Invest in Productive Infrastructure**
- **Maintain Regulatory Balance**

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VMA CROSSOVER REPORT OVERVIEW

The 2017 Session of the General Assembly convened on January 11th and adjourns February 25th. This year is a 45-day General Assembly session. “**Crossover**” marks the halfway point of the session; this deadline dictates that each chamber must complete work on its own bills, except for the budget, and begin to consider only those bills “crossing over” from the other chamber. That milestone was reached on Tuesday, February 7.

The Virginia Manufacturers Association (VMA) continues to advance its proactive [Virginia Industrial Innovation Strategy](#) in the General Assembly. **This year the association has worked 74 “Priority & Defensive Priority Bills” that will help us build the most competitive manufacturing business climate in the United States.** “Priority” bills are those introduced on our behalf, as part of a coalition to which the VMA belongs and/or to directly address the priorities in our [2017 Legislative Agenda](#). “Defensive priority” bills are those bills that required amendment or opposition in order to preserve the VMA’s legislative agenda or industrial competitiveness in the Commonwealth.

The VMA is working and monitoring a total of 400 bills. To provide some context, there have been 2,600 total bills and resolutions introduced in the Senate and House – only 229 fewer bills than in last year’s longer 60-day session. 62% of all bills considered prior to crossover have passed. By comparison, the 2016 legislative session ended with 55% of all bills passing. We have indexed, by topic, the 2017 bills as “Key Legislation” for your review at <http://vamanufacturers.com/advocacy/key-virginia-legislation/>.

The VMA has made a significant change to the *VMA Crossover Report*. This year’s report only provides details on those “Priority and Defensive Priority” bills that are still active. However, members may still review all the “Priority and Defensive Priority” bills by going to <http://www.cgstatetrack.com/taxis/statetrack/insession/viewrpt/main.html?event=52f1427a230>.

So, now it is a race to the finish line. Register your support for or opposition to proposed legislation now. This can be done by calling legislators directly (contact information for all legislators can be found at Virginia’s [Legislative Information System](#)). Emails are less effective, but helpful. Getting your company employees involved in both calls and emails is especially impactful. Grass roots advocacy is critical to our success - just 10 calls to a legislator can make or break a bill.

As with any organization, team work is critical. The VMA Board of Directors, VMA Committees, VMA Government Affairs Council and key allies make up our team and contribute to our overall success. The VMA is particularly thankful for the Delegates and Senators that are patrons for our legislative proposals as well as several peer organizations, such as the Virginia Retail Federation and the American Chemistry Council, that have been instrumental in helping to shape our legislative agenda.

For assistance on how to make the most of grass roots advocacy or for more details about VMA’s legislative resources, please contact Kimberly Noonan, VMA Member Services Director, at 804-643-7489 or by email at knoonan@vamanufacturers.com.

VMA 2017 LEGISLATIVE SCORECARD



BUDGET BILLS

Budget

Number: VA [R] HB 1500 - Updated (Status 02/11/2017)

Sponsor: Del. S. Chris Jones (REP-VA)

Title: [Budget Bill.](#)

Abstract: Budget Bill. Amends Chapter 780, 2016 Acts of Assembly.

Status: [Senate: Referred to Committee on Finance - 02/10/2017](#)

Position: Monitor

Priority: High

Number: VA [R] SB 843 - Updated (Status 02/05/2017)

Sponsor: Sen. Ryan McDougale (REP-VA)

Title: [Biennial appropriation act.](#)

Abstract: Biennial appropriation act. Provides that the Commonwealth's biennial appropriations shall start on July 1 of odd-numbered years beginning with the biennial appropriation act for the period July 1, 2019, through June 30, 2021. The bill requires that the fiscal year beginning July 1, 2018, would not be a part of any biennial appropriation act (i.e., it would be a single-year transitional budget).

Status: [House: Assigned App. sub: General Government & Capital Outlay - 02/04/2017](#)

Position: Monitor

Priority: Low

Number: VA [R] SB 900 - Updated (Status 02/11/2017)

Sponsor: Sen. Thomas Norment (REP-VA)

Title: [Budget Bill.](#)

Abstract: Budget Bill. Amends Chapter 780, 2016 Acts of Assembly.

Status: [House: Referred to Committee on Appropriations - 02/13/2017](#)

Position: Monitor

Priority: High

PRIORITY BILLS

Number: VA [R] HB 1521 - Updated (Text, Status 02/09/2017)

Sponsor: Del. R. Lee Ware (REP-VA)

Title: [Commonwealth's tax code; conformity with federal law; emergency.](#)

Abstract: Advances conformity with the federal tax code to December 31, 2016. The bill contains an emergency clause. This bill is identical to SB 977.

Status: [Governor: Acts of Assembly Chapter text \(CHAP0001\) - 02/03/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill. Includes full IRC Section 199 Domestic Production Deduction.

Number: VA [R] HB 1552 - Updated (Status 02/11/2017)

Sponsor: Del. David Bulova (DEM-VA)

Title: [Career and technical education; notification by school board to students and parents of programs.](#)

Abstract: Local school boards; student and parent notification; career and technical education programs. Requires each local school board to implement a plan to notify students and their parents of the availability of career and technical education programs and to include annual notice on its website to enrolled high school students and their parents of the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center.

Status: [Senate: Constitutional reading dispensed \(39-Y 0-N\) - 02/10/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill.

Number: VA [R] HB 1619 - Updated (Status 02/10/2017)

Sponsor: Del. David Bulova (DEM-VA)

Title: [Watershed discharge permits; review of allocations.](#)

Abstract: Watershed discharge permits; review of allocations. Directs the State Water Control Board to incorporate into the general permit procedures by which it will, every 10 years beginning in 2020, (i) review load allocations to determine whether changes in the use of a facility have halted or reduced nutrient discharges and (ii) determine, prior to reissuing the general permit, the need for reallocations based on a variety of factors, including changes in treatment technologies and land use.

Status: [Governor: Governor's Action Deadline Midnight, February 16, 2017 - 02/09/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill. Part of a two-year process to expand nutrient trading credits beyond 10 years. This bill is a result on 2016 legislation and Executive Order 52 Working Group consensus. Contact Kimberly Noonan at knoonan@vamanufacturers.com for a Voting Guide.

VA [R] HB 1662 - Updated (Status 02/09/2017)

Number:

Sponsor: Del. Thomas Greason (REP-VA)

Title: [Higher educational institutions, public; general education course credit, dual enrollment courses.](#)

Abstract: Public institutions of higher education; general education course credit; dual enrollment courses. Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on their websites.

Status: [Senate: Referred to Committee on Education and Health - 02/08/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill.

Number: VA [R] HB 1664 - Updated (Status 02/01/2017)

Sponsor: Del. Thomas Greason (REP-VA)

Title: [State Council of Higher Education for Virginia.](#)

Abstract: State Council of Higher Education for Virginia; collection and publication of wage data and the Virginia Longitudinal Data System. Authorizes the State Council of Higher Education for Virginia (Council) to publish data on the proportion of graduates of each public institution of higher education and each nonprofit private institution of higher education eligible to participate in the Tuition Assistance Grant Program who are employed at 18 months and five years after the date of graduation. The bill directs that the data include the program and the program level, as recognized by the Council, for each degree awarded by each institution; the percentage of graduates known to be employed in the Commonwealth; the average salary and the average higher education-related debt for the graduates on ...

Status: [Senate: Referred to Committee on Education and Health - 01/31/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill. However, 18 month employment figures are not effective indicators of employability. 6 month employability in one's field of study is a more effective indicator.

Number: VA [R] HB 1678 - Updated (Status 02/01/2017)

Sponsor: Del. Roxann Robinson (REP-VA)

Title: [FOIA; trade secrets submitted to the Department of Mines, Minerals and Energy.](#)

Abstract: Virginia Freedom of Information Act (FOIA); trade secrets submitted to the Department of Mines, Minerals and Energy. Excludes from the mandatory disclosure provisions of FOIA trade secrets, as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.), submitted to the Department of Mines, Minerals and Energy that identify the amount or concentration of chemicals or ingredients used to stimulate a well pursuant to § 45.1-361.29 or Department regulations concerning such ground-disturbing activities. The bill requires that for such records to be protected, the submitting party must (i) invoke this FOIA exclusion upon submission of the data or materials for which protection from disclosure is sought, (ii) identify the data or materials for which protection is sought, and (iii) ...

Status: [Senate: Referred to Committee on General Laws and Technology - 01/31/2017](#)

Position: Support
Priority: High
Notes: VMA Priority Bill.

Number: VA [R] HB 1679 - Updated (Status 02/09/2017)

Sponsor: Del. Roxann Robinson (REP-VA)

Title: [Well permit applications; disclosure of trade secrets.](#)

Abstract: Well permit applications; disclosure of trade secrets. Authorizes the Department of Mines, Minerals, and Energy (Department) to require disclosure of chemical ingredient names, chemical abstracts numbers, or the amount or concentration of chemicals or ingredients used to stimulate a well notwithstanding exclusion from mandatory disclosure under the Virginia Freedom of Information Act as a trade secret. The bill authorizes the Director of the Department of Mines, Minerals and Energy (Director) to disclose such information to additional Department staff or state or local officials to assist the Department in responding to an emergency. The bill prohibits such individuals from disseminating such information further. The bill requires the Director to notify the party that submitted the trade ...

Status: [Senate: Referred to Committee on Agriculture, Conservation and Natural Resources - 02/08/2017](#)

Position: Support
Priority: Medium
Notes: VMA Priority Bill

Number: VA [R] HB 1713 - Updated (Text, Status 02/11/2017)

Sponsor: Del. Randy Minchew (REP-VA)

Title: [Nonconfidential court records; electronic access for date of birth verification.](#)

Abstract: Electronic access to nonconfidential criminal court records; date of birth verification. Provides that nonconfidential criminal court records shall be made available to any third party for the purposes of confirming a person's complete date of birth by electronic access.

Status: [House: Passed by for the day - 02/10/2017](#)

Position: Support
Priority: Medium
Notes: VMA Priority Bill

Number: VA [R] HB 1738 - Updated (Status 02/09/2017)

Sponsor: Del. Richard Anderson (REP-VA)

Title: [Retail sales and use tax; aviation parts, engines, and supplies.](#)

Abstract: Retail sales and use tax; aviation parts, engines, and supplies. Creates an exemption from the retail sales and use tax for parts and supplies used for maintaining, repairing, or reconditioning aircraft, including unmanned aerial systems. The exemption does not apply to tools and other items that are not attached to or become a part of the aircraft. The exemption will be effective from July 1, 2018, to June 30, 2022.

Status: [Senate: Referred to Committee on Finance - 02/08/2017](#)

Position: Support
Priority: Medium
Notes: VMA Priority Bill.

Number: VA [R] HB 1766 - Updated (Status 01/26/2017)

Sponsor: Del. Gregory Habeeb (REP-VA)

Title: [Utility Facilities Act; associated facilities of an electrical transmission line.](#)

Abstract: Utility Facilities Act; associated facilities of an electrical transmission line. Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines ""associated facilities"" as including any station, substation, transition station, and switchyard facilities to be constructed in association with the 138 kilovolt transmission line.

Status: [Senate: Referred to Committee on Commerce and Labor - 01/25/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill. Essential to APCO region economic development and grid integrity serving new and existing industrial parks for MFG.

Number: VA [R] HB 1889 - Updated (Text, Status 02/10/2017)

Sponsor: Del. Timothy Hugo (REP-VA)

Title: [License taxes, local; definition of ""defense production business, "" exemption for certain businesses.](#)

Abstract: Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services to the United States or for which consent of the United States is required.

Status: [Senate: Passed Senate with amendment \(40-Y 0-N\) - 02/09/2017](#)

Position: Support

Priority: High

Notes: VMA Priority bill.

Number: VA [R] HB 1913 - Updated (Status 02/10/2017)

Sponsor: Del. Richard Anderson (REP-VA)

Title: [Cigarettes; purchase for resale, issuance of a cigarette exemption certificate, penalties.](#)

Abstract: Purchase of cigarettes for resale; penalties. Creates a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of more than 50 cartons of cigarettes, or with a value greater than \$10,000. The bill also makes technical changes. The provisions of the bill requiring the use of a cigarette exemption certificate ...

Status: [Senate: Passed Senate \(40-Y 0-N\) - 02/09/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill.

Number: VA [R] HB 1943 - Updated (Status 02/09/2017)

Sponsor: Del. Christopher Peace (REP-VA)

Title: [Administrative Process Act; economic impact analysis of proposed regulations.](#)

Abstract: Administrative Process Act; economic impact analysis; opportunity for comment by affected businesses or other entities. Requires the Department of Planning and Budget to revise and reissue its economic impact analysis within the time limits set forth for the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if one of the following conditions is present and would materially change the Department's analysis: (i) public comment timely received at the proposed stage indicates significant errors in the economic impact analysis or (ii) there is a significant or material difference between the agency's proposed economic impact analysis and the anticipated negative economic impact to the business community as indicated by ...

Status: [Senate: Referred to Committee on General Laws and Technology - 02/08/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill.

Number: VA [R] HB 2106 - Updated (Status 02/01/2017)

Sponsor: Del. Kathy Byron (REP-VA)

Title: [Workforce Development, Virginia Board of; revises composition of Board.](#)

Abstract: Virginia Board of Workforce Development. Revises the composition of the Virginia Board of Workforce Development (Board) to conform to requirements of the federal Workforce Innovation and Opportunity Act (WIOA). One member shall be a representative of a private career college. The measure also (i) specifies that funding for a full-time Executive Director position shall be provided by Title I of the WIOA and (ii) replaces a requirement that industry credentials that align with high-demand occupations shall include the Career Readiness Certificate with the requirement that such industry credentials include a credential that determines career readiness. The measure shall not become effective if prior to July 1, 2017, the U.S. Department of Labor grants a waiver of the State Board membership ...

Status: [Senate: Referred to Committee on Commerce and Labor - 01/31/2017](#)

Position: Amend
Support

Priority: High

Notes: VMA Priority Bill. VMA has a statutory seat on this advisory board dealing with over \$300 million in Federal, State and Local funds for workforce training in the Commonwealth. Bill increases the membership of the Board to comply with Federal mandates but includes an enactment clause to revert to the previous Board configuration if the Federal government reverses its position or Virginia is provided a waiver. Amendment provides for career college seat.

Number: VA [R] HB 2311 - Updated (Status 01/25/2017)

Sponsor: Del. M. Kirkland Cox (REP-VA)

Title: [Nutrient Offset Fund; sale of credits.](#)

Abstract: Nutrient Offset Fund; sale of credits. Requires the Director of the Department of Environmental Quality (DEQ) to use certain funds to purchase nutrient credits for point or nonpoint sources that achieve reductions beyond the requirements of state or federal law

or the Chesapeake Bay Watershed Implementation Plan. The bill directs DEQ to establish procedures for distributing moneys from the Nutrient Offset Fund with certain requirements. The bill requires the Director of DEQ to consider the recommendations of the Secretary of Commerce and Trade and the requirements of the State Water Control Law (§ 62.1-44.2 et seq.) in the sale of nutrient credits to new or expanding private facilities. The bill also removes the priority given to nutrient offsets produced from facilities that generate ...

Status: [Senate: Referred to Committee on Agriculture, Conservation and Natural Resources - 01/24/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill. Product of legislation in 2016 and Executive Order 52 working group led by the VMA. Part of a strategic plan to create more flexible and affordable compliance regulations and nutrient trading over a 20-year period. Contact Kimberly Noonan for a Voting Guide (knoonan@vamanufacturers.com).

Number: VA [R] SB 909 - Updated (Status 02/11/2017)

Sponsor: Sen. Richard Stuart (REP-VA)

Title: [Menhaden; total allowable landings.](#)

Abstract: Raises the annual total of allowable landings for menhaden from 158,700.12 metric tons to 168,937.75 metric tons.

Status: [House: VOTE: PASSAGE \(79-Y 15-N 1-A\) - 02/10/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill.

Number: VA [R] SB 977 - Updated (Status 02/09/2017)

Sponsor: Sen. Emmett Hanger (REP-VA)

Title: [Commonwealth's tax code; conformity with federal law; emergency.](#)

Abstract: Advances conformity with the federal tax code to December 31, 2016. The bill contains an emergency clause. This bill is identical to HB 1521.

Status: [Governor: Governor's Action Deadline Midnight, February 15, 2017 - 02/08/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill. Conforms to IRC Section 199 Domestic Production Deduction.

Number: VA [R] SB 1018 - Updated (Status 02/09/2017)

Sponsor: Sen. George Barker (DEM-VA)

Title: [Temporary exemption periods from retail sales and use taxes for qualifying items; sunset dates.](#)

Abstract: Temporary exemption periods from retail sales and use taxes for qualifying items; sunset dates. Extends from July 1, 2017, to July 1, 2022, the sunset dates for the sales tax holiday periods for school supplies and clothing, Energy Star and WaterSense products, and hurricane preparedness products.

Status: [House: Referred to Committee on Finance - 02/08/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill. VA products included in sales tax holiday extension.

Number: VA [R] SB 1100 - Updated (Status 02/11/2017)

Sponsor: Sen. Stephen Newman (REP-VA)

Title: [New Economy Workforce Credential Grant Program; reporting by SCHEV on Program.](#)

Abstract: New Economy Workforce Credential Grant Program; reporting. Requires the State Council of Higher Education for Virginia to include in its annual report on the New Economy Workforce Credential Grant Program information on the wages, including average wage and other relevant information, of students who have completed noncredit workforce training programs by credential name and relevant industry sector.

Status: [House: Referred to Committee on Education - 02/03/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill.

Number: VA [R] SB 1110 - Updated (Status 02/08/2017)

Sponsor: Sen. William Stanley (REP-VA)

Title: [Utility Facilities Act; associated facilities of an electrical transmission line.](#)

Abstract: Utility Facilities Act; associated facilities of an electrical transmission line. Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines ""associated facilities"" as including any station, substation, transition station, and switchyard facilities to be constructed in association with the 138 kilovolt transmission line.

Status: [House: Referred to Committee on Commerce and Labor - 02/08/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill. Essential to APCO service to economic development and reliability services benefiting regional MFG.

Number: VA [R] SB 1162 - Updated (Status 01/27/2017)

Sponsor: Sen. Bryce Reeves (REP-VA)

Title: [Teacher licensure; industry certification credential, local waiver.](#)

Abstract: Teacher licensure; industry certification credential; local waiver. Permits the division superintendent or the local school board to waive the requirement that prospective teachers in the school division seeking an initial license with an endorsement in the area of career and technical education have an industry certification credential in the area in which the teacher seeks endorsement.

Status: [Senate: Incorporated by Education and Health \(SB1583-Suetterlein\) \(15-Y 0-N\) - 01/26/2017](#)

Position: Support

Priority: High

Notes: VMA Priority Bill.

Number: VA [R] SB 1274 - Updated (Text 02/04/2017)

Sponsor: Sen. Ryan McDougle (REP-VA)

Title: [License taxes, local; exemption for certain businesses including defense production businesses.](#)

Abstract: Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services to the United States or for which consent of the United States is required.

Status: [House: Referred to Committee on Finance - 01/31/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill

Number: VA [R] SB 1390 - Updated (Status 01/31/2017)

Sponsor: Sen. Janet Howell (DEM-VA)

Title: [Cigarettes; purchase for resale, penalties.](#)

Abstract: Purchase of cigarettes for resale; penalties. Creates a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of more than 50 cartons of cigarettes, or with a value greater than \$10,000. The bill also makes technical changes. The provisions of the bill requiring the use of a cigarette exemption certificate ...

Status: [House: Referred to Committee on Finance - 01/31/2017](#)

Position: Support

Priority: High

Notes: VMA Priority bill

Number: VA [R] SB 1449 - Updated (Status 02/09/2017)

Sponsor: Sen. Amanda Chase (REP-VA)

Title: [Red Tape Reduction Commission; established, report.](#)

Abstract: Red Tape Reduction Commission; review of regulatory requirements; report. Creates the Red Tape Reduction Commission (the Commission) to develop and maintain a state regulatory baseline of all current state regulatory requirements, with the initial baseline to be completed by January 1, 2019. The bill defines a regulatory requirement as any action required to be taken or information required to be provided in accordance with a statute or regulation in order to access government services or operate and conduct business and excludes requirements that are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved or to meet requirements of federal law or regulations. The bill also provides that after the regulatory baseline has ...

Status: [House: Referred to Committee on General Laws - 02/09/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill.

Number: VA [R] SB 1534 - Updated (Text, Status 02/08/2017)

Sponsor: Sen. Glen Sturtevant (REP-VA)

Title: [Higher educational institutions, public; general education course credit, dual enrollment courses.](#)

Abstract: Public institutions of higher education; general education course credit; dual enrollment courses. Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on their websites.

Status: [House: Referred to Committee on Education - 02/08/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority Bill.

Number: VA [R] SB 1539 - Updated (Status 02/11/2017)

Sponsor: Sen. Frank Ruff (REP-VA)

Title: [Chief Workforce Development Advisor; responsibilities.](#)

Abstract: Chief Workforce Development Advisor; responsibilities. Clarifies that the Chief Workforce Development Advisor shall report directly to the Governor and shall not serve in any other capacity.

Status: [House: Assigned GL sub: Subcommittee #4 - 02/10/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority bill.

Number: VA [R] SB 1583 - Updated (Status 02/11/2017)

Sponsor: Sen. David Suetterlein (REP-VA)

Title: [Teacher licensure; career and technical education, certain local waivers.](#)

Abstract: Teacher licensure; career and technical education; certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure requirements for any teacher seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education.

Status: [House: VOTE: PASSAGE \(66-Y 29-N\) - 02/10/2017](#)

Position: Support

Priority: Medium

Notes: VMA Priority bill.

DEFENSIVE BILLS

Number: VA [R] HB 1463 - Updated (Status 02/09/2017)

Sponsor: Del. Richard Sullivan (DEM-VA)

Title: [Delinquent taxes; publication of list by governing body or treasurer.](#)

Abstract: Delinquent taxes; publication by treasurer and locality. Authorizes the governing body of a locality and the treasurer to publish lists of certain local delinquent taxes whether or not they are based on information as it exists at the end of the fiscal year.

Status: [Senate: Referred to Committee on Finance - 02/08/2017](#)

Position: Neutral

Priority: Low

Notes: VMA Defensive Priority Bill. VMA has assured that the bill will not apply to taxpayers in appeal.

Number: VA [R] HB 1760 - Updated (Status 02/10/2017)

Sponsor: Del. Terry Kilgore (REP-VA)

Title: [Electric utilities; costs of pumped hydroelectricity generation and storage facilities.](#)

Abstract: Electric utilities; costs of pumped hydroelectricity generation and storage facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of one or more pumped hydroelectricity generation and storage facilities that utilize associated on-site or off-site renewable energy resources as all or a portion of their power source and such facilities and associated resources are located in the coalfield region of the Commonwealth. The measure provides that the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process does not apply to these generation and storage facilities. The ...

Status: [House: VOTE: ADOPTION \(99-Y 0-N 1-A\) - 02/09/2017](#)

Position: Amend
Monitor

Priority: Medium

Notes: VMA Defensive Priority Bill. The VMA generally does not support the legislature dictating to the SCC what is "in the public interest".

Number: VA [R] HB 1883 - Updated (Status 02/01/2017)

Sponsor: Del. Terry Kilgore (REP-VA)

Title: [Occupational health and safety laws; increases maximum amount of civil penalties.](#)

Abstract: Occupational health and safety laws; amount of civil penalties. Increases the maximum amount of civil penalties that may be assessed by the Commissioner of Labor and Industry for certain violations of occupational safety and health laws from \$7,000 to \$12,471 and for willful or repeated violations of such laws from \$70,000 to \$124,709. The measure also requires the Commissioner to increase the maximum civil penalty amounts annually, starting in 2018, by an amount that reflects the percentage increase, if any, in the consumer price index from the previous calendar year.

Status: [Senate: Referred to Committee on Commerce and Labor - 01/31/2017](#)

Position: Neutral

Priority: Medium

Notes: VMA Defensive Priority Bill. Due to the mandatory nature of this bill in order to comply with Federal law, all fines in excess of the current rate should be returned to the voluntary compliance programs (SHARP and VPP respectively) and staff training at VOSH in order to help businesses improve their safety programs and compliance. Senate budget stripped out the funding. House budget reduced funding. Conferees should restore full funding.

Number: VA [R] HB 2152 - Updated (Status 02/04/2017)

Sponsor: Del. Lashrecse Aird (DEM-VA)

Title: [Charter; City of Hopewell; water renewal commission.](#)

Abstract: City of Hopewell; water renewal commission. Changes the membership of the Hopewell Water Renewal Commission (the Commission) from a total of eight members appointed by the city council, five of whom are nominees of five manufacturers, to up to nine members, three of whom shall be a member of the city council, the city manager, and the city attorney, and the remainder of whom shall be appointed by the city council from nominees each submitted by a manufacturer who shall provide a capital contribution in an amount determined by the city council.. The bill removes the city council's authority to provide for additional nominees to the Commission by manufacturers not involved in planning assistance and requires the Commission to assist in the maintenance and expansion of the city's regional ...

Status: [Senate: Referred to Committee on Local Government - 02/02/2017](#)

Position: Amend
Support

Priority: Medium

Notes: VMA Priority Defensive Bill. Commission should be limited to nine members - 6 manufacturers and 3 city officials.

Number: VA [R] HB 2291 - Updated (Status 01/28/2017)

Sponsor: Del. Terry Kilgore (REP-VA)

Title: [Electric utilities; costs of modifications to nuclear generation facilities.](#)

Abstract: Electric utilities; costs of modifications to nuclear generation facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of a system or equipment upgrade, system or equipment replacement, or other cost reasonably appropriate to extend the combined operating license for, or the operating life of, nuclear generation facilities. The measure limits the scope of the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process to certain new generation facilities. The measure provides that a utility's costs incurred in extending the combined operating license for, or the operating ...

Status: [Senate: Referred to Committee on Commerce and Labor - 01/27/2017](#)

Position: Amend
Neutral

Priority: High

Notes: VMA Priority Defensive Bill. Bill was amended to assure that nuclear unit modifications do not qualify for enhanced return on equity incentives. The bill does not interfere with SCC authority. The bill is part of a long-term strategy to update and relicense two nuclear power plants.

Number: VA [R] HB 2390 - Updated (Status 02/09/2017)

Sponsor: Del. Terry Kilgore (REP-VA)

Title: [Renewable energy power purchase agreements; expands pilot program.](#)

Abstract: Renewable energy power purchase agreements; pilot programs. Expands the pilot program for renewable energy power purchase agreements authorized under legislation enacted in 2013 by directing that a pilot program be conducted by Appalachian Power. Currently, a pilot program is authorized only within Dominion Power's service territory. The measure provides that within the certificated service territory of Appalachian Power, nonprofit, private institutions of higher education that are not being served under a specific renewable generation tariff provision are deemed to be customer-generators eligible to participate in the pilot program, without the requirement that they participate in the utility's net energy metering program. The aggregated capacity of all generation facilities that are ...

Status: [Senate: Referred to Committee on Commerce and Labor - 02/08/2017](#)

Position: Monitor

Priority: Low

Notes: VMA Defensive Priority Bill.

Number: VA [R] HB 2471 - Updated (Status 02/09/2017)

Sponsor: Del. S. Chris Jones (REP-VA)

Title: [Virginia Economic Development Partnership Authority; membership, powers and duties.](#)

Abstract: Virginia Economic Development Partnership Authority; membership; powers and duties. Restructures the membership of the board of directors (the Board) of the Virginia Economic Development Partnership Authority (the Authority), designates the Board as a supervisory board within the statutory definition of "supervisory," sets out the minimum qualifications for appointments to the Board, and sets out additional powers and duties required of the Board, including development of a strategic plan for economic development, a marketing plan, and an operational plan. The bill also establishes a Division of Incentives within the Authority, a position of internal auditor, and two advisory committees and requires (i) each commissioner of the revenue to provide certain tax information and (ii) the ...

Status: [Senate: Referred to Committee on Finance - 02/08/2017](#)

Position: Amend
Neutral

Priority: High

Notes: VMA Defensive Priority bill. VMA is neutral on the underlying bill, but opposes the creation of a redundant "International Trade Advisory Committee" to the newly reformed VEDP Board. This circumvents the Virginia International Trade Corporation created last session. Contact knoonan@vamanufacturers.com for a voting guide. VMA has engaged the World Trade Coalition to help amend the bill and restore the VITC.

Number: VA [R] SB 992 - Updated (Status 02/11/2017)

Sponsor: Sen. Rosalyn Dance (DEM-VA)

Title: [Charter; City of Hopewell; water renewal commission.](#)

Abstract: City of Hopewell; water renewal commission. Changes the membership of the Hopewell Water Renewal Commission (the Commission) from a total of eight members appointed by the city council, up to six of whom shall be nominees of manufacturers, to up to nine, three of whom shall be a member of the city council, the city manager, and the city attorney, and the remainder of whom shall be appointed by the city council from nominees each submitted by a manufacturer who shall provide a capital contribution in an amount determined by the city council. The bill removes the city council's authority to

provide for additional nominees to the Commission by manufacturers not involved in planning assistance and requires the Commission to assist in the maintenance and expansion of the city's regional ...

Status: [House: Reported from Counties, Cities and Towns \(21-Y 0-N\) - 02/10/2017](#)

Position: Amend
Support

Priority: High

Notes: VMA Defensive Priority Bill.

Number: VA [R] SB 898 - Updated (Status 02/07/2017)

Sponsor: Sen. Richard Stuart (REP-VA)

Title: [DEQ; combined sewer overflow \(CSO\) outfalls; Potomac River Watershed.](#)

Abstract: Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Potomac River Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Potomac River Watershed and to determine what actions by the owner are necessary to bring the outfall into compliance with the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to bring it into compliance with the EPA policy by July 1, 2025, unless a higher level of control is necessary to comply with a TMDL. This bill incorporates SB 818.

Status: [House: Assigned ACNR sub: Chesapeake - 02/06/2017](#)

Position: Monitor

Priority: High

Notes: VMA Defensive Priority bill.

Number: VA [R] SB 1238 - Updated (Status 02/04/2017)

Sponsor: Sen. Emmett Hanger (REP-VA)

Title: [Virginia Economic Development Partnership Authority; Chief Executive Officer; powers and duties.](#)

Abstract: Virginia Economic Development Partnership Authority; Chief Executive Officer; powers and duties. Requires the Chief Executive Officer (CEO) of the Virginia Economic Development Partnership Authority (the Authority) to develop a comprehensive operational plan for the Authority, including, at a minimum, the following components: (i) a plan for coordination with all state agencies administering economic development incentive programs to ensure that such programs consistently achieve maximum effectiveness, (ii) the results of the most recent survey of all economic development partners assessing the effectiveness of the Authority's coordination with nonstate economic development organizations and the alignment of the Authority's strategic plan with economic development partners, and (iii) an ...

Status: [Senate: Incorporated by General Laws and Technology \(SB1574-Ruff\) \(13-Y 0-N\) - 02/03/2017](#)

Position: Monitor

Priority: High

Notes: VMA Defensive Priority Bill. VMA supports reasonable restructuring of VEDP but wants assurance that it will not impede the implementation of the Virginia International Trade Corporation.

Number: VA [R] SB 1393 - Updated (Status 02/08/2017)

Sponsor: Sen. Frank Wagner (REP-VA)

Title: [Electric utilities; community solar pilot programs.](#)

Abstract: Electric utilities; community solar pilot programs. Requires Dominion Virginia Power and Appalachian Power to conduct a community solar pilot program for retail customers. A pilot program will authorize the participating utility to sell electric power to subscribing customers under a voluntary companion rate schedule, and the utility will generate or purchase the electric power from eligible generation facilities selected for inclusion in the pilot program. An eligible generation facility is an electrical generation facility that (i) exclusively uses energy derived from sunlight; (ii) is placed in service on or after July 1, 2017; (iii) is not constructed by an investor-owned utility but is acquired by an investor-owned utility through an asset purchase agreement or is subject to a power ...

Status: [House: Referred to Committee on Commerce and Labor - 02/08/2017](#)

Position: Neutral

Priority: Low

Notes: VMA Defensive Priority Bill. The will may be a new model for selective solar development where interested parties pay the entire cost of the energy and related infrastructure and other ratepayers are protected from subsidizing those costs.

Number: VA [R] SB 1395 - Updated (Status 02/04/2017)

Sponsor: Sen. Frank Wagner (REP-VA)

Title: [Small renewable energy projects; eligibility for permits by rule.](#)

Abstract: Small renewable energy projects; permits by rule. Provides that certain small renewable energy projects proposed, developed, constructed, or purchased by (i) a public utility if the project's costs are not recovered from Virginia jurisdictional customers under base rates, a fuel factor charge, or a rate adjustment clause or (ii) a utility aggregation cooperative, are eligible for a permit by rule and are exempt from environmental review and permitting by the State Corporation Commission. The measure specifies that a small renewable energy project shall be eligible for permit by rule if it is proposed, developed, constructed, or purchased by a person that is not a regulated utility. The measure exempts a small renewable energy project for which the Department of Environmental Quality has ...

Status: [House: Referred to Committee on Commerce and Labor - 02/06/2017](#)

Position: Neutral

Priority: Low

Notes: VMA Defensive Priority bill.

Number: VA [R] SB 1542 - Updated (Status 02/11/2017)

Sponsor: Sen. Richard Saslaw (DEM-VA)

Title: [Occupational health and safety laws; increases maximum amount of civil penalties.](#)

Abstract: Occupational health and safety laws; amount of civil penalties. Increases the maximum amount of civil penalties that may be assessed by the Commissioner of Labor and Industry (Commissioner) for certain violations of occupational safety and health laws from \$7,000 to \$12,471 and for willful or repeated violations of such laws from \$70,000 to \$124,709. The measure also requires the Commissioner annually to increase the maximum civil penalty amounts, starting in 2018, by an amount that reflects the percentage increase, if any, in the consumer price index from the previous calendar year.

Status: [House: Reported from Commerce and Labor \(21-Y 0-N\) - 02/09/2017](#)

Position: Amend
Neutral

Priority: Medium

Notes: VMA Defensive Priority Bill. VMA requested that new fine revenue be dedicated to VPP, voluntary programs and consultants to aid businesses with compliance and improved safety programs. House removed partial funding and Senate removed funding from the Governor's introduced budget. Funding must be restored.

Number: VA [R] SB 1569 - Updated (Status 02/09/2017)

Sponsor: Bryce E. Reeves (by request)

Title: [Water and sewer fees; calculation factors.](#)

Abstract: Water and sewer connection fees; calculation factors. Changes the standard a locality may use to calculate the charges for water and sewer connection services from fair and reasonable to practicable and equitable defined by a number of factors. The bill has a delayed effective date of July 1, 2018.

Status: [House: Assigned CC & T sub: Subcommittee #2 - 02/08/2017](#)

Position: Amend

Priority: Medium

Notes: VMA Defensive Priority Bill. Requires additional commercial/industrial protection language to protect against cost-shifting between consumer classes.