

# Senator Saslaw's Richmond Report

June 2009

Senator Dick Saslaw

*Dear Neighbors,*

*This newsletter highlights many of the significant issues that came before the General Assembly during its 46 day session which concluded on February 28, 2009. Unless otherwise noted, the new laws have an enactment date of July 1st. It was a particularly challenging legislative session, with a major focus on amending and adjusting our biennial budget during these economic tough times.*

*Due to one of the largest revenue shortfalls in our history, we looked for ways to cut costs, while still maintaining high quality services and preserving our education standards. To that end, I led the fight to prudently use federal stimulus money to save jobs and assist Virginia's most vulnerable citizens.*

*In the interest of conservation, I encourage you to check out the cited web links for more comprehensive details of the myriad of bills passed by the Legislature. Based on the volume of correspondence we receive through our email account, I trust you will find this to be a beneficial measure.*

*On that note, once again I wish to thank you for your participation in the legislative process. It is my honor and privilege to serve such a civic minded constituency.*

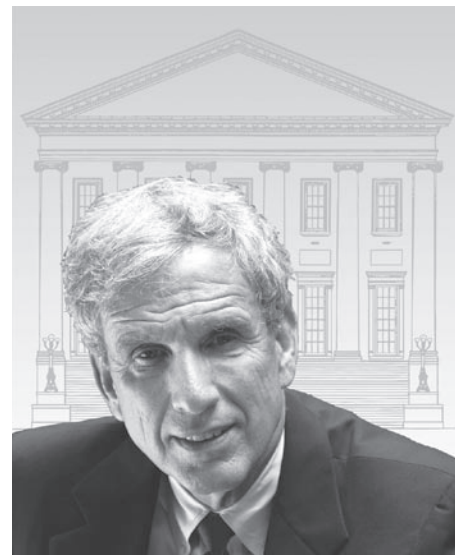
*Very truly yours,*

*Dick Saslaw*

## Virginians Breathe Easier

After many futile attempts over the past several years, the General Assembly has passed the Indoor Clean Air Act. The measure prohibits smoking in all indoor restaurants, bar and lounge areas in Virginia unless there is a separate ventilation system in a designated non-smoking area. NO SMOKING signs must be posted. There is a \$25 civil penalty for violations of the noted

provisions of the Act. I strongly supported this initiative of Governor Kaine and commend the bipartisan effort to pass this important public health legislation. Full details of the bill, its amendments and recorded votes are found at the home page of <http://www.legis.state.va.us>. Enter SB 1105 in the bill number prompter. This law goes into effect on December 1, 2009.



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# Stimulus Money Dominates Budget Debate

The 2009 Session of the General Assembly proved to be one of the most challenging that I have participated in over the course of my tenure as an elected official. We went into it during the midst of an economic meltdown. Filling the shortfall in the budget almost exclusively dominated the session.

As we neared the midpoint of the session, Governor Kaine advised us to reduce the projection for the General Fund by an additional \$822M. This revision put the revenue shortfall to be addressed during the 2009 session at an unprecedented \$3.7B for the biennium. The Senate Finance Committee, upon advise of its most senior members from both sides of the aisle, delayed finalizing its budget by seven days in order to offset and take advantage of stimulus money from the federal government.

On the other side of the Capital, the House of Delegates chose to prepare HB1600 without the use of stimulus dollars. The bulk of time spent in conference by the budget negotiators centered on stimulus (money) amendments adopted by the Senate in the budget bill. The Senate adopted budget used \$983M to preserve funding for Public Education and an additional \$130M for Higher Education to hold down tuition increases. Utilization of those funds as well as additional targeted funds prevented laying-off thousands of state employees, including those that are tasked with educating and developing the next generation of Virginia's professionals and leaders.

In my opinion, it is indeed unfortunate that the Republicans in both chambers with the exception of two, chose to reject the \$125M in federal stimulus funds by voting against chang-

ing two aspects in Virginia's unemployment laws. I have made my living as a small business man in Northern Virginia for more than 30 years. One is hard pressed to think of a single business that would go under for a \$4.50/year increase per employee in unemployment insurance. Even as a worse case scenario when the stimulus funds ran out, the law could be repealed. The average cost per employee in Virginia for unemployment insurance is \$98/year. We are 49th out of 51 jurisdictions in terms of cost for this. Even going to \$102.56/average employee would have kept us at this same ranking. The national average for unemployment insurance is \$251/employee. The opposition's argument defied all logic and common sense. The net effect of choosing not to help struggling Virginians, sends funds back to Washington to be distributed to other states as needed. At the same time, Virginia tax payers will pay for the additional interest on the debt created by the stimulus unemployment funds even though we rejected two-thirds of it.

## VIRGINIA LEADS THE NATION

A survey published in Education Week showed that a child born in Virginia has a better chance for life success than a child born in any other state in the nation.

Forbes.com has recognized Virginia as the Best State for Business.

## Business Matters

Virginia has been recognized as the **Best Managed State** in the nation for the past several years. As chairman of the Senate Committee on Commerce and Labor, I can tell you that our committee heard testimony on many issues, ranging from health insurance to autism, energy efficiency, banking and lending regulation, and Pay Day Lending. Again, I invite you to check the legislative information links for the more than 50 bills heard before this committee.

- Of major benefit to our military families was the passage of unemployment compensation for a military spouse who voluntarily leaves a job

to accompany an active duty member of the Armed Services. The law will become effective if the federal government appropriates funds for the purpose.

- The Mortgage Lender and Broker Act prohibits a mortgage broker from failing to use reasonable skill, care and diligence in exercising the broker's duty to make reasonable efforts to secure a mortgage loan that is in the best interests of the applicant, considering one's circumstances and loan characteristics.
- Despite our best efforts in 2008 to reform the Pay Day Lending industry, the issue was revisited. Pay Day

Lenders are prohibited from extending unsecured credit under an open-end loan plan in the Commonwealth. Additionally, Car Title Lending will be studied over the interim for legislative action come next January.

- Investor-owned electric utilities may recover the costs of designing and operating energy efficient programs through a rate adjustment clause.
- With the significant rise in diagnosed children with autism, bills were introduced to mandate health insurance coverage for treatment. After considerable debate and proposed compromises, the measures failed to garner the necessary votes for passage.

# Proposed Constitutional Amendments

Two measures have advanced through the legislature that may be considered by Virginians in a future referendum. Each must be reviewed and passed again by the General Assembly when it meets in 2010.

- Property tax exemptions for disabled veterans — This amendment would require the General Assembly to exempt from taxation REAL PROPERTY that is the principal residence of a veteran, or widow/widower of a veteran, if the veteran has a 100% service — connected, permanent and total disability.
- Property tax exemptions for elderly and disabled — the amendment would allow the General Assembly to authorize localities to either waive, or establish their own, income or financial worth limitations for purposes of granting real

property tax relief for persons age 65 or older, or persons permanently and totally disabled.

↓ A perennial amendment to allow the Governor to succeed himself in office **failed** in the House of Delegates. The proposed measure would have allowed two four-year terms in succession.

↑ **Added** to the Code of Virginia is HB 1876, which **prohibits text messaging** while operating a motor vehicle on the highways with in the Commonwealth.

→ The Senate **sustained** the Governor's veto of SB 1035 — a measure that would have allowed concealed weapons in restaurants and bars that serve alcohol.

## I-495 HOT Lanes Project: Noise Barriers



As part of the construction of the I-495 HOT Lanes project, VDOT will construct noise barriers along the inner and outer loops of I-495 from south of Braddock Road to Gallows Road. The project's proposed location of noise barriers was shown as part of the exhibit at the Design Public Hearing in May 2008. All documents related to the project can be viewed at: <http://www.vamegaprojects.com/about-megaprojects/i495-hot-lanes/>.

This construction will involve the replacement of existing noise barriers and constructing new ones that do not currently exist. Since the Design Public

Hearing, new noise barriers have been added along the inner loop between Ravensworth to north of Little River Turnpike, and the outer loop between Wakefield Park to Mill Creek Park.

The new noise barriers used in the HOT Lanes Project are constructed using posts and concrete panels, and are similar in appearance to those used in the reconstruction of the Springfield Interchange. These barriers provide citizens with superior noise protection over older type barriers through incorporation of state-of-the-art sound absorption materials, and will significantly improve the quality of life of residents living in the beltway area.

Once final design and fabrication are completed, sound wall installation begins. Installation of a few of the noise barriers has already begun. More



will go up as design and manufactured panels are delivered to the project area. Noise barriers erected directly on the ground (ground-mounted noise barriers) are installed first. Noise barriers constructed on retaining walls follows as each retaining wall is built, and additional grading around the walls is finished.

**These [noise] barriers provide citizens with superior noise protection...[and] significantly improve the quality of life of residents living in the beltway area.**

**—State Senator Dick Saslaw**

SENATOR DICK SASLAW

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