

2015 Legislative Session

Bill Update: 2/13/15

With the crossover of all successful bills to the opposite chamber there are fewer bills still awaiting hearings and votes. Many uncontested bills have been approved by both the Senate and House and have gone to the Governor for his action. There are significant bills still remaining that need support or opposition. Included here is the status of some of the bills of interest.

HB1318 (Campbell) to require Photo ID with application for absentee ballot request has passed in the House and is assigned to the Senate P&E Committee. Registrars do not have a Photo ID for matching what would be sent and would be burdened with unnecessary paperwork, so it is essentially useless to send a photo ID. There was no companion Senate bill so opposition is needed in the Senate committee.

HB1574 (Pogge) Failed: It originally required proof of citizenship to register to vote and was referred to Appropriations where it was laid on the table. It had been modified to require a statement, subject to a felony, that the registrant was indeed a citizen but not the requirement for proof.

SJ305 (Smith) Failed: This proposal that would have expanded the powers of the General Assembly to suspend administrative rules and regulations failed. A joint committee, not the entire body, could have been established to make a ruling. Senators in opposition argued that such action would need a judicial ruling, not one by the legislative branch. The vote in the Senate was 19 to 19 but 21 votes are required to pass a resolution for a Constitutional Amendment.

However...

HJ515 (Head) This companion bill to SJ305 needs opposition. It has passed in the House (61-32) and will be heard in the Senate P&E Committee. SJ305 passed in the Senate P&E Committee only after an amendment. HJ515 does not have that amendment at this point so it currently gives the GA more power than SJ305 did. It is one of only five of over 30 Constitutional Amendment resolutions from Delegates that were passed in the subcommittee.

SB1424 (Norment) Passed. Conflicts of Interest provisions have passed the Senate and have been amended in the House Courts of Justice Committee before it goes to the House floor.

SB1352 (Smith) Passed the Senate and is referred to the House Rules Committee. It provides that no legislative action shall be taken on the conference committee report on the biennial budget or general appropriation act until the conference committee report has been posted to the General Assembly's website for at least 48 hours. Thus, this is designed to give more transparency to the budget process. Sen. Stuart spoke in favor of the bill on the Senate floor as a welcome opportunity for an open and transparent process. Sen. Stosch stated that he did not think it was necessary because significant information is already posted online.

HB1653 (Bulova) Passed in the House (84-16) to add the Photo ID of private high school students to the eligible list for voting. It will be heard in the Senate P&E Committee. It is a simple change and should be supported.

SB816 (Sen. Howell) Passed! It removes the requirement that a person applying to vote absentee because of a religious obligation also state the nature of that obligation. As Sen. Howell said it is not the government's business to know that. Marco Grimaldo of VICPP presented the statement that there are many different religions with a variety of obligations that are not appropriate for government inquiry.

SJ238 (Dance) is on the House P&E Subcommittee's docket after passing in the Senate 29 -9. This resolution for a Constitutional amendment would authorize the General Assembly to make a law for the restoration of voting rights to persons convicted of nonviolent felonies, who have completed their sentences, including any period or condition of parole, probation, or suspension of sentence. Currently, the Constitution of Virginia authorizes the Governor to restore civil rights to persons convicted of a felony and that provision would be retained.

SB1017 (Dance) Failed: The "Ban the Box" bill that would allow former felons to be granted a job interview at a state agency or at localities before checking the box that means he was convicted at some time. It managed to pass in the Senate but failed in the House Courts of Justice Civil Law subcommittee. Three subcommittee members were sympathetic, however, and believe there is a way to adjust the bill for success in another session. Several cities have a "Ban the Box" provision in place already. There is no companion bill in the House.

SJ216 (Ebbin) The Equal Rights Amendment bill barely passed in the Senate and is awaiting placement on the docket in a House P&E Subcommittee.

SB691 (Deeds) Failed: Pilot program for Vote Centers for Primary elections failed in the House P&E Subcommittee. The main opposition stated by delegates was the concern that voters will be confused if they vote in one place for a primary election and then another in the November election. Other opposition was that the bill did not provide for a preferred substitute where voters would be assigned to just one of the vote centers.

HB2281 (Carr, Byron, Simon) Passed the House (100 to zero) and is assigned to the Senate Rules Committee: **Commission for the Commemoration of the Centennial of Women's Right to Vote**. It establishes the Commission for the Commemoration of the Centennial of Women's Right to Vote in the legislative branch. The Commission is charged with planning and leading the commemoration throughout Virginia in 2020 and educating citizens concerning the importance and significance of the right to vote by all citizens in a democracy. *The LWV-VA will be represented on this commission by appointment of the Speaker of the House.*

Redistricting Bills:

1. SB824 (Miller) Failed in the House P&E Subcommittee: SB824 would have provided for a statewide referendum in 2015 to give the voters the opportunity to demonstrate their preference on adopting an amendment to the Constitution to establish an independent redistricting commission. It went down almost immediately when the more than \$131,000 price tag was noted. This was the first bill heard early in the morning and the chairman, without allowing public comment, accepted a motion to lay it on the table.
2. SB1000 (Lewis) Senator Lewis valiantly presented the proposal for redistricting criteria and

a temporary redistricting advisory commission based on the Iowa process, but Del. Landes insisted on knowing who would have the authority to decide boundaries. He stated that the GA actually has the constitutional authority and that an unelected body should not have that authority. Several individuals and groups spoke in support and no one in opposition. Before the usual motion to lay the bill on the table Del. Futrell requested that the bill be heard in the full House P&E Committee since there was no public opposition presented at this meeting; thus, he stated it would be valuable to continue the conversation and include public comment in the full committee. But the motion was to lay the bill on the table with the two delegates in opposition clearly raising their hands and their voices.

3. SB840 (Watkins) The bill, setting redistricting criteria, was not heard yet in the House P&E subcommittee because the Senator could not attend.
4. SJ284 (Vogel) This proposal for a Constitutional Amendment for a bipartisan redistricting commission passed in the Senate and, therefore, should be scheduled for the Monday February 16 morning House P&E Constitution Amendment subcommittee but it has not appeared on the docket.

SB853 (Favola/McDougle) Failed: The Head of the Line bill for 75 and older voters passed in the Senate but failed in the House P&E subcommittee. It did not pass in spite of Senator Favola's reasoning and the testimony by President Anne Sterling that stated older voters often no longer have the endurance for long lines and that they would not abuse the use of the privilege. Previous opposition had come from registrars and electoral boards. Del. Landes did ask for it to be laid "softly" (rather than the usual "gently") on the table. The House companion bill HB1327 (Filler-Corn) also had not survived in the House P&E subcommittee.

Sen. McWaters (SB719) made a strong case for no-excuse Absentee voting for voters 65 years old and over including the likelihood that money could be saved. But it had a one-time price tag of \$8,000 so a member of the House Appropriations Committee opposed the bill. Del. Ransone, chair of the subcommittee, stated that registrars should be able to get the word to all voters about voting absentee so that more would participate. That would not provide for more acceptable excuses, however. The bill was tabled but with two 'no' votes.

SB1061 (Obenshain) This requires that the DMV Photo IDs be in the electronic pollbooks. It was reported and referred to Appropriations. By the way, it has a price tag of over \$157,000 for 2017.

SB1062 (Obenshain) This bill that stipulates that the number of ballot scanner machines for precincts with more than 4000 registered voters passed after being amended to give local jurisdictions some flexibility. There would not be a state agency expense since the purchase would be up to the localities.

Failed:

1. Resolutions to call for a convention of the states to amend the U.S. Constitution to require a balanced federal budget or to "restrain the abuse of the power of the federal government" failed in both the House and the Senate. (HJ497, HJ499, SJ252, SJ269)

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2. Funds for Election Equipment, the \$28 million proposed by the Governor, have not been included in the budget.