

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: Mary Hynes, Chair, Governance and Personnel Committee

DATE: March 15, 2017

SUBJECT: 2017 Legislative Update

1. **Purpose:** To provide a summary to the Northern Virginia Transportation Authority (NVTA) of the 2017 General Assembly Session.
2. **Background:** The Virginia General Assembly adjourned on time on February 25, 2017. Despite a significant budget imbalance of almost \$1.5 billion, members of the House and Senate had few major differences on how to close the gap and were able to reach compromise. In addition to balancing the budget, the House and Senate both made state employee pay raises a priority which caused essentially no new funding to be approved and cuts or reductions in budget increases in every part of government.

Transportation did not dominate the session as it has in years past. Outside of bills on the Authority's agenda which are listed below, the most significant were two bills from the Administration to insert the process to select a team for the I-66 Outside the Beltway project into the Public-Private Transportation Act procurement process -- [HB 2244](#) (Jones) and [SB 1322](#) (Carrico).

3. **Update:** A quick review of how the Authority's priorities fared this session:

Bills We Supported

- Establishing the Metro Safety Commission (MSC) [HB 2136](#) (LeMunyon) and [SB 1251](#) (Barker)
 - Both bills reached the governor's desk with the additions we've discussed before:
 - An emergency clause allowing the provisions to become effective as soon as the Governor signs the bill
 - Enactment Clause #4 which directs the Secretary of Transportation, in coordination with the Northern Virginia Transportation Commission (NVTC), to engage state, local and federal stakeholders in identifying reforms to the Metro compact. The Enactment Clause also names six areas for which recommendations are to be developed.

- The budget conference report contains language directing the administration to develop a plan to reform the Metro Compact and a plan to implement the reforms and a requirement to provide scheduled updates to the General Assembly.
 - The budget conference report also contains language allowing Department of Rail and Public Transportation to enter into a short term loan for revenue to make up for any delayed federal transit funding until the MSC is certified.
 - And the General Assembly also adopted [HJ 617](#) (LeMunyon) which asks the Governor to explore reforming the Metro compact with the Governor of Maryland and the Mayor of the District of Columbia with a focus on governing, operation and financing.
- Observation: There are a number of legislators in key decision-making positions who are not from Northern Virginia and who will need to be kept in the loop as discussions move forward on how best to bring Metro back to a strong position. Still to be determined: How strong is the link between willingness to consider a dedicated funding source and reform?
 - Fixing Gas Tax Floor for NVTC and the Potomac-Rappahannock Transportation Commission (PRTC)
 - All three of the bills trying to fix the missing gas tax floor for NVTC, PRTC and the Hampton Roads Transportation Commission were defeated in the House of Delegates. The House Finance Committee once again tabled all bills before them. [HB 2130](#) (Levine); [SB 1092](#) (Petersen) and [SB 1456](#) (Wagner)
 - The defeated proposals would have established a gas tax price equal to the price of gas February 2013 – when it was over \$3.00 per gallon. With current gas prices in many parts of the state below \$2.00 fixing the floor can easily be described as a tax increase – hard to get passed in an election year.
 - Next steps will be to include looking at some other means of allowing all three organizations to reach the revenue levels projected when HB 2313 was adopted.

Bills We Opposed

- [HB 2121](#) (Keam) to add “sidewalks” to the approved use of the 70% revenues of the Authority. The bill was once again defeated in the House Transportation Committee.
- [HB 2120](#) (Keam) and [SB 929](#) (Petersen) were both defeated but not without a lot of work in the House.
 - The House Subcommittee on a 5-1 vote recommended the bill be approved. At full committee that was overcome and the Authority members Delegates Hugo and Minchew helped defeat the bill on a motion to let the bill remain in committee.
 - Chairman Nohe pledged that the Authority would work with the towns to address their concerns with the goal of finding a way for expanded town participation that doesn’t require a change in the Authority board make-up or

any legislation.

- [HB 2137](#) (LeMunyon) was significantly amended
 - No additional analysis of the long range regional plan is now required
 - The bill is not effective until July 1, 2018, allowing the Authority to complete updating TransAction.
 - As amended the bill requires only two things:
 - The Authority must identify any obstacles to implementing the long range plan
 - The Authority must post any communication sent from a member locality noting a change in their comprehensive or transportation plan that conflicts with the Authority's long range plan.
 - With these changes the Authority supported the bill and it passed and is before the governor for signature.
- Bills and proposed budget amendments that circumvented SMART SCALE were quickly defeated in both the House and Senate.

Bills We Monitored

- Bills that create a nexus for out-of-state retailers to collect the Virginia sales and use tax were adopted. [HB 2058](#) (Watts) and [SB 962](#) (Hanger) passed the House and Senate with little opposition. Both bills become effective July 1, 2017.
- The Department of Taxation predicts the bill will add a little over \$1.3 million to the Authority starting in FY 2018.

4. Next steps.

Looking Ahead to 2018 General Assembly Session

The adoption of TransAction and the Six Year Program make for strong reasons for the Authority to develop a strategy to brief a number of legislative decision-makers in the months leading into the 2018 General Assembly session and during the session. It is always good to remind people that the Authority is meeting and exceeding the goals of HB 2313.

- As reported Speaker William Howell has announced that he will not seek re-election. Given the strong likelihood that the Republicans will maintain their majority in the House of Delegates recent caucus selection of new leadership will cascade into changes in committee leadership.
- The Republican Caucus has elected Delegate Kirk Cox (R-Colonial Heights) to the position of Speaker-Designate. His appointment cannot be formalized until the 2018 General Assembly session. Delegate Todd Gilbert (R-Rockingham) was elected Majority Leader-

Designate.

- Legislators can start pre-filing bills November 20, 2017. We will want to communicate any changes in the Authority relationship with the five towns in advance of this date as part of an effort to avoid introduction of any more bills looking to change the voting structure of the Authority. Ideally we will have time to not only brief the Joint Commission on Transportation Accountability but also key members of the House and Senate Transportation Committees.
- The election of a new governor will create significant changes in the leadership of transportation activities with including a new Secretary of Transportation, Commissioner of the Virginia Department of Transportation and director of the Virginia Department of Rail and Public Transportation.
- 2018 will see significant discussion on funding transit coming out of the Transit Services Delivery Advisory Commission. Also in discussion are the interests of both the Virginia Railway Express and Metro to have dedicated funding sources – one or both of these topics could be before the General Assembly in 2018.

Attachment(s): 2017 Bill Tracking as of March 14, 2017

Virginia General Assembly – 2017 – Bill Tracking for the Northern Virginia Transportation Authority (NVTA)

NVTA Related Bills	Smart Scale	WMATA	NVTC	I-66 Related	General Transportation	Other/FOIA
HB1529	HB1831	HJ617	HB2130		HJ693	HB1539
HB1681		HB1847			HB1715	HB1540
HB1809	SB921	HB2136	SB1092		HB1881	HB2377
HB2058			SB1456		HB2318	
HB2120					HB2619	SB972
HB2121						
HB2137					SB1209	
SB962						
SB929						
SB1018						
SB1308						

NVTA RELATED BILLS

Bill and Patron	Summary	Status/Last Action	NVTA Position
HB1529 – Ward pdf	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. This bill is identical to SB 1018 . http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=HB1529	02/17/17 Governor: Approved by Governor-Chapter 26 (effective 7/1/17)	monitor
HB1681 - Bloxom pdf	Transient occupancy tax; state parks. Permits localities to impose transient occupancy taxes on transient room rentals and travel campgrounds in state parks. https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1681	02/21/17 Senate: Left in Finance	monitor
HB1890 – Hugo pdf	Collection of sales and use tax. Removes the exception that persons selling certain products, such as window shades, kitchen equipment, and countertops, are deemed to be retailers and not consuming contractors for purposes of collecting sales and use tax, even if they intend to install such items for contractors. Generally, tangible personal property incorporated into real property is deemed to have been purchased for consumption by the contractor. This bill is identical to SB 1308 . https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=hb1890	02/21/17 Governor: Governor's Action Deadline Midnight, March 27, 2017	monitor
HB2058 – Watts pdf	Sales and use tax; nexus for out-of-state businesses. Provides that storage of inventory in the Commonwealth is sufficient nexus to require out-of-state businesses to collect sales and use tax on sales to customers in the Commonwealth. http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2058	02/20/17 Governor: Approved by Governor-Chapter 51 (effective 7/1/17)	monitor

HB2120 – Keam pdf	<p>Northern Virginia Transportation Authority (NVTA); membership composition. Increases from 17 to 18 the membership of the NVTA and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2120</p>	Left in Transportation Committee – dead	oppose
HB2121 – Keam pdf	<p>Use of certain revenues by the Northern Virginia Transportation Authority. Allows revenues of the Northern Virginia Transportation Authority distributed to localities to be used, as determined solely by the applicable locality, to fund new sidewalk projects.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2121</p>	02/07/17 House: Left in Transportation – dead	oppose
HB2137 – LeMunyon pdf	<p>Northern Virginia Transportation Authority; regional transportation plan. Requires the Northern Virginia Transportation Authority to annually publish on its website any land use or transportation elements of a locality's comprehensive plan that each locality embraced by the Authority is currently required to report when such locality's plan is inconsistent with the Authority's regional transportation plan. Additionally, the bill requires the Authority to consider for revision and revise as necessary its regional transportation plan at least once every five years. The Authority is required to specify any obstacles to achieving a reduction in congestion in Planning District 8 and any need for cooperation by other regional entities. The bill has a delayed effective date of July 1, 2018.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2137</p>	02/28/17 House: Enrolled Bill communicated to Governor on 2/28/17 02/28/17 Governor: Governor's Action Deadline Midnight, March 27, 2017	Oppose/supported with delayed enactment clause amendment
SB962 - Hanger pdf	<p>Sales and use tax; nexus for out-of-state businesses. Provides that storage of inventory in the Commonwealth is sufficient nexus to require out-of-state businesses to collect sales and use tax on sales to customers in the Commonwealth. This bill is identical to HB 2058.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=SB962</p>	02/21/17 Governor: Governor's Action Deadline Midnight, March 27, 2017	monitor
SB929 - Petersen pdf	<p>Northern Virginia Transportation Authority (NVTA); membership composition. Increases from 17 to 18 the membership of the NVTA and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=SB929</p>	2/2/17 Senate Rules Committee: vote to Pass By Indefinitely 11-4	oppose

<p>SB1018 – Barker pdf</p>	<p>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. This bill is identical to HB 1529.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=SB1018</p>	<p>02/21/17 Governor: Governor's Action Deadline Midnight, March 27, 2017</p>	<p>monitor</p>
<p>SB1308 – McDougle pdf</p>	<p>Collection of sales and use tax. Removes the exception that persons selling certain products, such as window shades, kitchen equipment, and countertops, are deemed to be retailers and not consuming contractors for purposes of collecting sales and use tax, even if they intend to install such items for contractors. Generally, tangible personal property incorporated into real property is deemed to have been purchased for consumption by the contractor. This bill is identical to HB 1890.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=sb1308</p>	<p>02/21/17 Governor: Governor's Action Deadline Midnight, March 27, 2017</p>	<p>monitor</p>

SMART SCALE

Bill	Summary	Status/Last Action	NVTA Position
<p>SB921 – Edwards pdf</p>	<p>Commonwealth Transportation Board; statewide prioritization process. Requires travel time reliability to be one of the factors used by the Commonwealth Transportation Board in its statewide prioritization process.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB921</p>	<p>01/25/17 Senate: Stricken at request of Patron in Transportation (12-Y 0-N)</p>	<p>opposed</p>
<p>HB1831 – Kilgore pdf</p>	<p>Prioritization of statewide transportation projects; exceptions. Exempts projects on U.S. Route 121, commonly known as the Coalfield Expressway, and U.S. Route 460 from the prioritization process that the Commonwealth Transportation Board applies to projects for state funding.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1831</p>	<p>01/19/17 House: Subcommittee recommends laying on the table by voice vote</p> <p>02/07/17 House: Left in Transportation - dead</p>	<p>oppose</p>

WMATA

Bill	Summary	Status/Last Action	NVRTA Position
<p>HJ617 – LeMunyon pdf</p>	<p>Washington Metropolitan Area Transit Authority Compact of 1966 gubernatorial review. Requests the Governor to review the Washington Metropolitan Area Transit Authority Compact of 1966 and enter into discussions with his counterparts in the District of Columbia and Maryland to identify possible improvements to the agreement, particularly with regard to the governance, financing, and operation of the Washington Metropolitan Area Transit Authority.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HJ617</p>	<p>02/02/17 House: Agreed to by House BLOCK VOTE (91-Y 1-N)</p> <p>02/14/17 Senate: Agreed to by Senate by voice vote</p>	<p>support</p>
<p>HB1847 – Minchew pdf</p>	<p>Washington Metropolitan Area Transit Authority Compact of 1966. Proposes amendments to the Washington Metropolitan Area Transit Authority Compact of 1966 (the Compact). The bill allows members of the Board of Directors of the Washington Metropolitan Area Transit Authority (the Authority) to be provided reasonable compensation. The bill eliminates requirements for overtime compensation and requirements that set the minimum wage equal to the prevailing wage on similar construction in the locality for all laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair of projects, buildings, and works undertaken by the Authority or who are financially assisted by it. The bill eliminates the requirement that the Authority negotiate employees' wages, salaries, hours, working conditions, and pension or retirement provisions through labor organizations and removes employee protective arrangements under the Federal Transit Act. The bill eliminates the mandatory-binding-arbitration provision associated with union contract negotiations. The bill eliminates requirements regarding the Authority assumption of labor contracts, collective bargaining agreements, and the obligations of any transportation system acquired by it with regard to wages, salaries, hours, working conditions, sick leave, and health and welfare and pension or retirement provisions for employees of an existing transit facility acquired by the Authority. These amendments to the Compact shall not become effective until they are enacted by the State of Maryland and the District of Columbia and consented to by Congress, as provided for in the Compact.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1847</p>	<p>1/26/17 – Bill stricken at request of patron</p> <p>02/07/17 House: Left in Transportation - dead</p>	<p>monitor</p>
<p>HB2316 – LeMunyon pdf</p>	<p>Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System. The bill requires the Secretary of Transportation to negotiate, on the Commonwealth's behalf, the terms for revision of the WMATA Compact with the other signatories to the WMATA Compact. The bill contains an emergency clause.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2316</p>	<p>02/28/17 Governor: Governor's Action Deadline Midnight, March 27, 2017</p>	<p>support</p>

NVTC

Bill	Summary	Status/Last Action	NVTA Position
<p>HB2130 – Levine pdf</p>	<p>Motor vehicle fuels sales tax in certain transportation districts. Provides that the tax that is imposed on the sales price of motor fuel in Northern Virginia shall be imposed on the regional price of gas, defined and computed as a six-month average price of fuel. The regional price has an initial floor of January 11, 2017. If a newly averaged regional price is higher than the preceding regional price, the tax is imposed on the new regional price, but if a newly averaged regional price is less than the preceding regional price, the higher of the two remains the regional price. If the regional price is at any time equal to or greater than the statewide average wholesale price of unleaded regular gasoline on February 20, 2013, then the tax is imposed on the regional price, which moving forward shall not be less than the statewide average wholesale price of unleaded regular gasoline on February 20, 2013, and shall not be more than a price of \$4 per gallon of unleaded regular gasoline. The bill also raises the rate of taxation of motor fuel in Northern Virginia from 2.1% to 3%. The bill also changes the regional gas tax in Hampton Roads from a percentage to a cents-per-gallon tax that decreases as the price of gas increases. The regional gas tax in Hampton Roads would have a floor of \$0.05 per gallon and a ceiling of \$0.14 per gallon and would be determined on the basis of the average wholesale price of unleaded regular gasoline.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2130</p>	<p>01/11/17 House: Referred to Committee on Finance</p> <p>01/17/17 House: Assigned Finance sub: Subcommittee #2</p> <p>01/25/17 House: Subcommittee recommends laying on the table by voice vote</p> <p>02/07/17 House: Left in Finance</p>	<p>Support</p>
<p>SB1092 - Petersen</p>	<p>Motor vehicle fuels sales tax in certain transportation districts; price floor. Establishes a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia by requiring that the average sales price upon which the tax is based be no less than the statewide average sales price on July 1, 2013.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=SB1092</p>	<p>01/06/17 Senate: Referred to Committee on Finance</p> <p>Incorporated into SB 1456 (Wagner)</p>	<p>support</p>
<p>SB1456 –Wagner pdf</p>	<p>Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the tax is not imposed on a price that is less than the statewide average wholesale price of gasoline or diesel fuel on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax. This bill incorporates SB 1092.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=sb1456%5D</p>	<p>02/03/17 Senate: Read third time and passed Senate (26-Y 12-N)</p> <p>02/08/17 House: Referred to Committee on Finance</p> <p>02/13/17 House: Tabled in Finance by voice vote</p>	<p>Support</p>

GENERAL TRANSPORTATION RELATED BILLS

Bill	Summary	Status/Last Action	NVTA Position
HJ693 – LaRock pdf	<p>Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. The amendment directs that revenues dedicated to Transportation Funds on January 1, 2018, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HJ693</p>	<p>03/07/17 House: Signed by Speaker</p> <p>03/10/17 Senate: Signed by President</p>	monitor
HB1715 – Minchew pdf	<p>Virginia Highway Corporation Act of 1988. Gives the State Corporation Commission discretion to approve any request to increase tolls on the Dulles Greenway by a specified annual percentage increase. The measure also gives the Commission discretion to approve an additional increase in such tolls based on increases in local property taxes when requested by the operator. Currently the Commission is required to approve such requests for toll increases.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1715</p>	<p>02/08/17 House: Left in Commerce and Labor</p>	monitor
HB1881 – John Bell pdf	<p>Toll rate approval by the State Corporation Commission under the Virginia Highway Corporation Act of 1988. Requires the State Corporation Commission to ensure that the cost of operating tolled roadways under the Virginia Highway Corporation Act of 1988 is reasonably apportioned across all users on the basis of the relative distance each class of user travels on the roadway.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1881</p>	<p>02/08/17 House: Left in Commerce and Labor</p>	monitor

<p>HB2138 – LeMunyon pdf</p>	<p>State and local transportation planning. Provides that prior to the adoption of or amendment to any comprehensive plan that substantially affects transportation on state-controlled highways in Planning District 8 (Northern Virginia), the Department of Transportation shall specify by name and location any transportation facility having a functional classification of minor arterial or higher for which an increase in traffic volume is expected to exceed the capacity of such facility as a result of the proposed plan or amendment. https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB2138</p>	<p>02/02/17 Reported with a substitute 02/07/17 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 02/20/17 Senate: Passed Senate (40-Y 0-N) 02/28/17 Governor: Governor's Action Deadline Midnight, March 27, 2017</p>	<p>monitor</p>
<p>SB1209 – Wexton pdf</p>	<p>Virginia Highway Corporation Act of 1988. Gives the State Corporation Commission discretion to approve any request to increase tolls on the Dulles Greenway by a specified annual percentage increase. The measure also gives the Commission discretion to approve an additional increase in such tolls based on increases in local property taxes when requested by the operator. Currently the Commission is required to approve such requests for toll increases. https://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB1209</p>	<p>01/10/17 Senate: Referred to Committee on Commerce and Labor 01/16/17 Senate: Passed by indefinitely in Commerce and Labor (9-Y 5-N)</p>	<p>monitor</p>

OTHER/FOIA

Bill	Summary	Status/Last Action	NVTA Position
<p>HB1539 – LeMunyon pdf</p>	<p>Virginia Freedom of Information Act (FOIA); public access to records of public bodies. Clarifies the definition of public record. The bill also (i) defines "personal contact information" that is excluded from FOIA's mandatory disclosure provisions in certain cases; (ii) clarifies that a requester has the right to inspect records or receive copies at his option; (iii) clarifies language in certain record exclusions under FOIA that certain records may be disclosed at the discretion of the custodian; (iv) consolidates the personnel record exclusion with the limitation on the application of that exclusion, and specifically clarifies that the name, in addition to position, job classification, and salary, of a public employee is public information as per opinions of the Attorney General and the FOIA Council; (v) eliminates, effective July 1, 2018, the exclusion for the Alcoholic Beverage Control Authority relating to operating and marketing strategies; (vi) eliminates the exclusion for correspondence of local officials as unnecessary; (vii) consolidates various public safety exclusions relating to building plans and drawings and critical infrastructure into a single exclusion; (viii) eliminates the exclusion for administrative investigations of the Department of Human Resource Management, as the exclusion is already covered under the personnel records exclusion; (ix) expands the exclusion for personal information provided to the Virginia College Savings Plan to cover qualified beneficiaries, designated survivors, and authorized individuals, which terms are defined in the bill; (x) consolidates the various record exclusions for the Department of Health Professions and the Department of Health into single exclusions for each Department; (xi) clarifies certain Department of Social Services exclusions; (xii) provides an exclusion for local finance boards that provide postemployment benefits other than pensions; and (xiii) eliminates the record exclusion for Virginia Wildlife Magazine. The bill also limits the application of the working papers exemption by stating that information publicly available or not otherwise subject to an exclusion under FOIA or other provision of law that has been aggregated, combined, or changed in format but does not contain a material revision to such information shall not be deemed working papers. . The bill contains numerous technical amendments. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016). http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1539</p>	<p>12/27/16 House: Referred to Committee on General Laws 01/11/17 House: Assigned GL sub: Subcommittee #2 01/26/17 House: Subcommittee recommends reporting with amendments (7-Y 0-N) 02/02/17 House: Reported from General Laws with substitute (20-Y 0-N) 02/04/17 House: Read first time 02/07/17 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 02/16/17 Senate: Passed Senate (40-Y 0-N) 03/13/17 Governor: Governor's Action Deadline Midnight, March 27, 2017</p>	<p>Monitor</p>
<p>HB1540 – LeMunyon pdf</p>	<p>Virginia Freedom of Information Act (FOIA); public access to meetings of public bodies. Revises FOIA's various open meeting exemptions relating to legal matters, litigation, certain museums, and the Virginia Commonwealth University Health System Authority. The bill also (i) clarifies where meeting notices and minutes are to be posted, (ii) requires copies of proposed agendas to be made available, (iii) eliminates reporting to the Joint Commission on Science and Technology when a state public body convenes an electronic communication meeting, and (iv) makes technical corrections to several open meeting exemptions to provide context for those meeting exemptions that currently only cross-reference corollary records exemptions. The bill also clarifies closed meeting procedures. The bill contains numerous technical corrections. This bill is a</p>	<p>02/07/17 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N) 02/16/17 Senate: Passed Senate (40-Y 0-N)</p>	<p>monitor</p>

	<p>recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016). http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+HB1540</p>	<p>02/21/17 Governor: Governor's Action Deadline Midnight, March 27, 2017</p>	
<p>SB972 – DeSteph pdf</p>	<p>Requests for information by members of the General Assembly; responses not subject to redaction. Requires all departments, agencies, and institutions of the Commonwealth and staff and employees thereof to respond to a request for information made by a member of the General Assembly. The bill further provides that notwithstanding the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), a response to a request for information made by a member of the General Assembly shall not be subject to redaction.</p> <p>http://lis.virginia.gov/cgi-bin/legp604.exe?171+sum+SB972</p>	<p>01/03/17 Senate: Referred to Committee on Rules</p> <p>2/2/17 Senate: Committee Passed By Indefinitely 11-3</p>	
<p>HB2377 – Freitas pdf</p>	<p>Sales and use tax exemption; certain textbooks and other educational materials. Extends the sunset date from July 1, 2017, to July 1, 2022, for the sales and use tax exemption for textbooks and other educational materials that are withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=171&typ=bil&val=HB2377</p>	<p>1/26/17 – Block Vote Passage (house) 99-0</p> <p>02/09/17 Senate: Passed Senate (40-Y 0-N)</p> <p>02/20/17 Governor: Approved by Governor-Chapter 54 (effective 7/1/17)</p>	