



# GENERAL ASSEMBLY UPDATE



## News From VPCGA at the General Assembly

January 22, 2010

### In This Update

- **General Assembly Concludes First Week**
- **Hours Exemption**
- **NORA Fee Suspended As of February 7th**

### Quick Links

- **VPCGA Bill List**
- **Who's My Legislator**
- **Printable Versions of the Update**

### Join our list

**Join our mailing list!**

Dear Member,

### General Assembly Concludes First Week

The first full week of the 2010 Virginia General Assembly session has concluded, however, it has raised far more questions than produced answers. During his State of the Commonwealth speech Monday night, Governor McDonnell promised to veto any tax increases on the "hard working families of Virginia." It is not clear if this extends to repealing the motor fuels allowance or new fees such as those proposed for weights and measures devices. The Governor was supposed to detail the first portion of his proposed budget cuts today, but we have not seen anything tangible as yet. Given that the Senate is controlled by the Democratic party and the House and Governor's office by Republicans, any resolution to the current \$4 billion budget deficit will likely not occur before the closing days of the session.

### Tribes Change Lobbying Tactics on Recognition

Today is the last day to file legislation for the 2010 session and is usually the day when lobbyists drop in bills in anticipation of catching the opposition off guard. This year it appears that this legislation is [Senate bill 672](#) carried by defeated gubernatorial candidate Creigh Deeds. This bill is being pushed by the Virginia Indian Tribes and their lobbyist, Bill Leighty, former Chief of Staff to Governor's Kaine and Warner. The tribes' new strategy is apparently to try to pass legislation in Richmond that will address the concerns raised over tax free motor fuels and tobacco sales. This legislation is meaningless because tribes all across America, once declared as sovereign, have ignored state law to engage in tax evasion. I picked up on the introduction of this bill earlier in the week and told Mr. Leighty that the only legislation that is acceptable is the Federal bill with the amendments requested by Virginia's Attorney

General to protect the state from tax evasion.

### **Rest Area Privatization**

Two bills were filed this year to fast track a legislative study of privatizing the state's rest areas. The first, by Senator Mark Herring of Loudon County was heard on Tuesday. Unfortunately, it was supported by both the Virginia Chamber of Commerce and the Hospitality and Travel Association. We were the only ones to oppose the bill and after our comments, it was suggested by committee members that any study be conducted by VDOT rather than the Legislature. Final action was postponed until next week.

### **License Plates**

Senator Tommy Norment of Williamsburg filed legislation to reduce the number of required tags on personal vehicles from two to one. Along with the Virginia State Police we opposed this measure as it would have been a step backward in identifying those who may be engaged in illegal activity. It was killed for the year.

### **ABC Privatization**

Part of the Governor's plan to infuse new dollars to transportation is to sell the state's ABC stores and to use the profits for roads. The vehicle to accomplish this Senate bill , by Sentor Mark Obenshain of Harrisonburg was considered this morning, but moved to the Senate Finance Committee without debate.

### **Games of Chance**

One unanticipated issue this year is [House bill 1010](#) by Delegate Clay Athey of Warrenton which would ban so-called free spin machines in Virginia. We are working to defeat the bill which would impact machines found in many travel centers across the state.

### **Price Gouging**

Today Delegate Chris Peace of Hanover introduced [House bill 1350](#) to amend the state's price gouging law. Any time this section of the code is revisited it is problematic for petroleum marketers, and this bill is likely no exception. We will keep you informed of further developments.

For a full list of the bills we are following, [click here](#).

### Hours Exemption

As we reported Monday, the state of Virginia has extended the Hours of Service waiver for the transportation of heating fuels including heating oil and propane until February 20th. A copy of the extension can be found [here](#). Please note that the weight waiver expired on January 20th.

### NORA Fee Suspended As of February 7th

Due to Congressional gridlock created as the result of the Federal health care bill, it is unlikely that NORA will be reauthorized prior to February 6th, meaning that the collection of the 2010 NORA fee will stop on that date. However, according to NORA President John Huber the chances for an extension should improve later this year and we will be keeping the membership apprised of the latest developments. To read the NORA statement [click here](#).