

Water in the 2013 Virginia General Assembly

The 2013 [Virginia General Assembly](#) convened January 9 and adjourned February 23. The reconvened session—for the General Assembly to consider vetoes or amendments by the governor—was held April 3. During the session, the Assembly considered 2899 measures along with amendments to the 2012-14 biennial state budget.

In this article, *Virginia Water Central* lists 143 measures in the 2013 Assembly (including nine budget or appropriations-process bills) dealing with water resources directly or indirectly. The list comes from the Legislative Information System (LIS) Web site, at <http://leg1.state.va.us>, in the categories indicated by sub-headings below. Bill summaries were also taken from LIS (edited in some cases for space or clarity). Bills are listed under only one category, even if LIS listed them more than once. The categories searched and the bills listed include all those with *direct* water relevance (such as bills in the “Water and Sewer Systems” category) as well as those with a *potential or indirect* relevance to water (such as bills dealing with land conservation and energy-efficiency, two activities that ultimately affect water resources). *Water Central’s* list below *does not necessarily include all bills* that potentially affect Virginia’s water resources.

Within each category, bills are listed in order of their **bill number**, using the following abbreviations: **HB** = bill started in House of Delegates; **HJ** = joint resolution started in the House; **SB** = bill started in the Senate; and **SJ** = joint resolution started in the Senate. Numbers in the left-hand column have been added by *Water Central* for cross-referencing among the bills.

A table at the end of the article lists several topics and bills from the 2013 Assembly that received attention in various news media. For a selection of online news articles about water-related legislation in the 2013 Assembly, please visit the *Virginia Water Central* News Grouper at <http://vawatercentralnewsgrouper.wordpress.com/category/2013-virginia-general-assembly/>.

Thanks to Water Center work-study student Alex Thompson for compiling information on bill status and relationships among bills.

Water Central’s inventories of water-related bills in previous General Assembly sessions (1998-2012) are available online at www.vwrrc.vt.edu/legislation.html.

2013 Water-related Bill Inventory

(As of the completion of the reconvened session in April 2013)

Click on the bill numbers to access information at the Legislative Information System (LIS).

Frequently used abbreviations: DCR = Department of Conservation and Recreation; DEQ = Virginia Department of Environmental Quality; DGIF = Department of Game and Inland Fisheries; DMME = Department of Mines, Minerals and Energy; DOF = Department of Forestry; EPA = U.S. Environmental Protection Agency; House ACNR = House Agriculture, Chesapeake, and Natural Resources committee; House APP = House Appropriations committee; SCC = State Corporation Commission; Senate ACNR = Senate Agriculture, Conservation, and Natural Resources committee; SWCB = State Water Control Board; VDH = Virginia Department of Health; VDOT = Virginia Department of Transportation; VIMS = Virginia Institute of Marine Science; VMRC = Virginia Marine Resources Commission.

APPROPRIATIONS/BUDGET

1	HB 1500	Budget Bill. Amendments to the 2012-14 biennial budget.	Passed.
2	HB 1878	Sources of revenue; establishing and adjusting for appropriations of State and its localities. Similar to HB 2179 (#3).	Failed in House Finance.
3	HB 2179	Sources of revenue; establishing and adjusting for appropriations of State and its localities. Companion Bill is SB 717 (#5). Similar to HB 1878 (#2).	Failed in House Finance.
4	HJ 594	Constitutional amendment; limit on appropriations (first reference).	Passed House; failed in Senate Privileges and

			Elections.
5	SB 717	Sources of revenue; establishing and adjusting for appropriations of State and its localities. Companion Bill is HB 2179 (#3).	Failed in Senate Finance.
6	SB 800	Budget Bill. Amendments to the 2012-14 biennial budget.	Passed Senate; failed in House Appropriations.
7	SB 1105	Biennial appropriations; changing to start in odd-numbered year.	Passed Senate; failed in House Appropriations.
8	SB 1129	Reports required with appropriation bills.	Passed Senate; failed in House Appropriations.
9	SB 1161	Forty-eight hours required for consideration of conference committee report on biennial budget.	Passed Senate; failed in House Appropriations.

CONSERVATION

Land Conservation Bills

10	HB 1398	Land preservation tax credit. Provides that, beginning with calendar year 2013, the maximum amount of land preservation tax credits shall be \$100 million, with the \$100 million annually indexed, as is done under current law.	Passed.
11	HB 1462	Land preservation tax credit; assessments of additional tax. Would have set a one-year deadline for the Department of Taxation to assess any additional tax or penalty relating to the claiming of a land preservation tax credit.	Failed in House Finance.
12	HB 1694	Land preservation tax credit; application for credits prior to any donation. Would have allowed taxpayers requesting at least \$1 million in land preservation tax credits with respect to a proposed donation to apply to the Department of Taxation for a conditional issuance of tax credits prior to making any donation of land.	Failed in House Finance.
13	HB 1800	Land preservation tax credit; property conveyances for public use. Would have set at 60 percent of fair-market value the land preservation tax credit for of any land conveyed for a public park, public recreational facility, public trail access easement, or other public use as identified in guidelines developed by the Department of Conservation and Recreation (DCR).	Failed in House Finance.
14	HB 2034	Land preservation tax credit; to be repealed effective January 1, 2014.	Failed in House Finance.
15	SB 799	Real property tax; special valuation for land preservation. Permits Goochland County to adopt certain variations in administering the special valuation of real property for land preservation for real property in service districts.	Passed.

Other Conservation Bills

16	HB 1367	Cigarettes as litter. Would have cigarettes as litter for purposes of criminal punishment for improper disposal of trash, and would have allowed community service in lieu of jail time for misdemeanor conviction. Similar (in part) to HB 1447 (#20) and SB 1166 (#38).	Failed in House Courts of Justice.
17	HB 1397	Dan River Scenic River Designation. Designates a 15-mile segment as a component of the Virginia Scenic Rivers System.	Passed.
18	HB 1399	Salmon and steelhead management for all-tide coastal environment.	Passed.

18	HB 1333	Sales and use tax exemption for pollution-control equipment and facilities. Deletes that portion of the sales and use tax exemption for pollution-control equipment and facilities that expired July 1, 2006, related to coal, oil, and gas production, to clarify that such exemption did not expire in 2006, and continues because of a cross-reference to another statute.	Passed.
19	HB 1441	Certified nutrient management planners. Would have provided that that the Commonwealth certification of nutrient management planners it to have no effect on the rights or qualifications of licensed architects, professional engineers, land surveyors, or landscape architects, nor qualify such planners to practice the profession of engineering; and that qualifications of a licensed architect, professional engineer, land surveyor, or landscape architect meet the current certification requirement found in Department regulations for education and experience.	Failed in House ACNR.
20	HB 1447	Littering definition. Would have increased specificity as to what constitutes littering and provided an alternative penalty. Similar in part to HB 1367 (#16) and SB 1166 (#38).	Failed in House Transportation.
21	HB 1488	Stormwater management program. Would have delayed from July 2014 to July 2015 the date by which local governments have to implement the program.	Failed in House ACNR.
22	HB 1547	Tree canopies in cemeteries. Provides that local ordinances requiring certain tree canopy coverage in new developments may require 10-percent minimum canopy coverage for a cemetery.	Passed.
23	HB 1548	Municipal separate storm sewer (MS4) permittees guidance documents and Bay TMDL. Would have requested the DCR and Department of Environmental Quality (DEQ) jointly to prepare guidance documents to assist MS4 permittees in developing and implementing their Chesapeake Bay Total Maximum Daily Load (Bay TMDL) Action Plans, including calculating nutrient reductions and best management practices efficiencies.	Failed in House ACNR.
24	HB 1591	Plastic bags; use by retailers. Would have banned the use of non-reusable plastic carryout bags by retailers at the point of sale.	Failed in House ACNR.
25	HB 1753	Meherrin River Scenic River Designation. Designates an additional 17.8-mile segment as a component of the Virginia Scenic Rivers System.	Passed.
26	HB 2069	Seedlings furnished by State Forester. Authorizes the State Forester to set conditions of sale of seedlings to private individuals.	Passed.
27	HB 2089	Electronic transmission of permits. Clarifies how the DEQ may use electronic communications to meet requirements for notice by "certified mail."	Passed.
28	HB 2137	Local environmental impact reports and the sale of certain deicing agents. Raises from \$500,000 to \$2 million the cost threshold at which a locality will be required to obtain an environmental impact report for a highway project. For certain projects costing more than \$500,000 and less than \$2 million, the locality is required to consult with the Department of Historic Resources to make efforts to minimize impacts to historic resources. The bill also exempts the sale of deicing agents containing urea from the current prohibition on such sales where the deicing agent is to be used by a municipal corporation at an airport.	Passed.
29	HB 2190	Stringency of stormwater management ordinances. Establishes a procedure for state review of the stringency of local stormwater ordinances. The bill requires localities within 30 days of	Passed.

		<p>stormwater ordinance. The bill requires localities within 90 days of the adoption of a more stringent stormwater ordinance or best management practice (BMP) requirement to submit a letter report to the DCR. The letter report is to include an explanation as to why the more stringent ordinance or requirement is necessary. In addition, within 90 days of the ordinance's adoption, a landowner or his agent can request the DCR to determine whether the ordinance or requirement meets the standards of the state law. The Department has 90 days to make such a determination.</p>	
30	HB 2220	Banister River Scenic River Designation. Designates a 38.4-mile section as a component of the Virginia Scenic River System.	Passed.
31	HB 2283	Virginia Recreational Facilities Authority. Would have designated this Authority as an agency in the executive branch, reporting to the Secretary of Natural Resources. See related SB 1283 (#40).	Failed in House General Laws.
32	HB 2296	Virginia Urban Best Management Practices (BMP) Cost-Share Program and Fund. Would have required the DCR to administer an urban BMP cost-share program, providing matching funds of up to 50 percent to promote BMPs on private property in localities subject to stormwater permits, and would have established a sub-fund of the Virginia Water Quality Improvement Fund to provide the matching funds for the cost-share program.	Failed in House Appropriations.
33	HJ 609	Biosolids study. Would have directed the DEQ to study the substances contained in biosolids generated from wastewater treatment facilities and applied to land for agricultural purposes.	Failed in House ACNR.
34	HJ 615	Chesapeake Bay Preservation Act study. Would have requested that the DCR study the feasibility of applying the provisions of the Chesapeake Bay Preservation Act to all localities within Virginia's Chesapeake Bay watershed.	Failed in House Rules.
35	SB 909	State park master-planning public-comment requirements. Requires the DCR, in considering public comments on stage one and stage two master plans, to make a reasonable effort to solicit comments and to provide timely notice of the comment period to trade associations and private businesses within a 10-mile radius of the park that offer similar services, including private campgrounds, marinas, and recreational facilities.	Passed.
36	SB 1055	Medical waste; repeals certain provisions regarding disposal. Repeals certain outdated provisions, superseded by federal air-emission regulations, regarding the permitting of infectious waste incinerators by the State Air Pollution Control Board and the Waste Management Board.	Passed.
37	SB 1068	Easement for access to Channels State Forest. Authorizes the conveyance of right-of-way easements between the Department of Forestry (DOF) and the Ratcliffe Foundation, in order to allow the DOF better access to Channels State Forest in Washington County and allow the Foundation access to property it owns in Russell County.	Passed.
38	SB 1166	Littering & illegal dumping. Provides that person convicted shall perform minimum of 10 hours of community service in lieu of jail time. Similar (in part) to HB 1367 (#16) and HB 1447 (#20).	Passed.
39	SB 1212	Waste information provided to DEQ; trade-secrets exemption. Requires that every person who the DEQ has reason to believe is generating or handling waste provide the department with information about the waste upon request. The bill exempts trade secrets contained in such information from disclosure required by the	Passed.

		Virginia Freedom of Information Act under certain conditions while still allowing the department to provide such information to the Environmental Protection Agency or as otherwise required by law.	
40	SB 1267	Licensure of tree care service providers; penalties. Would have required anyone engaged in the business of providing tree care to be licensed by the Board for Contractors as of January 1, 2014.	Passed Senate; failed in House Appropriations.
41	SB 1283	Virginia Recreational Facilities Authority Fund established. Would have established the fund to assist in financing the Authority's operations. See related HB 2283 (#31).	Passed Senate; failed in House Appropriations.
42	SJ 338	Environmental regulation; need for reducing burden of EPA regulations. Would have resolved that the General Assembly recognizes a need for regulatory agencies to use administrative discretion to reduce the burden placed upon the coal and electricity-generation industries by regulations recently adopted by the U.S. Environmental Protection Agency (EPA).	Failed in Senate Rules.

ENERGY CONSERVATION AND RESOURCES

43	HB 1790	Virginia Nuclear Energy Consortium Authority established. Establishes this Authority as a Commonwealth political subdivision of for the purposes of making the Commonwealth a national and global leader in nuclear energy and serving as an interdisciplinary study, research, and information resource for the Commonwealth on nuclear energy issues. Companion bill is SB 1138 (not included in this inventory).	Passed.
44	HB 1916	Tax credit for solar thermal systems. Would have established—beginning in 2013 and ending in 2018—an individual and corporate income tax credit for solar energy space heating, water heating, space cooling, and industrial and commercial process heating systems placed in service, equal to 35 percent of the installed cost of the system.	Failed in House Finance.
45	HB 1917	Renewable thermal energy definition expanded. Expands the definition of "renewable thermal energy" to include energy from certain solar energy systems located in the Commonwealth that heat air or water for residential, commercial, institutional, or industrial processes. Previously, the term encompassed only energy from renewable-fueled combined heat and power facilities, and only that used in industrial processes.	Passed.
46	HB 1946	Renewable energy portfolio standard (RPS) program. Would have amended the existing RPS program to require that for calendar years 2016 through 2025 a utility shall apply only renewable energy generated or purchased in Virginia, off its coast, or represented by a renewable energy certificate from eligible sources in Virginia or off its coast; and that renewable energy sales or renewable energy certificates from electric energy derived from any combination of sunlight, onshore wind, offshore wind, wave motion, tides, or geothermal power to meet at least 40 percent of the sales requirement for the RPS Goal in that year. The bill also would have eliminated provisions that give double or triple credit toward meeting the RPS Goals for energy from specified sources of energy. Companion bill SB 1269 (#51).	Failed in House Commerce and Labor.
47	HB 2180	Electric utilities; renewable energy portfolio standard	Passed.

		program, eligible energy. Companion bill is SB 1259 (#50).	
48	HB 2305	Restrictions on solar panels by community associations. Clarifies that a community association may establish reasonable restrictions concerning the size, place, and manner of placement of solar energy collection devices on property designated and intended for individual ownership and use; the bill also requires a resale certificate and disclosure to contain a statement setting forth any restrictions on the right of an owner to install or use solar energy collection devices on his property.	Passed.
49	HJ 666	State renewable energy utility; study on feasibility of establishing. Would have establishes a joint subcommittee to study the feasibility of establishing a state renewable energy utility that would be authorized to issue tax-exempt bonds to fund renewable energy improvements at state buildings. The proposed resolution referenced Delaware's experience with such a utility.	Failed in House Rules.
50	SB 1259	Electric utilities; renewable energy portfolio standard program, eligible energy. Companion bill is HB 2180 (#47); please see that bill for summary.	Passed.
51	SB 1269	Renewable energy portfolio standard (RPS) program. Companion bill HB 1946 (#46); please see that bill for summary.	Failed in Senate Commerce and Labor.
52	SB 1286	Solar energy equipment tax exemption. Would have exempted certified solar energy equipment facilities and devices from state and local taxation.	Failed in Senate Finance.
53	SB 1341	Renewable energy facilities exemption from local zoning and land use regulations. Would have exempted certain renewable energy facilities from local zoning and land use requirements, under certain conditions.	Failed in Senate Local Government.

FISHERIES AND HABITAT OF TIDAL WATERS

54	HB 1400	Oyster replenishment tax replaced with user fee. Replaces the former price-based replenishment tax with a volume-based oyster resource user fee, specifying that no harvester shall pay more than one such fee per year; removes the exemption from licensing for an oyster grounds leaseholder; distinguishes from other fees the license fee to be paid by a person who buys from the catcher oysters caught from the public grounds; simplifies the description of the fisheries data that harvesters and others are required to record; simplifies the prohibition on carrying oysters out of state without a permit; and removes certain oyster inspection tax provisions.	Passed.
55	HB 1531	Sand replenishment for public beaches. Authorizes the Virginia Marine Resources Commission (VMRC) and the DEQ to establish an expedited application review process for sand dredging and beach replenishment on public beaches abutting the waters of the Chesapeake Bay. Companion bill is SB 946 (#59).	Passed.
56	HB 1805	Saltwater recreational fishing lifetime license for citizens 65 years or older. Allows Virginia residents 65 years of age and older to purchase a lifetime saltwater recreational fishing license for \$5. Companion bill is SB 1213 (#63).	Passed.
57	HB 1840	Menhaden; total allowable catch.	Incorporated into HB 2254 (#58).
58	HB 2254	Menhaden fishery; allowable catch for those landed in State,	Passed.

		<p>report. Emergency. Establishes total allowable landings of 144,272.84 metric tons per year for Atlantic Menhaden landed in Virginia by the purse seine Menhaden reduction sector, the purse seine Menhaden bait sector, and the non-purse seine Menhaden bait sector. This limit is a 20-percent reduction from the average 2009, 2010, and 2011 landings, as mandated by the Atlantic States Marine Fisheries Commission. Any overage of the total allowable landings in the current year will result in a reduction of the total allowable landings in the following year. The bill authorizes the VMRC to establish and administer a limited-entry purse-seine menhaden bait license according to specific criteria. Guidelines for monitoring of all sectors of the Menhaden fishery that may result in a closure of any or all sectors are established. All licensees of the three Menhaden sectors shall report to the VMRC according to the requirements established by that agency. The VMRC shall establish a biological sampling program to include development of an adult Menhaden survey index from Virginia pound nets. License fees are established for the purse-seine Menhaden reduction and purse-seine Menhaden bait sectors. The annual Menhaden-harvest cap for the purse-seine Menhaden reduction sector shall be 87,216 metric tons, subject to annual adjustments for under-harvest or over-harvest of the cap. Companion bill is SB 1291 (#64).</p>	
59	SB 946	<p>Sand replenishment for public beaches. Companion bill is HB 1531 (#55); please see that bill for summary.</p>	Passed.
60	SB 1106	<p>Revocation of fishing licenses. Authorizes the VMRC to revoke a person's fishing privileges within tidal waters if he/she violates any tidal fishing law. The revocation can be for up to two years.</p>	Passed
61	SB 1108	<p>Potomac River Compact; illegal fishing. Amends the Potomac River Compact (established between Virginia and Maryland in 1958, revising a 1785 Compact) by changing the penalty for violating the fishing laws in the Potomac River from the current \$1,000 maximum penalty to a maximum penalty of \$3,000. The bill also requires the alleged offender, if he is a resident of Virginia or Maryland, to be tried in the state in which he resides. The bill's provisions do not take effect unless Maryland enacts similar legislation. See SB 1110 (#62), for another Potomac River Compact bill.</p>	Passed.
62	SB 1110	<p>Potomac River Compact; oyster inspection tax. Amends the Potomac River Compact (established between Virginia and Maryland in 1958, revising a 1785 Compact) to authorize the Potomac River Fisheries Commission to impose an oyster inspection tax not to exceed \$2 per bushel. Currently the Commission can impose an inspection tax no higher than the per-bushel severance tax on oysters imposed by Virginia or Maryland within their respective jurisdictions. The Commission's current per bushel inspection tax for oysters taken from the Potomac River is \$1. Proceeds from the tax are to be used for planting seed or shell oysters on the working river bottom. The bill's provisions do not take effect unless Maryland enacts similar legislation. See SB 1108 (#61), for another Potomac River Compact bill.</p>	Passed.
63	SB 1213	<p>Saltwater recreational fishing lifetime license for citizens 65 years or older. Companion bill is HB 1805 (#56); please see that bill for summary.</p>	Passed.
64	SB 1291	<p>Menhaden fishery; allowable catch for those landed in State, report. Emergency. Companion bill is HB 2254 (#58); please see that bill for summary.</p>	Passed.

GAME, INLAND FISHERIES, AND BOATING

Hunting-on-Sunday Bills

65	HB 1762	Would have allowed hunting on Sundays on private lands in the counties of Fairfax, Fauquier, Loudoun, and Prince William.	Failed in House ACNR.
66	HB 2036	Would have allowed hunting with a bow-and-arrow on Sundays.	Failed in House ACNR.
67	HB 2037	Would have allowed hunting or killing of nuisance species on Sundays.	Failed in House ACNR.
68	HB 2112	Would have allowed hunting on Sundays on state and federal military bases, installations, and facilities with the approval of the commanding officer.	Failed in House ACNR.
69	HB 2225	Would have allowed hunting on private lands on Sundays with permission of the owner of the land.	Failed in House ACNR.

Other Game, Inland Fisheries, and Boating Bills

70	HB 1413	Nonresident freshwater fishing license. Would have established a one-day fishing license for nonresidents to fish in Virginia's inland waters.	Failed in House ACNR.
71	HB 1597	Personal flotation devices required children. Would have prohibited operation of a recreational vehicle (defined in the bill) on Commonwealth waters unless children 12 years of age or younger are wearing a U.S. Coast Guard-approved personal flotation device, except when the vessel is moored or anchored or the children are below deck. Federal law has this requirement for operation of recreational vessels on federal waters (according to the 2012 Virginia Freshwater Fishing and Watercraft Owner's Guide, p.56).	Failed in House ACNR.
72	HB 1629	Permit for American Eel harvest. Authorizes the Board of Game and Inland Fisheries to issue an annual permit to use pots to catch American Eels in the waters of Back Bay and the North Landing River and their tributaries (Back Bay and the North Landing River are in the City of Virginia Beach; some of the river's tributaries are in the City of Chesapeake).	Passed.
73	HB 1825	Duck blinds. Establishes time periods and procedures for obtaining a stationary blind license.	Passed.
74	HB 1954	Registration of antique motorboats. Would have established a special one-time/\$100 registration fee for antique motorboats (defined as vessels that are essentially as originally constructed, used for noncommercial purposes, and at least 30 years old), renewable every three years but at no additional cost.	Failed in House ACNR.
75	HB 2099	Trapping and shooting of muskrats and raccoons. Adds muskrats and raccoons to the fur-bearing animals that a landowner may trap upon his own land during the closed season when the animals are causing damage to crops or property, are posing a threat to human health or safety, or are causing a nuisance.	Passed.
76	HB 2149	Aquaculture-raised freshwater fish sale and purchase. Would have established conditions under which one may sell or purchase freshwater fish that are grown in an aquaculture facility.	Failed in House ACNR.

77	HB 2184	Trip hunting and fishing licenses. Authorizes the Board of Game and Inland Fisheries to issue trip hunting licenses to non-residents and trip fishing licenses to residents and non-residents for time periods and at costs <i>determined by the Board</i> . Current law allows nonresidents to purchase a three-day trip hunting license at a cost of \$40 and a five-day trip fishing license at a cost of \$10 and allows residents to purchase a five-day trip fishing license at a cost of \$5.	Passed.
78	SB 737	Navigation rights on freshwaters. As introduced, would have provided that the freshwaters of the Commonwealth would open to non-motorized vessels for purposes of recreation between sunrise and sunset, regardless of whether the water body is deemed to be navigable or non-navigable or whether the adjoining banks are publicly or privately owned. A substitute bill, passed by the Senate ACNR but defeated on the Senate floor, would have provided that no person would be liable for civil or criminal trespass for travel upon the rivers, streams, or creeks (if such waterways are <i>second order</i> or larger, as defined in the bill based on U.S. Geological Survey topographic mapping conventions) within the Commonwealth if the travel consists solely of floating in or upon the water in a non-motorized vessel for purposes of recreation.	Failed on Senate floor.
79	SB 880	Inventory of non-tidal waters that are available for public recreation. Would have directed the DGIF and the VMRC to inventory non-tidal waters that flow above state-owned bottomlands and that may be used for public recreation. Would have prohibited an agency decision regarding such listing of particular waters from constituting a legal determination or from affecting land ownership.	Failed in Senate ACNR.
80	SB 985	G. Richard Thompson Wildlife Management Area conveyance. Authorizes the Board of Game and Inland Fisheries to convey to Warren County two parcels of land (3.19 acres total area) in the G. Richard Thompson Wildlife Management Area.	Passed.
81	SB 1053	Boating safety education exemption for certain Navy personnel. Adds U.S. Navy-qualified surface warfare officers and enlisted surface warfare specialists to the list of groups exempted from having to pass a boating-safety education course in order to operate a motorboat.	Passed
82	SB 1117	Watercraft titling certificates; adoption of uniform act; penalty. Repeals Virginia's existing watercraft titling law and enacts in its place the Uniform Certificate of Title for Vessels Act as adopted in 2011 by the National Conference of Commissioners on Uniform State Laws. Requires the owner of every watercraft (replaces "vessel") of a particular size and type to apply for and obtain a certificate of title, lowering the minimum boat length for which a title is required from 18 feet to 16 feet. Details the methods of creation or cancellation of certificates by the Virginia DGIF and describes the contents and effects of a certificate. Applies some of the principles of the Uniform Commercial Code to the realm of watercraft by defining the rights of secured parties and purchasers other than secured parties. Establishes rules for transferring ownership of a watercraft by a transfer statement or by operation of law, sets out the means of acquiring title to an abandoned watercraft, states the duties of the DGIF, provides several general provisions, and makes technical amendments. The bill contains an enactment clause making it effective on July 1, 2014.	Passed.
83	SB 1270	Marina operator reporting requirements. Includes state and local agencies among the operators of marinas or boat storage places	Passed.

	that must file with the local commissioner of the revenue a list of boat owners and the name and number of the boats in the marina.
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HIGHWAYS, BRIDGES, AND FERRIES

84	HB 2044	Recycled materials in highway construction. Eliminates the Recycled Materials in Highway Construction Advisory Committee	Passed.
85	HB 2067	Virginia Alternative Fuels Revolving Fund. Would have provided that the Virginia Department of Transportation (VDOT) commissioner is to adopt “guidelines” rather than “regulations” to administer the fund.	Failed in House Transportation.
86	HB 2215	Charles K. "Pete" Estes Memorial Bridge. Designates the newly replaced U.S. Route 522 bridge over the Thornton River in Sperryville (Rappahannock County) as the "Charles K. 'Pete' Estes Memorial Bridge."	Passed.

MINES AND MINING

Uranium Mining Bills

87	HB 1804	State severance tax. Would have established a three-percent state severance tax on the gross receipts of any uranium severed from the earth in the Commonwealth. Companion bill is SB 919 (#89).	Failed in House Finance.
88	HB 2330	Uranium mining regulations and permitting. Would have established a process for the Department of Mines, Minerals and Energy (DMME) to issue permits for the mining of uranium ore; required the DMME, in consultation with several other state agencies, to adopt regulations governing uranium mining; and restricted the availability of uranium-mining permits to applicants that had an exploration permit as of July 1, 2013, and to areas within 10 miles of where an exploration permit was in effect as of January 1, 2012 (in effect, the proposed uranium-mining site in Pittsylvania County). Would also have established the Uranium Administrative Fund, Uranium Response Fund, and Long-Term Monitoring Fund, all to be funded by fees assessed on permittees. Companion bill is SB 1353 (#90).	Failed in House Commerce and Labor.
89	SB 919	State severance tax. Companion bill is HB 1804 (#87); please see that bill for summary.	Failed in Senate Finance.
90	SB 1353	Uranium; establishes process for DMME to issue permits for mining of uranium ore, report. Companion bill is HB 2330 (#88); please see that bill for summary.	Failed in Senate ACNR.

Other Mines and Mining Bills

91	HB 1824	Virginia port volume increase tax credit. Extends the tax credit beginning in 2013 to growers or producers of wheat, grains, fruits, nuts, crops; of tobacco, nursery, or floral products; of forestry products excluding raw wood fiber or wood fiber processed or manufactured for use as fuel for the generation of electricity; and of seafood, meat, dairy, or poultry products. The tax credit applies to manufacturers and distributors of manufactured goods that ship at least 75 net tons	Passed.
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		of non-containerized cargo or 10 loaded 20-foot equivalent units (TEUs) through Virginia port facilities during a calendar year are eligible for an income tax credit if their volume of shipments through such facilities increases by at least five percent over a designated base year volume.	
92	HB 2100	Local coal-severance taxes. Establishes a one-percent tax on the gross receipts from coal severed from the earth by coal producers, except that the gross receipts tax on coal from mines that sell less than 10,000 tons of coal per month is three-quarters of one percent. Provides that the only deduction allowed from gross receipts is for non-local transportation and processing costs of coal. Companion bill is SB 918 (#95).	Passed.
93	HB 2110	Coal and Gas Road Improvement Fund allowed for construction of natural gas service lines. Allows a locality in the Virginia Coalfield Economic Development Authority to apply a portion of its Coal and Gas Road Improvement Fund tax revenue—collected from the severance tax imposed upon the severance of coal or natural gas—to the construction of natural gas service lines. Previous law allowed localities to apply that money to the construction or enhancement of water or sewer systems or lines.	Passed.
94	HB 2111	Repealing an obsolete chapter that regulates surface mining. Repeals an obsolete chapter in Title 45.1 of the <i>Virginia Code</i> that has been superseded by the Virginia Coal Surface Mining Control and Reclamation Act (1979; Virginia Code sec. 45.1-226 et seq.). Companion bill is SB 1014 (#96).	Passed.
95	SB 918	Local coal-severance taxes. Companion bill is HB 2100 (#92); please see that bill for summary.	Passed.
96	SB 1014	Repealing an obsolete chapter that regulates surface mining. Companion bill is HB 2111 (#94); please see that bill for summary.	Passed.

WATER AND SEWER SYSTEMS

97	HB 1448	Financing for repairs to failed septic systems. Authorizes a locality to create a loan program to enable the repair of property owners' failed septic systems. The locality may provide for the repayment of the loan through water or sewer billings, real property tax assessments, or other billings. The bill authorizes other features of a loan program and permits a locality to set a minimum ownership interest or minimum level of proof of ownership of the property.	Passed.
98	HB 1482	Wastewater works operators and conventional onsite sewage system operator examination. Allows Class 1 wastewater works operators to sit for the conventional onsite sewage-system operator examination.	Passed.
99	HB 1505	Betterment loans. Would have clarified that betterment loans (loans to repair, replace, or upgrade sewage systems sewage system for the purpose of reducing threats to public health or to surface waters or groundwater) may be used for conventional onsite, alternative onsite, and alternative discharging sewage systems; authorized the Board of Health to use up to 25 percent of the Onsite Sewage Indemnity Fund to provide or guarantee betterment loans; and increased the amount of each fee collected by the Department of Health that is contributed to the Onsite Sewage Indemnity Fund from	Passed in House Health, Welfare, and Institutions; failed in House Appropriations.

		\$10 to \$25.	
100	HB 1611	Alternative onsite sewage system inspections. Would have required inspections of alternative onsite sewage systems once every two years.	Failed in House Health, Welfare and Institutions.
101	HB 1648	Discounted fees and charges for certain low-income and disabled customers. Provides that any locality that owns a water and sewer system and has a population density of 200 persons or fewer per square mile may develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers. Companion bill is SB 850 (#105).	Passed.
102	HB 1726	Non-gravel effluent drain systems for onsite sewage systems; regulations. Directs the Board of Health to promulgate regulations for two types of effluent-distribution systems –“chamber” and “bundled expanded polystyrene”—for onsite sewage systems, and regulations for other effluent-distribution system technologies for onsite sewage systems as may be deemed necessary by the Board.	Passed.
103	HB 1727	Water and waste authority rates. Would have clarified that a water or waste authorities have the ability to fix rates for services that are furnished by a refuse collection and disposal system; expanded the list of rate-setting powers that require a public hearing by adding the rate-setting power that includes the establishment of incentives for green roofs; combined the two parallel processes found in current law for the setting of rates for sewage disposal and refuse collection and it reduced the period for publication of notice of a rate-setting hearing from 60 days to 14 days; and provided that no rate established before January 1, 2013, shall be invalidated because of a failure to provide the required public notice. Companion bill is SB 1121 (#107).	Passed House; failed in Senate Local Government.
104	SB 764	Water and sewer charges as a lien on real estate in Smyth County. Would have added Smyth County to the list of localities permitted to provide that charges for water and sewer shall be a lien on the real estate served by such waterline or sewer.	Failed in Senate Local Government.
105	SB 850	Discounted fees and charges for certain low-income and disabled customers. Companion bill is HB 1648 (#101); please see that bill for summary.	Passed.
106	SB 1095	Bond issuance for wastewater-treatment facilities. Would have authorized the Virginia Public Building Authority to issue an additional \$179 million in bonds to continue installing nutrient-removal technology in eligible wastewater-treatment facilities to comply with the Chesapeake Bay Total Maximum Daily Load (TMDL) pollution-reduction plan. A portion of the bond revenues could have been used for combined sewer overflow projects in the cities of Lynchburg and Richmond.	Passed Senate; failed in House Appropriations.
107	SB 1121	Water and waste authority rates. Companion bill is HB 1727 (#103); please see that bill for summary.	Passed.
108	SB 1358	Water and sewer connection requirement in Gloucester County. Would have added Gloucester to those counties that may require connection to their water and sewage systems by owners of property that may be served by such systems.	Failed in Senate Local Government.

WATERS OF THE STATE, PORTS AND HARBORS

109	HB 1327	Dept of Virginia Economic and Infrastructure Development	Passed
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109	HB 1327	Port of Virginia Economic and Infrastructure Development Zone Grant Fund. Adds the City of Franklin and the counties of Page and Shenandoah to the localities in where certain businesses related to commerce through the Port of Virginia may locate or expand and be eligible to apply for grants based on the number of new jobs created.	Passed.
110	HB 1334	Virginia ports; change in ownership.	Incorporated into HB 1691 (#114).
111	HB 1345	Rappahannock River Basin Commission membership. Reduces the Commission membership from 34 to 32 members, due to redistricting that removed one Senate district and one House of Delegates district from the basin area. Also reduces the number of members that constitute a quorum from 12 to 11.	Passed.
112	HB 1579	Historic Lower James River (in Charles City, James City and Surry counties) and utility infrastructure. Would have provided that constructing new utility lines underwater would be one of the alternatives that could be considered in the event that use and development of water and related land resources along this section of river involves the construction of new utility infrastructure. Similar to SB 1271 (#134).	Failed in House ACNR.
113	HB 1689	Virginia ports and Public-Private Transportation Act of 1995; approval required for comprehensive agreements. Would have provided that any proposed comprehensive agreement for a qualifying transportation facility that involves the sale of a port facility or a lease to operate a port facility for a period of 10 years or more shall be reviewed by the General Assembly prior to execution. Related to HB 1691 (#114) and HB 2276 (#123).	Failed in House Transportation.
114	HB 1691	Virginia Port Authority property acquisition and lease limitations. Would have prevented the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposals under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. Incorporated HB 1334 (#110), HB 1896 (#116), and HB 2000 (#119). Related to HB 1689 (#113) and HB 2276 (#123).	Failed in House Transportation.
115	HB 1757	Wetland and Stream Replacement Fund established. Establishes a special non-reverting fund to receive moneys paid to the State Water Control Board (SWCB) as an alternative for compensatory mitigation for impacts from permitted projects or non-permitted activities on wetlands or other aquatic resources.	Passed.
116	HB 1896	Virginia ports; change in ownership or concession.	Incorporated into HB 1691 (#114).
117	HB 1964	Voluntary economic growth-sharing agreements by localities within the Port of Virginia Economic and Infrastructure Develop Zone. Allows two or more localities located within the Zone to enter into a voluntary economic growth-sharing agreement without the review of the Virginia Commission on Local Government. Companion bill is SB 833 (#127).	Passed.
118	HB 1965	Portsmouth Port and Industrial Commission annual report of financial performance. Would have required the Commission to have an independent certified public accountant prepare a report of financial performance each year, instead of current law's requirement that the Commission "arrange to have its records audited annually." Companion bill is SB 834 (#128).	Failed in House Counties, Cities and Towns.
119	HB 2000	Virginia ports; change in ownership or operation.	Incorporated into HB

			1691 (#114).
120	HB 2039	Chesapeake Bay TMDL/Watershed Implementation Plan eligible to receive contributions of taxpayer refunds. Adds the Chesapeake Bay Watershed Implementation Plan submitted by the Commonwealth of Virginia (as part of the Bay Total Maximum Daily Load [TMDL] pollution plan), as a possible recipient of money from taxpayer refund-contributions under the Voluntary Chesapeake Bay Restoration Contribution. Companion bill is SB 1054 (#131).	Passed.
121	HB 2048	Water-quality programs administration transfer of responsibility. Moves several water-quality programs currently administered by the DCR to the DEQ. The DEQ and the SWCB will have oversight of water-quality planning and laws dealing with stormwater management, erosion and sediment control, and Chesapeake Bay Preservation Areas. The Virginia Soil and Water Conservation Board will have continuing responsibility for oversight of the soil and water conservation districts and of resource-management planning. The Soil and Water Conservation Board will continue to be responsible for administration of the flood-prevention and dam-safety laws and will continue to be staffed by the DCR. Companion bill is SB 1279 (#135). Related to HB 2209 (#122).	Passed.
122	HB 2209	Virginia Soil and Water Conservation Board powers and duties. Transfers from the DCR to the Soil and Water Conservation Board the authority for administration of the voluntary nutrient-management training and certification program and responsibility for adopting regulations on nitrogen application rates. The bill also empowers the Board to “oversee,” rather than “coordinate,” soil and water conservation districts' programs and to allocate general funds to districts to support their operations. Companion bill is SB 1309 (#137). Related to HB 2048 (#121).	Passed.
123	HB 2276	Virginia Port Authority governance and powers reforms. Implements reforms by adding the Chief Executive Officer of the Virginia Economic Development Partnership to the Board of Commissioners, adding the Virginia Port Authority Executive Director to the Commonwealth Transportation Board, and preventing the Commonwealth and the Virginia Port Authority from accepting any unsolicited proposal under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act regarding the ownership or operation of any seaport or port facility. The bill grants the powers of industrial development authorities to the Authority and exempts the port from various purchasing and procurement requirements. Companion bill is SB 1305 (#136). Related to HB 1689 (#113) and HB 1691 (#114).	Passed.
124	HJ 621	Port of Virginia study by JLARC. Directs the Joint Legislative Audit and Review Commission (JLARC) to conduct a one-year study of the competitiveness, efficiency, and governance structure of the Port of Virginia.	Passed.
125	SB 716	Virginia ports; change in ownership.	Incorporated into SB 1305 (#136).
126	SB 768	Chesapeake Bay TMDL/Implementation Plan; directs state agencies to remove Lynnhaven River. Directs state agencies to remove the Lynnhaven River watershed from inclusion in the James River Basin for purposes of the Chesapeake Bay Total Maximum Daily Load (TMDL) Watershed Implementation Plan.	Passed.
127	SB 833	Voluntary economic growth-sharing agreements by localities	Passed.

		within the Port of Virginia Economic and Infrastructure Develop Zone. Companion bill is HB 1964 (#117); please see that bill for summary.	
128	SB 834	Portsmouth Port and Industrial Commission; annual report of financial performance. Companion bill is HB 1965 (#118); please see that bill for summary.	Failed in Senate Finance.
129	SB 884	Impoundment structures; requirement for notice of increase in the flow of water. Would have prohibited an owner of an impounding structure (dam) that has a high hazard potential from increasing the flow of water in a manner that increases water depths below the structure by more than two feet without notifying certain property owners and emergency services.	Passed Senate; Failed in House ACNR.
130	SB 926	Wetlands; governmental activity. Would have removed from Virginia's standard wetlands zoning ordinance the condition that wetlands be owned or leased by the Commonwealth or political subdivision for a governmental activity to be authorized in the wetlands.	Failed in Senate ACNR.
131	SB 1054	Chesapeake Bay TMDL/Watershed Implementation Plan eligible to receive contributions of taxpayer refunds. Companion bill is HB 2039 (#120); please see that bill for summary.	Passed.
132	SB 1107	Lake level contingency plans; wastewater releases from power-generating facilities during drought. Would have provided that any temporary reduction in wastewater releases from power-generating facilities during drought conditions not be considered in determining discharge limits for other existing, downstream, permitted facilities. Same as SB 1268 (#133).	Failed in Senate ACNR.
133	SB 1268	Lake level contingency plans; wastewater releases from power-generating facilities. Same as SB 1107 (#132); please see that bill for summary.	Failed in Senate ACNR.
134	SB 1271	Historic Lower James River (in Charles City, James City and Surry counties) and utility infrastructure. Companion bill is HB 1579 (#112); please see that bill for summary.	Failed in Senate ACNR.
135	SB 1279	Water-quality programs administration transfer of responsibility. Companion bill is HB 2048 (#121); please see that bill for summary.	Passed.
136	SB 1305	Virginia Port Authority governance and powers reforms. Companion bill is HB 2276 (#123); please see that bill for summary. This bill incorporated SB 713 (not included in this table; click here for link to that bill), SB 716 (#125), and SB 1351 (#139).	Passed.
137	SB 1309	Virginia Soil and Water Conservation Board powers and duties. Companion bill is HB 2209 (#122); please see that bill for summary.	Passed.
138	SB 1316	Wetland-delineator certification. Removes the requirement that for certification as a wetland delineator that experience in wetland delineation prior to applying for certification must have occurred under the supervision of a certified professional wetland delineator.	Passed.
139	SB 1351	Virginia Port Authority governance and powers reforms.	Incorporated into SB 1305 (#136).

FROM MISCELLANEOUS CATEGORIES

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140	HB 2250	Underground Utility Damage Prevention Act exemptions for sanitary district employees. <i>(From Drainage, Soil Conservation, Sanitation, and Public Facilities Districts category.)</i> Would have exempted from certain provisions of the Act employees of any sanitary district that maintains at least 20 miles of its own streets and roads.	Failed in House Transportation.
141	HB 2072	Condemnation process and applications for local permits. <i>(From Eminent Domain category.)</i> Provides that no locality shall condition or delay the timely consideration of any application for, or grant of, any permit or other approval for any real property in its jurisdiction for the purpose of allowing the locality to condemn or otherwise acquire the property.	Passed.
142	HB 2306	Eminent domain compensation. <i>(From Eminent Domain category.)</i> Provides that just compensation paid for real property taken pursuant to eminent domain shall not be less than the greater of (i) the appraisal of the fair market value of such property, if such an appraisal is required, or (ii) the current assessed value of such property for real estate tax purposes when the entire parcel for which the assessment has been made is to be acquired, provided that the property has not physically changed since the current assessment was made such that the assessment no longer represents the property's value. Under current law, just compensation shall not be less than the appraisal of fair market value if such an appraisal is required.	Passed.
143	HB 2203	Solid-waste disposal fee in Pittsylvania County. <i>(From Waste Disposal category.)</i> Revises the powers allowed to Pittsylvania County in imposing a solid-waste disposal fee. Also allows Pittsylvania to exempt certain disable veterans from such fees.	Passed.

Some 2013 General Assembly Issues and Bills Covered by News Media

Budget Bill Amendment

\$216.9 million for water-quality items.

Budget Bill Amendment

Hybrid vehicle registration tax in comprehensive transportation plan.

Budget Bill Amendment

\$2 million for oyster restoration.

Boating

HB 1597 (#71 above) - Requiring *wearing* of life jackets by children 12 and under.

SB 737 (#78 above) - Access for non-motorized vessels on freshwater streams.

Beach Replenishment

HB 1531 (#55 above) and SB 946 (#59 above) - Expedited application review process for sand dredging and beach replenishment on public Chesapeake Bay beaches.

Energy: Nuclear

HB 1790 (#43 above) - Nuclear Energy Consortium Authority.

Fish/Fisheries

HB 2184 (#77 above) - Trip fishing-license fees.

Hunting on Sunday

HB 1762, HB 2036, HB 2037, HB 2112, and HB 2225 (#'s 65-69 above).

Land Use/Conservation: Tax credits

HB 1398, HB 1462, HB 1694, HB 1800, HB 2034, and SB 799 (#s 10-15 above).

Menhaden Fishery Management

HB 2254 (#58 above) and SB 1291 (#64 above) - 20-percent reduction in catch, as called for by Atlantic States Marine Fisheries Commission.

Mining-Uranium

HB 1804 (# 87 above) and SB 919 (#89 above) - 3-percent state severance tax.

HB 2330 (#88 above) and SB 1353 #90 above) – Removing state moratorium on uranium mining and establishing process for issuing permits.

Waste Management

HB 1591 - Banning use of plastic bags by retailers.

Sources (each issue listed, but not necessarily each bill, was mentioned by one or more of the following sources):

Chatham Star-Tribune; Daily Press (Newport News); Danville Register & Bee; Fredericksburg Free Lance-Star; Lynchburg News & Advance; Richmond Times-Dispatch; Roanoke Times; Virginian-Pilot (Norfolk); Washington Post; WSLs-TV (Roanoke-Lynchburg).