

EDITOR'S NOTE

Following is the first edition of the 2012 *Legislative Bulletin* of the Home Builders Association of Virginia (HBAV). It will be e-mailed on Friday of each week during the 2012 session of the Virginia General Assembly, and posted on the HBAV website (<http://www.hbav.com>) by the following Monday morning. Current plans call for the entire membership (with e-mail addresses) to receive the weekly *Legislative Bulletin*.

The 2012 HBAV *Legislative Bulletin* will feature an update on General Assembly matters of general interest to the building industry, background information and a status report on the package of bills introduced at the request of HBAV, a status report on other issues of more specific interest or concern to HBAV membership and could contain an occasional ACTION ALERT. We may also highlight a matter before the U.S Congress from time to time. The *Legislative Bulletin* will replace the *Virginia eVoice* during the legislative session.

We hope you find the HBAV *Legislative Bulletin* to be a valuable and informative tool in your efforts to help us build a sound business climate for our industry and the citizens of the Commonwealth.

Michael L. Toalson
Chief Executive Officer

VIRGINIA GENERAL ASSEMBLY CONVENES IN RICHMOND

The 2012 session of the Virginia General Assembly convened at 12:00 noon on Wednesday, January 11th. The elections in 2011 for the 140 seats in the state legislature brought Governor McDonnell a super-majority in the House of Delegates and a one-vote majority (through the tie-breaking power of the lieutenant governor) in the Senate of Virginia. The elections results should enable the Governor to more easily put his handprint on state government in Virginia. In 2011, the 40-member Senate of Virginia was controlled by the Democratic Party.

In his State of the Commonwealth Address later on Wednesday evening, Governor McDonnell launched the final two years of his term as the state's chief executive. He called for civility among the members of the state legislature, reform of the state's pension system, a boost in state funding for the state's colleges, the adoption of a responsible and structurally balanced state budget, progressive efforts to spur private sector growth throughout the Commonwealth and for initiatives to improve funding for the maintenance of the state's road system.

Earlier in the day, the House of Delegates seated 100 members, and elected William J. Howell of Fredericksburg as Speaker of House, without controversy.

The Speaker then exercised his authority as presiding officer of the 100-member body to name Delegates to the 14 standing committees of the House. Since 2000, House Republican Leadership has apportioned committee membership in proportion to the body as a whole, which has 68 Republicans and Independents and 32 Democrats. Most standing committees now include 22 members, with 15 Republicans and 7 Democrats serving on each. In 2011, each standing committee seated 14 Republicans and 8 Democrats. The membership of the Courts of Justice Committee was reduced from 22 members last session to 18 members, while the House Rules Committee has 15 members.

Speaker Howell was first elected Speaker in 2003. Republican Kirk Cox of Chesterfield County was re-elected House Majority Leader. House Democrats elected David Toscano of Charlottesville as House Minority Leader to succeed Delegate Ward Armstrong, who lost his bid for re-election to Delegate Charles Poindexter.

CONTROVERSY was the word of the day in the 40-member Senate of Virginia. After the 2011 General Election in Virginia, the Senate seated 20 Democrats and 20 Republicans. The Senate Republicans rejected a power sharing arrangement brokered by Senate Democrats and wrestled control of the State Senate when, over the loud objections of the Senate Democrats, Lieutenant Governor Bill Bolling, a Republican, cast a tie-breaking vote to seat Senator Tommy Norment of Williamsburg as Senate Majority Leader. Ryan McDougle was named Republican Caucus Chairman. Later in the afternoon, the Senate Democrats named Democrat Richard Saslaw of Fairfax County as Minority Leader. State Senators serve four- year terms, but there will be statewide election for the office of lieutenant governor in two-years, which could shift power in the State Senate back to the Democrats.

The State Senate seated six new members on Wednesday, four Republicans and two Democrats.

HBAV IS THE VOICE OF HOME BUILDING

HBAV Staff and Counsel, and the members of the HBAV leadership team and Legislative Committee will be present in the halls of the General Assembly Building (GAB) and the State Capitol throughout the 60-day session to protect and improve the home building climate in Virginia. The 2012 Chairman of the HBAV Legislative Committee is John Napolitano of the Tidewater Builders Association.

During each week of the 2012 legislative session, the HBAV Legislative Committee will meet to provide policy guidance to the HBAV lobbying team. On Thursday of this week, the committee members began their administration of the 2012 legislative session for HBAV by visiting their area legislators in the Richmond General Assembly Building (GAB) and by distributing information to them on the 2012 HBAV legislative package. The members of HBAV can keep up with all of the actions of the state legislature that may impact the housing industry this year by watching for the weekly *HBAV Legislative Bulletin* in their e-mail address inbox every Friday.

Over 3,000 bills and resolutions are anticipated to be introduced by the 140 members of the state legislature this year. Many legislative initiatives will impact the building climate in Virginia. Some will be positive for the industry and many, despite the historic housing downturn, would harm the business.

HBAV members may also keep pace with all of the activities of the state legislature by visiting hbav.com or the Virginia General Assembly website. The website for the state legislature is www.leg1.state.va.us.

COUNTIES, CITIES AND TOWNS COMMITTEE GETS TWO (2) NEW MEMBERS

The House Counties, Cities and Towns (CC&T) Committee will have 2 new members on the 22-member committee for the 2012/2013 Sessions of the General Assembly. The committee will be composed of 15 Republicans and 7 Democrats. The CC&T Committee of the House reviews most legislation before the state legislature that affects the home building industry, including property rights legislation and the anti-growth/anti-housing agenda of advocate's anti-growth policies.

The chairman of the House CC&T Committee will continue to be Hopewell Republican Riley Ingram. The minority leader on the committee will be Chesapeake Delegate Lionell Spruill. New Republican members to the all-important committee to HBAV members are Gloucester Republican Keith Hodges and Isle of Wight Republican Rick Morris.

Also continuing their service on the important committee to the home building industry are Republican Delegates Bob Marshall, Danny Marshall, Sal Iaquinto, Annie B. Crockett-Starke, Charles Poindexter, Don Merricks and Barry Knight. Other Democrats continuing their service on the CC&T Committee are Onzlee Ware, Deloris McQuinn, Algie Howell, Scott Surovell, Kay Kory and Luke Torian.

REPUBLICAN RALPH SMITH NAMED CHAIRMAN OF SENATE COMMITTEE ON LOCAL GOVERNMENT “Democrats Keep Majority on Committee”

The controversial beginning of the Senate of Virginia on Wednesday continued when the new Republican Leadership released the Committee on Committees Report to their Democratic Colleagues.

In the report, Republicans were named chairman of each of the Senate's eleven standing committees, and with the most highly sought committees (Finance and Commerce and Labor), Republicans seated a strong majority. Democrats were expecting an 8 to 7 division on most Senate Committees, given the 20-20 division between the Senate Republicans and Senate Democrats.

INTERESTING is the fact that the Senate Democrats were awarded a significant MAJORITY on the Senate Committee for Local Government. They will hold a 9 to 6 majority on the committee. Like Counties, Cities and Towns in the House of Delegates, this Senate Committee considers much of the legislation which impacts the home building industry in Virginia.

Named Chairman of the Senate Local Government Committee was Roanoke Senator Ralph Smith, who is beginning his 2nd term in the upper chamber. Also returning to the committee are Senators Henry Marsh, Louis Lucas (former Chairman), Steve Martin, Emmett Hanger, Toddy Puller, Frank Ruff, Mark Herring, Mamie Locke, David Marsden and Bill Stanley. New to the committee are Senators Harry Blevins of Chesapeake, John Miller of Newport News, Adam Ebbin of Alexandria and Barbara Favola of Arlington.

HBAV is hoping the organizational controversy in the State Senate does NOT roll over into the Senate Committee on Local Government, the only Senate Committee with a Democratic majority. Stay tuned!!!

HBAV READIES LEGISLATIVE AGENDA FOR 2012 GENERAL ASSEMBLY

Amid the celebration of the convening 2012 Session of the Virginia General Assembly, HBAV readies to promote its five (5) bill package of pro-housing bills the HBAV Legislative Committee has developed for this session of the State Legislature to consider.

HBAV will be seeking to clarify how landowners may apply to local governments for an amendment to proffered condition. A court decision in 2011 in Northern Virginia created an unreasonable application standard for the same, which must be clarified in a timely manner in the current economic climate for the housing industry.

HBAV will also back legislation to extend the validity of land use plans approved before January 1, 2011 until July 1, 2017, the extension of the prohibition of local governments to accept per lot cash proffers until after final inspection and before the issuance of a CO until July 1, 2017, the prohibition on a zoning administrator to reverse or modify a decision after 60-days based on a nondiscretionary error and the ability to appeal an interpretation of proffered condition to a circuit court, after consideration by a governing body.

We will highlight each of the HBAV agenda items in next week's HBAV *Legislative Bulletin*.