

M E M O R A N D U M

May 19, 2006

To: Planning Directors Technical Advisory Committee (PDTAC)
Housing Directors Advisory Committee (HDAC)

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Re: Regional Legislative Briefing/Update

Under the direction of the Metropolitan Development Policy Committee (MDPC), COG staff has been delegated the task of working with the Planning Directors Technical Advisory Committee (PDTAC) and the Housing Directors Advisory Committee (HDAC), on an operational level to review legislation from Maryland and Virginia General Assemblies and the Council of the District of Columbia.

MDPC would like to use this working process to further flesh out regional issues. The concern in this process is not so much with specific local, jurisdictional, or consequential “cross-border” impact, but rather to look at legislation that lend themselves to an encompassing regional issue (*or create an inverse, consequential, impact in the other regions*) that could benefit from a consistent policy framework/structure with which they can then make policy recommendations to the COG Board.

As we review various pieces of legislation, there may be a need to bring in speakers, or attend seminars, etc., in order to gather more information. COG Staff will work to present updates/briefings as part of the regular Committee meetings, so the Committee has time to provide feedback, brainstorm, discuss, or build “buy-in” around an issue, and, in the end, be able to make key recommendations with which the MDPC can move forward in their efforts and issue areas.

Committee	Issue Area
Metropolitan Development Policy Committee	Housing & Planning/Community Development
	Planning & Land Use/Economic Development
	Transportation & Development <i>-in relation to Economic Development (also see TPB and Environmental Programs)</i>
	Environment & Development <i>-in relation to Planning & Land Use (also see TPB and Environmental Programs)</i>

This process merely represents another opportunity for COG to tap into the expertise of its Committees, promote innovative solutions from its member jurisdictions, and help local communities grow in more inclusive, competitive, and sustainable ways.

I. REGIONAL LEGISLATIVE SUMMARY

The following tables summarize legislation as tracked by COG staff for each of the jurisdictions in the National Capital Region (NCR). Please see attached documents for more detail.

A. District of Columbia (DC) Legislation Summary (page 6)

(16) proposed legislation were tracked in the City Council of the District as follows:

Issue Area	No.	Passed	Failed/ Withdrawn	No Action\ On-going	Continued to 07
Housing & Planning /Community Development (<i>p. 7-8</i>)	5			5	
Planning & Land Use / Economic Development (<i>p.9 – 12</i>)	11	3		8	
Transportation & Development *	NA				
Environment & Development *	NA				
Total Pieces of Legislation	16	NOTE: <i>1. NA - indicates that specific legislation for referenced issue area was not tracked except in instances where both merge to maximize overall community development benefits.</i> <i>2. * For broader legislation in this area please see TPB & Environmental Programs.</i>			

PASSED LEGISLATION:

- (1) **B16-403 (A16-0336) (page 9)**
Home Again Initiative Community Development Amendment Act of 2006
- (2) **B16-558 (A16-0349) (page 9)**
New Columbia Community Land Trust 20th and Channing Streets, N.E., Tax Exemption Act of 2006
- (3) **B16-569 (A16-0350) (page 12)**
Washington Metropolitan Area Transit Authority Fund Act of 2006

B. Maryland (MD) Legislation Summary (page 13)

(42) proposed legislation were tracked in the MD legislatures as follows:

Issue Area	No.	Passed	Failed/ Wdrawn	No Action\ On-going	Continued to 07
Housing & Planning Community Development (<i>p. 14-26</i>)	18	5	3	10	
Planning & Land Use / Economic Development (<i>p.27 – 35</i>)	24		10	13	1
Transportation & Development *	NA				
Environment & Development *	NA				
Total Pieces of Legislation	42	NOTE: <i>1. NA - indicates that specific legislation for referenced issue area was not tracked except in instances where both merge to maximize overall community development benefits.</i> <i>2. * For broader legislation in this area please see TPB & Environmental Programs.</i>			

PASSED LEGISLATION:

- (1) HB 960 (page 16)
Housing Authorities - Entities to Undertake Housing Projects
- (2) SB 11 (page 21)
Housing and Community Development Article
- (3) SB 12 (page 22)
Housing and Community Development Article
- (4) SB 126 (page 23)
Department of Housing and Community Development - Partnership Rental Housing Program - Individuals with Disabilities
- (5) SB 127 (page 24)
Department of Housing and Community Development - Multifamily Rental Housing Programs

C. **Virginia (VA) Legislation Summary (page 37)**

(40) proposed legislation were tracked in the MD legislatures as follows:

Issue Area	No.	Passed	Failed/ Wdrawn	No Action\ On-going	Continued to 07
Housing & Planning /Community Development (<i>p. 37-42</i>)	7	3		3	1
Planning & Land Use / Economic Development (<i>p.43 – 64</i>)	33	10	3	12	4
Transportation & Development *	NA				
Environment & Development *	NA				
Total Pieces of Legislation	40	NOTE: <i>1. NA - indicates that specific legislation for referenced issue area was not tracked except in instances where both merge to maximize overall community development benefits.</i> <i>2. * For broader legislation in this area please see TPB & Environmental Programs.</i>			

PASSED LEGISLATION (Housing & Planning):

- (1) **SB 46 (page 37)**
Local Rehabilitation Zones
- (2) **SB 184 (page 38)**
Housing Programs; Creating and Implementing for Ex-offenders
- (3) **SB 358 (page 42)**
Real Estate Tax; Exemption in Redevelopment or Conservation Areas,

PASSED LEGISLATION (Planning & Land Use):

- (1) **HB 147 (page 44)**
Service Districts; Localities May Contribute from General Fund for Certain Government Services
- (2) **HB 206 (page 45)**
Road Construction
- (3) **HB 686 (page 46)**
Subdivision Ordinances; Provisions to Allow Locality to Construct Sidewalk
- (4) **HB 1372 (page 49)**
Land Use; Disclosure Requirements in Proceedings
- (5) **HB 1513 (page 50)**
Transportation Planning; Coordination of State and Local
- (6) **HB 1521 (page 51)**
Comprehensive Plans; Road Improvements
- (7) **SB 273 (page 56)**
Affordable Dwelling Unit Ordinance; Arlington County Permitting Certain Densities in Comp Plan

PASSED LEGISLATION (Planning & Land Use):

(8) SB 373 (page 58)

Development Rights; Localities Provide for Transfer Thereof from Parcel Located in Locality

(9) SB 430 (page 60)

Condominium Act; Authorizing Condominium Association to be Applicants in Land Use Matters - Virginia Condominium Act

(10) SB 699 (page 63)

Transportation Planning; Coordination of State and Local

D. National Legislation

The President's FY 2007 Budget re-proposes **the Strengthening America's Communities Initiative (SACI)** and calls for the Department of Commerce and Housing & Urban Development to collaborate on the development of new performance criteria.

1. **Brownfields Economic Development Initiative (BEDI)**
2. **Community Development Block Grants (CDBG).**
3. **Economic Development Administration (EDA)**
4. **Eminent Domain**
5. **Rural Utilities**

III. RECENT DEVELOPMENTS:

A. Legislative/Initiative Support

The Metropolitan Washington Council of Governments through the Housing Directors Advisory Committee (HDAC) provided comment letters in support to the following issues:

1. **Inclusionary Zoning (District of Columbia)**
2. **Green Space Building (Montgomery County)**

B. Impact Issues

1. **Transferable Development Rights (TDR's)**

Proposal relating to Transferable Development Rights (TDR's) were put forth in both the MD (HB-1268 p.30) and VA (SB 373 p.58) assemblies this session. COG staff will further review the legislation and report back to the Committee at a future meeting, TBD.

IV. NEXT STEPS:

City Council of the District of Columbia (DC)
Legislative Summary (through May 19 Calendar)

(16) pieces of legislation were tracked in the City Council of the District of Columbia as follows:

Issue Area	No.	Passed	Failed/ W/drawn	No Action\ On-going	Continued to 07
Housing & Planning /Community Development	5			5	
Planning & Land Use / Economic Development	11	3		8	
Transportation & Development *	NA				
Environment & Development *	NA				
		<u>NOTE:</u>			
		<i>1. NA - indicates that specific legislation for referenced issue area was not tracked except in instances where both merge to maximize overall community development benefits.</i>			
		<i>2. * For broader legislation in this area please see TPB & Environmental Programs.</i>			
Total Pieces of Legislation	16				

PASSED LEGISLATION:

- (1) B16-403 (A16-0336) (page 9)
Home Again Initiative Community Development Amendment Act of 2006
- (2) B16-558 (A16-0349) (page 9)
New Columbia Community Land Trust 20th and Channing Streets, N.E.,
Tax Exemption Act of 2006
- (3) B16-569 (A16-0350) (page 12)
Washington Metropolitan Area Transit Authority Fund Act of 2006

**Metropolitan Development Policy Committee 2006 State (District of Columbia) Legislative/Policy Tracking
Housing & Planning**

Committee	ISSUE AREA	Sponsor/Source	Committee	Type	No	Purpose	Status	Report
Intro from Legislative Meeting	Housing & Planning	GRAHAM	Consumer & Reg Affairs	B	16-457	Rental Control Reform Amendment Act of 2005 - To amend the Rental Housing Act of 1985 to repeal the provisions which allow the landlord to raise the rent ceiling of a vacant rental unit by 12% or to the highest comparable within that building; to allow the landlord to increase the rent ceiling of a vacant rental unit by an amount equal to 1% multiplied by the number of years since the last vacancy occurrence; to limit the amount of any adjustment in rent charged on an occupied unit to 10% of the current rent charged, and to limit to one per year the number of increases in rent charged.	Intro Oct 11, 2005; Committee Action March 16, 2006;	Ongoing
Intro from Office of Secretary	Housing & Planning	CROPP/MAYOR	Committee of the Whole	B	16-300	Targeted Historic Preservation Assistance Amendment Act of 2005 - To amend Title III of the Housing Act of 2002 to modify the targeted historic housing tax credit in Title 47 of the District of Columbia Official Code; to simplify the income tax credit available to low- and moderate-income homeowners for qualified rehabilitation expenditures of a historic home; to provide loans to enable low-income homeowners to undertake work eligible for the tax credit; and to allow funds to be used for reasonable costs of administration	Intro June 2, 2005; Committee Action April 25, 2006; 1st Vote/Reading May 2nd;	Ongoing
Intro from Legislative Meeting	Housing & Planning	FENTY/GRAHAM	Consumer & Reg Affairs	B	16-661	D.C. Housing Authority Rent Supplement Act of 2006 - To amend the District of Columbia Housing Authority Act of 1999 to establish a program of rent supplements to assist private and non-profit housing providers in providing housing at affordable rates to low-income populations, and to provide assistance to low-income persons in locating decent and affordable housing options. Councilmembers Fenty and Graham, to the Committee on Consumer and Regulatory Affairs	Intro March 7, 2006	Ongoing

**Metropolitan Development Policy Committee 2006 State (District of Columbia) Legislative/Policy Tracking
Housing & Planning**

Intro from Legislative Meeting	Housing & Planning	FENTY/GRAHAM	Consumer & Reg Affairs	B	16-703	Protection from Discriminatory Eviction for Victims of Domestic Violence Amendment Act of 2006 - To amend the Rental Housing Act of 1980 to provide protection from eviction to victims of intrafamily offenses; to amend Title 42 to provide a release from a lease should a victim's safety be in jeopardy; to amend the Human Rights Act of 1977 to prohibit housing discrimination against victims of intrafamily offenses. Councilmembers Fenty and Graham, to the Committee on Consumer and Regulatory Affairs except section 4 sequentially to the Committee on Government Operations.	Intro April 4, 2006	Ongoing
Intro from Committee of the Whole	Housing & Planning	GRAHAM	Consumer & Reg Affairs	B	16-724	Low-Income Disabled Tenant Renewal Conversion Protection Amendment Act of 2006 - To amend the Rental Housing Conversion and Sale Act of 1980 to prevent low-income disabled tenants from being involuntarily displaced when their rental housing is converted. Councilmember Graham, to the Committee on Consumer and Regulatory Affairs	Intro April 25, 2006	Ongoing

**Metropolitan Development Policy Committee 2006 State (District of Columbia) Legislative/Policy Tracking
Planning & Land Use**

Committee	ISSUE AREA	Sponsor/Source	Committee	Type	No	Purpose	Status	Report
Intro from Office of Secretary	Planning & Land Use	CROPP/MAYOR	Economic Development	B	16-403	Home Again Initiative Community Development Amendment Act of 2006 - To amend the Housing Act of 2002, The Vacant and Abandoned Properties Community Development and Disapproval of Disposition of Certain Scattered Vacant and Abandoned Properties Act of 2002 and the District of Columbia Real Property Tax and Revision Act of 1974 to clarify and broaden the classes of real property to be acquired by the Mayor in furtherance of the elimination of abandoned property and blighted conditions in District of Columbia neighborhoods.	Intro Sept 16, 2005; Committee Action Jan 11, 2006; 1st Vote/Reading Feb 7, 2006; Final Vote/Reading March 7th; Mayoral Review March 16th; Approved March 23rd, Transmitted to Congress April 7th	A16-0336 - Projected DC Law Date 6/7/2006
Intro from Legislative Meeting	Planning & Land Use	EVANS	Finance	B	16-228	Board of Real Property Assessments and Appeals Reform Act of 2006 -	Intro April 5, 2006; Committee Action April 10th; 1st Vote/Reading May 2nd;	Ongoing
Intro from Legislative Meeting	Planning & Land Use	EVANS, ORANGE	Finance	B	16-558	New Columbia Community Land Trust 20th and Channing Streets, N.E., Tax Exemption Act of 2006 - To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation real property owned by the New Columbia Community Land Trust, located at 20th and Channing Streets, N.E., that is used as a public park and to provide equitable real property tax relief.	Intro Dec 6, 2005; Committee Action Feb 15th; 1st Vote/Reading March 7th; Final Vote/Reading April 4th; Mayoral Review April 7th; Approved April 21st; Transmitted to Congress April 27th	A16-0349 - Projected DC Law Date 6/15/2006

**Metropolitan Development Policy Committee 2006 State (District of Columbia) Legislative/Policy Tracking
Planning & Land Use**

Intro from Office of Secretary	Planning & Land Use	CROPP/MAYOR	Economic Development	B	16-630	New Convention Center Hotel Omnibus Financing and Development Act of 2006 - To authorize and provide for the issuance, sale, and delivery of District of Columbia revenue bonds in one or more series, secured by tax increment revenues generated by or related to a New Convention Center Hotel and issued pursuant to section 490 of the District of Columbia Home Rule Act, and to amend the Washington Convention Center Authority Act of 1994 to allow funds to be used to secure such bonds; to exempt acquisition and disposition of real property in connection with land assembly for development of a New Convention Center Hotel from certain taxes; to authorize the lease of real property in connection with the development of a site for the New Convention Center Hotel; and to authorize the Mayor to exercise eminent domain authority in the New Convention Center Hotel area bounded by Ninth Street, N.W., Tenth Street, N.W., M Street, N.W. and Massachusetts Avenue, N.W.	Intro Feb 27, 2006; Committee Action April 10th; 1st Vote/Reading May 2nd	Ongoing
Intro from Office of Secretary	Planning & Land Use	PATTERSON, EVANS	Finance	B	16-647	Triangle Community Garden Equitable Real Property Tax Exemption and Relief Act of 2006 - To amend Chapter 10 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption and equitable real property tax relief to real property located at lot 58, square 1966 to be used as a community garden.	Intro March 6, 2006	Ongoing
Intro from Legislative Meeting	Planning & Land Use	AMBROSE, FENTY	Committee of the Whole	B	16-657	Closing of a Public Alley in Square 2910, S.O. 05-0587 Act of 2006 - To order the closing of a public alley in Square 2910, bounded by Kansas Avenue, Upshur Street, Georgia Avenue, and Taylor Street in Northwest Washington, D.C., in Ward 4. Councilmembers Fenty and Ambrose, to the Committee of the Whole.	Intro March 7, 2006	Ongoing

**Metropolitan Development Policy Committee 2006 State (District of Columbia) Legislative/Policy Tracking
Planning & Land Use**

Intro from Legislative Meeting	Planning & Land Use	AMBROSE, FENTY	Finance	B	16-658	Square 2910 Residential Development Stimulus Act of 2005 - To amend section 47-857.07 of the D.C. Official Code to authorize a certain tax exemption in order to facilitate the construction of mixed-use, predominately residential, building with retail in Square 2910 which is bounded by Kansas Avenue, Upshur Street, Georgia Avenue and Taylor Street in Northwest Washington, D.C., in Ward 4; to order the exemption from permit fees and other financial impositions for a certain affordable housing and mixed use project in Square 2910. Councilmembers Fenty and Ambrose, to the Committee on Finance and Revenue.	Intro March 7, 2006	Ongoing
Intro from Legislative Meeting	Planning & Land Use	BROWN, GRAY, ORANGE, BARRY, SCHWARTZ, CROPP	Economic Development	B	16-663	Local, Small and Disadvantaged Businesses Provisions Enhancement Amendment Act of 2006. - To amend the Small, Local, and Disadvantaged Business Development and Assistance Act of 2005 to modify the definition of local business enterprise; to eliminate the qualified metropolitan area business enterprise designation; to modify provisions related to issuance and use of provisional certifications and to establish a 35% LSDBE subcontracting requirement on all non-construction contracts where subcontracting occurs. Councilmembers Brown, Gray, Orange, Barry, Schwartz and Chairman Cropp, to the Committee on Economic Development.	Intro March 7, 2006	Ongoing
Intro from Committee of the Whole	Planning & Land Use	EVANS, GRAHAM, SCHWARTZ, CROPP	Finance	B	16-569	Washington Metropolitan Area Transit Authority Fund Act of 2006 - Would dedicate one-half of one percent of the retail sales tax as established in D.C. Official Code § 47-2002 to provide additional funding for maintaining and improving the transportation system of the Washington Metropolitan Area Transit Authority (WMATA). This legislation would become effective upon several conditions including enactment by Congress of legislation providing federal grants to WMATA for maintenance and improvements, passage of legislation by the Maryland General Assembly and Virginia General Assembly dedicating an equivalent amount of revenue to WMATA, subject to appropriations in approved budget and financial plan.	Intro Dec 12, 2005; 1st Vote/Reading March 7, 2006; Final Vote/reading April 4th; Mayoral Review April 7th; Approved April 21st, Transmitted to Congress April 27th	A16-0350 - Projected DC Law Date 6/15/2006

**Metropolitan Development Policy Committee 2006 State (District of Columbia) Legislative/Policy Tracking
Planning & Land Use**

Intro From Office of Secretary	Planning & Land Use	CROPP	Economic Development	PR	16-752	Consolidated Plan for the District of Columbia, Fiscal Year 2007 Action Plan Approval Resolution of 2006 - To approve the Consolidated Plan for the District of Columbia, Fiscal Year 2007 Action Plan, which provides a single grant application for four grant programs provided by the U.S. Department of Housing and Urban Development. Chairman Cropp at the request of the Mayor, to the Committee on Economic Development.	Intro April 7th	Ongoing
Intro from Legislative Meeting	Planning & Land Use	FENTY, GRAHAM		PR	16-743	Sense of the Council in Opposition to the Draft Master Plan for the Armed Forces Retirement Home Resolution of 2006 - To declare the sense of the Council in opposition to the current Draft Master Plan for the Armed Forces Retirement Home and in support of the revised development plan that would compliment the surrounding neighborhoods, preserve the value of historic sites, and follow the spirit of the McMillan Plan. Councilmembers Fenty and Graham, retained by the Council.	Intro April 4th	Ongoing

Maryland Legislation (MD) Legislative Summary

(42) pieces of legislation were tracked in the MD legislatures as follows:

Issue Area	No.	Passed	Failed/ Wdrawn	No Action\ On-going	Continued to 07
Housing & Planning /Community Development	18	5	3	10	
Planning & Land Use / Economic Development	24		10	13	1
Transportation & Development *	NA				
Environment & Development *	NA				
		<p><u>NOTE:</u></p> <p><i>1. NA - indicates that specific legislation for referenced issue area was not tracked except in instances where both merge to maximize overall community development benefits.</i></p> <p><i>2. * For broader legislation in this area please see TPB & Environmental Programs.</i></p>			
Total Pieces of Legislation	42				

PASSED LEGISLATION:

- (1) HB 960 (page 16)
Housing Authorities - Entities to Undertake Housing Projects
- (2) SB 11 (page 21)
Housing and Community Development Article
- (3) SB 12 (page 22)
Housing and Community Development Article
- (4) SB 126 (page 23)
Department of Housing and Community Development - Partnership Rental Housing Program - Individuals with Disabilities
- (5) SB 127 (page 24)
Department of Housing and Community Development - Multifamily Rental Housing Programs

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Assembly File Code	ISSUE AREA	Sponsor/Source	Committee	Type	No	Purpose	Status	Report
Economic & Community Development	Housing & Planning	Chairman, Economic Matters Committee (By Request - Departmental - Business and Economic Development)	House: Economic Matters	HB	399	Business and Economic Development - Enterprise Zones - Expansion - Providing that specified expansions of existing enterprise zones may not count towards the maximum number of enterprise zones to be designated during specified periods; modifying the period during which a specified number of enterprise zones may be designated; etc.	House Action: Jan 27th First Reading Economic Matters; Feb 1st Scheduled Hearing for Feb 14th; Feb 20th Favorable Report by Economic Matters; Feb 21st Favorable Report Adopted, Second Reading Passed; Feb 23rd Third Reading Passed (128-0) - Senate Action: Feb 27th First Reading Finance; March 17th Scheduled Hearing for March 30th; April 6th Favorable Report by Finance; April 3rd Favorable Report Adopted, Second Reading Passed; April 25th Signed by the Governor Chapter 173	To Governor

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Montgomery County Delegation	House: Environmental Matters	HB	657	<p>Montgomery County - Housing Opportunities Commission - Powers MC 611-06 - Authorizing the Housing Opportunities Commission of Montgomery County to enter into specified development agreements to develop housing in which a specified minimum percentage of the units are initially occupied by specified individuals; authorizing the Commission to contract to furnish services, consultation, advice, and assistance to other housing authorities or other persons in or outside of the State to assist in developing, managing, renovating, or constructing specified housing.</p>	<p>House Action: Feb 2nd First Reading Environmental Matters; Feb 8th Scheduled Hearing for Feb 23rd; March 23rd Favorable Report by Environmental Matters; March 21st Favorable Report Adopted, Second Reading Passed; March 23rd Third Reading Passed (137-0) - Senate Action: March 24th First Reading Education Health and Environmental Affairs' march 28th Scheduled Hearing for March 31st; April 6th Favorable Report by Education Health and Environmental Affairs; April 3rd Favorable Report Adopted, Second Reading Passed; April 4th 3rd Reading Passed (47-0); May 2nd Signed by the Governor Chapter 339</p>	To Governor
Real Property	Housing & Planning	Delegates Pugh, Carter, C. Davis, Doory, Goodwin, Hammen, Haynes, Kirk, Krysiak, Love, McHale, Miller, Murray, Oaks, and Paige	House: Environmental Matters	HB	803	<p>Eminent Domain – Moving, Relocation, and Reestablishment Expenses - Repealing the monetary maximum for payments to displaced persons for actual reasonable reestablishment expenses.</p>	<p>House Action: Feb 8th First Reading Environmental Matters, Scheduled Hearing for Feb 21st; March 22nd Unfavorable Report by Environmental Matters - Senate Action: No Action</p>	Unfavorable

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	House: Environmental Matters Senate: Education Health and Environmental Affairs	House: Appropriations	HB	960	<p>Housing Authorities - Entities to Undertake Housing Projects - Expanding the power of a housing authority to establish and control not-for-profit entities, including corporations as well as limited liability companies, that may own, operate, and take steps necessary or convenient to develop or otherwise undertake housing projects in the authority's area of operation.</p>	<p>House Action: Feb 9th First Reading Environmental Matters, Scheduled Hearing for Feb 23rd; March 7th Favorable Report by Environmental Matters; March 8th Favorable Report Adopted, Second Reading Passed; March 10th Third Reading Passed (134-1); March 31st Returned Passed - Senate Action: March 13th First Reading Education Health and Environmental Affairs; March 15th Scheduled Hearing for March 23rd; March 31st Favorable Report by Education Health and Environmental Affairs; March 29th Favorable Report Adopted, Second Reading Passed; March 30th Third Reading Passed (33-0)</p>	To Governor
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Delegates McIntosh, Anderson, Bobo, Bronrott, Cane, V. Clagett, Doory, Frush, and Glassman	House: Environmental Matters Senate: Education Health and Environmental Affairs	HB	1160	Workforce Housing Grant Program - Establishment - Establishing the Workforce Housing Grant Program; requiring a county to meet specified criteria to participate in the Program; requiring qualifying counties to provide specified matching funds; establishing specified criteria for distribution and use of Program funds; requiring counties to use Program funds for specified costs and in accordance with specified plans; authorizing qualifying counties to transfer Program funds under specified circumstances; etc.	House Action: Feb 10th First Reading Environmental Matters; Feb 15th Scheduled Hearing for March 2nd; March 14th Favorable with Amendments Report by Environmental Matters; March 15th Favorable with Amendments Report Adopted, Second Reading Passed with Amendments; March 17th Third Reading Passed (137-0) - Senate Action: March 20th First Reading Education Health and Environmental Affairs; April 10th Favorable w/Amendments Report by Education Health and Environmental Affairs; April 6th Favorable w/Amendments Report Adopted, 2nd Reading Passed with Amendments; April 7th 3rd 3rd Reading Passed with Amendments (47-0)	Passed
Economic & Community Development	Housing & Planning	Chairman, Ways and Means Committee (By Request - Departmental - Housing and Community Development)	House: Ways and Means	HB	1235	Department of Housing and Community Development - Neighborhood and Community Assistance Program - Community Investment Tax Credit - Providing that a business entity is entitled to a tax credit for a contribution of real property to an approved project operated by a nonprofit organization under the Neighborhood and Community Assistance Program of the Department of Housing and Community Development; increasing the maximum tax credit allowed to \$250,000 for specified contributions; increasing the maximum amount of contributions eligible for a specified tax credit for a fiscal year to \$5,000,000; providing for the application of the Act; etc.	House Action – Feb 10th 1st Reading Ways and Means; March 1st Scheduled Hearing for March 21st; April 8th Favorable w/Amendments Report from Comm; April 4th Favorable w/Amendments Report Adopted, 2nd Reading Passed w/Amendments; April 5th 3rd Reading Passed (140-0); Senate Action – April 6th 1st Reading Senate Rules; April 10th Re-referred Budget and Taxation	Ongoing

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Delegates Conway, McKee, Elmore, Glassman, Wood, Aumann, Bartlett, Bohanan, Bozman, Cane, G. Clagett, Donoghue, Eckardt, Edwards, Elliott, Haddaway, Hogan, Impallaria, James, Jameson, Jennings, Kelly, Kohl, Krebs, Kullen, Levy, Mayer, McComas, McDonough, Myers, O'Donnell, Parrott, Proctor, Rudolph, Shank, Shewell, Smigiel, Sossi, Stocksdale, Stull, Vallario, Walkup, and Weldon	House: Environmental Matters	HB	1487	Rural Maryland Prosperity Investment Fund - Establishing the Rural Maryland Prosperity Investment Fund as a special fund for specified purposes; providing for the administration of the Fund; providing for the disbursement of money from the Fund equally among specified categories; authorizing the inclusion of appropriations in the State budget in specified fiscal years; providing for the award of grants from the Fund for specified purposes; requiring an annual report to the Governor and the General Assembly; stating findings of the General Assembly; etc.	House Action: Feb 13th 1st Reading House Rules and Executive Nominations; Feb 27th Re-referred Environmental Matters; March 1st Scheduled Hearing for March 16th; March 23rd Favorable Report by Environmental Matters; March 21st Favorable Report Adopted, 2nd Reading Passed; March 23rd 3rd Reading Passed (137-0) - Senate Action: March 24th 1st Reading Education Health and Environmental Affairs & Budget and Taxation; April 6th Favorable Report by Education Health and Environmental Affairs; April 3rd Favorable Report Adopted, 2nd Reading Passed; April 4th 3rd Reading Passed	Passed
Economic & Community Development	Housing & Planning	Delegates Jones, Benson, Cardin, C. Davis, Goodwin, Gutierrez, Haynes, Healey, Hixson, Howard, Hubbard, Lee, Marriott, McHale, Menes, Murray, Nathan-Pulliam, Niemann, Oaks, Paige, Parker, Patterson, Quinter, V. Turner, Vaughn, and Zirkin	House: Ways and Means	HB	1492	Economic Development and Tax Incentive Act - Requiring the State Department of Assessments and Taxation to submit a Unified Property Tax Exemption and Credit Report on or before a specified date each year; requiring the Department of Business and Economic Development to submit a Unified Economic Development and Tax Incentive Report on or before a specified date each year; providing that the Department of Business and Economic Development shall have access to specified information for the preparation of specified reports; etc.	House Action: Feb 13th First Reading House Rules and Executive Nominations; Feb 27th Re-referred Ways and Means; March 1st Scheduled Hearing for March 22nd - Senate Action: No Action	No Action

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Delegates Rudolph, Glassman, James, and Kohl	House: Economic Matters	HB	1576	Base Realignment and Closure (BRAC) Marketing and Infrastructure Improvement Program - Establishing the BRAC Marketing and Infrastructure Improvement Program in the Department of Business and Economic Development; providing for the administration of the Program; providing for financial assistance for infrastructure improvements in specified counties; establishing an advisory committee for the Program; requiring the Governor to include a specified appropriation for the Program; etc.	House Action: Feb 22nd First Reading House Rules and Executive Nominations; Feb 27th Re-referred Economic Matters; March 1st Scheduled Hearing for March 14th; March 9th Hearing cancelled, Re-scheduled to March 15th; March 13th Hearing cancelled, Re-scheduled to March 23rd; March 20th Hearing Cancelled; March 22nd Withdrawn - Senate Action: No Action	Withdrawn
Economic & Community Development	Housing & Planning	The President (Department of Legislative Services - Code Revision)	Senate: Education Health and Environmental Affairs House: Environmental Matters	SB	11	Housing and Community Development Article - Housing Authorities - Adding a new division to the Housing and Community Development Article of the Annotated Code of Maryland, to be designated and known as the "Division II. Housing Authorities"; revising, restating, and recodifying the laws relating to specified housing authorities, including laws concerning the establishment and organization of authorities; housing authority commissioners; powers and duties of authorities; etc.	Senate Action: July 1, 2005 Pre-filed; Jan 11, 2006 First Reading Education Health and Environmental Affairs; Jan 9th Scheduled Hearing for Jan 12th; Jan 12th Hearing Cancelled, Re-scheduled to Jan 19th; Feb 1st Favorable Report by Education Health and Environmental Affairs, Favorable Report Adopted, Second Reading Passed; Feb 3rd Third Reading Passed (47-0); April 2nd Returned Passed - House Action: Feb 6th First Reading Environmental Matters; March 20th Scheduled Hearing for March 30th; April 3rd Favorable Report by Environmental Matters; March 31st Favorable Report Adopted, Second Reading Passed; April 1st Third Reading Passed (137-0)	To Governor

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	The President (Department of Legislative Services - Code Revision)	Senate: Education Health and Environmental Affairs House: Environmental Matters	SB	12	Housing and Community Development Article - Housing Authorities - Cross-References - Correcting specified cross-references to Division II of the Housing and Community Development Article in the Annotated Code of Maryland.	Senate Action: Nov 2, 2005 Pre-filed; Jan 11, 2006 First Reading Education Health and Environmental Affairs; Jan 4th Scheduled Hearing for Jan 12th; Jan 12th Hearing cancelled, Re-scheduled to Jan 19th; Feb 1st Favorable Report by Education Health and Environmental Affairs, Favorable Report Adopted, Second Reading Passed; Feb 3rd Third Reading Passed (47-0); April 2nd Returned Passed - House Action: Feb 2nd First Reading Environmental Matters; March 20th Scheduled Hearing for March 30th; April 3rd Favorable Report by Environmental Matters; March 31st Favorable Report Adopted, Second Reading Passed; April 1st Third Reading Passed (137-0)	To Governor
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Housing and Community Development)	Senate: Education Health and Environmental Affairs House: Environmental Matters	SB	126	<p>Department of Housing and Community Development - Partnership Rental Housing Program - Individuals with Disabilities - Altering resident eligibility requirements under the Partnership Rental Housing Program; authorizing the Secretary of Housing and Community Development to establish specified income levels; altering the requirements to approve an application for a proposed partnership project; authorizing the Department of Housing and Community Development to approve the use of partnership rental housing funds under specified circumstances; etc.</p>	<p>Senate Action: Jan 16th First Reading Education Health and Environmental Affairs, Motion Rules Suspended Referred (Senator Green) Adopted, Referred Education Health and Environmental Affairs; Jan 18th Scheduled Hearing for Jan 26th; Feb 1st Favorable Report by Education Health and Environmental Affairs, Favorable Report Adopted, Second Reading Passed; Feb 3rd Third Reading Passed (47-0); April 3rd Returned Passed - House Action: Feb 6th First Reading Environmental Matters; March 20th Scheduled Hearing for March 30th; April 5th Favorable Report by Environmental Matters; April 1st Favorable Report Adopted, Second Reading Passed; April 2nd Third Reading Passed (135-0)</p>	To Governor
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Chair, Education, Health, and Environmental Affairs Committee (By Request - Departmental - Housing and Community Development)	Senate: Education Health and Environmental Affairs House: Environmental Matters	SB	127	Department of Housing and Community Development - Multifamily Rental Housing Programs - Authorizing loans under the Multifamily Rehabilitation Program to acquire and rehabilitate buildings that provide more than four dwellings; clarifying that specified loans for rehabilitation projects may be made to sponsors and nonprofit sponsors in addition to families of limited income; defining "elderly households"; etc.	Senate Action: Jan 16th First Reading Education Health and Environmental Affairs, Motion Rules Suspended Referred (Senator Green) Adopted, Referred Education Health and Environmental Affairs; Jan 18th Scheduled Hearing for Jan 26th; Feb 1st Favorable Report by Education Health and Environmental Affairs, Favorable Report Adopted, Second Reading Passed; Feb 3rd Third Reading Passed (47-0); April 3rd Returned Passed - House Action: Feb 6th First Reading Environmental Matters; March 20th Scheduled Hearing for March 30th; April 5th Favorable Report by Environmental Matters; April 1st Favorable Report Adopted, Second Reading Passed; April 2nd Third Reading Passed (136-0)	To Governor
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Senators Grosfeld, Giannetti, Gladden, Teitelbaum, Conway, and Brochin	Senate: Education Health and Environmental Affairs	SB	683	Department of Housing and Community Development - Rental Allowance Program Fund - Repealing a specified provision of law limiting the time period in which the Secretary of Housing and Community Development may provide rental allowances to recipients under the Rental Allowance Program; establishing the Rental Allowance Program Fund as a special, nonlapsing fund; requiring the Secretary to administer the Fund; imposing a special transfer tax; and requiring that the revenue from the special transfer tax be distributed to the Fund.	Senate Action: Feb 3rd First Reading Education Health and Environmental Affairs; Feb 8th Scheduled Hearing for March 3rd; March 13th Favorable with Amendments Report by Education Health and Environmental Affairs; March 14th Favorable with Amendments Report Adopted, Second Reading Passed with Amendments; March 16th Special Order March 17th (Senator Currie) Adopted; March 17th Recommit to Committee Education Health and Environmental Affairs (Senator Hollinger) - House Action: No Action	Ongoing
Commercial Law - Credit Regulation	Housing & Planning	Senator Lisa A. Gladden District 41	Senate: Finance	SB	777	Commercial Law - Credit Regulation - Home Mortgage Loans - Prohibiting lenders from financing, through a home loan, specified insurance policies and debt suspension or cancellation agreements; establishing limitations on late payment fees lenders may charge with respect to a home loan; requiring lenders to provide a payoff balance to a borrower under specified circumstances; prohibiting lenders from recommending or encouraging a default on an existing loan or other debt under specified circumstances; prohibiting lenders from making high-cost home loans under specified circumstances; etc.	Senate Action: Feb 3rd First Reading Finance; Feb 15th Scheduled Hearing for Feb 28th; March 6th Unfavorable Report by Finance - House Action: No Action	Unfavorable

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Senator Joan Carter Conway District 43	Senate: Education Health and Environmental Affairs and Budget and Taxation	SB	880	Workforce Housing Grant Program - Establishment - Establishing the Workforce Housing Grant Program; requiring a county to meet specified criteria to participate in the Program; requiring qualifying counties to provide specified matching funds; establishing specified criteria for distribution and use of Program funds; requiring counties to use Program funds for specified costs and in accordance with specified plans; authorizing qualifying counties to transfer Program funds under specified circumstances; etc.	Senate Action - Feb 10th 1st Reading Senate Rules; Feb 16th Re-referred Ed Health and Environmental Affairs & Budget and Taxation; Feb 22nd Scheduled Hearing for March 14th; April 10th Favorable w/Amendments Report by Education Health and Environmental Affairs; April 6th Favorable w/ Amendments Report Adopted, Second Reading Passed w/Amendments; April 7th 3rd Reading Passed (45-0); House Action - No action to report	No Action
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Senators Middleton, Munson, Brinkley, Colburn, Dyson, Haines, Hooper, Jacobs, Klausmeier, and Stoltzfus	Senate: Education Health and Environmental Affairs and Budget and Taxation	SB	902	<p>Rural Maryland Prosperity Investment Fund - Establishing the Rural Maryland Prosperity Investment Fund as a special fund for specified purposes; providing for the administration of the Fund; providing for the disbursement of money from the Fund equally among specified purposes; authorizing the inclusion of appropriations in the State budget in specified fiscal years; providing for the award of grants from the Fund for specified purposes; requiring an annual report to the Governor and the General Assembly; stating findings of the General Assembly; etc.</p>	<p>Senate Action: Feb 13th First Reading Senate Rules; Feb 16th Re-referred Education Health and Environmental Affairs & Budget and Taxation; Feb 22nd Scheduled Hearing March 14th; April 3rd Favorable with Amendments Report by Education Health and Environmental Affairs; March 30th Favorable with Amendments Report Adopted, Second Reading Passed with Amendments; April 1st Third Reading Passed (47-0) - House Action: March 31st First Reading Environmental Matters; April 5th Scheduled Hearing for April 6th; April 7th Favorable Report by Environmental Matters; April 3rd Favorable Report Adopted, Second Reading Passed; April 5th Special Order next session (Delegate Niemann) Adopted; April 8th 3rd Reading Passed (116-1)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Housing & Planning**

Economic & Community Development	Housing & Planning	Senator Verna L. Jones District 44	Senate: Budget and Taxation	SB	1076	<p>Department of Housing and Community Development - Neighborhood and Community Assistance Program - Community Investment Tax Credit - Providing that a business entity is entitled to a tax credit for a contribution of real property to an approved project operated by a nonprofit organization under the Neighborhood and Community Assistance Program of the Department of Housing and Community Development; increasing the maximum tax credit allowed to \$250,000 for specified contributions; increasing the maximum amount of contributions eligible for a specified tax credit for a fiscal year to \$5,000,000; providing for the application of the Act; etc.</p>	<p>Senate Action: March 6th First Reading Senate Rules; March 8th Re-referred Budget and Taxation; March 17th Scheduled Hearing for March 21st; March 30th Favorable with Amendments Report by Budget and Taxation; March 29th Favorable with Amendments Report Adopted, Second Reading Passed with Amendments; March 30th Third Reading Passed (33-0) - House Action: March 31st First Reading Ways and Means; April 3rd Scheduled Hearing for April 6th; April 8th Favorable Report from Ways and Means; April 4th Favorable Report Adopted, 2nd Reading Passed; April 6th 3rd Reading Passed (138-0)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Assembly File Code	ISSUE AREA	Sponsor/Source	Committee	Type	No	Purpose	Status	Report
Local Govt	Planning & Land Use	Delegate Smigiel - D 36	House: Environmental Matters	HB	86	Planning Commissions and Boards of Zoning Appeals - Members - Residency Requirement - Requiring that members of planning commissions and boards of zoning appeals must maintain a primary residence in the area over which the planning commission or board of zoning appeals has jurisdiction while serving as members of the planning commission or board of zoning appeals; and providing for the application of the Act. EFFECTIVE OCTOBER 1, 2006	Feb 28, Unfavorable Report out of Comm	Unfavorable
Real Property	Planning & Land Use	Delegates Conroy, Cluster, Holmes, and Hubbard	House: Environmental Matters	HB	106	Eminent Domain – Condemnation Costs – Fees Incurred - Proposing an amendment to the Maryland Constitution to prohibit the condemnation of private property for economic development purposes if the property is intended to be transferred to a private person; requiring that the issue of a condemnor's right to condemn in a condemnation proceeding be tried by a jury unless the parties elect otherwise; and submitting the amendment to the qualified voters of the State of Maryland for their adoption or rejection.	House Action: Jan 13th First Reading Environmental Matters; Feb 8th Scheduled Hearing for Feb 21st; March 22, Unfavorable Report out of Comm	Unfavorable
Local Govt	Planning & Land Use	Delegate Costa - D 33-B	House: Environmental Matters	HB	155	Local Government – Zoning Regulations and Building Permits – Appeals – Neighborhood Association - Providing that the governing body of a neighborhood association shall have standing to represent itself or a member of the neighborhood association in an administrative or judicial appeal of a decision or action of a unit of local government regarding a zoning regulation or building permit under specified circumstances; providing that the standing of a governing body of a neighborhood association to file an appeal may not be restricted by any provision of law that requires a person to satisfy specified requirements; etc.	Jan 18th First Reading Environmental Matters; Jan 25th Scheduled for Hearing February 9th; Feb 1st Hearing cancelled; March 23 Unfavorable Report out of Committee	Unfavorable
Real Property	Planning & Land Use	Del. Marvin E. Holmes, Jr. Dist 23B	House: Environmental Matters	HB	963	Condemnation – Urban Renewal or Economic Development - Required Findings - Stating the intent of the General Assembly concerning preservation of existing businesses when property is acquired by condemnation for urban renewal or economic development purposes; requiring a government unit to make specified findings with respect to affected businesses before condemning private property for urban renewal or economic development purposes; requiring the government unit to make a written record of its findings; etc.	Feb 9th First Reading Environmental Matters, Scheduled for Hearing Feb 21st; March 22nd Unfavorable Report out of Committee	Unfavorable

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Real Property	Planning & Land Use	Del. Marvin E. Holmes, Jr. Dist 23B	House: Environmental Matters	HB	964	Condemnation – Time Period for Filing Action - Requiring condemnation actions to be filed within 3 years after the date of the specific administrative determination to acquire the property; and requiring a new authorization to condemn the property if a condemnation action is not filed within that time period.	Feb 9th First Reading Environmental Matters, Scheduled Hearing for Feb 21st; March 22nd Unfavorable Report out of Committee	Unfavorable
Real Property	Planning & Land Use	Delegates Hogan, Bartlett, Cluster, Elliott, Glassman, Haddaway, Jennings, Mayer, McComas, McConkey, Miller, Stull, and Weir	House: Environmental Matters	HB	971	Real Property – Condemnation Proceedings – Compensation for Business Owners - Requiring specified governmental units to make specified written findings before condemning and transferring private property to a private party for economic development purposes; establishing that damages awarded for the taking of property used for a business or farm operation shall include damages for the loss of net operating income for a specified period of time; adding specified payments to relocation costs; and requiring the Governor's Office of Business Advocacy and Small Business Assistance to assist business condemnees.	Feb 9th First Reading Environmental Matters, Scheduled for Hearing Feb 21st; March 22nd Unfavorable Report out of Committee	Unfavorable
Real Property	Planning & Land Use	Delegates Sophocleus, Kach, Bohanan, Boschert, Bromwell, Cadden, Conway, Elmore, Gilleland, Levy, Love, McConkey, and Smigiel	House: Environmental Matters	HB	1137	Real Property – Condemnation – Procedures and Compensation - Requiring a specified government unit to make specified findings in writing before condemning and transferring private property to a private party for economic development purposes; establishing a specified standard for judicial review of a government unit's findings; establishing that damages awarded for the taking of property used for a business or farm operation may include specified damages for the loss of "goodwill" under specified circumstances; etc.	Feb 10th First Reading Environmental Matters; Feb 15th Scheduled Hearing for Feb 21st; March 22 Unfavorable Report by Committee	Unfavorable

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Local Govt	Planning & Land Use	Delegates McIntosh, Bobo, Bronrott, Cane, V. Clagett, Frush, and Glassman	House: Environmental Matters	HB	1141	<p>Land Use - Comprehensive Plans - Plan Elements - Requiring a planning commission of a county or municipal corporation to include a water resources plan element when developing a comprehensive plan; requiring the water resources plan element and mineral resources plan element to be reviewed and approved by the Department of the Environment and the Department of Natural Resources; requiring a sensitive areas plan element of a comprehensive plan to be reviewed and approved by them; and including wetlands in the description of sensitive areas.</p>	<p>House Action – Feb 10th 1st Reading Envir.Matters; Feb 15th Scheduled Hearing for March 2nd; March 25th Favorable w/Amendments Report by Committee; March 22nd Favorable with Amendments Special Order for March 27th (Delegate McIntosh) Adopted; March 24th Favorable w/Amendments Committee Amendment Withdrawn, Substitute Committee Amendment (Delegate McIntosh) Adopted, 2nd Reading Passed with Amendments; March 27th 3rd Reading Passed (138-1); April 8th House Concur - Senate Amendments, 3rd Reading Passed (135-1), Passed Enrolled. Senate Action – March 27th 1st Reading Senate Rules; March 31st, Re-referred Ed Health and Envir Affairs; April 4th Scheduled Hearing for April 6th; April 10th Favorable w/Amendments Report from Comm; April 6th Favorable with Amendments Report Adopted, 2nd Reading Passed with Amendments, Motion two readings same day Const/Rule 24 (Senator Hollinger) Adopted, 3rd Reading Passed w/ Amendments (45-0) ; May 2nd Signed by the Governor Chapter 381</p>	To Governor
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Real Property	Planning & Land Use	Delegates Holmes, Rosenberg, and Pugh	House: Environmental Matters	HB	1203	Real Property – Condemnation – Procedures and Compensation - Requiring a specified government unit to make specified findings in writing before condemning and transferring private property to a private party for economic development purposes; establishing a specified standard of judicial review of a government unit's findings; establishing that damages awarded for the taking of property used for a business or farm operation may include specified damages for the loss of "goodwill" under specified circumstances; etc.	House Action: Feb 10th First Reading Environmental Matters; Feb 15th Scheduled for Hearing Feb 21st; March 23rd Favorable with Amendments out of Committee; March 21st Favorable with Amendments Special Order next session (Delegate McIntosh) Adopted; March 22nd Recommit to Committee Environmental Matters (Delegate McIntosh)	Next Session
Counties	Planning & Land Use	Senators Hollinger, Pipkin, Astle, Conway, Dyson, Harris, and Middleton	Education Health and Environmental Affairs	HB	1239	Annexation Planning and Procedures Act of 2006 - Authorizing a county and a municipal corporation to enter into a joint planning agreement under specified circumstances; providing for the process by which a county and a municipal corporation may enter into a joint planning agreement; providing for the contents of a joint planning agreement; requiring a county and a municipal corporation to each designate representatives that are authorized and competent to discuss issues with regard to a joint planning agreement; etc.	House Action – Feb 10th 1st Reading Environmental Matters; Feb 15th Scheduled Hearing for March 2nd. Senate Action - No action to report	No Action
Local Govt	Planning & Land Use		House: Environmental Matters	HB	1268	Land Use - Transfer of Development Rights - Restriction - Prohibiting the transfer of development rights to specified zoning districts; etc	House Action: Feb 10th First Reading Environmental Matters; Feb 15th Scheduled Hearing for March 9th; March 24th Unfavorable Report out of Committee: - Senate Action: No action to report	Unfavorable

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Local Govt	Planning & Land Use	Delegates Bozman, Healey, Barkley, Conroy, Conway, D. Davis, Donoghue, Eckardt, Elliott, Elmore, Gaines, Gordon, Haddaway, Hixson, Hubbard, Jones, King, Lawton, McComas, McHale, Menes, Moe, Montgomery, Ross, Rudolph, Shank, Sossi, and Weldon	House: Environmental Matters	HB	1640	Maryland Growth Management Act of 2006 - Requiring specified planning commissions to include growth boundaries as part of a specified comprehensive plan; authorizing a county and a municipal corporation to enter in a specified joint planning agreement for specified purposes; providing for the contents of a joint planning agreement; providing that a joint planning agreement shall become effective on the enactment of specified ordinances by the county and municipal corporation; etc.	House Action: March 1st First Reading House Rules and Exec Nominations; March 6th Re-referred to Environmental Matters; March 8th Scheduled Hearing for March 20th; Senate Action: No action to report	No Action
Local Govt	Planning & Land Use	Delegate Mayer	House: Environmental Matters	HB	1683	Local Government - Adequate Public Facilities Legislation - Requirements for Ordinance Adopted by a Municipal Corporation - Providing that until a municipal corporation adopts, implements, and enforces specified adequate public facilities legislation, the municipal corporation shall be governed by specified county adequacy of public facilities legislation; and requiring an adequacy of public facilities ordinance adopted by a municipal corporation to make provision for impact of growth and development on specified matters in the county.	House Action: March 3rd First Reading House Rules and Exec Nominations; March 9th Re-referred Environmental Matters; March 16th Scheduled Hearing for March 21st; March 25th Unfavorable Report out of Committee; Senate Action: No action to report	Unfavorable
Real Property	Planning & Land Use	Sen. John C. Astle Dist. 30	Senate: Judicial Proceedings	SB	9	Eminent Domain - Public Use - Establishing that private property may not be acquired by condemnation unless it is necessary for public use; defining "public use" to mean the possession, occupation, and enjoyment of land by the general public or a governmental entity, the use of the land for a public service company, or the acquisition of land to cure a concrete harmful effect of its current use; and excluding the public benefits of its current use; and excluding in the definition of "public use" the public benefits of economic development.	Scheduled for Hearing February 23rd	No Action

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Environment	Planning & Land Use	Senators Garagiola, Brochin, Forehand, Giannetti, Green, Grosfeld, Hollinger, Kelley, Kramer, McFadden, Ruben, and Teitelbaum	Senate: Education Health and Environmental Affairs	SB	268	Mandatory Participation in the Regional Greenhouse Gas Initiative - Requires the Governor to include Maryland in the Regional Greenhouse Gas Initiative ("RGGI") as soon as internal procedures exist for the addition of new member states, and if he does not do so by September 30, 2006, then he must report to the General Assembly by October 7, 2006, as to why negotiations to include Maryland in RGGI have not been successful and report on how Maryland will achieve the same basic goal, ie., decrease carbon dioxide emissions from power plants in Maryland by 10% below current levels by 2018. The effective date of this Bill is June 1, 2006.	Senate Action: Jan 25th First Reading Education Health and Environmental Affairs; Feb 1st Scheduled Hearing for Feb 14th; March 13th Unfavorable Report out of Committee	Unfavorable
Counties	Planning & Land Use	Senators Hollinger, Pipkin, Astle, Conway, Dyson, Harris, and Middleton	Education Health and Environmental Affairs	SB	536	Land Use - Local Government Planning - Requiring a planning commission in a county or municipal corporation to include specified plan elements when developing a comprehensive plan; providing for a specified process when developing a specified plan element; requiring specified plan elements to be reviewed by the Department of the Environment and the Department of Natural Resources; etc.	Senate Action – Feb 3rd 1st Reading Ed Health and Environmental Affairs; Feb 8th Scheduled Hearing for March 1st; April 10th Favorable w/Amendments Report from Comm; April 6th Favorable w/Amendments Report Adopted Floor Amendment (Senator Colburn) Adopted 2nd Reading Passed with Amendments; April 7th 3rd Reading Passed (43-0); House Action – No action to report	No Action
Operating Budget	Planning & Land Use	Senators Lawlah, Kelley, McFadden, Middleton, Munson, and Ruben	Senate: Budget and Taxation	SB	639	State Reserve Fund - Federal Fund Replacement Account - Creation - Establishing the Federal Fund Replacement Account; specifying that the purpose of the Account is to replace federal funds that were anticipated in the State budget but not received; requiring the Governor to include a specified appropriation in the budget bill if the balance in the Account falls below a specified amount; authorizing the Governor to transfer money from the Account to an expenditure account of a specified unit of State government under specified circumstances by specified means; etc.	Feb 3rd First Reading Budget and Taxation; March 1st Scheduled for Hearing March 14th	No Action

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Real Property	Planning & Land Use	Senators Kittleman, Haines, Hooper, Jacobs, and Mooney	Senate: Judicial Proceedings	SB	704	Condemnation - Slum Area and Blighted Area - Definitions - Proposing an amendment to the Maryland Constitution to change the definition of "blighted area" and "slum area" in the law authorizing the condemnation of private property for the purpose of rehabilitating or redeveloping slum or blighted areas; and submitting the amendment to the qualified voters of the State of Maryland for their adoption or rejection.	Feb 3rd First Reading Judicial Proceedings; Feb 8th Scheduled Hearing for Feb 23rd	No Action
State Govt	Planning & Land Use	Senators McFadden and Colburn	Senate: Finance and Budget and Taxation	SB	737	State Lottery - Revenues for Community and Recreation Centers - Requiring the Comptroller to distribute specified lottery proceeds to counties for community and recreation centers for specified purposes; specifying a method by which the amount of lottery proceeds is to be distributed to the counties; and specifying that the proceeds distributed under the Act are intended to provide additional revenue for community and recreation centers and may not supplant other revenue distributed to community and recreation centers.	Feb 3rd First Reading Finance & Budget and Taxation; Feb 8th Scheduled for Hearing Feb 23rd	No Action
Counties	Planning & Land Use	Senator David R. Brinkley District 4	Senate: Education Health and Environmental Affairs	SB	749	Smart Growth - Priority Funding Areas - Rural Counties - Authorizing the governing body of a rural county to designate specified areas within the county as priority funding areas if the areas meet specified criteria; and defining "rural county".	Feb 3rd First Reading Education Health and Environmental Affairs; Feb 8th Scheduled for Hearing March 7th	No Action

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

atural Resources	Planning & Land Use	Senators Dyson, Conway, Garagiola, Hollinger, Hooper, and Munson	Senate: Education Health and Environmental Affairs	SB	844	Protected Lands - Local Land Use Applications - County Authority - Authorizing a county or municipal corporation to deny applications for local land use, under specified circumstances, when the land is protected under land conservation programs within the Department of Natural Resources.	Senate Action - Feb 8th First Reading Senate Rules; Feb 16th Re-referred Education Health and Environmental Affairs; Feb 22nd Scheduled for Hearing on March 14th; March 20th Favorable with Amendments Report out of Committee; March 21st Favorable with Amendments Report Adopted, Second Reading Passed with Amendments; March 23rd Third Reading Passed (47-0); House Action – March 21st First Reading Environmental Matters; March 27th Scheduled Hearing for April 5th; April 7th Favorable Report from Comm; April 3rd Favorable Report Adopted, Special Order next session (Delegate O'Donnell) Adopted; April 4th 2nd Reading Passed; April 6th 3rd Reading Passed (138-0)	Passed
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**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Taxes - Sales and Use	Planning & Land Use	Senators Kramer, Brinkley, and Colburn	Senate: Budget and Taxation	SB	850	<p>Transportation Funding - Mass Transit - Funding - Altering the distribution of sales and use tax revenue; creating a Mass Transit Account within the Transportation Trust Fund; providing for the distribution of specified sales and use tax revenue to the Account; limiting the use of the Account to funding specified transit capital and operating expenses; stating the intent of the General Assembly; etc.</p>	<p>Senate Action – Feb 8th 1st Reading Senate Rules; Feb 16th Re-referred Budget and Taxation; March 8th Scheduled Hearing for March 21st; April 6th Favorable w/Amendments Report from Budget and Taxation; April 3rd Favorable w/Amendments Report Adopted, Floor Amendment (Senator Garagiola), Special Order later today (Senator Forehand) Adopted, Floor Amendment (Senator Garagiola) Withdrawn, Floor Amendment (Senator Garagiola) Adopted, Second Reading Passed w/Amendments; April 4th 3rd Reading Passed (47-0); April 8th Returned Passed; House Action – April 3rd 1st Reading Ways and Means; April 10th Favorable Report from Ways and Means; April 5th Favorable Report Adopted, Second Reading Passed; April 8th 3rd Reading Passed (136-0)</p>	Passed
Taxes - Misc	Planning & Land Use	Senator Jennie M. Forehand District 17	Senate: Budget and Taxation	SB	854	<p>Municipal Corporations - Building Excise Tax - Authorizing municipal corporations to impose, by ordinance or resolution, a building excise tax on all types of building construction within a municipal corporation; requiring a municipal corporation to specify in the ordinance or resolution the types of building construction subject to tax, the criteria and formulas used to assess the tax, and the tax rates; authorizing a municipal corporation to impose different rates of the building excise tax on different types of building construction subject to the tax; etc.</p>	<p>Senate Action – Feb 8th 1st Reading Senate Rules; Feb 16th Re-referred Budget and Taxation; March 1st Scheduled Hearing for March 14th ; House Action – No action to report</p>	No Action

**Metropolitan Development Policy Committee 2006 State (MD) Legislative/Policy Tracking
Planning & Land Use**

Utility Regulation	Planning & Land Use	Senators Stone, DeGrange, Della, Dyson, Hughes, Jimeno, and McFadden	Senate: Finance	SB	997	Liquefied Natural Gas Facilities - Approval for Construction or Operation - Prohibiting the construction or operation of a liquefied natural gas facility without the approval of the Public Service Commission; and prohibiting the Commission from granting any regulatory approval for the construction or operation of a liquefied natural gas facility that is located within 2 miles of a residence.	Senate Action – Feb 28th 1st Reading Senate Rules; March 3rd Re-referred Finance; March 8th Scheduled Hearing for March 22nd; April 3rd Unfavorable Report by Finance; House Action - No action to report	Unfavorable
Local Govt	Planning & Land Use	Senators Pinsky, Britt, Colburn, Currie, Exum, Forehand, Giannetti, Green, and Jacobs	Senate: Education Health & Environmental Affairs	SB	1013	Maryland Growth Management Act of 2006 - Requiring specified planning commissions to include growth boundaries as part of a specified comprehensive plan; authorizing a county and a municipal corporation to enter in a specified joint planning agreement for specified purposes; providing for the contents of a joint planning agreement; providing that a joint planning agreement shall become effective on the enactment of specified ordinances by the county and municipal corporation; etc.	March 2nd First Reading Senate Rules; March 8th Re-referred Education Health and Environmental Affairs, Scheduled Hearing for March 16th	Ongoing

Virginia Legislation (VA) Legislative Summary

(40) pieces of legislation were tracked in the VA legislatures as follows:

Issue Area	No.	Passed	Failed/ Wdrawn	No Action\ On-going	Continued to 07
Housing & Planning /Community Development	7	3		3	1
Planning & Land Use / Economic Development	33	11	3	12	4
Transportation & Development *	NA				
Environment & Development *	NA				
Total Pieces of Legislation	40	<p><u>NOTE:</u></p> <p><i>1. NA - indicates that specific legislation for referenced issue area was not tracked except in instances where both merge to maximize overall community development benefits.</i></p> <p><i>2. * For broader legislation in this area please see TPB & Environmental Programs.</i></p>			

PASSED LEGISLATION

(Housing & Planning):

- (1) SB 46 Local rehabilitation zones (p.37)
- (2) SB 184 Housing programs; creating and implementing for ex-offenders (p.38)
- (3) SB 358 Real estate tax; exemption in redevelopment or conservation areas (p.42)

PASSED LEGISLATION

(Planning & Land Use):

- (1) HB 147 Service districts; localities may contribute from general fund for certain government services (p.44)
- (2) HB 206 Road construction (p.45)
- (3) HB 686 Subdivision ordinances; provisions to allow locality to construct sidewalk (p. 46)
- (4) HB 1372 Land use; disclosure requirements in proceedings (p.49)

- (5) HB 1513 Transportation planning; coordination of state and local (p.50)

- (6) HB 1521 Comprehensive plans; road improvements (p.51)

- (7) SB 273 Affordable Dwelling Unit ordinance; Arlington County permitting certain densities in comp plan (p.56)

- (8) SB 373 Development rights; localities provide for transfer thereof from parcel located in locality (p.58)

- (9) SB 430 Condominium Act; authorizing condominium association to be applicants in land use matters (p.60)

- (10) SB 699 Transportation planning; coordination of state and local (p.63)

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Housing & Planning**

VA Subject Index	COG ISSUE AREA	Source	Committee	Type	No.	Purpose	Status	Report
Counties, Cities & Towns	Housing & Planning	Del. Joe T. May (R) - HD 33, (pre-filed Jan 10 th) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	817	Affordable housing; dwelling unit program applicable in Town of Leesburg - Adds the Town of Leesburg to existing provisions that allow certain localities to provide for an affordable housing dwelling unit program. The program shall address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of moderately priced housing by providing for optional increases in density in order to reduce land costs for such moderately priced housing.	Feb 15th, Left in Counties, Cities and Towns	No Action
Committee on General Laws & Tech	Housing & Planning	Sen Mamie Locke (D) - SD 2	Committee on General Laws & Tech	SB	46	Local rehabilitation zones - Authorizes localities to designate housing rehabilitation zones for the establishment of incentives to rehabilitate housing stock in the zone and to perform general improvement of the neighborhood. Incentives include reduced user fees, special tax incentives, special zoning, expedited permitting, and the waiver of tax liens under certain circumstances. In addition, the locality is authorized to establish a special service district to expand or improve the public infrastructure in the zone.	Dec 28, 2005 Prefiled and ordered printed; offered 01/11/06 065265140, Referred to Committee on General Laws & Tech; Jan 18th Reported from Comm (14-Y/0-N); Jan 23rd Read second time, Reading of amendments waived, Comm amendments agreed to, Engrossed by Senate as amended SB46E, Printed as engrossed 065265140-E; Jan 24th Read third time and passed Senate (39-Y 0-N), Communicated to House; Jan 26th Placed on House Calendar; Read first time, Referred to Comm on General Laws; Feb 16th Assigned GL sub #1Housing (Suit); Feb 28th Reported from GL (22-Y/0-N); March 1st Read second time; March 3rd Read third time; March 2nd Passed House BLOCK VOTE (100-Y/0-N); March 9th Bill text as passed Senate and House (SB46ER), Enrolled, Signed by Senate President; March 10th Signed by Speaker; April 5th Approved by Governor-(eff 7/1/06)	Passed

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Housing & Planning**

Committee on General Laws & Tech	Housing & Planning	Sen Linda T. Puller (D) - SD 36	Committee on General Laws & Tech	SB	184	<p>Housing programs; creating and implementing for ex-offenders - Housing programs for ex-offenders. Directs the Director of the Department of Housing and Community Development to develop a strategy, in consultation with the Virginia Housing Development Authority, for the creation and implementation of housing programs and community development for the purpose of meeting the housing needs of persons who have been released from federal, state, and local correctional facilities into communities. This bill is a recommendation of the Joint Subcommittee Studying the Commonwealth's Program for Prisoner Reentry to Society (2005).</p>	<p>Jan 10th Prefiled and ordered printed; offered 01/11/06 063703796; Referred to Committee on General Laws & Tech; Jan 18th Reported from Committee (14-Y/0-N); Jan 23rd Read second time and engrossed, Jan 24th Read third time and passed Senate (39-Y 0-N), Communicated to House; Jan 26th Placed on House Calendar, Read first time, Referred to Committee on General Laws; Feb 16th Assigned GL sub #1 (Suit); Feb 28th Reported from General Laws (22-Y/0-N); March 1st Read second time; March 2nd Read third time, Passed House (84-Y 14-N 1-A); March 9th Bill text as passed Senate and House (SB184ER), Enrolled, Signed by Senate President; March 10th Signed by Speaker of the House; April 5th Approved by Governor-Chapter 721 (effective 7/1/06)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Housing & Planning**

Committee on General Laws & Tech	Housing & Planning	Sen Mary Margaret Whipple (D) - SD 31	Committee on General Laws & Tech	SB	277	<p>Housing Partnership Trust Fund; name change, deposit of recordation tax revenues into Fund - Virginia Housing Partnership Trust Fund; dedicating recordation tax revenues. Changes the name of the Virginia Housing Partnership Trust Fund to the Virginia Housing Trust Fund. The bill provides for \$0.02 of the recordation tax to be transferred to the Fund. The bill also provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund. Under the bill, the Department of Housing and Community Development is required to establish criteria for the allocation of the matching funds to eligible localities and to annually report on the allocation of matching funds. In addition, the bill authorizes grants to be made from the Fund to support innovative housing projects and low and moderate income housing projects that are located in areas experiencing extreme shortages of such housing.</p>	Jan 10th Prefiled and ordered printed; offered 01/11/06 065321140, Referred to Committee on General Laws & Tech; Feb 1st Reported from Committee w/amendment (14-Y/0-N), Re-referred to Finance; Feb 8th Continued to 2007 in Finance (15-Y/0-N)	Continued to 2007
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Housing & Planning**

Committee on Finance	Housing & Planning	Sen Mary Margaret Whipple (D) - SD 31	Committee on Finance	SB	279	<p>Community Housing Tax Credit; replaces current low-income housing tax credit - Community Housing Tax Credit. Establishes a tax credit that would replace the current low-income housing tax credit. Any developer or investor who builds or substantially rehabilitates a multifamily housing project that qualifies for the federal low-income housing tax credit would be eligible for a tax credit equal to 50% of the cost to acquire the land for the multifamily housing project. However, the credit would not exceed an amount equal to \$5,000 multiplied by the number of low-income housing units placed in service as a result of the project. The developer or investor would not be able to claim more than \$500,000 in tax credit in any taxable year. The credit would have a five-year carryover period. Any unused credit could be transferred to another taxpayer for use on a Virginia income tax return. The Board of Housing and Community Development would be required to promulgate guidelines for the credit.</p>	Jan 10th Prefiled and ordered printed; offered 01/11/06 069160140, Referred to Committee on Finance; Feb 8th Left in Finance (15-Y.0-N)	No Action
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Housing & Planning**

Committee on General Laws & Tech	Housing & Planning	Sen Ken T. Cuccinelli, II (R) - SD 37	Committee on Courts of Justice	SB	294	<p>Housing authorities; powers of regional and consolidated - Powers of regional and consolidated housing authorities. Prohibits any regional housing authority or consolidated housing authority from acquiring property through the exercise of the power of eminent domain. This bill, which amends the article relating to regional housing authorities, applies to consolidated housing authorities because the provisions of the chapter applicable to regional housing authorities are applicable, by statutory reference, to consolidated housing authorities. Currently, regional housing authorities and consolidated housing authorities enjoy the same power of eminent domain that is statutorily afforded to housing authorities created for cities and counties.</p>	<p>Jan 10th Prefiled and ordered printed; offered 01/11/06 067508720, Re-referred to Committee on General Laws & Tech; Jan 18th Re-referred from Committee to Local Govt (14-Y/0-N); Jan 24th Re-referred from Committee to Courts of Justice; jan 25th Assigned to Courts sub #1; Feb 13th Passed by in Courts of Justice w/letter w/substitute (15-Y/0-N), Letter sent to VA. Housing Commission, Committee substitute printed 065349720-S1</p>	No Action
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Housing & Planning**

Committee on Finance	Housing & Planning	Sen John S. Edwards (D) - SD 21	Committee on Finance	SB	358	<p>Real estate tax; exemption in redevelopment or conservation areas, etc - Real property tax exemption in redevelopment or conservation areas or rehabilitation districts. Authorizes local governing bodies to provide for the partial exemption from taxation of (i) new structures located in redevelopment or conservation areas or rehabilitation districts and (ii) other improvements to real estate located in redevelopment or conservation areas or rehabilitation districts. The partial exemption would be a percentage of the increase in assessed value as a result of the new structure or improvement or an amount not to exceed 50 percent of the construction cost of such structure or improvement. The local governing body would be allowed to establish criteria for qualifying real estate including, but not limited to, the square footage for new structures. The bill is contingent on a constitutional amendment authorizing the exemption.</p>	<p>Jan 11th Prefiled and ordered printed; offered 01/11/06 063220728, Referred to Committee on Finance; Feb 7th Reported from Finance w/amendment (14-Y/0-N); Feb 8th Vote (40-Y/0-N); Feb 9th Read second time, Reading of amendment waived, Committee amendment agreed to, Engrossed by Senate as amended SB358E, Printed as engrossed 063220728-E; Feb 10th Read third time and passed Senate (40-Y 0-N), Communicated to House; Feb 14th Placed on House Calendar, Read first time, Referred to Committee on Finance; feb 27th Reported from Finance w/amendments (22-Y/0-N), Read second time; March 1st Read third time, Committee amendments agreed to, Engrossed by House as amended, Passed House with amendments BLOCK VOTE (99-Y 0-N); March 3rd House amendments agreed to by Senate (39-Y 0-N); March 11th Bill text as passed Senate and House (SB358ER), Enrolled by Senate; Signed by Speaker of the House; March 13th Signed by Senate President; April 5th Approved by Governor-Chapter 572 (effective 7/1/06)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

VA Subject Index	COG ISSUE AREA	Source	Committee	Type	No.	Purpose	Status	Report
Counties, Cities & Towns	Planning & Land Use	Del. Terrie L. Suit (R) HD 81 (pre-filed Dec 19, 2005) Offered Jan 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	93	Subdivision and zoning ordinances; environmental site assessments - Clarifies the authority of local governing bodies to adopt ordinances to require environmental site assessments. Additional provisions allow localities to require disclosure and remediation of the contamination prior to approval of subdivision and development plans.	Cmt Substitute Jan. 20th - Out of Cmt (Passed by House, Reported to Senate - Jan. 25th Ref to Senate Cmt on Local Govt) Out Feb 21st w/Cmt Substitute, Passed Feb 24. To House Feb 27th, Adopted by House Feb 28th.	To Governor
Counties, Cities & Towns	Planning & Land Use	Del. Terrie L. Suit (R) HD 81 (pre-filed Dec 19, 2005) Offered Jan 11, 2006	Referred to Committee on Counties, Cities and Towns; Referred to Committees for Courts of Justice	HB	94	Eminent domain; definition of public uses - Provides a definition of public uses as embracing only the ownership, possession, occupation, and enjoyment of land by the public or public agencies, and public corporations and public service companies. This bill incorporates HB 408 and HB 515	From Courts of Justice wSubstitute Feb 10th - Out of Cmt (Passed by House, Reported to Senate - Feb 14th Ref to Senate Cmt Courts of Justice) Assigned to Senate Cmt Courts of Justice/SubCmt 1.	Failed
Counties, Cities & Towns	Planning & Land Use	Del. Mark L. Cole (R) HD 88 (pre-filed Dec 28, 2005) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	141	Impact fees for transportation - Adds Fauquier and Spotsylvania Counties to those localities authorized to impose impact fees for transportation. Also, an outdated provision is deleted.	Feb 1st - Out of Cmt (Passed by House, Reported to Senate – Feb 2nd, Ref to Senate Cmt on Local Govt) Out Feb 21st, March 2nd Passed Senate w/Amend. To House March 3rd, Senate Amend. Agreed to by House March 6th and Vote Adoption by House (93-Y/5-N); March 15th Bill text as passed House and Senate (HB141ER), Enrolled, Signed by Speaker of the House, Signed by Senate President; April 11th Governor's recommendation received by House	Ongoing

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Mark L. Cole (R) HD 88 (pre-filed Dec 28, 2005) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	142	Zoning ordinances; certain residential facilities w/incapacitated persons single family dwellings - Authorizes local governments to adopt zoning ordinances considering a residential facility in which no more than six mentally ill, mentally retarded, or developmentally disabled persons reside, with one or more resident counselors or other staff persons, as residential occupancy by a single family. Any group home licensed prior to July 1, 2006, for occupancies of greater than six will be authorized to continue to operate pursuant to the zoning ordinance in effect at the time of its establishment.	Jan 27, 2006, Passed by indefinitely in Counties, Cities and Towns	No Action
Counties, Cities & Towns	Planning & Land Use	Del. Mark L. Cole (R) HD 88 (pre-filed Dec 28, 2005) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	147	Service districts; localities may contribute from general fund for certain government services - Provides that a locality creating a service district may contribute, from its general fund, an appropriate amount of funds to pay for certain authorized governmental services. The bill also allows a governing body creating a service district to accept the allocation, contribution, or reimbursement of funds from any locality for the costs, expenses, and charges incident to the acquisition, construction, reconstruction, maintenance, alteration, improvement, expansion, and the operation or maintenance of any facilities and services in the district. Currently, the nonexhaustive list of available sources from which such governing body may accept the allocation, contribution, or reimbursement of funds extends only to persons, authorities, transportation districts, and state and federal agencies. This bill incorporates HB 149	Cmt Substitute Jan. 23rd - Out of Cmt (Passed by House, Reported to Senate - Jan. 25th Ref to Senate Cmt on Local Govt) Out Feb 7th, Passed Feb 13 th . Feb 15 th Enrolled as passed HB 147ER (Signed by H-Spkr, S-Pres) Feb 23 rd Approved by Gov (Chptr 10) effective July 1. 2006.	Passed

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Mark L. Cole (R) HD 88 (pre-filed Dec 28, 2005) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	149	Service districts; change in sources of revenue for localities - Allows a governing body or bodies creating a service district to accept the allocation, contribution, or funds of, or to reimburse from, any locality for the costs, expenses, and charges incident to the acquisition, construction, reconstruction, maintenance, alteration, improvement, expansion, and the operation or maintenance of any facilities and services in the district. Currently, the nonexhaustive list of available sources from which such governing body or bodies may accept the allocation, contribution, or funds of, or reimbursements from, extends only to persons, authorities, transportation districts, and state and federal agencies. Incorporated into HB 147.	Jan 20th, Incorporated in Counties, Cities and Towns (HB147-Cole)	Incorporated
Counties, Cities & Towns	Planning & Land Use	Delegate M. Kirkland Cox (R) - HD 66, (pre-filed Jan 3rd) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	206	Road construction - Expands the powers of service districts to include the accumulation and setting aside of annual tax revenue collected for road construction for such reasonable period of time as is necessary to finance such construction.	Amended Jan 24th; Engrossed by House. Jan 25th (063653284-E). Passed by House, Reported to Senate - Jan. 25th Ref to Senate Cmt on Local Govt Jan 26th) Out Feb 21st, Passed Feb 24th. Feb 28th Enrolled by House; March 1, 2006, Bill text as passed House and Senate (HB206ER), Signed by Speaker of the House; March 2nd Signed by Senate President; March 31st Approved by Governor-Chapter 394 (effective 7/1/06)	Passed

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

	Planning & Land Use		Referred to Committee on Counties, Cities and Towns	HB	686	Subdivision ordinances; provisions to allow locality to construct sidewalk - Allows localities to include in their subdivision ordinances provisions requiring the dedication for public use of a right-of-way for, and the construction of, a sidewalk on certain lots that are adjacent to an existing sidewalk.	Jan 10th Referred to Counties, Cities and Towns w/amendment (21-Y/1-N); Feb 6th Read 1st time; Feb 7th Read 2nd time, Committee amendment agreed, Engrossed by House as amended (HB686E), Printed as engrossed (065444248-E); Feb 8th Read third time and passed House (93-Y 4-N), Communicated to Senate; Feb 9th Referred to Committee on Local Governments; Feb 21st Reported from Local Govt (13-Y/0-N); Feb 23rd Senate Vote (40-Y/0-N); Feb 24th Read 3rd time, Passed Senate; Feb 28th enrolled in House; march 1st Bill text as passed House and Senate (HB686ER), Signed by Speaker of the House; March 2nd Signed by Senate President; March 31st Approved by Governor-Chapter 421 (effective 7/1/06)	Passed
Counties, Cities & Towns	Planning & Land Use	Del. Joe T. May (R) - HD 33, (pre-filed Jan 10 th) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	820	Public facilities impact fees; applicable in all localities - Expands the existing road impact fee provisions to include school improvements and extends the applicability of such provisions from Northern Virginia localities to all localities. "Impact fee" is defined as a charge or assessment imposed against new development in order to generate revenue to fund or recover the costs of public facilities necessitated by and attributable to the new development. The value of any dedication, contribution or construction from the developer for off-site road improvements and school facility improvements within the service area shall be treated as a credit against the impact fee. Also, an obsolete sunset clause is deleted.	Jan 10 th Referred to Cmte for Courts of Justice; Jan 18 th Referred from Cmte for Courts of Justice back to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns.	No Action

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Franklin P. Hall (D) - HD 69, (Prefiled Jan 11 th) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	1070	Transportation district - Provides that the governing bodies comprising the transportation district may agree to impose a local tax to be used exclusively by the district in order to accomplish its purposes. Prior to becoming effective, the tax shall be approved by two successive governing bodies of each locality, with an intervening election occurring between the votes of the governing bodies. The tax need not be approved by voter referendum.	Jan 11 th Referred to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns	No Action
Counties, Cities & Towns	Planning & Land Use	Del. Robert G. Marshall (R) - HD 13, (pre-filed Jan 11 th) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	1193	Chesapeake Bay Preservation - Grants impact fee authority to localities with designated Chesapeake Bay Preservation areas. The authority includes impact fees for roads, schools and public safety. "Impact fee" is defined as a charge or assessment imposed against new development in order to generate revenue to fund or recover the costs of public facilities necessitated by and attributable to the new development. The value of any dedication, contribution, or construction from the developer for off-site road improvements, public safety facility improvements, and school facility improvements within the service area shall be treated as a credit against the impact fee.	Jan 11 th Referred to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns	No Action

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

	<p align="center">Planning & Land Use</p>	<p>Del. Robert G. Marshall (R) - HD 13, (pre-filed Jan 11th) Offered January 11, 2006</p>	<p>Referred to Committee on Counties, Cities and Towns</p>	<p align="center">HB</p>	<p align="center">1195</p>	<p>Transportation Plan; inadequacy of local or regional system - Requires the Transportation Board to establish and apply an impact fee in any locality or region where pursuant to a comprehensive review, determines that transportation needs are not being adequately met. Collect a fee from the builder of each new residential or commercial unit constructed in the locality or region until it determines that the transportation needs in the locality or region are being adequately met and are likely to remain so for at least the next five years. Fee based on standards and criteria established by the Board, including but not limited to (i) average levels of traffic congestion and vehicle miles traveled by residents in such locality or region, (ii) the pro-rata impact of each residential/commercial unit on existing transportation network, (iii) the pro-rata impact of each additional residential/commercial unit on the costs of improving, expanding or developing new transportation systems to adequately meet the needs of such new development. The Board shall allocate all fees collected under these provisions to a special account within the Transportation Trust Fund on behalf of the locality or localities subject to the fee requirement. The Board shall make disbursements from such account for the improvement, maintenance or expansion of the transportation system in such locality or region. Upon a determination by the Board that the local or regional transportation system is adequate and is likely to remain adequate for at least the next five years, the Board shall release to the locality or localities all funds that may remain in the Transportation Trust Fund on their behalf.</p>	<p>Jan 11th Referred to Cmte on Counties, Cities and Towns; Feb 15th Left in Cmte on Counties, Cities and Towns.</p>	<p align="center">No Action</p>
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Dwight Clinton Jones (D) - HD 70, (pre-filed Jan 11 th) Offered January 11, 2006	Referred to Committee on Counties, Cities and Towns	HB	1225	Comprehensive plan - Requires localities to incorporate specified smart growth policies into their comprehensive plans. State funding is tied to such policies.	Jan 11 th Referred to Cmte on Counties, Cities and Towns; Feb 10 th Continued to 2007 in Cmte on Counties, Cities and Towns	Continued to 2007
Counties, Cities & Towns	Planning & Land Use	Del. Robert D. Hull (D) - HD 38	Referred to Committee on Counties, Cities and Towns	HB	1372	Land use; disclosure requirements in proceedings - Provides an exception to the disclosure requirements in land use proceedings where the board of supervisors is the applicant and the application property involves more than 10 parcels under different ownership. The bill also clarifies that with respect to amendments of a zoning ordinance, the disclosure requirements apply only to zoning map amendments.	Jan 11th Prefiled and ordered printed; offered 01/11/06 064407260, Referred to Committees on Counties, Cities and Towns; Feb 6th Read 1st time; Feb 7th Read 2nd time and engrossed; Feb 8th Read 3rd time and passed House BLOCK VOTE (97-Y 0-N), Communicated to Senate; Feb 9th Referred to Committee on Local Govt; Feb 28th reported from Local Govt (15-Y/0-N); march 2nd Senate Vote (39-Y/-N) March 3rd Passed Senate; March 11th Bill text as passed House and Senate (HB1372ER), enrolled in House, Signed by Speaker of the House; March 13th Signed by Senate President; March 30th Approved by Governor-Chapter 287 (effective 7/1/06)	Passed
Counties, Cities & Towns	Planning & Land Use	Del. A. Donald McEachin (D) - HD 74, Offered January 19, 2006	Referred to Committee on Counties, Cities and Towns	HB	1476	State mandates; funding to localities - Allows a locality upon request to the General Assembly to receive funding for new state mandates when the Consumer Price Index published by the U.S. Department of Commerce is more than the increase in the assessed value of private real estate in the locality.	Jan 19 th Referred to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns	No Action

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Jeffrey M. Frederick (R) - HD 52, Offered January 20, 2006	Referred to Committee on Counties, Cities and Towns	HB	1513	<p>Transportation planning; coordination of state and local - Provides that prior to adoption of any comprehensive plan or amendment the locality shall submit such plan or amendment to the Department of Transportation for review and comment. The Department shall provide written comment on the proposed plan or amendment within 45 days of receipt thereof. Also, upon submission to a locality of an application for rezoning, the locality shall submit such application to the Department of Transportation within five days of receipt thereof. Such application shall include a traffic impact statement if required by the locality by ordinance. Within 30 days of its receipt of such application, the Department shall either (i) provide written comment on the rezoning application, or (ii) schedule a meeting, to be held within 60 days of its receipt of the application, with the local planning commission or other agent and the applicant to discuss potential modifications to the application to address any concerns or deficiencies. Furthermore, upon submission to a locality of a subdivision plat or a site plan or plan of development, the locality shall submit such plat or plan to the Department of Transportation in accordance with § 15.2-2260 within five days of receipt of the plat or plan. The bill also provides that a local comprehensive plan may include the designation of a planned system of new and expanded transportation facilities including, but not limited to, roads and highways and commuter rail lines, where appropriate.</p>	<p>Jan 20th Referred to Cmte on Counties, Cities and Towns (067529348); Feb 10th Reported from Cmte substitute (065502303-H1) agreed on Feb 13th; Engrossed by House (HB1513H1); Feb 14th Passed by House, Reported to Senate; Feb 15th Ref to Senate Cmt on Local Govt; Feb 28th Out from Cmte; March 3rd Passed by Senate; March 11th Bill text as passed House and Senate (HB1513ER), Enrolled by House, Signed by Speaker of the House; March 13th Signed by Senate President; April 4th Approved by Governor-Chapter 563 (effective - see bill)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Robert G. Marshall (R) - HD 13	Referred to Committee on Counties, Cities and Towns	HB	1521	<p>Comprehensive plans; road improvements - Requires that the comprehensive plan shall be general in nature, in that it shall designate the general or approximate location, character, and extent of each road and transportation improvement shown on the plan. The bill also requires that the comprehensive plan include an official map that shall show road and transportation improvements, including the cost of such road and transportation improvements, which are sufficient to meet the current and future needs of residents in the locality while considering the current and future needs of the planning district within which the locality is situated. In addition, the local planning commission shall, in the preparation of a comprehensive plan, survey and study road and transportation improvements and the costs thereof. The local planning commission, in localities where no official map exists or where an existing official map is incomplete, shall make, or cause to be made, a map showing the location of every road and transportation improvement and any cost thereof.</p>	<p>Jan 20th Presented and ordered printed 069838396, Referred to Committee on Counties, Cities and Towns; Feb 10th reported from Committee w/substitute (22-Y/)-N), Feb 11th Committee substitute printed (067550396-H1), Read first time; Feb 13th Read second time, Committee substitute agreed to 067550396-H1, Engrossed by House - committee substitute (HB1521H1); Feb 13th Read third time and passed House BLOCK VOTE (100-Y 0-N); Feb 14th Communicated to Senate; Feb 15th Referred to Committee on Local Govt; Feb 28th Reported from Committee (15-Y/0-N); March 8th Floor substitute printed 065522336-S1 (Puckett), Read third time, Reading of substitute waived, Substitute by Senator Puckett agreed to 065522336-S1, Engrossed by Senate - floor substitute HB1521S1, Passed Senate with substitute (40-Y 0-N); March 9th Placed on House Calendar, Senate substitute agreed to by House (88-Y 10-N); March 15th Bill text as passed House and Senate (HB1521ER), Enrolled, Signed by Speaker of the House; March 16th Signed by Senate President; April 4th Approved by Governor-Chapter 564 (effective 7/1/06)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Jeion A. Ward (D) - HD 92, Offered January 20, 2006	Referred to Committee on Counties, Cities and Towns	HB	1524	Jurisdiction of lands acquired by the United States; reversion to the Commonwealth; conveyance of certain lands by the Governor - Authorizes the Governor to convey the Commonwealth's reversionary interest to a locality should the United States Congress approve a military facility for closure pursuant to the federal Defense Base Closure and Realignment Act of 1990 and (i) all or a portion of the land upon which such facility is located is conveyed to the United States with a provision in the deed that upon abandonment or use for any purpose other than that stated in the deed, such land shall revert to the Commonwealth or (ii) title to any such land otherwise reverts to the Commonwealth pursuant to the provisions of subsection B of § 1-405. The bill also provides that the approval of the Governor is not necessary when the Commonwealth conveys its reversionary interest to a locality.	Jan 20 th Referred to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns	No Action
Counties, Cities & Towns	Planning & Land Use	Delegate Robert D. Hull (D) - HD 38, Offered January 20, 2006	Referred to Committee on Counties, Cities and Towns	HB	1594	Local government; equalizes municipal and county taxing authority - Equalizes municipal and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers if such county contributes 2% or more toward the costs of construction or improvement of the urban system highway or street construction projects within the county.	Jan 20 th Referred to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns	No Action

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Counties, Cities & Towns	Planning & Land Use	Del. Robert G. Marshall (R) - HD 13, Offered January 27, 2006	Referred to Committee on Counties, Cities and Towns	HB	1610	Zoning ordinances; locality may deny or modify request if inadequate road capacity - Allows a locality to deny or modify a request for rezoning when the existing and future transportation network, which will serve the proposed development, is inadequate to handle the anticipated transportation impact of the proposed development.	Jan 27 th Introduced at the request of the Governor (Tim Kaine –D (067535129); Referred to Cmte on Counties, Cities and Towns; Feb 15 th Left in Cmte on Counties, Cities and Towns	No Action
Committee on Finance	Planning & Land Use	Sen. W. Roscoe Reynolds (D) - SD 20	Committee on Finance	SB	59	Commonwealth Transportation Board; bonds for Route 58 Corridor. Authorizes the Commonwealth Transportation Board to issue bonds in an additional amount not to exceed \$299 million to fund certain specified transportation projects in the Route 58 Corridor.	Jan 3rd Prefiled and ordered printed; offered 01/11/06 064141808, Referred to Committee on Finance; Feb 14th Left in Finance (15-Y/0-N)	No Action

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Finance	Planning & Land Use	Sen John C. Watkins (R) - SD 10	Committee on Finance	SB	93	<p>Land Conservation Incentives Act; tax credit - The bill provides an aggregate limit of \$600,000 or 50% of the fair market value in tax credit for each parcel of land donated under the Virginia Land Conservation Incentives Act of 1999, which limit includes any transfer of unused tax credits. Under the bill, the value of any improvement to land shall not be considered for purposes of valuing land donations for tax credit. The fair market of the land must not exceed the highest and best use for which the property is adaptable, and must be supported by market evidence. The bill would restrict tax credit to land or interest in land that (i) meets guidelines of objective criteria established by the Virginia Land Conservation Foundation or (ii) the Secretary of Natural Resources has otherwise determined provides exceptional benefit to the Commonwealth in cases that do not meet the objective criteria. The bill would permit only one transfer of unused tax credits associated with donated property and would prohibit nonprofit organizations from transferring any tax credit, and it would allow as a credit against the estate tax any unused credit held by the decedent of the estate at the time of his death. This bill incorporates SB 403</p>	<p>Jan 6th Prefiled and ordered printed; offered 01/11/06 069156840, Referred to Committee on Finance; Feb 14th Reported from Finance w/substitute (11-Y/2-N/2-A); Feb 15th Committee substitute printed 069225840-S1, Vote (38-Y/0-N) ; Feb 16th Read second time, Committee substitute agreed to 069225840-S1, Engrossed by Senate - committee substitute SB93S1; Feb 17th Read third time and passed Senate (23-Y 14-N 2-A), Communicated to House; Feb 20th Placed on House Calendar, Read first time, Referred to Committee on Finance; Feb 28th Reported from Committee (20-Y/0-N), Committee substitute printed 067383452-H1, Read second time; March 1st Read third time, Committee substitute agreed to 067383452-H1, Engrossed by House - committee substitute SB93H1, Passed House with substitute BLOCK VOTE (99-Y 0-N), House substitute rejected by Senate (6-Y 32-N), House insisted on substitute, House requested conference committee, Senate acceded to request (36-Y 0-N), House Conferees appointed by House (Delegates: Ware, R. L., Cline, Watts), Senate Conferees appointed by Senate (Senators: Watkins, Hanger, Howell); March 11th No further action taken, Failed to pass in Senate</p>	Failed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Local Govts	Planning & Land Use		Referred to Committee on Courts of Justice	SB	131	Condemnation of property; public purpose may include economic development - Eminent domain; economic development. Provides that in any instance in which a substantial purpose of a condemnation is economic development, a locality must demonstrate that the condemnation is related to the redevelopment of an area that is at least two-thirds blighted	Jan 10th Prefiled and ordered printed; offered 01/11/06 066051784, Referred to Committee on Local Govts; Jan 24th Re-referred from Committee (14-Y/0-N), Re-referred to Committee on Courts of Justice; Jan 25th Assigned to Courts sub#1; Feb 13th Incorporated by Courts of Justice (SB394-Stolle) (15-Y/0-N)	Incorporated
Commerce & Labor	Planning & Land Use	Sen Mamie Locke (D) - SD 2	Finance	SB	178	Enterprise zones; real property investment grants - Enterprise zone real property investment grants; mixed-use percentage. Changes from 30% to 20% the amount of floor space in a mixed-use building that must be devoted to commercial, office, or industrial use in an enterprise zone. The provisions of the bill would apply to properties placed in service on or after July 1, 2006.	Jan 10th Prefiled and ordered printed; offered 01/11/06 064371750, Referred to Committee on Commerce & Labor, Jan 16th Re-referred from Commerce & labor to Finance; Feb 7th Continued to 2007 in Finance (14-Y/0-N)	Continued to 2007

**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Local Govts	Planning & Land Use	Sen. Mary Margaret Whipple (D) - SD 31, (pre-filed Jan 10, 2006) Offered January 11, 2006	Referred to Committee on Local Government	SB	273	<p>Affordable Dwelling Unit ordinance; Arlington County permitting certain densities in comp plan - Authorizes Arlington County to provide in its comprehensive plan for the physical development within the County for densities of development ranging between a floor area ratio (FAR) of 1.0 (1.0 FAR) and a floor area ratio of 10.0 (10.0 FAR) or greater in some or all parts of the county. The bill authorizes the County to establish affordable housing contributions from developers as a condition of the governing body's approval of a special exception application for residential, commercial, or mixed-use projects with a density equal to or greater than 1.0 FAR. Under the bill, the provisions of the ordinance would allow the developer to provide on-site Affordable Dwelling Units, off-site Affordable Dwelling Units, or a cash contribution to the County's affordable housing fund in lieu of providing the units.</p>	<p>Jan 10th Referred to Cmte on Local Govt. (065340844); Jan 24th Reported from Cmte substitute (065340844-S1); Jan 27th, agreed (065340844-S1) and Engrossed by Senate (SB273S1); Jan 30th Passed, Reported to House; Feb 14th Ref to House Cmt on Counties, Cities and Towns; Feb 24th Out from Cmte substitute (065517844-H1); Feb 28th agreed and Engrossed by House (SB273H1); Passed House w/substitute; March 2, House substitute agreed to by Senate (38-Y/-N); March 9th Bill text as passed Senate and House (SB273ER), Enrolled, Signed by Senate President; March 10th Signed by Speaker of the House; March 31st Approved by Governor-Chapter 481 (effective 7/1/06)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on General Laws & Tech	Planning & Land Use	Sen. Mary Margaret Whipple (D) - Senate District 31	Committee on General Laws & Tech	SB	275	<p>Green Buildings Act; created, report - Department of General Services; Green Buildings Act. Requires all major facility projects of state agencies and other entities for which the project is funded with state money to be designed, constructed, and certified to meet the LEED silver standard as established by the United States Green Building Council Leadership in Energy and Environment Design. The bill defines "major facility project" as a building construction project with more than 5,000 gross square feet of occupied or conditioned space, or a building renovation project when the cost is greater than 50% of the assessed value and the project with more than 5,000 gross square feet of occupied or conditioned space. Under the bill, a major facility project may not be required to meet the standard if (i) there is no appropriate LEED silver standard for that type of building or renovation project, (ii) there is no practical way to apply the LEED silver standard to a particular building or renovation project, or (iii) the building or renovation project is an electricity transmitter building, a water pumping station, or a hospital.</p>	Jan 10th Prefiled and ordered printed; offered 01/11/06 065674844, Referred to Committee on General Laws & Tech; Feb 8th Continued to 2007 in General Laws & Tech (15-Y/0-N)	Continued to 2007
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Local Govts	Planning & Land Use	Sen. John C. Watkins (R) - SD 10 and R. Edward Houck (D) - SD 17	Referred to Committee on Local Government	SB	373	<p>Development rights; localities provide for transfer thereof from parcel located in locality - Allows localities to provide for the transfer of development rights from a parcel of property located in the locality to another parcel of property located elsewhere in the locality.</p>	<p>Jan 11th Prefiled and ordered printed; offered 01/11/06 061631712, Referred to Committee on Local Government; Jan 24th Reported from Committee w/substitute (14-Y/)-N); Jan 25th Committee substitute printed 065468840-S1, Jan 26th Vote (38-Y/0-N); Jan 27th Read second time, Reading of substitute waived, Committee substitute agreed to 065468840-S1, Engrossed by Senate - committee substitute SB373S1; Jan 30th Read third time and passed Senate (38-Y 0-N), Communicated to House; Feb 14th Placed on Calendar, Read first time, Referred to Committee on Counties, Cities and Towns; March 3rd Reported from Committee (21-Y/1-N), Committee substitute printed 065515840-H1; March 6th Read second time; March 8th Read third time, Committee substitute agreed to 065515840-H1, Engrossed by House - committee substitute SB373H1, Passed House with substitute (94-Y 3-N); March 9th House substitute agreed to by Senate (38-Y 0-N); March 15th Bill text as passed Senate and House (SB373ER), Enrolled, Signed by Speaker of the House; March 16th Signed by Senate President; April 5th Approved by Governor-Chapter 573 (effective 7/1/06)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Courts of Justice	Planning & Land Use	Sen Kenneth W. Stolle (R) - SD 8	Committee on Courts of Justice	SB	394	<p>Eminent domain; public uses shall not include taking of private property through exercise - Provides a definition of public uses and specifies instances in which the condemnation of real property may be used by a public entity to convey such property to a nongovernmental person or entity. This bill incorporates SB 131, SB 336, and SB 631</p>	<p>Jan 11th Prefiled and ordered printed; offered 01/11/06 062826820, Referred to Committee for Courts of Justice; Jan 25th Assigned to Courts sub: #1; Feb 13th Reported from Courts w/substitute (15-Y/0-N), Committee substitute printed 064648820-S1; Feb 14th Motion to recommit to committee agreed to, Recommended to Courts of Justice, Pursuant to Rule 20F Continued to 2007 in Courts of Justice, Motion to reconsider re-committing to Courts of Justice and Continuing to 2007 agreed to (38-Y 0-N), Committee substitute agreed to 064648820-S1, Reading of amendment waived, Amendment by Senator Edwards rejected, Amendment #2 by Senator Cuccinelli withdrawn, Amendment by Senator Stolle agreed to; Amendment #1 by Senator Cuccinelli withdrawn, Engrossed by Senate - committee substitute with amendment SB394ES1, Printed as engrossed 064648820-ES1, Passed Senate (38-Y 0-N), Communicated to House, Feb 15th Placed on Calendar, Referred to Committee for Courts of Justice; Feb 16th Assigned to Courts sub: Civil Law; March 3rd Reported from Courts w/substitute (22-Y/0-N); March 6th Committee substitute printed 062907820-H1; March 8th Committee substitute agreed to 062907820-H1, Engrossed by House - committee substitute SB394H1, Passed House with substitute BLOCK VOTE (97-Y 0-N); March 9th House substitute rejected by Senate (1-Y 37-N), House insisted on substitute, House requested conference committee, Senate acceded to request (31-Y 0-N). Conferees appointed by House (Delegates: Suit, Athey, Joannou), Conferees appointed by Senate (Senators: Stolle, Norment, Cuccinelli); March 11th Conference substitute printed 064680820-S2; Passed by temporarily by Senate, Conference report rejected by House (0-Y 98-N), Reconsideration of conference report agreed to by House, Conference report withdrawn, No further action taken by House, Failed to pass in Senate</p>	Failed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on General Laws	Planning & Land Use	Sen Jeannemarie D. Davis (R) - SD 34	Committee on General Laws & Tech	SB	430	<p>Condominium Act; authorizing condominium association to be applicants in land use matters - Virginia Condominium Act; Authorization of condominium association to be applicants in land use matters; disclosure. Provides that the declarant is authorized to execute, file, and process any subdivision, site plan, zoning, or other land use applications or disclosures related to the condominium during the period that the condominium is under his control. The bill also provides that once the condominium is no longer under the control of the declarant, the authority to execute such land use applications shall belong to the executive organ of the unit owners' association or a representative appointed by the unit owners' association. In addition, the bill clarifies the owner of condominiums for purposes of compliance with the disclosures in land use proceedings pursuant to § 15.2-852 and disclosures of real parties in interest pursuant to § 15.2-2289.</p>	<p>Jan 11th Prefiled and ordered printed; offered 01/11/06 065333726, Referred to Committee on General Laws; Jan 18th Report from General Laws (14-Y/0-N); Jan 24th Read third time and passed Senate (39-Y 0-N), Communicated to House; Jan 26th Placed on Calendar, Referred to Committee on General Laws; Feb 16th Assigned to GL sub #1 Housing; Feb 28th Reported from General Laws (22-Y/0-N); March 2nd Passed House BLOCK VOTE (100-Y 0-N); March 9th Bill text as passed Senate and House (SB430ER), Enrolled, Signed by Senate President; March 10th Signed by Speaker of the House; March 30th Approved by Governor-Chapter 317 (effective 7/1/06)</p>	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Finance	Planning & Land Use	Sen H. Russell Potts, Jr. (R) - SD 27	Committee on Finance	SB	686	<p>Transportation Future Fund; created -Transportation Future Fund. Establishes the Transportation Future Fund (the Fund) to support the design and construction of surface transportation infrastructure of long-term statewide significance. Fund investments include: design and construction of the Third Crossing of Hampton Roads; construction of the Southeastern Parkway and improvements to U.S. Route 460 and Interstate Route 64 in Hampton Roads; expansion of Metrorail service to Tyson's Corner; completion of environmental impact studies associated with the Eastern and Western Bypasses in the Virginia suburbs of Washington, D.C.; completion of location studies and reservation of rights-of-way in connection with a Potomac River bridge between the American Legion Bridge (Interstate Route 495) and the U.S. Route 15 bridge; establishment of high-occupancy toll lanes on Interstate Routes 95, 395, and 495 in the Virginia suburbs of Washington, D.C., in the Fredericksburg-Washington corridor; expansion of Interstate Route 66 both within and outside the Capital Beltway; and completion of environmental impact studies associated with improvements to rail service, additional truck lanes, and improvements to choke points and dangerous locations in the Interstate Route 81 corridor. The Fund is to be financed through a 1cent increase in the sales and use tax and through establishment of toll roads.</p>	Jan 20th Presented and ordered printed 062223788, Referred to Committee on Finance; Feb 14th Incorporated by finance (SB708-Hawkins) (15-Y/0-N)	Incorporated
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee for Courts of Justice	Planning & Land Use	Sen. Martin E. Williams (R) - SD 1, Offered January 20, 2006	Referred to Committee for Courts of Justice	SB	696	<p>Reversion of certain land; Governor to convey interest thereof to locality in which located - Authorizes the Governor to convey the reversionary interest in certain land to the locality in which the land is located.</p>	<p>Jan 20th Referred to Cmte for Courts of Justice (068216848); Feb 1st Reported from Cmte, Referred to Finance; Feb 8th Reported from finance w/Amendments; Feb 10th, Cmte Amendments agreed and Engrossed by Senate (SB696E) (068216848-E); Feb 13th Passed, Reported to House; Feb 14th on House Calendar, Ref to House Cmt on Counties, Cities and Towns; Feb 24th Continued to 2007 in Out from Cmte Cmt on Counties, Cities and Town.</p>	Continued to 2007
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Local Govts	Planning & Land Use	Sen. R. Edward Houck (D) - SD 17, Offered January 20, 2006	Referred to Committee on Counties, Cities and Towns	SB	699	<p>Transportation planning; coordination of state and local - Provides that prior to adoption of any comprehensive plan or amendment the locality shall submit such plan or amendment to the Department of Transportation for review and comment. The Department shall provide written comment on the proposed plan or amendment within 45 days of receipt thereof. Also, upon submission to a locality of an application for rezoning, the locality shall submit such application to the Department of Transportation within five days of receipt thereof. Such application shall include a traffic impact statement if required by the locality by ordinance. Within 30 days of its receipt of such application, the Department shall either (i) provide written comment on the rezoning application, or (ii) schedule a meeting, to be held within 60 days of its receipt of the application, with the local planning commission or other agent and the applicant to discuss potential modifications to the application to address any concerns or deficiencies. Furthermore, upon submission to a locality of a subdivision plat or a site plan or plan of development, the locality shall submit such plat or plan to the Department of Transportation in accordance with § 15.2-2260 within five days of receipt of the plat or plan. The bill also provides that a local comprehensive plan may include the designation of a planned system of new and expanded transportation facilities, t not limited to, roads and highways and commuter rail lines, where appropriate.</p>	Jan 20 th Referred to Cmte on Local Govt. (069841740); Feb 7 th Reported from Cmte w/substitute (065504740-S1); Feb 10 th , substitute agreed (065504740-S1) and Engrossed by Senate (SB699S1); Feb 13 th Passed, Reported to House; Feb 14 th on House Calendar, Ref to House Cmt on Counties, Cities and Towns; Feb 24 th Reported from Cmte; March 1 st Passed by House.	Passed
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**

Committee on Finance	Planning & Land Use	Sen Jeannemarie D. Davis (R) - SD 34	Committee on Finance	SB	701	<p>Transportation; provides for new funding therefor in Northern Virginia - Transportation funding; Northern Virginia. Provides new funding for transportation in the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park and the Counties of Arlington, Fairfax, Loudoun, and Prince William. The sources of the new funds are: (i) civil penalties for certain offenses relating to the operation of a motor vehicle by persons residing in any of the localities; (ii) additional motor vehicle registration fees for trailers, semitrailers, and trucks with a gross weight over 12,000 pounds registered in any of the localities; (iii) an additional fee on the rental of motor vehicles in the localities; (iv) a transportation impact fee on the sale of real property in any of the localities; (v) dedication of current sales and use tax on motor vehicle repair parts and accessories sold in any of the localities; and (vi) a transient occupancy tax on rooms in the localities. The authority to impose any of the new or additional fees ceases if any transportation funds of the Commonwealth are not spent for transportation purposes. The priority of the projects to be funded shall be determined by the Northern Virginia Transportation Authority in consultation with the local governing bodies of the localities, and members of the House of Delegates and the Senate who represent any of the localities. At least 40% of the revenues shall be dedicated to use on residential, urban, and secondary road construction and improvement.</p>	Jan 20th Presented and ordered printed 065743726, Referred to Committee on Finance; Feb 14, Left in Finance (15-Y/0-N)	No Action
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**Metropolitan Development Policy Committee 2006 State (VA) Legislative/Policy Tracking
Planning & Land Use**