

# Virginia

## Regulatory Hot Tip 2014 – 2

Professional Insurance Agents Association of Virginia and DC, Inc.

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### “What to expect, when you’re expecting..... to go to the Virginia General Assembly”

Many of us find the political process either distasteful or fascinating. Usually, there is very little room for any other feeling between the two extremes. But love it or hate it, there may come a time when you find that a bill being introduced in the General Assembly may have an impact on your business, your financial health or personal life. If you have the curiosity or need to stand up and be heard, then by all means, speak up. As a citizen of the Commonwealth of Virginia, it is your right to voice your opinion regarding pending legislation. There are many ways in which citizens can communicate with their legislator; phone calls, letters, email, or through visits to their legislative offices. The purpose of this article is to help you navigate the landscape and understand the language of politics.

The Virginia General Assembly dates from the establishment of the House of Burgesses at Jamestown in 1619. It is heralded by Virginians as the "oldest continuous law-making body in the New World." It was then and is now a legislative body comprised of “citizen legislators,” elected representatives that serve in a part-time capacity meeting full-time responsibilities.<sup>1</sup>

Before you make the trip to the State Capital, you should familiarize yourself with the facilities and especially the parking. When the General Assembly is in session, parking can be difficult to locate. The best place to begin is the Virginia General Assembly website. [www.virginiageneralassembly.gov](http://www.virginiageneralassembly.gov) Under the tab, Virginia State Capital/ Visiting the State Capital, there is a wealth of easy-to-navigate topics including:

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<sup>1</sup> For more on the history of the General Assembly, click on the following link: <http://www.virginiageneralassembly.gov/virginiaLegislature.php?secid=20&activesec=2#!hb=1&mainContentTabs=4&content=4,includes/contentTemplate.php%3Ftid%3D52%26ctype%3Db%26cid%3D31>

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- Directions and Parking
- Maps
- Tours & Guidelines
- Café and Shop
- Visiting During Session
- Meeting & Events

For the fans of social media, there is a Facebook page for the Virginia General Assembly with links for both the Virginia Senate and the Virginia House of Delegates.

Let's start by assuming that you know or have heard about a bill that may have an effect on you. First, you should gather as much information about the proposed legislation as possible. The best place to start is the Virginia Legislative Information System, website: <https://lis.virginia.gov> If you know the bill number, you can go directly to the proposed legislation. If not, check the searchable database on the left of the screen where you can enter keywords to find related bills. For example, you could enter a keyword of "insurance" or a specific code section for insurance, "38.2" to find all the proposed legislation.

Find a bill you are interested in following and click on:

**Bills & Resolutions:** *Status of individual bills and related information.*

Enter the bill number into the search. From this point you can see the history of the legislation. This search will show the patron(s) of the legislation, a small summary of the bill, a link to the full text document of the bill, any amendments and the status of the bill. The status is where you can find what committee or sub-committee the bill has been assigned/reassigned and any voting (Yeas/Nays), to move the bill forward or stop it. When a bill comes up for discussion in committee, this is one of the best places you can go to speak for or against proposed legislation.

There is a language to the political process that can often be found rooted back to Parliamentary Procedures as well as outlined in Robert's Rules of Order. In general, the following committee actions are the most common terms that you will hear:

- Carry Over (Continue): Action which removes the measure from consideration during an even-numbered year Session and provides for its reconsideration at the next regular Session of the General Assembly. No bill may be carried over in an odd-numbered year Session. A carry-over bill retains its assigned bill number in the odd-numbered year Session.
- Fail to Report (Defeat): The committee rejects a motion to report a bill to the full house.
- Incorporate: The committee incorporates one or more bills into another bill.
- No Action Taken: No motion is made on the bill and it dies at the time of the committee deadline.
- Pass By Indefinitely (PBI): This action allows the committee to reconsider legislation at a later meeting. If the committee takes no further action, the bill is dead.
- Report: The majority of the committee approves the bill and it is reported to the floor. The bill may be reported three ways: without amendment(s), with amendment(s), or with an amendment in the nature of a substitute. A bill may also be reported and referred to another committee.
- Strike: The bill is removed from the docket. This action frequently occurs at the request of the patron.<sup>2</sup>

Another common action on legislation you will hear in committee or on the floor of the General Assembly is to "Lay on the Table". Various euphemisms may be added to the phrase, "Lay on the Table", such as "Gently" or "Softly" but the meaning is still the same. The motion to lay on the table refers to temporarily setting aside a pending motion (or a series of pending motions) to take care of something else deemed urgent. The motion to lay on the table is less about the business being discussed than about the assembly needing to handle something else immediately. One such motion may be: "Madam President, because our speaker has arrived, I move to lay the pending motion on the table." And although the motion is just a temporary disposition of the pending business, no time is taken to decide in advance when to get back to the motion being laid on the table. The subsidiary motion to lay on the table:

- Can't interrupt a speaker who has the floor.
- Must be seconded.
- Isn't debatable.
- Isn't amendable.
- Requires a majority vote.
- Can't be reconsidered if adopted because the motion to take from the table is easier to use for that purpose.

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<sup>2</sup> <http://virginiageneralassembly.gov/includes/contentTemplate.php?tid=52&ctype=b&cid=91>

- Reconsideration is permitted if lay on the table fails, as long as no material debate has progressed on the motion or motions to which it was applied. If additional debate has occurred, a reconsideration vote is unnecessary. The motion to lay on the table just needs to be renewed.<sup>3</sup>

Even though the preceding guidelines suggest this is a temporary measure, it has been my observation that the motion to “lay on the table” is used to bypass a bill indefinitely especially if the bill has political implications. In theory, once a bill has been laid on the table, it can easily be removed from the table for discussion and voting.

Now, you have found and researched legislation that you would like to speak to in committee. The status of the bill will show which committee or sub-committee will be hearing public comment. The legislative information system will show when the committees will meet and a list of bills to be considered each day. Most of the committee meetings as well as offices for the members are in the General Assembly building (GAB) located at 1000 Bank Street Richmond, VA 23219. The entrance to the facility employs the same scrutiny as an airport with guards and metal detectors. Be sure to turn off any audible electronic devices before entering either a committee meeting or House/Senate floor (located in the Capital). Business attire is suggested for attendance.

Check with any groups that may be representing the same position as you advocate. Groups such as the Retail Merchants, AARP, industry trade groups, philanthropic organizations etc. often take a position on legislation. By bringing your personal story forward with general industry support (or opposition) could mean the difference in a bill making it out of committee or not.

Just as a side note... a trip to the General Assembly to see government in action, is an amazing, educational and interesting trip for the family as well.

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<sup>3</sup> <http://www.dummies.com/how-to/content/roberts-rules-and-the-motion-to-lay-on-the-table.html>