

VIC Guide to Virginia Politics

Learn. Pray. Act.



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THE GENERAL ASSEMBLY

Virginia's General Assembly is considered the oldest law-making body in the Western Hemisphere, as it dates back to 1619 and the House of Burgesses, established in Jamestown. The current structure, a bicameral system with a House of Delegates and a Senate, was established in Virginia's 1776 Constitution. The General Assembly is responsible for forming public policy, approving the budget, levying taxes and electing judges.

The General Assembly of Virginia meets annually for 45 or 60 days beginning the second Wednesday in January. The long sessions occurs during even-numbered years to provide time for biennial budget process. Any session may be extended for up to thirty days by a two-thirds majority vote of the General Assembly members. The General Assembly then reconvenes six weeks after the regular session to act on any legislation the Governor has vetoed or postponed. In addition, the General Assembly may be convened for a Special Session at any time if the Governor determines that it is necessary and advisable to do so.



THE SENATE

Virginia's Senate consists of 40 Senators; each is elected to a four-year term. Each Senator represents approximately 155,000 persons. The Lt. Governor is President of the Senate, and has no vote except to break a tie.

The Senate elects individuals to Standing Committees, which consider all legislation introduced, hold hearings, and report their recommendations to the full Senate. Committee appointments generally take the background and vocation of the Senators into consideration, along with their requests. These committees meet at regularly scheduled times and are on call during and between sessions. Each Standing Committee Chairperson may organize Subcommittees composed of legislators who are members of that committee to consider categories of bills and make recommendations to the full committee.

HOUSE OF DELEGATES

There are 100 Delegates in Virginia's House chamber; each is elected to a two-year term. Each Delegate represents approximately 63,000 citizens. The Speaker of the House presides over the deliberations of the House and is elected by the House from among its members on the first day of the even numbered session. The speaker is elected for a two-year term.

Delegates are appointed by the Speaker to various House Committees rather than being elected as in the Senate. In other regards, the committees of each chamber operate in very similar ways.

THE GOVERNOR

Virginia's Governor is elected every 4 years and cannot serve two consecutive terms. Among other things, he or she is responsible for reviewing legislation passed by both chambers. He or she may sign it into law, make suggested amendments, or veto it. After legislation is signed by the Governor and becomes law, it is the Governor's administration that is responsible for implementing it—one of many ways in which his or her authority is exercised in shaping the way legislation is carried out.

An Overview of the Legislative Process

LEGISLATIVE PROPOSALS

The most common form of legislation in the General Assembly is a bill, which is simply a proposed law presented to the legislature for consideration and possible enactment. A bill may originate in either chamber and, as a rule, amends, adds to, or repeals sections of the Code of Virginia.

Emergency bills must be noted as such, must be passed by two-thirds of the chamber, and take effect immediately.

Resolutions are the alternative form of a legislative proposal and are expressions of a mandate, order, opinion, sense, feeling, or sentiment of one house or both houses. They do not have the force of a law and do not require the Governor's signature. Joint Resolutions can be initiated by either house and must have the concurrence of both.



COMMITTEE ACTION

After a bill or resolution is introduced, it is referred to the appropriate committee which deals with that particular area of the law. Once in a committee, the bill can be referred to a subcommittee with a greater level of specialization and understanding of the subject. After the committee hears the patron and any other witnesses, the committee has several options when the chairman calls for a vote. One of the following actions may be taken:

Report

The majority of the committee approves of the bill and it is reported to the floor. The bill may be reported 1) without amendment, 2) with amendment(s), or 3) with an amendment in the nature of a substitute. A bill may also be reported and referred to another committee using this method.

Defeat

The committee rejects a motion to report the bill, and there is no further action by the committee.

Pass by Indefinitely (PBI)

This action allows the committee to reconsider the legislation prior to the deadline established by the procedural resolution that sets the schedule for consideration of bills. It is *extremely* unlikely that such a bill will be brought up again.

Table

A bill "laid on the table" can be reconsidered prior to the deadline established by the procedural resolution that sets the schedule for consideration of bills. Tabling is a gentler version of passing it by, though it is still unlikely that the bill would be brought up again for consideration.

Continue/ Carry Over

A bill introduced in an even-numbered year session may be continued or carried over to an odd-numbered year session for further action or study during the interim. A carry-over bill retains its assigned bill number in the odd-numbered year session. A bill may not be continued or carried over from an odd-numbered year session to an even-numbered year session.

Pass by for the Day

The committee is not ready to act on the bill. If the bill is not taken up before the deadline, then it is considered Left in Committee or No Action Taken.

No Action

No motion is made on the bill and it dies at the time of the committee action deadline.

Incorporate Into Other Action

The bill is incorporated, or included into another bill through an amendment or a substitute. The bill may have similar language or duplicate language with the same intent.

FIRST, SECOND & THIRD READING

After the bill comes out of committee, it is put on the originating chamber's calendar (the First Reading) and the following day is printed on the calendar for Second Reading. At this point the bill is amendable by the entire chamber. A revised version is printed and a Third Reading is held and the bill is voted on by the entire chamber.

CROSS-OVER

Cross-over is the date when those bills passed by one house cross over to the other chamber. It usually occurs midway through the session.

ALTERNATE CHAMBER

Once a bill has crossed over, it goes through the same process of committee review, and First, Second and Third Readings before the chamber as a whole votes on the bill.

CONFERENCE COMMITTEE

If the two chambers disagree on the exact language or amendments to a bill, a conference committee is formed to work out the differences. These committees are typically made up of three individuals from each chamber.

GOVERNOR'S REVIEW

Legislation passed by both chambers is then sent to the Governor for his or her review. He or she may sign it into law, make suggested amendments, or veto it. The General Assembly reconvenes six weeks later to consider the Governor's actions.

ENACTMENT

After legislation becomes law, it is the Governor's administration that is responsible for the enactment and implementation of the new laws. This means his or her authority is exercised in shaping the way legislation is carried out.

The Legislative Process: How A Bill Becomes A Law

LEGISLATION CREATION

An Idea Is Hatched

After a constituent visit, Delegate Accomack Lee decides he wants to introduce a piece of legislation permitting the governing bodies of localities to prohibit the sale and use of certain fireworks. He explains the idea to a staff attorney who checks existing law and the constitutionality of the proposed legislation.

A Bill Is Introduced

A bill is then drafted by the Division of Legislative Services and signed by Delegate Lee. He introduces it by laying the original and duplicate copies on the desk of the Clerk of the House of Delegates.

COMMITTEE ACTION

The Bill Is Referred to Committee

The bill is ordered, printed, and referred to the Committee on Counties, Cities and Towns. The members may hold a public hearing, during which advocates may testify for or against the bill.

The Bill Is Reported Out

The members of the Committee familiarize themselves with the bill and decide to approve it without amendments. The Committee then reports the bill favorably to the House.

FLOOR ACTION

First Reading

The bill title is printed in the calendar or is read by the Clerk, and the bill advances to second reading.

Second Reading

The next day the bill title appears in the printed calendar on second reading. Bills are considered in the order in which they appear in the calendar. The bill is explained by its patron who answers any questions that may be asked. At this point, the bill can be amended by other members of the chamber. The House votes by voice vote to advance the bill to third reading.

Third Reading

A bill that has passed second reading with or without amendments is engrossed. If amendments are adopted the bill is reprinted in its final form for passage. By recorded roll call vote the bill is passed by the House of Delegates.

CROSSOVER

When passed, the bill is sent to the Senate. The bill goes through the same procedure as it did in the House. The bill is read by title a first time, referred to a standing committee, considered and reported by the committee, then read a second and third time before passage by a majority.

CONFERENCE COMMITTEE

If the two chambers disagree on the exact language or amendments to a bill, a Conference Committee is formed to work out the differences. These committees are typically made up of three individuals from each Chamber.

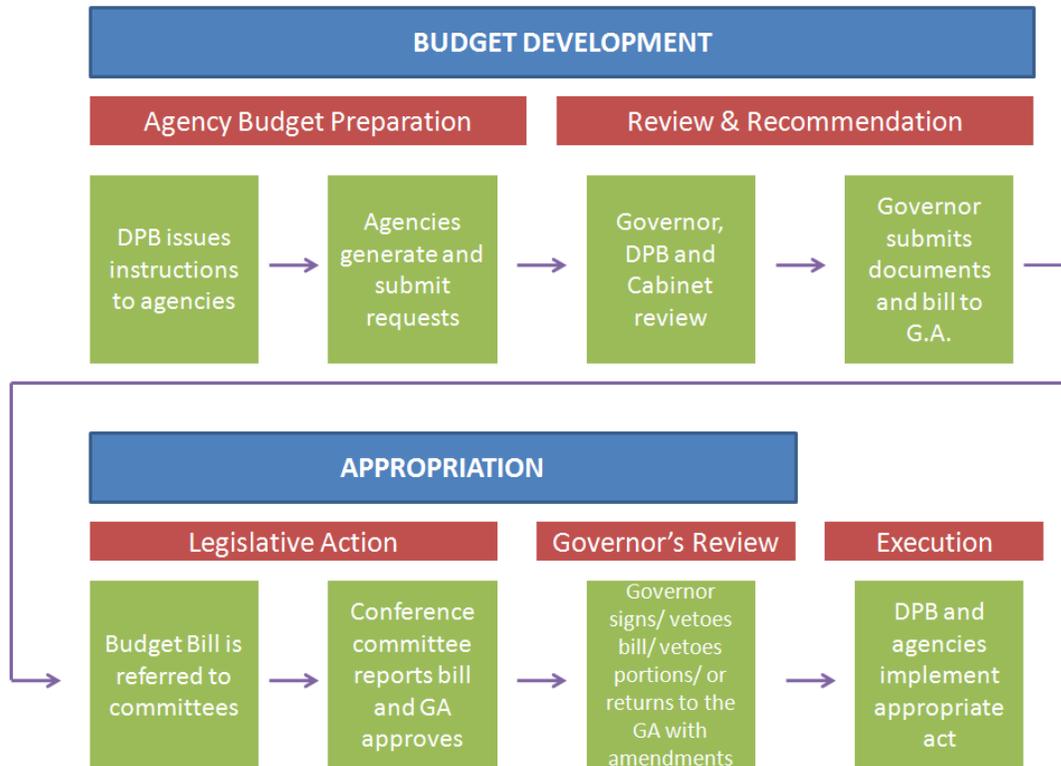
GOVERNOR'S REVIEW AND ENACTMENT

After the bill has been passed by both houses of the General Assembly, it is printed, examined, and signed by the presiding officer of each house and then sent to the Governor for his approval. If he signs it, the bill is enacted into law. In case it returns to the General Assembly for dismissal.

He can also veto all or part of it, in which case it returns to the General Assembly for them to override or

Virginia's Budgeting Process

The full budget setting process takes place in Virginia every two years, as set out in the Virginia Constitution. In essence, this means that during even numbered years the governor and the General Assembly work to create a biennial budget. In the intervening year the budget is updated to reflect actual revenues and expenses and shifting priorities. Virginia's constitution includes a balanced budget amendment, as do the constitutions of the vast majority of states.



BUDGET DEVELOPMENT

The process begins in early summer with the Department of Planning and Budget (DPB), which issues instructions to all state agencies requiring them to submit strategic plans and financial requests. DPB then reviews the reports for accuracy, confirms the need for various services and seeks to identify alternative sources of funding if appropriate. The Governor and his cabinet then review the requests and recommendations of the individual agencies and prepare a proposed budget which reflects the policy priorities of the particular administration. Each year the Governor submits his proposal in the form of a bill to the Senate Finance and House Appropriations Committees of the General Assembly with his final recommendations. Every other year this includes a full budget revision, and during the intervening year this bill updates the biennial budget.

LEGISLATIVE ACTION

When the General Assembly begins its session in January the budget bills are referred to the respective committees that have the authority to review and amend Virginia's budget. In the House of Delegates, this responsibility falls to the House Appropriations Committee and in the Senate, the budget bill is referred to the Senate Finance Committee. After holding public hearings on the bills, each committee moves a revised budget bill to the floor of their respective chambers. Before a vote is held on each bill, other legislators have the ability to add amendments to the bill. The bills then "cross over" to the alternate chamber for deliberation and a vote. At this point there are always differences between the two budget bills, so a conference committee is convened to resolve them. This committee is typically composed of members of the House Appropriations Committee and members of the Senate Finance Committee. After a final report is agreed to by the conference committee, the entire legislature votes on the bill again and sends it to the Governor.

GOVERNOR'S REVIEW

The Governor receives the General Assembly-approved bill during the closing days of session. He then has 30 days to consider their budget. He can veto the entire bill, use the line-item veto to reject particular components, or send it back to the General Assembly with amendments for their consideration. If the Governor does anything aside from accepting the whole bill, it returns to the General Assembly which reconvenes for a single day veto session. After final approval the budget goes into effect on July 1.

THE INTERVENING YEARS

The biennial budget process requires that lawmakers only update the budget in odd numbered years, which is the impetus behind sessions of shorter lengths every other year. The revision process mirrors the full budget setting process, but efforts are focused on updating actual revenues and expenses. The members of the 2011 General Assembly session are revising the 2010-2012 budget. The revised operating budget will go into effect on the day it is approved by the General Assembly.