

The Virginia Division of Legislative Services is the legislative branch agency created statutorily by the General Assembly to provide nonpartisan legal and general research services to members of the General Assembly and its standing committees in the House of Delegates and Senate of Virginia.

Mission

The Division's mission is to assist legislators in fulfilling their duties and obligations as members of the General Assembly. This is accomplished by providing clear, concise, and objective information to all 140 members of the General Assembly.

Statutory Authority

Chapter 2.2 (§ 30-28.12 et seq.) of Title 30 of the *Code of Virginia* creates the Division of Legislative Services as a legislative agency of the Commonwealth, which is managed by a Director who is appointed jointly by the Committees on Rules of the House of Delegates and the Senate of Virginia and confirmed by the full House and Senate. The Director is required to be a graduate of an accredited law school.

DLS History

In 1914 the Virginia General Assembly created, within the Office of the Attorney General, the Legislative Reference Bureau. The Bureau's sole function was to draft legislation for introduction in the General Assembly. During a major governmental reorganization in 1930, the Bureau became the Division of Statutory Research and Drafting and was moved from the Attorney General's Office to the legislative branch of state government. In addition to continuing the bill drafting duties, this new agency was charged

with other legal services in support of the General Assembly.

In the 1970s, the Division was changed from a purely legal service agency to a legal and general service agency, renamed the Division of Legislative Services, and given the responsibility of providing both legal and research staff support to all legislators and standing committees of both houses of the General Assembly.

I encourage you to get to know the DLS staff and use the many services available to you.

Robert L. Tavenner
Director

DIVISION OF LEGISLATIVE SERVICES

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Office hours

8:15 a.m. - 5:00 p.m. Monday through Friday
with extended hours during Session

Director: Robert Tavenner

Deputy Director: William Crammé

Services provided by the Division of Legislative Services:

- Legislative drafting.
- Legislative, legal, and general research.
- Legal and research support and policy analysis to standing committees and interim study committees and commissions.
- Legal and research support and policy analysis to most permanent legislative commissions.
- Legislative Reference Center services.
- Central repository for state agency regulations.
- Legislative, statutory, and administrative publications and other member services.
- FOIA opinions and training.
- Computer mapping and redistricting services.

CONTENTS

Purpose	1
Legislative Drafting	1
Confidentiality	2
Filing Legislation	3
Drafting Amendments	4
Drafting Committee of Conference Reports	5
Research and Policy Analysis	6
Legislative Reference Center	7
Statutory and Administrative Law Responsibilities	8
Publications	9
Computer Mapping and Redistricting	10
Division Staff	11

PURPOSE

This booklet introduces members of the General Assembly and their staffs to the Division of Legislative Services. By describing the organization of the Division, the major services it renders, and certain internal procedures, the booklet serves as a useful tool for members while they are in public office.

LEGISLATIVE DRAFTING

Most bills and resolutions are drafted at the request of individual legislators. These requests are submitted through the Division's electronic legislative drafting request system, in person, by mail, by fax, or by email.

To file requests electronically, legislators are granted direct access, using discrete IDs and passwords, to a portion of the Division's web-based electronic legislative drafting request system. The member's Patron Status Report provides 24-hour access to the record of all requests made by the member, including the date the request was received, the name of the drafter assigned to prepare the legislative draft, the current status of the request, and an electronic version of the draft at the end of the drafting process. This system allows a member to organize and monitor the status of his drafting requests and assures the member that he has met request deadlines.

When a drafting request is received, it is assigned to an attorney or research associate with expertise in the subject area of the request. After drafting, the bill or resolution goes through a quality control and proofreading process. The legislative draft is given a

final check by the drafter and reviewed by a section manager and can then be viewed by the member on his electronic Patron Status Report.

Each bill and resolution is printed with a concise legislative summary of the major features of the proposed legislation on the cover, includes co-patron signature sheets, and is prepared in sufficient quantity for submission to the appropriate Clerk. The “covered” draft, ready for introduction, is either mailed to the member, delivered to the member’s legislative office in the General Assembly Building, or picked up by the member or the member’s aide at the Division’s office.

Most drafting requests are received by the Division just prior to the December deadline for legislation to be prefiled or soon after the session begins. Requests received prior to these busy times allow additional attention by the drafters and additional time for communication with the requester. Legislators are encouraged to speak directly with the drafters who have been assigned their requests.

CONFIDENTIALITY

The drafting of legislation, as well as other services of the Division, is treated confidentially, except (i) when a drafting request is substantially the same as one previously received, the subsequent requester may be advised of the earlier request and (ii) the nature of a request may be revealed when the drafter is seeking information from another resource to assist in the drafting of the proposal. These exceptions will not be made, however, in any case where the patron **specifically requests strict confidentiality.**

FILING LEGISLATION

Bills prepared by the Division may be introduced into either house of the General Assembly. House resolutions and House joint resolutions may be introduced only into the House of Delegates; Senate resolutions and Senate joint resolutions may be introduced only into the Senate. Legislation may be introduced during sessions only by members of the General Assembly by signing the covered copy and handing it, along with two copies of the bill or resolution, to the Clerk of the appropriate house while such houses are in session. The covered copy may be signed by as many copatrons as the patron desires. Both Delegates and Senators may be copatrons of bills or resolutions introduced into either the Senate or the House of Delegates.

Any member or member-elect of the General Assembly may prefile a bill or resolution at any time beginning the third Monday in November of the preceding year for even-numbered-year sessions and beginning the third Monday in July of the preceding year for odd-numbered-year sessions. Prefiling is done by mailing or delivering the signed copy and two additional copies to the appropriate Clerk of the House or Senate. Special provisions are applicable to requesting bills for prefilng. Prefiling saves the Commonwealth money in the form of reduced printing costs and enables the Division greater time to prepare a quality draft. It also facilitates the orderly flow of bills through the legislative process. ***Limitations on bill introductions do not apply to prefled bills.*** However, pursuant to House Rule 37, “No member [of the House] may introduce more than 15 bills during the Regular Session of an

odd-numbered year.” Because House members are limited to the number of bills they can introduce after Session begins, to reach the 15-bill limit, 10 of those bills must be prefiled.

Charters and bills with correctional impact

No charter bill may be introduced unless either an election or a public hearing has been conducted on the charter or charter changes. Bills increasing the period of imprisonment in a state correctional facility require a fiscal impact statement to be printed on the face of the bill (§ 30-19.1:4). Members should submit such requests to the Division as early as possible to enable the orderly processing of the bill and a determination of fiscal impact.

DRAFTING AMENDMENTS

Division staff prepare amendments to legislation for standing committees or individual legislators. Members may present amendments to the standing committees for their adoption or they may introduce the amendments in the chamber as floor amendments. The majority of amendments are line-by-line amendments, i.e., instructions to strike or add language at particular places in the printed bills or resolutions.

When amendments are so substantial that they require a rewrite of a bill or resolution, an amendment in the nature of a substitute is prepared.

Committee amendments, both line-by-line and substitutes, are delivered to the Clerk of the House or Senate by the committee clerk as soon as the bill is reported out of committee. Any member who wishes to offer a floor amendment, either line-by-line or substitute, should

present copies to the Clerk of the House or Senate as soon as possible to ensure that necessary copies can be reproduced for other members of the appropriate house.

DRAFTING COMMITTEE OF CONFERENCE REPORTS

Whenever a bill or resolution passes both houses, but in different versions, and each house rejects the version of the other house, a committee of conference may be appointed to resolve the matter or matters under disagreement on the legislation. Such committees will consist of three members of the House appointed by the Speaker and three members of the Senate appointed by the chair of the Senate standing committee that considered the bill or resolution. The chair of the conference committee is the first named member of the house of origin.

Consideration of the committee of conference is restricted only to the matters of disagreement between the two houses. This rule is sometimes honored in the breach, so as to permit the divided views to reach a workable compromise. If, after consideration, a majority of the conferees from each chamber agree to resolve the matters under disagreement, a member of the Division staff will draft the conference report. The report will recommend that the amendments to the bill or resolution in disagreement either be accepted or rejected; the report may also include additional amendments to resolve the matters under disagreement. Six copies of the report will be prepared and signed by each member of the committee who agrees with it. Members are permitted to include a dissenting statement to the report. Three copies

of the signed report are sent to each house. If both the House and the Senate approve the report, the bill is passed and action is completed. If either house rejects the report, the measure fails and legislative action is terminated unless another committee of conference for the same measure is requested and approved by both houses.

RESEARCH AND POLICY ANALYSIS

The Division's staff has access to a variety of information resources. Members of the General Assembly have immediate access to the Division's Legislative Reference Center, the Library of Virginia, and the State Law Library. Through cooperative agreements with the Division's Legislative Reference Center, the staff may obtain materials from libraries throughout the Commonwealth and the nation.

Research and analysis available from DLS staff include:

- Compiling and analyzing Virginia law on particular subjects.
- Analyzing and summarizing specific federal laws or specific laws of other states.
- Summarizing and analyzing administrative regulations (federal and state).
- Analyzing reports, studies, and proposed legislation from other states.
- Analyzing policies and developing ideas and concepts fostered by committees, subcommittees, or individual members.
- Answering other types of legislative inquiries from members.
- Acting as a resource and advisor with a member and a constituent with issues involving an administrative/executive branch agency.

LEGISLATIVE REFERENCE CENTER

The Legislative Reference Center's collection supports the research efforts of the members of the General Assembly and the Division's staff through its reference sources and computer data services. Reference materials concerning Virginia law and legislation such as the *Code of Virginia*, the *Acts of Assembly*, House and Senate Journals, bound volumes of bills and resolutions considered by the General Assembly, House and Senate Documents, Legislative Impact Statements, opinions of Virginia appellate and circuit courts, *Michie's Jurisprudence*, and Attorney General opinions and law reviews from all of the Virginia law schools are available.

The Legislative Reference Center's collection also includes current statutes from other states such as North Carolina, West Virginia, and Maryland, in addition to the *United States Code*.

Materials used by Division staff in compiling data for legislative reports are also kept in the Legislative Reference Center, as well as publications from the National Conference of State Legislatures and the Council of State Governments. Popular news sources in the form of periodicals and journals concerning state and local government are a permanent component of the Legislative Reference Center's collection.

The Legislative Reference Center's collection is enhanced through subscriptions to several data services including Westlaw and LEXIS legal databases.

The Legislative Reference Center is open 8:00 a.m. - 5:00 p.m., Monday through Friday and as necessary when the General Assembly is in session. Members of the General Assembly and their staff have complete access to the Legislative Reference Center's resources.

STATUTORY AND ADMINISTRATIVE LAW RESPONSIBILITIES

The Division of Legislative Services provides staff to support the Virginia Code Commission as the Commission fulfills its statutorily mandated duties. The Virginia Code Commission appoints the Registrar of Regulations, who is responsible for publishing the *Virginia Register of Regulations*. The *Virginia Register of Regulations* is a biweekly publication that contains all proposed, final, and emergency regulations of state agencies, executive orders of the Governor, and notices of public hearings on regulations. Once regulations become effective, they are codified into the *Virginia Administrative Code*. DLS staff work closely with the publisher to produce the *Virginia Administrative Code* and its supplements. The publisher releases quarterly CDs and semi-annual print versions of the *Virginia Administrative Code*, while the online *Virginia Administrative Code* updates daily.

The Division also provides staff support to the Code Commission in fulfillment of the Commission's other statutory responsibilities, including codifying the acts of the General Assembly and revising major portions of the *Code of Virginia*. The operational sections of the Division provide specialized staff support

for recodifications of designated titles and provide other assistance as required.

PUBLICATIONS

Session Summary

Mailed to the legislators within two weeks of the session's adjournment, the *Session Summary* contains brief descriptions of all bills the legislators considered that year. The summaries are arranged according to *Code* title topic and are subdivided within each category according to whether the bill passed, failed, or was carried over.

Newsletters

During the interim between legislative sessions, the Division publishes the *Virginia Legislative Record*, which reports on the deliberations of legislative commissions and joint subcommittees and includes the "Regulatory Alert," a brief and timely summary of rules proposed by agencies, boards, and commissions. In addition, the Division's *Issue Briefs* report on issues of interest to legislators throughout the year and provide members of the General Assembly with an annual summary of issues likely to be discussed at the upcoming legislative session. The *DLS Report* provides members with background information on a variety of issues. Distributed to members on the final day of the regular session, *Session Highlights* provides a brief summary of significant legislation considered by the General Assembly. At the reconvened session, the Division publishes a summary of the Governor's amendments and vetoes. Finally, *In Due Course*, distributed in June, is designed to inform constituents of new laws that will take effect on July 1 of each year.

Legislator's Guides

Since 1989, the Division has published a series of *Legislator's Guides*. *Guides* currently are available for state and local taxation, transportation, conflicts of interest and rules of conduct, the judicial selection process, Virginia's regulatory process, and education. The *Guides* are designed to provide legislators with a convenient, accessible, and comprehensive source of information, and are updated or revised as needed to remain current with changes in law and policy.

Redistricting Publications

During the redistricting period, the Division publishes *Drawing the Line*, a newsletter reporting on redistricting developments. Also published is a *Guide to Local Redistricting*.

All Division publications are available on the Internet at <http://dls.virginia.gov/publications.html>.

COMPUTER MAPPING AND REDISTRICTING

The computer mapping and redistricting staff provides specialized and generalized geographic information systems (GIS) services to the members of the General Assembly and to the public. Staff maintain a GIS website where users may view legislative and congressional districts and data pertaining to those districts, supply a system to facilitate statewide redistricting, and generate electronic and paper maps upon request.

DIVISION STAFF

BUSINESS AND JURISPRUDENCE

Corporations, Insurance, Banking, Labor, Criminal and Civil Law and Procedure, Corrections, Technology and Science, and Militia and Police.

William Crammé	Section Manager
Brenda Dickerson	Senior Operations Staff Assistant

Commerce and Labor

Franklin Munyan	Senior Attorney
House Committee:	Commerce and Labor
Senate Committee:	Commerce and Labor

Courts of Justice

David Cotter	Senior Attorney
Wenzel Cummings	Attorney
Mary Kate Felch	Senior Research Associate
Jescey French	Senior Attorney
Robie Ingram	Senior Attorney
Kristen Walsh	Attorney
House Committees:	Courts of Justice; Militia, Police and Public Safety
Senate Committee:	Courts of Justice

Judicial Selection/Corrections

Mary Felch	Senior Research Associate
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Commission on Electric Utility Regulation

Franklin Munyan	Senior Attorney
Ellen Porter	Senior Attorney

**Commission on Unemployment
Compensation**

Franklin Munyan Senior Attorney

**Commissioners for the Promotion of
Uniformity of Legislation in the United States**

Jescey French Senior Attorney

Joint Commission on Technology and Science

Wenzel Cummings Executive Director

Manufacturing Development Commission

Franklin Munyan Senior Attorney

Small Business Commission

Franklin Munyan Senior Attorney

Business and Jurisprudence staff members conduct research, staff activities, and draft legislation for the following titles of the *Code of Virginia*:

6.2	Financial Institutions and Services
8.01	Civil Remedies and Procedure
8.1A-8.11	Uniform Commercial Code
11	Contracts
12.1	State Corporation Commission
13.1	Corporations
16.1	Courts Not of Record
17.1	Courts of Record
18.2	Crimes and Offenses Generally
19.2	Criminal Procedure
20	Domestic Relations
25.1	Eminent Domain
26	Fiduciaries Generally
31	Guardian and Ward
34	Homestead and Other Exemptions
38.2	Insurance
40.1	Labor and Employment
41.1	Land Office
43	Mechanics' and Certain Other Liens

44	Military and Emergency Laws
47.1	Notaries and Out-of-State Commissioners
49	Oaths, Affirmations and Bonds
50	Partnerships
52	Police (State)
53.1	Prisons and Other Methods of Correction
55	Property and Conveyances (legal instruments)
56	Public Service Companies
59.1	Trade and Commerce
60.2	Unemployment Compensation
64.1	Wills and Decedents' Estates
65.2	Workers' Compensation
66	Juvenile Justice
67	Virginia Energy Plan

FINANCE AND GOVERNMENT

General Laws, Government, Finance, Taxation, Transportation, Local Government, Agriculture and Natural Resources, and Freedom of Information.

John Garka	Section Manager
Darlene Jordan	Senior Operations Staff Assistant

Agriculture and Natural Resources

Martin Farber	Senior Research Associate
Scott Meacham	Attorney
House Committee:	Agriculture, Chesapeake and Natural Resources
Senate Committee:	Agriculture, Conservation and Natural Resources

Finance and Taxation

Nicole Brenner Attorney
David Rosenberg Senior Attorney
Mark Vucci Senior Attorney
Lisa Wallmeyer Senior Attorney
House Committees: Appropriations; Finance
Senate Committee: Finance

General Laws

Maria Everett Senior Attorney
Amigo Wade Senior Attorney
House Committee: General Laws
Senate Committee: General Laws and
 Technology

Local Government

Scott Meacham Attorney
Jeffrey Sharp Senior Attorney
House Committee: Counties, Cities and
 Towns
Senate Committee: Local Government

Transportation

Nicole Brenner Attorney
Alan Wambold Senior Research
 Associate
House Committee: Transportation
Senate Committee: Transportation

**Chesapeake Bay Restoration Fund Advisory
Committee**

Martin Farber Senior Research
 Associate
Gwen Foley Senior Operations Staff
 Assistant

Coal and Energy Commission

Martin Farber	Senior Research Associate
Scott Meacham	Attorney
Franklin Munyan	Senior Attorney

Freedom of Information Advisory Council

Maria Everett	Executive Director
Alan Gernhardt	Senior Attorney

Public-Private Education Facilities and Infrastructure Act Model Guidelines Working Group

Maria Everett	Senior Attorney
Amigo Wade	Senior Attorney

State Water Commission

Martin Farber	Senior Research Associate
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Finance and Government staff members conduct research, staff activities, and draft legislation for the following titles of the *Code of Virginia*:

1	General Provisions
2.2	Administration of Government
3.2	Agriculture, Animal Care, and Food
4.1	Alcoholic Beverage Control Act
5.1	Aviation
9.1	Commonwealth Public Safety
10.1	Conservation
15.2	Counties, Cities and Towns
21	Drainage, Soil Conservation, Sanitation and Public Facilities Districts
27	Fire Protection
28.2	Fisheries and Habitat of the Tidal Waters
29.1	Game, Inland Fisheries and Boating

33.1	Highways, Bridges and Ferries
36	Housing
42.1	Libraries
45.1	Mines and Mining
46.2	Motor Vehicles
48	Nuisances
51.1	Pensions, Benefits, and Retirement
54.1	Professions and Occupations
55	Property and Conveyances (property management)
57	Religious and Charitable Matters; Cemeteries
58.1	Taxation
61.1	Warehouses, Cold Storage and Refrigerated Locker Plants
62.1	Waters of the State, Ports and Harbors

RULES, EDUCATION, ELECTIONS, AND SPECIAL PROJECTS

Rules, Privileges and Elections, Education, Health, Social Services, Resolutions, Publications, Redistricting, Administrative Rules, and Geographic Information Systems, Internet.

R.J. (Jack) Austin	Section Manager
Gwen Foley	Senior Operations Staff Assistant
Iris Fuentes	Senior Operations Staff Assistant
Stephanie Kerns	Senior Staff Assistant

Education and Health

Jessica Eades	Senior Attorney
Brenda Edwards	Senior Research Associate
Ellen Porter	Senior Attorney
House Committee:	Education
Senate Committee:	Education and Health

Elections and Rules

David Cotter	Senior Attorney
Brenda Edwards	Senior Research Associate
Cheryl Jackson	Manager, Information Services
Mary Spain	Senior Attorney
House Committees:	Privileges and Elections; Rules
Senate Committees:	Privileges and Elections; Rules

Social Services

Sarah Stanton	Senior Attorney
House Committee:	Health, Welfare and Institutions
Senate Committee:	Rehabilitation and Social Services

Computer Mapping and Redistricting Services

Julie Smith	Information Technology/GIS Analyst
Kent Stigall	GIS Specialist

Editing

Lilli Hausenfluck	Chief Editor
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Publications and Resolutions

Mindy Tanner	Communications and Research Associate
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Administrative Law Advisory Committee

Elizabeth Palen	Executive Director
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Brown v. Board of Education Scholarship Committee

Brenda Edwards	Senior Research Associate
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**Dr. Martin Luther King, Jr. Memorial
Commission**

Brenda Edwards Senior Research
Associate

Joint Commission on Administrative Rules

Elizabeth Palen Executive Director

**Virginia Bicentennial of the American War
of 1812 Commission**

Brenda Edwards Senior Research
Associate
Jeffrey Sharp Senior Attorney

**Virginia Commission on the Centennial of
Woodrow Wilson's Presidency**

Brenda Edwards Senior Research
Associate
Mindy Tanner Communications and
Research Associate

Virginia Disability Commission

Sarah Stanton Senior Attorney

Virginia Housing Commission

Elizabeth Palen Executive Director

**Virginia Sesquicentennial of the American
Civil War Commission**

Cheryl Jackson Executive Director
Kathleen DuVall Communications
Coordinator
Michele Howell Grants Administrator/
Research Assistant

Rules, Education, Elections, and Special Projects staff members conduct research, staff activities, and draft legislation for the following titles of the *Code of Virginia*:

22.1	Education
23	Educational Institutions
24.2	Elections
30	General Assembly
32.1	Health
35.1	Hotels, Restaurants, Summer Camps, and Campgrounds
37.2	Behavioral Health and Developmental Services
51.5	Persons with Disabilities
54.1	Subtitle III: Health Professions
63.2	Welfare (Social Services)

ACCOUNTING AND PERSONNEL

Caryl Harris	Fiscal Officer
Tyler Carroll	Fiscal Technician
Jessica Southworth	Assistant Fiscal Officer

LEGISLATIVE REFERENCE CENTER

Cheryl Jackson	Manager, Information Services
Mary Dale	Records Technician
Theresa Schmid	Research Associate

OPERATIONAL STAFF

Abigail Broady	Receptionist
Michelle Montgomery	Operations Staff Assistant

**REGISTER OF REGULATIONS
STAFF**

Jane Chaffin	Registrar of Regulations
June Chandler	Assistant Registrar of Regulations
Rhonda Dyer	Senior Operations Staff Assistant
Terri Edwards	Operations Staff Assistant
Lilli Hausenfluck	Register and Code Editor
Tina Long	Publications Assistant
Karen Perrine	Regulatory Analyst

Virginia Code Commission

Jane Chaffin	Registrar of Regulations
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