

Legislation Committee Report – RARC 2-18-20

Cher McCoy, Legislation Chair

On February 11th the all important deadline arrived at the capitol. Crossover is the midpoint of session when each chamber must complete work on their own bills so that they may “crossover” to the other chamber for consideration. Any legislation that isn’t acted upon by the deadline is considered dead.

Over 1,700 bills were introduced in the House. Here are some of the highlights:

HB 1414 – aka the “Omnibus transportation bill,” raises taxes for additional transportation revenues and makes changes to highway safety laws. This bill affects the funds that go into the new Commonwealth Transportation Fund Umbrella that will fund road and transit projects. While the bill reduces vehicle registration fees, the Fund is financed by several fees and tax increases which will include the following:

- Increases the gas by 12 cents over the next 3 yrs; automatically increase gas tax based upon the US Average Consumer Price Index beginning in 2023
- A highway use fee for alternative fuel, electric, and full efficient vehicles
- Creates a regional congestion relief fee
- Increases the transportation district transient occupancy tax from 2% to 3%

All of us should be concerned about the large number of tax increases being proposed, something that we all have heard. And these taxes will be in addition to other tax increases moving through the legislative process which includes a new plastic bag tax and allowing counties to increase the meals tax without a voter referendum which I will get to.

HB 19 would repeal the law requiring voters to show their photo ID to vote. Virginia’s law was written in a way that didn’t violate the state or federal Constitutions according to the courts. Also, the state took proactive measures to ensure that all Virginians were able to obtain an ID card in order to vote. Obviously this bill opens up our state to possible fraud.

HB 961 – is a bill that would ban the “importing, selling, transferring, manufacturing, purchasing, or transporting” of certain firearms. It will also ban high capacity magazines, but arbitrarily defines that term as a magazine holding more than 12 rounds. Standard magazines hold more than 12, meaning many law abiding citizens could be charged with a Class 1 Misdemeanor and face jail time if they don’t hand over their magazines to the government. And, by the way, this bill does not offer any compensation to those turning over their property, an act that is quite possibly in violation of the Fifth Amendment. More on the status of this bill later in my report.

There is some good news. There are several bills which are positive moving forward in the House:

HB 1251 – to end the practice of balanced billing. All too often Virginians go to a medical facility that is in a Network, only to receive a massive bill after the fact because one of the doctors was out of the Network.

The Virginia Assembly reached the halfway point of the 2020 session. The Democrats wasted no time in moving to overturn years of Republican-crafted legislation that has protected individual liberties, positioned Virginia to have the nation’s top business environment, and take into account the diverse needs of Virginia’s localities.

The concerns our lawmakers have urged Democrats to consider are:

- The economic toll their policies would place on small businesses such as the ones I have.
- The need to protect the unborn
- The rights guaranteed to us by the US Constitution, including our Second Amendment right to bear arms

Democrats have passed legislation that will fundamentally change Virginia:

Taxes: Increase taxes for cigarettes, admissions, meals, and lodgings without voter referendum – totally up to \$528 Million.

HB 534 would allow localities to enact taxes on plastic bags. A statewide fee of 5 cents/bag on disposable plastic bags provided to consumers of tangible personal property, with certain bags being exempt from the fee.

Endorsed by the Governor, **HB 421** which would allow any locality to pass its own criminal ordinances covering possession of firearms, and **HB 961**, which forbids purchase or sale of certain firearms which I've already mentioned

Statues: **HB 1625** will empower localities to remove civil war and other war statues.

Abortion: House Democrats passed **HB 980**, which would eliminate most legal restrictions on abortions in Virginia, including the waiting period. Democrats continue to ram bills through the House with little to no debate on the floor.

The Senate which has no assault weapons bill of its own has passed five of the governor's bills, one of which is the Senate's bill on lost or stolen firearms.

It's version of the child-access prevention bill died in committee, with Democrats joining Republicans in opposition including our Senator Creigh Deeds. So do thank our Senator for this vote.

HB 177 – Presidential electors; National Popular Vote Compact is one of the worse bills to be introduced in the Virginia General Assembly. This bill would require Virginia to join other states requiring their Presidential Electors to vote for the candidate who received more votes in other states.

Besides the gun bills, the worse bills are:

HB 19 - Photo ID to vote (previously mentioned)

HB 201 – This bill would allow a person to register to vote on Election Day at a voting precinct and then cast a ballot. The same-day registration will take effect in the 2021 election cycle.

HB 177 (above) The Democrats can't win honestly according to the Constitution so they are going to try to win with popular vote. Wouldn't it be interesting if Donald J. Trump won both the Electoral Votes and the Popular Votes? That would mean the Democrat Presidential Electors would have to give President Trump their votes. Poetic Justice would be the ice cream on that cake.

Last week was crossover. This week I'm afraid bills will be passed that will move our Commonwealth backwards. While there was some good bipartisan bills that were advanced much of what was passed from the House will affect the economy and to our freedoms.

Update on HB 961: The bill carried over (will not go forward) thanks to the Senate with a bipartisan vote of 10-5. Bipartisan was possible due to the tens of thousands (many more than the 22,000 reported) that showed up to the capitol and the many phone calls in support of the Second Amendment. This bill if passed would do nothing to stop gun crimes but it would make law-abiding citizens criminals.

A few other pieces of legislation worth mentioning:

- There's a bill to raise the minimum wage to \$15.00/hr. – not taking into account the cost of living in various states but all asking for the same amount of \$15.00/hr.

- Various components of the Green New Deal
- Legislation for public sector bargaining.

All three of these could have massive budgetary impacts on Virginia in the future and put our State's reputation as a friendly state in jeopardy. This would harm our businesses which would put family paychecks at risk.

It's also worth mentioning these bills are likely to be amended which isn't unusual. All of these bills are enough reason to take back our state and turn it Red.



Highlights from our Congressman Ben Cline's latest report:

“Congress has an average approval rating of only 21.6 percent. This disapproval is largely due to the dysfunction, partisanship, and distrust that is prevalent throughout our Federal bureaucracy. That is why I am proud to work together with my colleagues on the Government, Efficiency, Accountability, and Reform (GEAR) Task Force of the Republican Study Committee. This task force is committed to helping reform our bloated Federal Government in order to expand opportunities for all Americans.

While it might not be a headline grabbing issue, government reform is something I have been passionate about since my time as a State Delegate in the Virginia General Assembly. There, I worked to increase transparency both for constituents and lawmakers alike. As your Representative, I remain committed to finding ways here in Washington to increase accountability for my constituents and "drain the swamp". I am thankful to work with my colleagues on this task force who believe in the vital importance of reforming government so that it truly serves the people for whom it was created and by whom it is empowered.

Equal Rights Amendment:

In order to amend the U.S. Constitution, a two-thirds vote to pass an amendment in both the House and Senate is required, as well as ratification individually from at least 38 states. When Congress voted in favor of the Equal Rights Amendment (ERA) in 1972, it was sent to the states for ratification with a seven-year deadline. When this deadline came without having been ratified, Congress then extended it by an additional three years. Once the final deadline passed in 1982, the amendment only had 35 states supporting ratification. Since that time, five states have rescinded their support.

This week, following recent approval of the amendment by the Virginia General Assembly, the House passed H.J. Res. 79, which would remove the ratification deadline for the ERA. I could not support this resolution because Congress simply does not have the ability to remove a deadline that expired four decades ago. Punting the issue to the courts for resolution is an abrogation of my duty to my constituents.

Just this week, Supreme Court Justice Ruth Bader Ginsburg said, “I would like to see a new beginning,” for ERA ratification. She continued, “There’s too much controversy about latecomers, plus, a number of states have withdrawn their ratification. So if you count a latecomer on the plus side, how can you disregard states that said we’ve changed our minds?” On this issue, most legal minds agree: The deadline for the ERA cannot be removed; and the process must start again. It is my hope that the language can be improved to ensure that the amendment would not enshrine taxpayer-funded abortion in the Constitution, and I will continue working to protect the sanctity of life as this debate continues.”

We all know that the ERA , aka Woman's rights are addressed in the Fourteenth Amendment and we know this was taken care of 50 years ago. This is not about equal rights. This is about abortion and this is why our Congressman Ben Cline is working hard to ensure that the amendment would not enshrine taxpayer-funded abortion in the Constitution. He has worked on defunding Planned Parenthood – the abortion capital of America – at the state level as a Delegate for our district. I have confidence he will continue to keep his promise and continue to oppose funding PP. This is about the left wanting to overturn Roe vs Wade and became the lead story as soon as President Trump added two Justices to the Supreme Court which increased the odds of reversing RvW. Richmond was one of the first to join that band-wagon.

2020



Promises Made - Promises Kept

Contact me if you have a request for info on any 2020 Legislation or issue you would like me to report on. chergrindlemccoy@gmail.com - 540-570-2111. Also contact me if you want a copy of President's 268 Accomplishments.

Submitted by
Cher McCoy
RARC Legislation Chair