

With the 2009 General Assembly session completed, I want to update you on the most recent developments in the state budget and other significant pieces of legislation from the session. Throughout the chaotic 45 days in Richmond, I had the chance to meet with citizens from across the Third Senatorial District, and I genuinely appreciate those that came and visited, called or wrote in to express their positions. Although it is impossible to make all people happy at all times, I have dedicated myself to representing each and every one of you to the best of my ability. Please know that the views of my constituents were at the forefront of each vote I took this session.

BUDGET UPDATE

During session I requested that action on the budget be deferred in anticipation of more accurate revenue figures and Federal Stimulus numbers. The delay was the most responsible decision at a time of such uncertainty and allowed members to receive revised revenue estimates which revealed a much deeper shortfall than had been projected and detailed information on the federal stimulus package. With the most recent budget figures revealing a \$3.7 billion deficit, the delay allowed the Senate to make the necessary cuts to ensure a balanced budget. Many state programs were facing substantial funding cuts in order to address the shortfall; however it now appears that the \$4.5 billion in federal stimulus funds will allow many of the budgetary cuts to be restored for the current biennium. Unfortunately, if Virginia's economy does not grow at a minimum of 4.5% in this fiscal year coupled with the Federal Stimulus dollars we may again be facing a \$4 billion budget shortfall in 2010.

From the outset, I have laid out a series of requests pertaining to the budget that included:

- Realistic revenue estimates that reflect the worsening national and state economies.
- Reverse the Governor's action to transfer funds out of the school construction fund
- Reverse the Governor's action to raid the Lottery Fund
- Restore Funding that the Governor's budget cut for Sheriffs thereby promoting public safety
- Avoid closure of mental health facilities until workable alternatives are in place
- Minimize the use of one time revenue to balance the operating budget

The budget that passed the Senate showed significant concessions in all of these areas and was testament to the bi-partisan effort put forth to create a budget that was substantially better than the budget that I voted against coming out of the Senate Finance Committee. The budget remains far from perfect as it continues to rely on over \$1 billion of one time actions from the federal stimulus funds to balance the budget and uses federal stimulus dollars to plug holes which means that tough decisions are only being delayed and not avoided. I also continue to have significant concerns with the dependence on one time revenue sources to balance the state budget, which only delays difficult decisions being made in the future. If the economy does not begin to improve in the near future, we will have to make even greater cuts to cover to usage of stimulus funds next year. Despite these imperfections, this is the most fiscally-sound budget presented this year by any of the three branches.

Undoubtedly there have been concessions made to accommodate the House budget, but I am optimistic that the end result is a budget that meets the needs of the Commonwealth. We were able to continue to avoid closure of mental health facilities, cuts to public safety and continued layoffs. Although I may not agree with the Federal Stimulus Plan proposed by Congress, the money was going to be spent whether in Virginia or elsewhere. Unfortunately, the excessive spending of the Federal Government is going to be felt for years to come and is at the expense of our children and grandchildren. We must reign in spending before we are unable to reign in the debt that the Federal Government is incurring.

LEGISLATIVE UPDATE

Although the budget has been the most significant issue this session I also want to update you on the status of legislation that I introduced as well as other important issues that were considered this session

This session I had the opportunity to introduce a number of bills to encourage fiscal responsibility. These included SB 1399 which would have created a bi-partisan commission to allocate funds for non state agencies. This would have provided a more responsible option than allowing influential lawmakers to earmark funds for their districts. Unfortunately this bill was left in the Senate Rules committee.

I also introduced SB 1401 which would have required a report to be issued with the budget conference report to identify any non state appropriation, any item not included in the House or Senate budgets, and any item that represents a piece of legislation that failed during session. This was an attempt to make the budget process more transparent and make known any earmarks to legislators who have very little time to study such an extensive budget before voting on it. Because the budget is often times completed at the last minute, conferees are able to make additions knowing that legislators will be unable to read the budget prior to voting on it. This bill passed the Senate but was left in House Committee.

I was successful in passing SJR 20 which like the previous bill, encourages timely communication and reporting specifically in the Senate of Virginia from any conference on the Budget Bill. No later than four days before adjournment sine die, the Chairman of the Senate Committee on Finance must provide an update on the progress of deliberations to members of the Senate with a document separate from the Budget Bill that identifies the following by item number, narrative description, dollar amount, and name of the member of the General Assembly who inserted the provision in conference: (a) any nonstate appropriation, (b) any item in the conference report that was not included in the Budget Bill(s) as passed by either the House or the Senate, and (c) any item that represents a piece of legislation that failed during that session in either house. This is significant progress in furthering the transparency of the budget for both citizens and legislators and will hold legislators accountable for the earmarks that they put in the budget.

Another piece of legislation that I put forth was a common sense bill, SB 1403, which stated that legislators would not receive per diem or mileage reimbursement if they were not able to finish their

work on time. We obviously need to make common sense a little more common in the General Assembly since this bill was passed by indefinitely in the Senate Rules Committee.

Del. Harvey Morgan and I were successful in passing significant legislation that will protect persons circulating recall petitions from being held liable for any costs associated with the proceedings, including attorney fees or court costs, and will not have sanctions imposed on them. This bill was in direct response to recent events in Gloucester County, and while the action comes too late to apply to their case, it will hopefully prevent others from being punished in the future for pursuing their democratic right.

Second to the budget this session, legislation regarding smoking has been at the forefront of people's minds. Legislators defeated Governor Kaine's proposal to double the state's cigarette tax to 60 cents per pack, however, they were effective in garnering enough support to substantially minimize smoking in bars and restaurants. The Governor has said that he will sign legislation that prohibits smoking in all restaurants and bars, with the exception of those with separate rooms and separate ventilation systems for smoking. This initiative had overwhelming support from Virginians who understood the direct effects of second hand smoke. I have voted in favor of this legislation for the past several years because I know personally how second hand smoke affects patrons with asthma and other respiratory ailments.

There was significant election reform legislation that was brought forth including bills that would permit no excuse, in person absentee voting and early voting up to 15 days before an election. A bill was also introduced that would permit students in college or university to choose to register to vote either at their permanent address or the address at school. All of these bills were defeated in the House.

A number of bills pertaining to public safety were also introduced which include a bill by Senator Saslaw which did not pass to make not wearing a seatbelt a primary offense and a bill by Delegate Janis which did pass to continue a policy of "zero tolerance" for underage drinking punishable as a class 1 misdemeanor and forfeiture of license.

The environment was a major topic of concern this year with a number of "green" proposals up for debate. It must be understood that along with the environmental benefit, many of these proposals will result in increased costs for the company and the consumer. HB 2506 which passed both the House and Senate, allows investor owned electric utilities to recover the costs of designing and operating energy efficiency programs that lead to a measured reduction in electricity required. A bill to provide tax credits for purchase of wind or solar energy systems passed the Senate but was left in House Committee. SB 1248 also passed which establishes a statewide goal of reducing the consumption of electric energy to certain levels through energy conservation and efficiency programs.

As you can tell this was again a session of great trials and tribulations. Although legislators were faced with such a colossal budget shortfall, we were able to rally around core principles to ensure that the final budget was responsible and effective. With such attention on the budget it is remarkable the number of significant bills that were passed and will continue to better the lives of all Virginians. I have

mentioned just a few above, but if you have any other questions regarding legislation that was passed this session, I would encourage you to visit <http://leg1.state.va.us/lis.htm> where you can find further information on bills by subject or bill number.

Although we may be out of session please know that I remain available to serve you. If I can ever be of assistance, please feel free to contact my district office at 757-259-7810 or via email at district03@sov.state.va.us. Thank you for your continued support for the privilege of representing you. With kindest regards, I remain

Very truly yours,

Thomas K. Norment, Jr.