

VIRGINIA CODE COMMISSION

Monday, January 7, 2013 - 3 p.m.
General Assembly Building, 6th Floor
Speaker's Conference Room
Richmond, Virginia 23219

MEMBERS PRESENT: John S. Edwards; Gregory D. Habeeb; James M. LeMunyon; Thomas M. Moncure, Jr.; E.M. Miller, Jr.; Jeffrey S. Palmore; Robert L. Tavenner; Robert L. Calhoun; Christopher R. Nolen; Wesley G. Russell, Jr.

MEMBERS ABSENT: Ryan T. McDougle; Charles S. Sharp.

STAFF PRESENT: Jane Chaffin, Karen Perrine, Lilli Hausenfluck

Call to order: Senator Edwards called the meeting to order at 3:10 p.m.

Approval of minutes: Senator Calhoun made a motion, seconded by Mr. Nolen, to approve the minutes of the December 4, 2012, meeting of the Virginia Code Commission. The motion carried and the minutes were approved as printed and distributed to the members of the Code Commission.

Recommendations of the VAC Contract subcommittee: As to the current proposal for renewal of the contract, Mr. Miller explained that all matters, except for a few minor points, had been worked out with West. Mr. Miller reviewed the substantive proposed contract changes between the existing contract and the proposed contract and the new print pricing as described in the handouts titled "Substantive Proposed Contract Changes" and "Print Pricing for Virginia Administrative Code" (confidential, in part). For example, the new contract will be for seven years and the supplement will be issued annually instead of semi-annually. The pricing information will be public after the contract is executed.

Mr. Miller moved that the Code Commission adopt the subcommittee's report and authorize the Chairman to execute the new contract once finalized and approved by the subcommittee within the parameters of the handouts presented today. The motion was seconded by Mr. Tavenner and approved unanimously.

Other business: Delegate Habeeb reviewed HB1538 (2013), introduced by Delegate Yost, as it involved the Code Commission. HB1538 requires the Code Commission to review the Code of Virginia and uncodified acts to identify provisions that have been superseded by decisions of the Supreme Court of Virginia or Supreme Court of the United States. Several members indicated that the new subsection B was unnecessary as the Code Commission was already doing this under the provisions of subsection A and recodification. Senator Edwards indicated the Code Commission would take no action.

Mr. Tavenner explained a new policy at DLS. Currently, "housekeeping" changes are made in bill drafts. After reviewing this process, it has been decided that a better approach is to make these changes title by title. Therefore, DLS will prepare a bill for each title or volume; all changes will be technical changes, not substantive. The bill will be presented to the Code Commission for approval and, if necessary, introduction.

The next meeting will be scheduled after the General Assembly Session adjourns.

Public comment; adjournment: The Chair opened the floor for public comment. As there was no public comment and no further business to discuss, the meeting adjourned at 3:25 p.m.