



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

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THIRTEENTH DISTRICT

COMMITTEE ASSIGNMENTS:
PRIVILEGES AND ELECTIONS
COUNTIES, CITIES AND TOWNS
SCIENCE AND TECHNOLOGY

March 8, 2010

The Honorable Ken Cuccinelli
Office of the Attorney General
Pocahontas Building
900 E. Main St.
Richmond, VA 23219
[Via E-mail]

Dear General Cuccinelli:

An article in the Virginia Pilot* states that an agreement was reached yesterday by budget conferees to tentatively increase state assessed fees by \$76 million and apparently to include these new fees in the Budget law of Virginia, as opposed to passing separate legislation.

Virginia's Constitution provides that, "No law shall embrace more than one object, which shall be expressed in its title." VA Constitution, Article 4, Section 12.

Since raising funds whether by taxes or fees is one purpose, and appropriating money is a separate and distinct purpose, would including a provision for raising \$76 million in fees to be spent as part of the Appropriations bill, violate the one object rule of the Virginia Constitution if the Governor signed this bill as a law?

I just learned of the effort to include this large tentative fee increase in the state budget this morning, or I would have requested an opinion from you earlier.

Because of the on-going budget negotiations, an expedited answer would be most appreciated and useful for me and others in order to ensure a regular, predictable and constitutionally sound process in arriving at our Budget.

Thank you for your time and consideration. If you have any questions please contact me at (703) 853-4213 or (804) 698-1013 beginning January 13, 2009.

Sincerely,

Bob Marshall

Delegate Bob Marshall

*"The House and Senate made a small dent in coming up with a joint budget. A very small dent. On Sunday, the chambers reached a tentative agreement to raise \$76 million in fees, from new car registrations, recording deeds and reinstating driver's licenses. The House, which had initially been opposed to any fee increase, offered the \$76 million olive branch on Friday afternoon." Virginian Pilot,