

(SB1119)

GOVERNOR'S RECOMMENDATION

Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 1119, which increases the limit of civil penalties issued by a special order of the Director of the Department of Environmental Quality (DEQ) and modifies the process for civil penalties issued by DEQ.

While this legislation has the important goal of environmental protection, the approach taken by this bill is not the appropriate way to achieve that goal. The legislation gives extremely broad administrative sanction authority to the agency and allows the assessment of excessive civil penalties. Additionally, the legislation does not provide sufficient due process protection under the Virginia Administrative Process Act. At a time when federal regulations continue to expand dramatically at the Environmental Protection Agency, we should not be adding overly burdensome regulations and costs that will be passed on to Virginia citizens. The existing authority of the agency is sufficient to properly enforce the law.

Accordingly, I veto this bill.