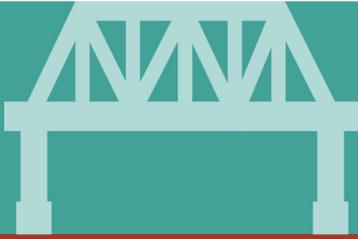


# 2019



**Virginia Municipal League  
Legislative Program**

Parks	Street maintenance
Animal control	Public health
Police	Neighborhood preservation
Elementary schools	Recycling
Building code enforcement	Animal shelters
Recreation leagues	Cable television franchises
Libraries	Sidewalks
Water and sewer systems	Voter registration
Public transportation	Child protective services
High schools	Courts
Fire services	Zoning enforcement
Health clinics	Farmers' markets
Garbage collection	Engineering
Storm water utilities	Consumer protection
Behavioral health services	Green Government
Traffic control	Street sweeping
After-school programs	Social services
Landfills	Industrial development
Economic development	Paratransit
Street lights	Fire marshal
Jails	Electric utilities
Building inspections	Comprehensive planning
Emergency medical services	Senior citizen programs
Housing authorities	Community development
Services for at-risk youth	Main Streets
Community centers	Kindergarten
Middle schools	Elections administration
Parking enforcement	Adult protective services
Hazardous materials response	Welfare administration
Historic preservation	Juvenile detention
Building permits	County fairs
Community festivals	Natural gas utilities
Medicaid eligibility	Airports
E-911	Citizen boards and commissions

Dear Legislator:

The Virginia Municipal League is pleased to present our 2019 Legislative Program. Our member cities, towns, and counties work together through six policy committees and a legislative committee to examine and discuss issues of importance to all our communities. These efforts culminate with the adoption a legislative program, which is outlined in this brochure.

Small, large, or in-between, our communities are responsible for a wide array of service provisions and funding obligations. We look to the General Assembly as a partner in helping our Commonwealth grow ever stronger by ensuring that communities across Virginia are equally able to meet the needs of a 21st century economy.

We pledge to work with you and your colleagues during the 2019 session of the General Assembly on the many issues facing Virginia's communities. Together we will find productive ways to achieve our mutual goals.

Thank you for your service to the residents of the Commonwealth.

Sincerely,

A handwritten signature in black ink that reads "Anita James Price". The signature is written in a cursive, flowing style.

Anita James Price  
President, Virginia Municipal League  
Council Member, City of Roanoke

# 2019 VML Legislative Program

The Virginia Municipal League adopted the following legislative program for the 2019 session of the General Assembly.

## Top Legislative Priorities

### State Assistance to Local Police Departments (HB 599)

Almost 70 percent of Virginians live in communities served by police departments. The state created a program of financial assistance to local police departments (HB599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly de-emphasized this funding obligation as a priority but has never compromised on the annexation moratorium. VML calls for the state to honor its commitment to local governments and public safety by funding the program as stipulated in the Code of Virginia or lift the moratorium on annexation.

### Funding the Real Cost of Education

The state funding formula for education operating costs breaks down on a statewide level as 55 percent state/45 percent local funding. However, the Standards of Quality do not recognize the true costs of education, including pupil transportation, school support staff, providing and updating broadband and other technology, and instructional staff salaries. Neither does it recognize most construction and renovation costs.

Local governments match more than is required for basic state education dollars, pay the majority of public school capital costs and struggle to find scarce local tax dollars to keep up with the demands for meeting additional and expanding state requirements and for creating 21st century learning environments for our children to master the challenges of tomorrow's workplace.

VML supports actions for the Commonwealth to recognize and fund the true costs of public education, including new avenues for funding public school construction and renovation cost such as the creation of a pilot program of competitive grants using funds from the Virginia Public Building Authority to offset new construction or renovation costs for publicly-owned and operated K-12 schools.

### Mental Health Alternative Transportation and Access to Beds

VML supports stable, sustained state funding and adequate safety standards for the use of alternative transportation for individuals experiencing a mental health crisis

who need evaluation and potentially in-patient services. VML supports the goal of creating more ready access to short-term, in-patient crisis services, including the use of public-private partnerships, to end the need to transport adults and children long distances to receive needed services and support.

## **Restoring Reductions to Community Services Boards**

Community services boards are slated for substantial state general fund reductions in fiscal years 2019 (\$11 million) and 2020 (\$25 million). Health care expansion through Medicaid may eventually make up for these reductions, but the timing of implementation leaves the boards with six months to make up for a year's worth of reductions in fiscal year 2019 and puts them at risk of service and staffing disruptions. VML supports the restoration of funding to community services boards in fiscal year 2019. VML also supports the revisiting of slated reductions in fiscal year 2020 and beyond, specifically to ensure that the state's goal of providing more services at the community level, including new STEP-VA service requirements, can be achieved without shifting funding burdens to local governments.

## **State and Federal Funding for Public Transit**

VML supports increased federal and state funding for public transit; policies that allow for the equitable distribution of such funding; and dedicated sources for such funding to ensure the state of good repair of transit equipment and facilities as well as service expansion.

# **Other Legislative Positions**

(listed in alphabetical order)

## **Closure of State Facilities**

VML supports the development and implementation of a process by which the Commonwealth would provide ample notice and work with a community when a state facility located in or adjacent to that community is slated for significant downsizing or closure that would affect jobs, utility agreements or have an impact on the surrounding communities.

## **Communications Sales and Use Tax**

The Virginia Communications Sales and Use Tax was enacted to establish a state-wide tax rate and to pre-empt local taxes on communications sales and services. VML supports setting the tax rate at the same level as the state sales tax rate and broadening the coverage of the tax to include audio and video streaming services and prepaid calling cards. VML opposes transfers of these revenues to the state general fund for purposes other than those stipulated in the Code of Virginia.

## **Distracted & Inattentive Driving**

VML supports legislative efforts to protect the public and prevent private property damage resulting from individuals who are distracted and inattentive while driving, regardless of the causes of distraction. Local governments should be authorized to enforce state laws and local ordinances dealing with this problem.

## **Education Funding**

A strong public school system is essential to economic development and prosperity. The state must be a reliable funding partner in accordance with the Virginia Constitution and state statutes. The Standards of Quality should recognize the resources, including positions, required for a high-quality public education system. VML opposes changes in methodology and changes in the division of financial responsibility that result in a shift of funding responsibility from the state to localities.

Further, VML opposes policies that lower state contributions but do nothing to address the cost of meeting the requirements of the Standards of Accreditation and Standards of Learning.

Any approach to improving low-performing schools must include adequate state financial support. VML supports increased state funding for the Virginia Preschool Initiative, the K-3 reduced class size program and Early Reading Intervention program. VML also supports increased state stipends for highly effective teachers in high-poverty schools, and other innovative programs for teachers and students.

## **Equal Rights Amendment**

VML supports the passage of the Equal Rights Amendment (ERA) and urges the General Assembly to take the necessary steps to put this matter before the citizens of the Commonwealth of Virginia.

## **Local and Regional Taxing Authority for Transit Capital Needs**

Public transportation is critical to the economy and quality of life of all Virginians. VML supports legislation that would allow localities to adopt additional regional or local taxes to provide needed capital funds.

## **Local Option Regulation of Disposable Plastic Bags**

VML supports legislation to allow local option authority to develop incentives or regulations to decrease or otherwise regulate the distribution, sale, or offer of disposable plastic bags.

## **Proffers**

The authority to impose impact fees should include calculations for the cost of all public infrastructure, including local transportation, transit, and school construction

costs, caused by growth. Until a comprehensive impact fee system is authorized, the state code should extend to all localities full authority for conditional zoning to meet the needs to new citizens for public infrastructure.

## Removing Barriers to Distributed Solar

The Grid Transformation and Security Act approved by the 2018 General Assembly authorizes and encourages many clean power production activities, but Virginia law still restricts the ability of local governments, businesses, and others from installing solar facilities for their own use. VML supports legislation to remove barriers and allow for creation of stronger markets for distributed solar goals, to include the following components:

- Lifting the one percent cap on the total amount of solar that can be net metered in a utility territory to five percent; and
- Allowing local government entities to install solar facilities of up to 5 MW on government-owned property and use the electricity for schools or other government-owned buildings located nearby, even if not contiguous.

## Sidewalks

VML supports the General Assembly granting local governments the authority to enter into agreements with developers to have a payment-in-lieu-of option for sidewalk installation. These agreements would include language allowing the locality to install a sidewalk somewhere else that is beneficial to the community.

## State and Local Government Fiscal Relationship

Governance at the local level becomes ever more challenging as the Commonwealth and the Federal government add new programs, or modify existing program guidelines, and promulgate complex regulations and higher standards for local governments to implement. It is not uncommon for the state and federal governments to either underfund their share of the costs or to ignore them altogether.

To that end, the Virginia Municipal League holds as essential these principles on local taxing and budget authority.

- Specific local revenue authority and sources cannot be further restricted without first granting and providing alternative revenue authority with reliable, sustainable revenue sources. This includes, without limitation, the BPOL and M&T taxes.
- Local governments should be involved in any discussions relating to local taxing authority including legislation that exempts specific industries from local taxes and fees.
- Local general fund revenue and special funds cannot be confiscated or re-directed to the state treasury.
- Placing additional administrative burdens on local governments without sufficient resources or administrative flexibility jeopardizes the quality of services

delivered at the local level. Local governments cannot be expected to bear the expenses related to the imposition of new funding requirements or the expansion of existing ones on services delivered at the local level without a commensurate increase of state financial assistance or new local taxing authority.

- Shifting traditional state funding responsibilities onto local governments for services including public education, law enforcement, and public safety activities and any core services affecting local government, is bad fiscal policy, resulting in stress on local finances without reductions in overall program costs.
- Imposing state fees, taxes or surcharges on local government services impedes transparency at both the state and local level.
- Any efforts at tax reform must begin with a thorough examination of state tax reform and the financing of state services. The State should reform its own tax structure before taking on the topic of local taxes. State and/or local tax changes should not negatively affect local revenues.
- State budget cuts to state mandated and other high priority programs should specify the programs to be affected by the cuts.

The Commonwealth should:

- Enter a dialogue with local governments to examine state requirements and service expansions that can be suspended or modified to alleviate to the degree possible the financial burden on state and local taxpayers.
- Examine models in other states that allow for modernizing state and local taxing authority.
- Develop spending and revenue priorities that support economic development, public safety, education and other public goals. State tax credits, tax deductions and tax relief policies must receive the same scrutiny as spending programs as part of the prioritization process.
- In times of revenue crises, review ways to increase revenues to meet constitutional and statutory obligations to Virginia citizens after all other actions have been taken.
- Include local government representatives on any “blue ribbon” commission or other body established by the state that has as its purpose changes to local revenue authority or governance.

## **Stormwater Local Assistance**

VML supports continued investment in the Stormwater Local Assistance Fund to assist localities with critical stormwater projects to meet federal and state clean-water requirements.

## **Taxing, Licensing, and Regulating Internet-based Businesses and Services**

In taking state action to regulate private enterprises employing a business model that emphasizes the use of the Internet to either provide retail or facilities or ride-sharing services, local government interests should be acknowledged, and localities should be included in the decision-making.

As general principles, VML believes state and local policies should (1) encourage a level playing field for competing services in the market place; (2) not provide a tax preference or tax policy advantage for one group at the expense of another group in the same competitive field; (3) seek to preserve and/or replace local and state tax revenues; (4) ensure safety, reliability, and access for consumers, providers, and the public; and (5) protect local government's ability to regulate businesses whether they are traditional, electronic, Internet-based, virtual or otherwise.

VML also believes that the state should not prohibit the sharing of financial information between the Commonwealth and appropriate local authorities that is normally treated as part of the public domain. VML further believes that the state should not prohibit a locality from exercising its authority to enter into voluntary collection agreements provided that such agreements include provisions to protect the public's interest.

## **Use of Locally-owned Rights-of-Way**

Private use of public rights-of-way significantly increase management responsibilities and maintenance costs. VML supports fair market value funding for private use of locally owned rights-of-way. These costs should not be disproportionately borne by local taxpayers.

# VML Executive Committee



**President**  
Anita James Price  
Vice Mayor, City of Roanoke



**President-Elect**  
Thomas R. Smigiel, Jr.  
Council Member,  
City of Norfolk



**Vice President**  
Ophie Kier  
Vice Mayor,  
City of Staunton



**At-Large Member**  
Jill Carson  
Council Member,  
Town of Pennington Gap



**At-Large Member**  
Willie Greene  
Vice Mayor, City of Galax



**At-Large Member**  
Bill Rush  
Town Manager,  
Town of Marion



**At-Large Member**  
Bridge Littleton  
Council Member,  
Town of Middleburg



**At-Large Member**  
Laurie DiRocco  
Mayor,  
Town of Vienna



**At-Large Member**  
A.D. "Chuckie" Reid  
Vice Mayor,  
Town of Farmville



**City Section Chair**  
Jon Stehle  
Council Member,  
City of Fairfax



**Town Section Chair**  
Sean Polster  
Council Member,  
Town of Warrenton



**Urban Section Chair**  
Shannon Kane  
Council Member,  
City of Virginia Beach



**Past President**  
Patricia P. Woodbury  
Council Member,  
City of Newport News

# VML Legislative Committee

**Chair:** Don Harris, Mayor, Town of Bluefield

**Vice Chair:** Roger Fawcett, Council Member, City of Suffolk

## **City Section**

Andrea Oakes, Council Member, City of Staunton

Mary Person, Mayor, City of Emporia

Dan X. Sze, Council Member, City of Falls Church

Gene Teague, Mayor, City of Martinsville

William “Billy” Withers, Council Member, City of Fredericksburg

Benming “Benny” Zhang, Council Member, City of Williamsburg

## **Town Section**

Michael Barber, Mayor, Town of Christiansburg

James Bradley, Council Member, Town of Gordonsville

Donald R. Harris, Mayor, Town of Bluefield

Jonathan “Bucky” Miller, Mayor, Town of Mt. Jackson

Phil Miskovic, Council Member, Town of Crewe

W.T. “Bill” Rush III, Town Manager, Town of Marion

## **Urban Section**

Ted Byrd, Council Member, City of Harrisonburg

Katie Cristol, Board Chair, County of Arlington

Roger W. Fawcett, Council Member, City of Suffolk

Robert C. Ike Jr., Council Member, City of Chesapeake

Shannon Kane, Council Member, City of Virginia Beach

Sherman P. Lea, Sr., Mayor, City of Roanoke

John L. Rowe, Mayor, City of Portsmouth

Christine Snead, Councilwoman, City of Hampton

Levar Stoney, Mayor, City of Richmond

Tina L. Vick, Vice Mayor, City of Newport News

# About VML

The Virginia Municipal League is a statewide, nonprofit, nonpartisan association of city, town and county governments established in 1905 to improve and assist local governments through legislative advocacy, research, education and other services. The membership includes all 38 cities in the state, 160 towns and 6 counties.



**P.O. Box 12164 Richmond, VA 23241**

**804/649-8471 e-mail@vml.org www.vml.org**