

Update

The newsletter of the Virginia Municipal League

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VDOT offers more details on 6-year plan update

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Congressional Cities Conference 2002

U.S. Communities Government Purchasing Alliance

House, Senate adopt budgets; differences remain substantial

The House and Senate adopted their respective budgets Feb. 21. Relatively little debate over the proposals took place in the Senate. No changes were made to either SB29 (the caboose bill) or to SB30 (the biennial budget).

House members, however, engaged in a long, noisy, mostly partisan debate over both HB29 and HB30. In the end, however, the House adopted only a single, relatively insignificant floor amendment.

The House and Senate must now address (and reject) each others' budgets so that a committee of conference can be formed to negotiate the many differences in the budget proposals. This committee was scheduled to be formed Feb. 27. Adjournment is scheduled for March 9.

Here is a summary of some of the recommendations put forth for HB29 / SB29 (the caboose bill for FY02) and for HB30 / SB30 (the biennial budget for FY03-04).

FY02 education budget proposals

Literary Fund. The House and Senate

Sales tax bills hang on ... barely

THE HOUSE FINANCE Committee stripped the statewide sales tax increase for education from SB170 (Colgan) before voting 14-8 to refer the bill to the House Appropriations Committee.

Its fate there is uncertain, and even if the bill passes the House, the Senate will have to decide whether to agree to the House changes. Sen. Charles Colgan spoke against the committee substitute for SB170. The substitute

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accept Gov. Mark Warner's amendments to divert \$53 million from the Literary Fund to help pay for teacher retirement.

K-3 reduced class size. The House decreases funding to reflect savings (\$2.3

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Reminder: AEP contract deadline approaching

The Electric Utility Steering Committees have done yeoman work through the years on behalf of local governments by negotiating reasonable and just rates for electricity service required for governmental use. This process was available because Virginia law exempts the state government and municipalities from the regulation of rates by the State Corporation Commission. In the past, the steering committees have negotiated rates on a cost-of-service basis and their recommendations have been universally accepted by the political subdivi-

sions and contracts entered into between APCO and the public authorities.

The Virginia Electric Utility Restructuring Act, adopted by the General Assembly in 1999, changed significantly the past procedures. Electric service is comprised of three elements: generation, transmission and distribution. Because the distribution element will remain a monopoly service by the incumbent suppliers, and regulated by the SCC, the act grants retail users the right to choose an alternative generation supplier.

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FROM THE CAPITOL**2002 GENERAL ASSEMBLY****House, Senate budgets continued...**

million) in the program based on actual participation levels.

At-risk 4-year olds. The House decreases funding to reflect savings (\$3.1 million) in the program based on actual participation levels.

Lottery. The House and Senate distribute an additional \$6 million in increased lottery proceeds. Of this, 40 percent is distributed to localities. The lottery hold harmless account is reduced as an offset.

Retirement. Both the House and Senate accept Gov. Gilmore's amendments to decrease VRS contribution rates for teachers.

FY03-04 education budget proposals

Overall. Senate cuts public education funding by \$110.6 million in FY03-04 from the introduced budget. The House cuts funding by \$286 million from HB29/HB30.

School construction fund. The Senate adopts Gov. Warner's amendment and restores half of the funding for the school construction fund (\$27.5 million each year). The House: does not adopt the amendment, thereby providing no funding for the program.

Literary funds. The Senate accepts Gov. Warner amendments to transfer \$53 million from Literary Fund. The House accepts the amendments and diverts an additional \$2.8 million in FY03 and \$3.0 million in FY04 resulting from increased revenues generated by HB606.

JLARC education funding study. The Senate did not fund any aspects of the JLARC education funding study that was released late last year. The budget report said it did not want to take a piecemeal approach to the issue. The Senate eliminated funding for some local only programs including the Blue Ridge Regional Education and Training Council, school health centers (\$1.5 million a year), Achievable Dream, Inc., AVID. The Senate also proposes requiring a local share for the SOL teacher training program, which saves the state (and passes on to localities) \$7.6 million in FY03 and

\$7.7 million in FY04. This program is currently 100 percent state funded.

The House eliminates / reduces categorical, incentive and grant programs to provide funding for part of the Tier 1 recommendations by JLARC. These include funding of administrative costs that have been left out of the Standards of Quality cost calculation since the 1990s, and proposes phasing in the elimination of the practice of deducting local revenues from the cost of the SOQ prior to its apportionment between the state and localities.

Specifically, the House proposes adding \$24.9 million in FY03 and \$65 million in FY04 to pay for 34 percent and 90 percent, respectively, of administrative costs that were excluded in the 1990s in the calculation of SOQ costs. The effect of this amendment is to include personnel costs associated with school board services, executive administration, information, personnel, planning, fiscal, purchasing, copying, and debt processing services in the calculation of the costs of the SOQ. The House also proposes adding \$24.7 million in FY03 and \$49.7 million in FY04 to provide state funding to stop the current practice of deducting locally generated revenues from SOQ costs prior to apportionment between state and local governments. This increases the state share of SOQ costs. The funding pays for 50 percent of the costs of stopping this practice in FY03 and the entire cost in FY04.

Programs proposed by the House to be eliminated include:

- Additional teachers (\$28.9 million in FY03; \$29 million in FY04).
- Dropout prevention (\$10.9 million in each year).
- Maintenance supplement (\$9.6 million in FY03; \$9.7 million in FY04).
- SOL teaching materials (\$3.2 million in each year; Gov. Gilmore had recommended a 50 percent cut in this program; Gov. Warner had recommended eliminating it). The Senate also accepts this amendment.
- SOL teacher training (\$17.5 million in FY03; \$17.4 million in FY04).
- Various other smaller programs including school nurse incentive fund, adult literacy (\$1.3 million in each year), truancy (\$2.2 million in each year), VAGAP, school health centers (\$1.5 million each year), software rights, AVID and local/regional

programs (including Blue Ridge Regional Education Council, Hampton Roads Public Education Regional Cooperative Project ECOLE, Western Virginia Public Education Consortium, William King Arts Center).

Programs proposed for reduction by the House include:

- At-risk 4-year-olds (\$12.9 million in FY03 and \$12.8 in FY04), and
- Project Discovery (\$542,877 reduction in each year for a 50 percent reduction).

Required local effort. The House also includes language requiring the Department of Education to collect data to determine if localities are paying their required local shares of SOQ costs.

Teacher salaries. The House proposes establishing a compensation reserve to provide the state share of funding for 2.75 percent increase for teachers, effective Dec. 2, 2003. The Senate provides no funding for teacher salary increases.

Federal funding. The House appropriates \$27.4 million in federal money for special education, \$16.9 million in FY03 from No Child Left Behind, and \$52 million in FY03 from teacher quality grants under the Elementary and Secondary Education Act. The House budget decreases funding to reflect elimination of federal programs by decreases of \$8.7 million in FY04 (expiration of Goals 2000), \$2.9 million in FY04 (expiration of the Federal Technology Literacy Challenge Fund).

Technical / updating. The House and Senate accept amendments from Gov. Gilmore and Gov. Warner to adjust the SOQ and other education accounts to account for changes in inflation, average daily membership, the composite index, and other factors. For example, both the House and Senate accept amendments to adjust SOQ costs to reflect updated inflation factors. Gov. Warner had submitted amendments showing savings of \$22.2 million in FY04 and \$22.3 million in FY04.

Lottery funding. The House and Senate update lottery fund estimates to add \$9 million in FY03 and \$5.5 million in FY04. Of this, 60 percent goes toward

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House, Senate budgets continued...

the state share of basic aid funding, and 40 percent is distributed to school divisions based on a per pupil payment adjusted by the composite index. Both the House and the Senate accept Gov. Gilmore's amendment to eliminate the lottery hold harmless program in FY03-04.

Retired teacher health care credit. Both the House and Senate accept Gov. Gilmore's amendment to fund this program through the SOQ formula, thus passing on to localities \$18 million in costs in FY03 and \$17 million in FY04.

VRS. The House proposes recognizing gains from VRS over a 10-year period instead of the current 25-year period. This results in lower VRS contribution rates for teachers, and decreases funding by \$27.1 million in FY03 and \$29.3 million. The House proposes a group life premium holiday for state employees and teachers; savings for the costs of the teacher portion are \$7.8 million in FY03 and \$7.9 million in FY04.

Transportation

Transportation issues of interest in the budget bills include:

Transportation savings: The Senate directs the transportation agencies to generate an estimated \$48 million in budget savings for the general fund. State agencies must implement the following cuts: 3 percent in FY02, 7 percent in FY03 and 8 percent in FY04. The transportation agencies, including VDOT, are Non General Fund (NGF) agencies.

Sales tax for transportation: In FY02, the Senate directs the estimated and accelerated one-half percent sales tax receipts of \$19.4 million to the general fund. One-half percent equals the transportation share of the state's sales tax rate of 3.5 percent

Priority Transportation Funds/FRANS: The House gives VDOT the flexibility to use Priority Transportation Funds on any project in the six-year plan (VTDP) or in the six-year plan for secondary roads, and to use Federal Revenue Anticipation Notes (FRANs) on any project in the six-

year plan (VTDP) or in the six-year plan for secondary roads. However, FRANs sold after Jan. 1, 2002, are to be distributed among the VDOT construction districts in the same proportion as identified in the Virginia Transportation Act of 2000 (VTA), and not through the Transportation Trust Fund (TTF) formula.

Meanwhile, the Senate provides VDOT the flexibility to use FRANs for secondary and urban projects in FY03 (*see below*), for Route 288 in the Richmond area and for any other primary and urban projects in the FY03 plans (in the six-year plan (VTDP) or in the six-year plan for secondary roads). In total, more than \$487 million may be expended for primary, secondary and urban roads, including the following allocations:

Bristol: Secondary \$9.6 million, Urban \$2.2 million; Culpeper: Secondary \$6.6 million, Urban \$1.5 million; Fredericksburg: Secondary \$7 million, Urban \$510,000; Hampton Roads: Secondary \$5.5 million, Urban \$37.7 million; Lynchburg: Secondary \$8.1 million, Urban \$9.9 million; Northern Virginia: Secondary \$22.8 million, Urban \$6.7 million; Richmond: Secondary \$14.2 million, Urban \$8.2 million, Salem: Secondary \$9.4 million, Urban \$8.1 million; Staunton: Secondary \$7.7 million, Urban \$4.5 million.

The above allocations are intended to eliminate VDOT's proposed FY 2003 cuts.

Transportation Oversight Commission: The Senate proposes the creation of a legislative Joint Transportation Finance Oversight Commission to review and examine transportation revenues and expenditures, including the six-year plan, and to seek solutions to funding issues including the possibility of a special session to address transportation funding.

VTA: The Senate eliminates general funds previously dedicated in the Virginia Transportation Act for transit (\$15 million) and ports (\$5 million). (Note: According to the Virginia Transit Association, all but \$4.5m of the aforementioned \$15.0 million is under contract.). The Senate directs the Virginia Department of Rail and Public Transportation to use \$18 million of federal Minimum Guarantee and STP funds to assist properties in

acquiring new transit vehicles and equipment.

Transportation Trust Fund restoration: The House restores the one-half cent sales and use tax to the TTF, but allows for a loan to the general fund of up to \$110 million in FY03. Notwithstanding the loan feature, the transfer equals \$317 million in FY03 and \$335.6 million in FY04. The Senate concurs with Gov. Warner and restores the one-half cent sales and use tax to the TTF in FY04. The transfer equals \$335.6 million in FY04.

Car tax relief administration: Both the House and Senate move the administration of the car tax relief program to the Department of Taxation from DMV. Both would require new notices from local Treasurers, Commissioners of Revenue and Directors of Finance to all those receiving car tax relief of the requirements of "non-business purposes" and assess penalties for failing to accurately report such. Both would deduct any past payments made for unqualified vehicles from reimbursements to local governments.

DMV fees: While the Senate returns the entire share of car rental and mobile home tax receipts to local governments (\$4m for the biennium), the House permits DMV to retain \$2.6 million, or 3.4 percent, of vehicle rental taxes. (Gov. Warner proposed allowing DMV to retain the \$4 million or 5 percent to administer the program).

Other legislation

In addition to the education portion of the budget bills, here is a summary of some of the other areas of interest to local governments:

We fire, you hire: The House includes budget language requiring political subdivisions to hire state employees who are involuntarily separated for vacancies in state-supported local positions under these conditions:

- The locality may consider fully qualified applicants who are already local employees for the vacancies,
- The separated state employee is deemed fully qualified, and
- The employee has been involuntarily

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separated from a salaried position with the state during the past 12 months.

- The state Department of Human Resources is instructed to coordinate with political subdivisions to identify state-supported local positions and to maintain an up-to-date listing of openings.

Salaries: The House proposes establishing a compensation reserve to provide a 2.75 percent increase for state employees and higher education faculty effective Nov. 25, 2003, a 2.75 percent increase for state-supported local employees effective Dec. 1, 2003 and the state share of funding for 2.75 percent increase effective Dec. 1, 2003. The Senate proposes a bonus of 2.5 percent for all full-time salaried employees and faculty on Nov. 25, 2002 and Nov. 25, 2003. No funding is supplied for bonuses for teachers or state-supported local employees.

HB 599 funding: The House recommendation freezes HB 599 funding for FY02, FY03, and FY04 at the FY00 level of \$165.8 million. This means a reduction of \$7.3 million in addition to the \$10.4 million reduction taken in HB29. Total reduction for FY02 would be \$17.65 million. In FY03 and FY04, the distributions would be \$165.8 million (the FY00 level), which represents a decrease of \$31.56 million for the biennium. The Senate would reduce HB599 based on the newly decreased revenue estimates, putting FY 02 distributions at \$167.45 million, a \$5.59 million reduction, and reducing FY03 funding levels by \$2.47 million and FY04 funding by \$1.66 million. We do not yet have spreadsheets yet on the effect on individual local governments.

ABC profits: The House did not address the reduction taken in ABC distributions for the biennium in the introduced budget. The Senate increased the amount to taken out of ABC for the Department of Mental Health, and thereby reducing further the amount for distribution to local governments, by \$2.2 million in FY03 and \$2.3 million in FY04.

Comprehensive Services Act (CSA): The Senate fully restored the

\$26.9 million of state funding to this program in FY03 and FY04, and kept local government match rates at the current level. The House restored most of the state funding for FY03, along with the current local match rates. In FY04, however, the House restored a portion of state funding, while increasing the local match by 10 percent on non-Medicaid supplemental expenditures. Both budgets require development of performance standards for local governments regarding use of federal funds (Medicaid and IV-E), and make supplemental reimbursements contingent upon meeting minimum performance standards as of July 1, 2003. The Senate removed language in SB30 that would move the prevention foster care program out of CSA and into Social Services. The House did not remove the language. VML supports removal of the language.

Behavioral health: Both budgets recommend restoration of funding for behavioral health, with the Senate generally giving more back. For example, Community Services Boards (CSBs) would get about \$9.1 million from the House for increased case management rates, while the Senate would restore about 75 percent of the proposed reductions to CSBs. The Senate amendment also exempts direct services for mentally disabled people from across-the-board cuts. Both budgets include language regarding a restructuring process for state facilities that emphasizes grassroots involvement and buy-in before any proposal moves forward. Both budgets also delay the implementation of the law regarding civil commitment of sexual predators, which was to go into effect January 2003. Both bills also call for inclusion of juvenile offenders in policy and planning for greater access to mental health services for children and adolescents.

Social services: Both budgets add language allowing for voluntary consolidation of local social services departments. The Senate adds language allowing for local reporting on food stamp eligibility every six months, a new federal option. The House does not include the language. The Senate language requires implementation of plan for maximizing

use of federal revenue in cooperation with localities. The House does not. The Senate gives TANF funds for local community action agencies as an offset to across-the-board cuts, allocates TANF funds for Comprehensive Health Investment Project (CHIP), and restores some funding to centers for employment training in five localities. Both budgets restore some funding for Healthy Families Virginia. The House held off from increasing the Auxiliary Grant monthly payment, which includes a 20 percent local match, but the Senate increases it by \$18 a month.

Compensation Board: The House makes a 5 percent across-the-board reduction for local law enforcement and regional jail authorities, a reduction of \$11.45 million in FY03 and FY04. Both budgets add per diem payments for additional state-responsible offenders in local jails for FY03 and FY04, with the House proposing \$3 million and the Senate \$6.8 million each year. Both budgets adopt the change in methodology for recovering state-funded personnel costs associated with housing federal and out-of-state inmates in regional jails for projected savings of \$3.8 million each year in the House, and \$4.5 million each year in the Senate. Both budgets adopt language making fewer prisoners in local jails the responsibility of the state, thereby saving the state per diem costs. The House removed funding for 119 new deputies to maintain the 1:1,500 ratio, while the Senate maintained the new hires as a component of its anti-terrorism response. The Senate reduces by 10 percent the reimbursement to localities for expenses paid on behalf of constitutional officers, while eliminating the across-the-board reductions to the Compensation Board. This action reduces reimbursements to localities by \$43.3 million in FY03 and \$48 million in FY04.

Juvenile Justice: The House reduced by 51 percent the funding available to localities through the Virginia Juvenile Community Crime Control Act (VJCCCA), and transformed it into a discretionary grant

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program with new local requirements for obtaining the money. It did not address the issues of maintenance of effort or match for the money. The Senate took about a 23 percent reduction in the funding over the biennium, and removed the proposed local match language. Both sides eliminated funding for offices on youth.

Regional Competitiveness Act: The House reduced funding for the program by \$5.02 million in FY03 and \$8.2 million in FY04, while the Senate reduced funding by \$7.5 million each year and added \$2 million in funding each year for a workforce services program with competitive grants to be managed by the 19 regional partnerships.

Non-tidal wetlands permits: For FY03-04, the House adds eight positions to implement the State Programmatic General Permit Program, while the Senate adds five positions.

TMDLs: The Senate provides \$1.3 million in federal NGF and \$1 million in general funds for DEQ's Total Maximum Daily Load Program (TMDL), in FY03-04, to develop the maximum discharge that can be made into impaired waters. A total of 648 TMDLs must be developed.

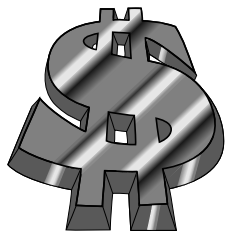
Nitrogen oxide emissions: Both House and Senate allow DEQ to auction nitrogen oxide emissions to industry, and deposit the proceeds into the state general fund. The House estimates \$6 million, the Senate \$8.8 million in FY04.

CSO: Neither chamber provides new funding, just new language directing DEQ

to work with EPA, Richmond and Lynchburg to permit the cities to use local expenditures and loans from the Wastewater Revolving Fund to match federal grants.

Conservation & Recreation: Both the House and Senate restore funds to the Virginia Outdoor Foundation to replace previous funding reductions. For state parks, both chambers replace Game Protection Funds with general funds to pay for operations.

Soil & Water Conservation Districts: The Senate reduces by half the money available to Soil and Water Conservation Districts for implementation of local tributary strategies under the Chesapeake Bay Program. ❖

Sales tax bills continued...

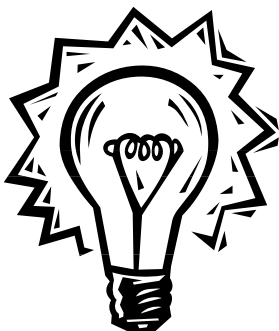
replaces the statewide sales tax increase with modifications to the existing income tax authority for Northern Virginia localities. Instead of allowing the localities in Planning District 8 to levy a local option income tax of up to 1 percent for transportation, the substitute for SB170 would allow the same localities to impose a local option income tax of up to a half-percent for education construction, renovation, technology and debt service. The committee substitute, adopted Feb. 25, also restricts the sales tax increase for transportation to Northern Virginia.

SB668 (Williams), which would authorize a 1-percent sales tax increase for transportation projects in Hampton Roads, is still in the

House Finance Committee, and was scheduled to be considered at the committee's next meeting.

The bill to allow the City of Winchester to increase its local sales tax by 1 percent for education was also still alive on Feb. 25. SB 40 (Potts) was first carried over by the House Finance Committee, then resurrected and reported on a 12-10 vote. The bill was subsequently referred to the House Appropriations Committee.

In an advisory referendum held in Winchester last November, residents voted by a 2-1 margin to support the sales tax increase. ❖

Electricity continued...

The theory behind the act is that there will be a true competitive market for the generation service and thus the cost will decrease. In the APCO area "choice" became available on Jan. 1, 2002. Thus, after the contracts of the public authorities in the APCO area expire on June 30 of this year, political subdivisions will have a right to choose another supplier. Unfortunately, a true competitive market has not yet developed.

APCO has agreed to offer to the public authorities in its area the option to either terminate on June 30, 2002 when contracts expire, or extend their contracts through Dec. 31, 2003 or through June 30, 2007.

The steering committee strongly recommends the 2007 extension. The election must be made and APCO notified by March 18, 2002, or it will deem the contracts ended on June 30, 2002 and localities may have to go out into the market and seek the needed generation.

All counties, cities and towns have been notified of the urgency of taking appropriate action on the APCO offer. However, there may be authorities, and even school boards, that have separate contracts. Alert any such public authorities in your jurisdiction to the situation. ❖

FROM THE CAPITOL

VDOT offers more details on 6-year plan update



VDOT recently provided new information about the development of the fiscal year 2003 six-year plan. At a Feb. 20 workshop meeting of the Commonwealth Transportation Board, Interim VDOT Commissioner Ray D. Pethel said that the department is beginning to segregate projects into four categories for the purpose of developing the FY03 six-year plan. The board is committed to adopting the plan before July 1.

- Construction (projects that will “go to” construction within the next six years);
- Feasibility (projects that will be planned within the next six years);
- Eliminated (projects that will be eliminated from the six-year plan); and a
- Revised list of FRAN eligible projects. This list is contingent upon the legislature adopting budget amendments providing VDOT with the necessary flexibility to spend FRANs on specific projects.

The FRAN eligible project list will

include projects currently in the FY02 plan that presently are ineligible to receive FRAN support. The Virginia Transportation Act of 2000 designated specific projects to receive FRANs (and thereby excluded specific projects from receiving FRANs). In the present legislative session, VDOT is seeking the flexibility to use FRANs on any and all projects in the six-year plan, notwithstanding the provisions of the act. (VML and VACo have suggested that secondary road projects also should be eligible to receive FRANs.)

As previously reported and in order to balance the construction budget, VDOT must eliminate and/or delay more than \$2 billion worth of projects in the FY02 six-year plan. The draft lists may be released within the next few weeks. VML will continue to monitor the development of the six-year plan. For more information, contact Mike Edwards, senior legislative analyst, at 804/649-8471 or at medwards@vml.org. ❖

REGULATIONS

Intended Regulatory Action

Standards for Classification of Real Estate as Devoted to Agriculture Use and to Horticultural Use Under the Virginia Land Use Assessment Law. The Department of Agriculture and Consumer Services has proposed amendments to review the regulation for effectiveness and continued need, including amending the Chapter 705 of the 2001 Acts of Assembly. Under that provision, localities are authorized to waive, with respect to real estate devoted to the production of crops that require more than two years from initial planting until commercially feasible harvesting, and requirement contained in the regulation that requires the real estate to have been used for a particular purpose for a minimum length of time before qualifying as real estate devoted to agricultural use or horticultural use. The Commissioner of Agriculture and Consumer Services is to promulgate regulations to carry out the provisions of the act. The agency invites comment on whether there

should be an adviser. The agency intends to hold a public hearing on the proposed action after publication. Public comments may be submitted until March 18th. Contact Lawrence Redford, Department of Agriculture and Consumer Services, at 804/371-8067 for more information.

Final Regulations

Licensure Regulations for School Personnel. The State Board of Education has proposed amendments to conform regulations to statute by (i) providing for a three-year, nonrenewable Local Eligibility License; (ii) requiring that individuals seeking licensure who graduated from Virginia institutions of higher education only be licensed if the endorsement areas offered at such institutions have been assessed by a national accrediting agency or by a state approval process, with final accreditation by the Board of Education; (iii) recognizing national certification from the National Board of Professional Teaching Standards or a nationally recognized certification program approved by the Board of Education for comparable endorsements on a license, and (iv) providing acts related to secure mandatory tests as specified in the Code of Virginia may be reasons for revocation or suspension of a

teaching license. In addition, the amendments expand provisions for license renewal and initial licensure by requiring demonstration of proficiency in educational technology and training to promote academic progress and preparation for the Standards of Learning and modifying certain professional studies requirements regarding identification of gifted students, improved school/family communication and increased family involvement. The regulations add a fourth option for obtaining a division superintendent license. For additional information, contact Dr. Thomas Elliott, Department of Education, at 804/371-2522.

Standards for State-Funded Remedial Programs. The State Board of Education has proposed amendments to institute a maximum pupil-teacher ratio for state-funded remedial programs. Also, the board proposes to require that local school divisions to record and report specified data pertaining to their state-funded remedial programs, and to annually evaluate the success of those programs. The amendments also set forth a formula for funding transportation for state-funded remediation outside regular school hours. The regulation was

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REGULATIONS

also amended to (i) broaden the definition of state-funded remediation programs as those programs defined in the local school division's remediation plan that serve eligible students from state funding sources; (ii) permit the use of locally designed or selected tests in place of the Standards of Learning assessments, when applicable, as pre- and post-tests for the remediation program; and (iii) include individuals who work in the state-funded remedial program as eligible to teach or to work under the direct supervision of a licensed teacher in Virginia. For additional information, contact Dr. James Heywood, Department of Education, at 804/225-2924.

Regulations Governing Special Education Programs for Children

with Disabilities in Virginia. The United States Department of Education has reviewed and analyzed these regulations to determine Virginia's eligibility for federal special education funds, identified certain components of the regulations that needed to be changed. The required changes are designed to ensure that: 1) meetings of the state special education advisory committee are announced early enough for public to attend; 2) State reports of assessment do not disaggregate data for children with disabilities if doing so is not statistically sound; 3) confidentiality notices to parents comply with § 300.561 of the Individuals with Disabilities Education Act; 4) IPEs are developed appropriately for children placed in non-educational placements by Comprehensive Services Act teams; 5) IPE teams determine when services will begin for children who turn two during summer

months; 6) children aged birth to 21 have a free educational opportunity goal and the state and localities intend on meeting this goal by 2010; 7) private schools where children with disabilities are placed are described as private schools rather than private special educational schools; 8) parents of children placed by a Comprehensive Services Act team for special education reasons have the full rights for parental involvement in placement decisions; 9) expedited due process hearing timelines are the same for hearings requested by parents of by local educational agencies; 10) Virginia's language does not place a statute of limitations on federal appeals. Contact Lissa Power-deFur, Department of Education, at 804/225-2402 for more information. ♦

ETCETERA

Fire grant application period opens March 1

The application period for the 2002 Assistance to Firefighters Grant Program opened March 1, according to the Federal Emergency Management Agency. More than \$360 million is available.

This year's program features online application that provides extensive help screens and information.

Who is eligible?

Fire departments located in all 50 states are eligible. A fire department is defined as an agency or organization that has a formally recognized arrangement with a state, local or tribal authority to provide fire suppression, fire prevention and/or rescue services to a population within a fixed geographical area.

What will be funded?

Fire departments can apply for eligible activities in one of four different programs:

1. Fire Operations and Firefighter Safety (eligible activities include: Training, Wellness and Fitness, Firefighting Equipment, and

Personal Protective Equipment).

2. Fire Prevention (eligible activities include: Public Education, Public Awareness, Code Enforcement, and Arson Prevention).

3. Emergency Medical Services (eligible activities include: Training and/or Equipment).

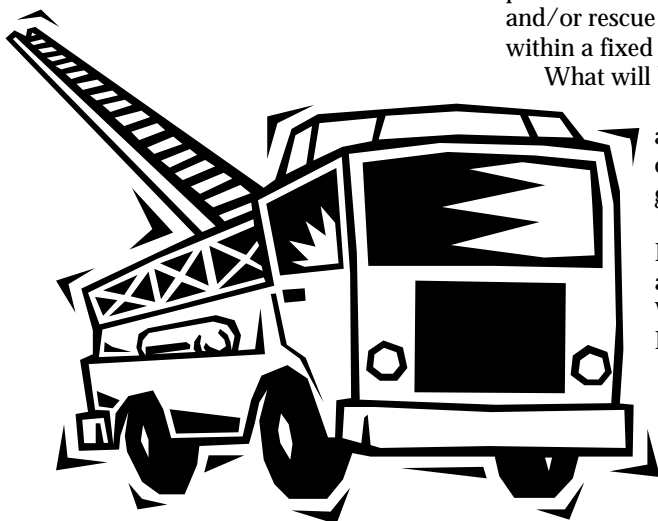
4. Firefighting Vehicles.

When will applications be accepted?

The application period will through April 1. Evaluation panels will review applications in April and May. Grant awards begin in May and continue until all funds are awarded.

The interim final rule was published in the Federal Register. It gives additional details on eligibility and priorities of the program. The rule and the application are available online at the U.S. Fire Administration web site at www.usfa.fema.gov/grants.

For more information on the grant program, or problems with the application process, visit the web site, call the toll-free information line at 866/274-0960 or send e-mail to usfagrants@fema.gov. ♦



POSITIONS

Longer version of job ads posted at www.vml.org

Because of the number of requests it receives to publish job advertisements, VML reduces the length of the of position descriptions in *Update*. A full version of all of the job listings published here appears on VML's web site at www.vml.org. Visit the VML site and click on "Marketplace" to read the complete description.

Communications Systems Coordinator, Fauquier County

SALARY: \$38,292-\$57,438 (+) benefits. Plan, direct and supervise technical operations of the public safety communications system. Submit Fauquier County Classified application to: Fauquier County Human Resources Department, 10 Hotel St., Warrenton, VA 20186. For assistance call 540/347-8668. Fax # 540/347-3610. www.co.fauquier.va.us/services/jobs. (Applications may be printed from the web site.) Open until filled. EOE.

Finance Director, Fauquier County

SALARY: \$54,869-\$82,304 (+) benefits. Supports both the county government and public school programs. Direct the activities of the Finance Department, including General Ledger, Payroll, Accounts Receivable, Accounts Payable, Procurement, and Risk Management. Submit Fauquier County Classified application to: Fauquier County Human Resources Department, 10 Hotel St., Warrenton, VA 20186. Assistance: 540/347-8668 or Fax: 540/347-3610. www.co.fauquier.va.us/services/jobs. (Applications may be printed from web site.) Open until filled. EOE.

City Clerk, Petersburg

SALARY: \$28,841-\$47,591. Performs professional and administrative work as legislative assistant to city council. Prepares for regular and special city council meetings by preparing and distributing agenda packets, including researching and gathering information. Attends all city council meetings. Submit application and/or resume and requests for needed accommodations to: City of Petersburg, Human Resources Depart-

ment, 103 W. Tabb St., Petersburg, VA 23803. Visit www.petersburg-va.org. Deadline: March 15. EOE.

Town Manager, Gate City

Salary: \$30,000-\$45,000 DOE/DOQ (+) benefits. (Pop. 2,159). Plan, direct, and review the work of 30 full- and part-time employees. Supervise police chief, public works director, treasurer and clerk. Prepare and administer \$1.6 million bdtg. Serve as sanitation authority manager. Mayor and 5-member town council elected in even years. Send cover letter, complete resume, salary history, and 3 professional references to the Town of Gate City, Personnel Committee, 176 E. Jackson St., Gate City, VA 24251. Information: 276/386-3831. Deadline: April 12. EOE.

Director of Finance, Fluvanna County

SALARY: \$41,038-\$59,426. Send Virginia state application to Macon C. Sammons Jr., County Administrator, County of Fluvanna, P.O. Box 540, Palmyra, VA. Full job description available upon request. Information or an application: 434/591-1910; website: <http://www.co.fluvanna.va.us>. Open until filled. EOE.

CSA Program Manager, Fluvanna County

SALARY: Negotiable / \$12-\$15 an hour. 30 hrs. per week. Send state application to: Brenda Browning, Department of Finance, P.O. Box 540, Palmyra, VA. For more info. or an application: (434) 591-1910; website - www.co.fluvanna.va.us. Send state application <http://www.co.fluvanna.va.us/jobs.htm#stateapp> to: Fluvanna County, P.O. Box 540, Palmyra, VA 22963 Attn: Brenda Browning, Director of Finance. Open until filled. EOE.

Senior Planner, Fluvanna County

SALARY: \$29,952-\$43,368 (+) benefits. Department of Planning and Community Development. Full job description available upon request. Send resume and Virginia state application with references to: Fluvanna County, P.O. Box 540, Palmyra, VA 22963, Attn: G. Cabell Lawton IV. For info. or an application: 434/591-1910; E-mail clawton@co.fluvanna.va.us; website: www.co.fluvanna.va.us. Open until filled. EOE.

Information Officer III, Fairfax County

SALARY: \$45,388-\$60,517 hiring range (+) benefits. In Office of Public Affairs. Serves as a senior public information professional responsible for developing, planning and executing comprehensive public information programs and managing media relations. To apply: Send resume and a resume attachment form to: Fairfax County Application Center, 12000 Government Center Pkwy., Suite #170, Fairfax, VA 22035. Resume attachment form can be found at http://www.co.fairfax.va.us/jobs/sup_frm.htm. Questions to Debra Bianchi or Margaret Showalter at 703/324-3187.

Historic Administrator, Vienna

SALARY: DOQ. 30 hrs per week contractual position with Historic Vienna Inc. Responsible for historic preservation activities and involvement with operation of the various historic sites in Vienna. Prefer related work experience and education in historic preservation or museum studies. Mail to: HVI, P.O. Box 53, Vienna, VA 22183; or e-mail to: salgado@ci.vienna.va.us or fax to 703/255-6399. More information available at 703/255-6356. Deadline: March 15. EOE.

911 Communications Center Director, Halifax County

SALARY: \$35,000-\$45,000 DOQ. Manage new, state-of-the-art, E-911 Emergency Communications Center. Desired: Knowledge of E-911 communications systems, computer aided dispatch, multi-disciplined radio systems, federal-state-local regs. governing radio / telecommunications and emergency services planning / coordination; 5 yrs. public safety communications exper., with 3 yrs. supervisory exper. Resume to: Halifax County E-911 Board, P.O. Box 699, Halifax, VA, 24558, info@co.halifax.va.us, or 434/476-3384 fax. Deadline: March 31.

Management Intern, Loudoun County

SALARY: DOQ. Seeking up to 3 candidates for high-profile 2002-2003 Management Internship Program. Temporary, FT, partial benefits positions available for 12-month period beginning July 1, 2002. E-mail resumes to hr@loudoun.gov. Human Resources: 703/777-0213. Web site: www.loudoun.gov. Apply immediately.

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POSITIONS

Community Development Planner, Warrenton

SALARY: \$29,494-\$45,677 (+) benefits. Performs responsible technical and professional work in planning/zoning and economic development. Applications or resumes to: Personnel Director, Town of Warrenton, P.O. Drawer 341, Warrenton, VA 20188 (18 Court St., Warrenton, VA 20186). Open until filled. EOE.

Real Estate Appraiser I, Manassas

SALARY: \$31,470-\$39,332. Knowledge of principles, laws and methods of real property appraisal utilizing the cost, income and market approach to value; establish and maintain effective public relations and address citizen inquiries pertaining to real estate assessments. Apply: Department of Human Resources 9027 Center St., Room 302, Manassas, VA 20110 or FAX 703/257-5827. Deadline: March 30. EOE.

Zoning Administrator, King William County

SALARY: DOQ. (Pop. 13,100) Responsible for interpretation of, and compliance with, land-use and environmental codes, including zoning, subdivision, wetlands, erosion and sediment control, stormwater management and GIS. County employment application, resume and 5 professional references to: County Director of Community Development, King William County, P.O. Box 215, King William, VA 23086. Job description and county application may be obtained by calling 804/769-4969. Open until filled. EOE.

Director of Community Development, West Point

SALARY: \$30,000-\$35,000 negotiable (+) benefits. Department head charged with developing and managing master planning process for 3,360 pop. town in King William County. Town employment application, resume and 3 references to: Anthony J. Romanello, Town Manager, P.O. Box 152, 329 Sixth St., West Point, VA 23181. Call 804/843-3330 for an application. Open until filled.

Superintendent of Public Works, Luray

SALARY: \$36,574-\$51,679 DOQ (+) benefits. Lead and direct public work operations (streets, water, sewer). Reports to town manager. Send cover letter and

resume to: Luray Town Manager, P.O. Box 629, Luray, VA 22835. Phone: 540/743-5511. Deadline: March 15. EOE.

Traffic Engineer, Portsmouth

SALARY: \$48,290. Direct traffic engineering program, including evaluation, planning, design and implementation of traffic control devices. City application to: City of Portsmouth, Human Resource Management Department, 801 Crawford St., Portsmouth, VA 23704 or to the nearest Virginia Employment Commission office. Visit www.ci.portsmouth.va.us. Deadline: Open until filled. EOE.

Town Manager, Clifton Forge

SALARY: Competitive (+) benefits. (Pop. 4,200) \$4.2 million bdtg. 5-member non-partisan council elected at-large for 4-yr. staggered terms. Reqs. bachelor's degree (MBA/MPA preferred). Strong professional, administrative, leadership and interpersonal skills; record of success in planning, finance, and economic and community development. Resume, work-related references and salary history to: John T. Maxwell, Senior Vice President, Springsted Inc., 1206 Laskin Road, Suite 210, Virginia Beach, VA 23451 or e-mail to: virginiabeach@springsted.com. Phone 757/422-1711. Deadline: March 15. EOE.

Public Affairs Officer, Alexandria

SALARY: \$42,286-\$62,451 DOQ (+) benefits. Perform full range of professional and technical print and media services; complex hands-on writing, editing, proofing, lay-out and communications tasks involved in writing, designing and editing annual report, newsletters and brochures. Prefer fluency in Spanish. For info. and req. city application, contact 703/838-4422 or for on-line application access <http://ci.alexandria.va.us>. Ref. # 70402. EOE.

Electric Distribution Superintendent, Danville

SALARY: \$44,185-\$49,697. Coordinate, plan and direct line construction and maintenance of power transmission and distribution system for Utility Department's Electric Division. Direct emergency repair operations; oversee switching operations to provide reliable electric service. Apply to: City of Danville, Human Resources, P.O. Box 3300, Danville, VA 24543, the Virginia Employment Commission or see www.ci.danville.va.us for city application. Open until filled. EOE.

Senior Engineer — Capital Projects, Leesburg

SALARY: \$47,549-\$76,078 (+) benefits DOQ. Involves review, project mngmnt., scheduling and construction of public works projects. Apply to and request application from the Town of Leesburg, Human Resources Department, 25 W. Market St., Leesburg, VA 20176. Tel: 703/737-7177. See www@leesburgva.org for application. Open until filled. EOE.

Planning Director, Norfolk

SALARY: \$71,078-\$122,914 negotiable DOQ/DOE (+) benefits. (Pop. 234,403). Reports to city manager; leads staff of 69 FT employees; responsible for \$3 million (+) annual operating bdtg. Manages Planning and Building Construction Services Divisions, including: planning for economic, physical, human and social development, for neighborhood preservation and improvement, and for transportation services; providing zoning and land-use guidance; supplying info. services; and developing and implementing environmental programs. Resume to: Gerald Plock Associates Inc. / Joshua Kim Associates, 7501 Stallion Circle, Flower Mound, TX 75022. Recruitment brochure available. Expedited search. E-mail: geraldplock@geraldplockassoc.com. Deadline: Apply immediately. EOE.

Utilities Financial Manager, Stafford County

SALARY: \$44,304 to start (+) benefits. Develops, plans, and manages the county's Utilities Enterprise Fund; identifies and compiles operational, maintenance and capital improvement costs; develops utility rate and fee structures; oversees utilities customer service functions. County application (required), resume, and cover letter to: Stafford County, Personnel Department, P.O. Box 339, Stafford, VA 22555; fax: 540/658-4597; for application contact 540/658-8628; TTY: 540/658-4534; www.co.stafford.va.us. Open until filled. EOE.

DEADLINE: *The deadline for placing a job advertisement in the next issue of Update is Friday, March 8. Submit ads via e-mail to David Parsons at: dparsons@vml.org. You may also submit via FAX at: 804/343-3758. VML publishes job advertisements at no cost to its local government members. Non-members are charged a flat rate of \$25 per ad per issue, which includes posting on VML's web site and publication in Virginia Town & City (deadlines permitting). VML edits position descriptions in printed publications because of space limitations.*

CALENDAR

Virginia Water Conference 2002, March 10-12, Virginia Beach

Topical keynote speakers, responsive exhibitors on hand to discuss topics including watersheds, surface and groundwaters, regulation and administration. Registration: \$165 before March 1, \$185 after. Contact: www.vlwa.org, 703/642-5080 or dpearson@gky.com.

Virginia Rural Water Association 14th Annual Training & Technical Exposition, March 18-20, Richmond.

VRWA will host its 14th annual training and technical exposition at the Richmond Marriott. Topics range from Distribution System Management, VA Agency Updates, SCADA System Basics, Groundwater Rule, Distance Learning and Security to much more. Also, there will be golf, clay shooting and casino. For more details and/or a registration form visit www.vrwa.org or call 540/261-7178.

Virginia Crime Prevention Association 24th Annual Statewide Crime Prevention Conference, March 24-27, Roanoke

At Hotel Roanoke and Convention Center. Theme is "Crime Prevention for a Better Tomorrow." Broad mix of plenary sessions and training workshops. Keynote speaker A. Roger Ekirch of Virginia Tech will present on "Night is No Man's Friend: Crime and its Prevention Before the Industrial Revolution." Contact: 804/231-3800 or see www.vcpa.org or e-mail to vaprevent@aol.com.

National Association of Government Communicators Annual Communications School, April 3-5, Arlington

Session topics to include crisis communications planning, communicating agency milestones, information dissemination, web sites, mediation techniques for public hearings, making powerful presentations and publishing award winning pieces. At Hilton Crystal City. Contact: 703/691-0377 or www.nagc.com.

2002 Environment Virginia, April 9-11, Lexington

A conference on current environmental issues at Virginia Military Institute. Early registration fee \$145 (before March 1); \$225 after. Meet Gov. Mark Warner's environmental team. Contact: 540/464-7750 or e-mail to: conference@vml.edu.

APWA 42nd Annual North American Snow Conference, April 14-16, Columbus, Ohio

American Public Works Association's premier event for snow and ice management.

Power of Prevention Conference 2002, May 20-22, Richmond

"Preventing Violence Strategies for All Ages" is the title of the Prevent Child Abuse Virginia Power of Prevention 2002 annual statewide conference. At Holiday Inn Select, Koger South Conference Center, Richmond. Keynote speaker is James Garbarino, nationally-known authority on youth violence. Contact: 804/359-0716 or e-mail to conference@pcav.org.

Managing Technology 2002 Annual Conference, May 29-31, San Diego

Sponsored by *Governing Magazine*. Annual conference on the management of technology attracts leaders from all areas of government. For more information now, call, fax or e-mail The Conference Department, P.O. Box 189, Winchester, MA 01890: Phone: 781/729-8611. E-mail: ConfDepart@aol.com.

APWA International Public Works Congress & Exposition, Sept. 22-25, Kansas City, MO

Learn about the latest technical and managerial information in the public works profession. APWA's annual congress showcases the best ideas in the profession. Education sessions, administration, best practices, equipment showcase and much more.

Managing Performance 2002 Annual Conference, Sept. 25-27, Austin, TX

Sponsored by *Governing Magazine*. Annual management conference attracts leaders from all areas of government. For more information now, call, fax or e-mail The Conference Department, P.O. Box 189, Winchester, MA 01890: Phone: 781/729-8611. E-mail: ConfDepart@aol.com.

Virginia Municipal League 2002 Annual Conference, Oct. 20-22, Norfolk

VML's annual conference will be held in downtown Norfolk at the Waterside Convention Center. Program will include topical keynote speakers, general sessions, workshops, roundtable discussions, Mayor's Institute, Host City Night, banquet and exhibition hall filled with vendors. For more information, contact VML at 804/649-8471 or via e-mail at: e-mail@vml.org.

IPMA 29th Annual Training Conference and Exposition, Oct. 20-23, Ottawa

International Personnel Management Association annual event is entitled "HR Beyond Borders." Sessions include: Workplace security, workforce planning, managing cultural diversity, wellness/change management, labor/management partnerships, recruitment strategies, automated learning management systems, strategic management, workplace spirit, total compensation I, self-directed learning, coaching/mentoring, competency-based HR, employee recognition, challenges of health care cost containment, evaluating HR, legal update. Registration fee for U.S. delegate is \$515 for IPMA members and \$615 for non-members. To register, e-mail the IPMA Training Department at: training@ipma-hr.org. For complete exhibitor information, visit: http://www.ipma-hr.org/public/training_template.cfm?ID=4, or contact: lthompson@ipma-hr.org. Phone: 703/549-7100; Fax: 703/684-0948.

Association of Government Accountants Annual State and Local Government Leadership Conference, Oct. 23-24, Richmond

Outstanding forum for leaders from state and local governments across the country to join together to share ideas and solutions to their challenges. Offering more than 15 hours of Continuing Professional Education (CPE) credit, the conference educational sessions address the leading issues in state and local government financial management. This conference will be held at the Richmond Marriott.

The deadline for placing a calendar item in the next issue of Update is Friday, March 8. Preferred method of submitting items is via e-mail to David Parsons at: dparsons@vml.org. You may also submit via FAX at: 804/343-3758.



CONGRESSIONAL CITY CONFERENCE 2002

The 2002 Congressional City Conference will be held in Washington, D.C. from March 8-12. Take the opportunity to meet with local officials from across the country to share ideas and work together on behalf of your constituents. Learn about Congressional and Administration priorities, help shape NLC's voice on federal issues, and share your perspectives with people who make key federal decisions.



ANNUAL CONGRESSIONAL CITY CONFERENCE

Washington Hilton Hotel and Towers
March 8-12, 2002
Washington, D.C.

*For more information,
write or call*

National League of Cities
2002 Congressional City Conference
1301 Pennsylvania Avenue, N.W.
Washington, DC 20004
(202) 626-3105

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