



## Relationship of state and local governments

*The ideas and suggestions in this paper stem from suggestions made at a June 10 meeting of local legislative liaisons, and from suggestions forwarded by individual localities. There is probably not complete agreement on many (if any) of these items among all local governments. They are presented below to give suggestions on how the Intergovernmental Relations Committee can proceed to tackle its assignments.*

### **Issue**

Reform efforts at the state level should not only focus on how the state reorganizes its own agencies, but also on how the state can enable local governments to operate efficiently and effectively. Reform efforts should not result in the transfer of state responsibilities to local government.

Each year the General Assembly must contend with numerous pieces of legislation that have little or no connection to core state functions. Localities need more authority to manage the activities for which they are responsible.

### **Background**

Any consideration of the devolution of state services to localities must be carefully evaluated. Factors to be considered include the transfer of adequate funding streams to the entity providing the service, flexibility in administering programs to tailor them to community standards, and the reduction of state requirements in exchange for any reduction in state dollars funding the service. Any reorganization at the state level should consider both the revenue and spending sides of the state budget, especially in light of the structural imbalance in the current state budget. Local governments need alternative revenue sources should they be required to assume greater service and funding responsibilities from the Commonwealth.

### **Possible Approaches**

Expand local authority to provide services and programs that have no compelling statewide priority or impact.

#### *Short term*

- Support legislation to clarify the authority of local governments to (for example):
  1. Design and build local bus stops and pedestrian facilities.
  2. Determine the color of local vehicles.
  3. Set the cost of pet licenses.
  4. Cut grass and weeds on derelict, abandoned and foreclosed properties.
  5. Include mosquito control in an existing gypsy moth control tax district.
  6. Install photo red light cameras.

7. Set fines locally as a means of enforcing community expectations for property maintenance and protecting community health and welfare.
  8. Set fees locally so that users of government services contribute toward the costs of these local services (example: proposed \$3 court fee to fund an electronic summons system).
  9. Seek waivers from state regulations in order to meet community standards, as Governor Allen's Blue Ribbon Strike Force recommended the state be allowed to do at the federal level.
- Support an amendment to Title 1 of the Code of Virginia stating that "Any act of general law that supplements, supersedes or differs from special legislation shall prevail unless the general law provision provides otherwise." Adoption of this or similar language would negate the need for separate legislation on some of the items in the list above.
  - In the area of transportation (for example):
    1. Allow eminent domain authority for quick-take associated with pedestrian improvements.
    2. Exempt bus shelters from General Services permits.
    3. Relax requirements to eliminate duplicative state reviews for small state-funded projects.
    4. Authorize Watch for Children sign installation.
    5. Require gross vehicle weight rating (GVWR) verification for vehicles excluding motorcycles and passenger cars.
    6. Exempt new bike and pedestrian trails adjacent to existing roadways from stormwater runoff regulations.
    7. Include transit operators and maintenance personnel as operating expenses.
    8. Broaden the use of toll facilities revolving account.
    9. Grant localities increased flexibility in their use of transportation funding.

## Reorganization of state government

### *Short term*

- Ensure that local comprehensive plans and zoning ordinances determine the location and number of new private ABC stores and franchises. Further, any privatization of existing ABC stores and new franchises must comply with local zoning ordinances.
- Reexamine the administration and funding of local constitutional officers.
- Grant counties the same taxing and bonding authorities as cities, while protecting town authority.
- Consider funding mechanisms for local governments in order to decrease reliance on currently authorized local taxes.
- Allow local governments to "piggy-back" on state contracts for services like insurance, purchasing, health care and maintenance, among others, where the locality determines it to be cost-beneficial.
- Coordinate state and local input into the federal regulatory process.