



Executive Committee Meeting
Marriott Hotel, Salons 2 & 3 (Lower Level)
500 E. Broad St., Richmond
9:30 a.m.

- I. Call to Order
- II. Introductions (Tab 1)
- III. Additions to Agenda
- IV. Consideration of Minutes from October 13, 2013 (Tab 2)
- V. Consideration of Strategic Vision Statement (Tab 3)
- VI. VML Budget Committee Preliminary Recommendations for 2014 – 2015 (Tab 4)
- VII. Executive Director's Quarterly Report (Tab 5)
- VIII. Consideration of Services to be provided by VMLIP (Tab 6)
- IX. Overview of 2014 Local Government Day (Tab 7)
- X. Staff Report on 2014 General Assembly (Tab 8)
- XI. Staff Report on Federal Issues (Tab 9)
- XII. Staff Report on Amicus Briefs (Tab 10)
- XIII. Future Meetings:
 - a. May 16 (dinner); 17 (meeting) Marion
 - b. August 15 (dinner); 16 (meeting) Lexington Dinner w/VMLIP Board?
 - c. October 5 (meeting) Roanoke
- XIV. Items Proposed for Discussion at May and August Meetings
- XV. Other Matters
- XVI. Adjournment

2013 – 2014
VIRGINIA MUNICIPAL LEAGUE
EXECUTIVE COMMITTEE

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Minutes
VML Executive Committee Meeting
October 13, 2013
Marriott Crystal Gateway, Arlington County

President Ed Daley called the meeting to order at 1 p.m. All members with the exception of Mayor Dwight Jones were present. Staff in attendance include Mrs. Fields, Mr. Flynn, Mrs. Winn and Mr. Amyx.

President Daley asked for additions to the agenda. There were none, but Items VI and VII were moved up on the agenda.

President Daley asked if there were changes to the minutes. Mayor Rordam made a motion, seconded by Mayor Coiner, to accept the minutes as submitted. The motion was approved.

Mark Flynn reviewed the details of the proposed VML/VMLIP contract. The executive committee agreed that Mr. Amyx should send a memorandum to Steve Craig regarding a moratorium on layoffs between now and November 1. Motion by Mayor Rordam, seconded by Mrs. Wilson to approve the contract as proposed. Motion passed.

Mr. Flynn gave an update on legislative activities. Local Government Day at the General Assembly was discussed; Mrs. Hynes suggested that participants be briefed on particular messages to be delivered to the legislators.

Mr. Amyx said that the committee had asked that the establishment of an audit committee be placed on the agenda. The committee discussed external and internal audits as well as the role of a transition committee. Motion by Mayor Helms, seconded by Dr. Woodbury to approve the formation of an audit committee. Motion passed.

Mr. Amyx said that the committee had asked that the establishment of a conference planning committee be placed on the agenda. Dr. Woodbury made a motion, seconded by Mayor Rordam, that a committee be established, and that it involve people not on the executive committee. Motion passed.

Mrs. Hynes gave a report on the annual conference, as did Mary Jo Fields.

Mr. Amyx said there were no present active cases or requests relating to amicus briefs.

President Daley asked the staff to highlight their memos on Go Green, Federal legislative issues and the HEAL program.

President Daley asked Mr. Amyx to provide an overview of the 2012-2013 VML annual audit. After discussion, motion by Mayor Coiner, seconded by Mrs. Wilson to approve/accept the audit. Motion passed.

Mr. Jack Tuttle made a presentation regarding Williamsburg hosting the conference in 2017. Julie Williams, Shannon Perry and Michelle CatallaMeeks made a presentation regarding Hampton hosting in either 2017 or 2018. There was discussion of the timing of the conferences in those two years. The committee agreed that staff would have the flexibility of making the final decision.

Mr. Amyx gave his quarterly report and reviewed the calendar for upcoming meetings. The committee agreed to hold a strategic planning meeting on Dec. 3, and asked that the Finance Forum be held on Dec. 4, in order to make it easier for the executive committee to attend.

There being no further business, the meeting was adjourned at 3 p.m.

Respectfully submitted,

R. Michael Amyx
Executive Director

RMA/jt



“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.”

On February 6, 2014, the Executive Committee of the Virginia Municipal League (VML) established the following strategic vision for the future of the organization.

Building Relationships

Relationships are the critical foundation upon which successful organizations must be built. VML is committed to forming and maintaining relationships in order to provide excellent service to the membership and to promote the principles of good government.

- VML will develop and maintain strong working relationships with members of the General Assembly and the Administration.
- VML will facilitate networking among the membership and between VML and local government officials.
- VML will build and maintain partnerships with peer associations, the business community, and other groups with mutual interests.
- The VML Executive Committee will promote and implement principles of leadership throughout the organization.

Communications

Timely and substantive communication is critical to the overall mission of VML. As such we are committed to establishing both print and electronic communications to achieve the research, training, and advocacy goals of the organization.

- VML will develop a comprehensive communications strategy in order to tell the local government story and to establish VML as the primary information hub for local government officials.
- VML will explore and maximize ways to use communications in order to promote the legislative agenda of the organization.
- VML will develop a comprehensive marketing strategy in order to build stronger relationships with the business community and to provide appropriate avenues for businesses to offer their services to the VML membership.

- VML will work to educate and assist the membership in learning to tell their story in a manner that effectively demonstrates the community building accomplished by local governments.

Engagement

Developing and maintaining an engaged membership is vital to both the short and long term success of VML. We will actively seek ways to engage our membership and to support citizen engagement in our local governments.

- VML will evaluate new ways to demonstrate the value of membership in VML along with the value of being an active participant in the association and our conferences.
- VML will work to identify ways to improve citizen engagement, including ways to enhance the civics knowledge of Virginia's students.
- VML will identify and implement programs to encourage the membership to play a more active role in advocacy at both the state and federal level.

Finance

In order to evaluate existing programs and plan for the future of the organization, VML must maintain a strong financial position. VML is committed to maintaining and modernizing accurate and appropriate financial systems.

- VML will evaluate existing programs, seek efficiencies, and make recommendations for staffing changes in order to accomplish the strategic goals of the organization.
- VML will seek strategic partnerships, where possible, in order to enhance our ability to provide top quality programming and services for the membership.
- VML will enhance financial reporting and modernize financial systems where appropriate.

Next Steps

- Staff will develop an implementation plan, including action steps, for presentation to the Executive Committee in May.
- Staff will finalize a budget recommendation that takes into account these action steps for consideration by the Executive Committee in May.
- Implementation will begin with the new budget year, July 1, 2014.



OFFICERS

PRESIDENT

DAVID P. HELMS

MARION MAYOR

PRESIDENT-ELECT

WILLIAM D. EUILLE

ALEXANDRIA MAYOR

VICE PRESIDENT

RON RORDAM

BLACKSBURG MAYOR

IMMEDIATE PAST PRESIDENT

EDWIN C. DALEY

HOPEWELL

EXECUTIVE DIRECTOR

KIMBERLY A. WINN

MAGAZINE

VIRGINIA TOWN & CITY

To: VML Executive Committee
From: VML Budget Committee
Date: January 24, 2014
Re: 2014 – 2015 Budget

The VML officers (sitting as the budget committee) met on January 16 to discuss the framework for the upcoming 2014 – 2015 budget. We have asked the Executive Director to develop a budget with the following key concepts:

- No dues increase (please note that because of population changes, the exact dollar amount for each city, town, or county may vary slightly).
Dues history:

2004	0%
2005	4%
2006	4%
2007	4%
2008	4%
2009	0%
2010	0%
2011	0%
2012	3%
2013	3%

Ten Year Average 2.20%

- Build in a window of 3-5% for possible staff adjustments in the future. Move toward a merit based system of increases. History of staff raises:

2008-09	4%
2009-10	0%
2010-11	0%
2011-12	3%
2012-13	2%
2013-14	0%

- Leave a positive ending balance at the end of the year.

Following discussion and approval by the full Executive Committee on February 6, VML staff will develop and distribute an estimated dues amount for each community in order to help with the local budgeting for this expenditure.

Based on these forecasted revenue projections, the Executive Director and staff will develop a budget to present to the Executive Committee at the May meeting. Final dues invoices will be mailed after adoption of the 2014 – 2015 budget.

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Estimated Dues for VML Executive Committee Localities

Locality	2013-2014		2014-2015	
	Population	Dues	Population	Dues
Alexandria	147,391	37,474	147,391	37,474
Arlington	220,565	52,005	220,565	52,005
Ashland	7,256	4,738	7,289	4,754
Blacksburg	42,600	14,590	42,627	14,597
Gordonsville	1,517	845	1,529	845
Hopewell	22,845	9,782	22,845	9,782
Leesburg	44,400	15,028	45,936	15,402
Lexington	7,356	4,788	7,356	4,788
Lynchburg	77,203	22,991	77,203	22,991
Marion	5,936	4,071	5,936	4,071
Newport News	183,331	44,037	183,331	44,037
Roanoke	98,641	28,657	98,641	28,657
Vienna	15,964	8,107	16,188	8,161



OFFICERS

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EXECUTIVE DIRECTOR

KIMBERLY A. WINN

MAGAZINE

VIRGINIA TOWN & CITY

To: VML Executive Committee
From: Kim Winn, Executive Director
Date: February 24, 2014
Re: Quarterly Director's Report

As of this writing, I have been in the VML offices 16 days. My work has been focused in the following areas:

Strategic Vision. Following the planning session in early December, I assembled the thoughts and comments into a draft of the Strategic Vision that is being considered for adoption at this meeting.

Meetings with Staff. I met individually with each of the 12 VML staff members. I am pleased to report that these sessions were very positive in nature. VML has an experienced staff that is excited about new possibilities and challenges.

Finances. I have been reviewing existing budget and financial information. Specifically, Jeff Nickey and I have discussed the steps necessary to set up a chart of accounts that matches the budget. This way, I will be able to provide up-to-date financials at each Executive Committee meeting.

Banking. The signature cards for all of the bank accounts maintained by VML have been updated. In addition, I have visited with Suntrust (our current banking institution) about establishing a purchasing card system for VML purchases and establishing the ability for VML to accept credit cards.

Getting Connected. Much of my time has been devoted to making connections with individuals and organizations that have a relationship with VML. This has involved: attending the weekly legislative liaison meetings; meeting with the VMLIP staff; discussions with other Executive Directors in the Southern Municipal Conference; participating in various board meetings; and much more.

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**ADDENDUM TO
PARTNERSHIP AGREEMENT**

This ADDENDUM TO PARTNERSHIP AGREEMENT (this "Addendum"), is made effective as of the _____ day of _____, 2014 (the "Effective Date"), by and among VML Insurance Programs (the "Pool") and the Virginia Municipal League ("VML").

WHEREAS, the Pool and VML are parties to that certain Partnership Agreement dated October 17, 2013 (the "Original Agreement"); and

WHEREAS, pursuant to Section 4.1 of the Original Agreement, the Pool agreed to provide employees to perform certain services for VML with certain limitations; and

WHEREAS, the Parties now seek to supplement certain terms of the Original Agreement by agreeing to specific terms for the provision of accounting and human resource management services by certain employees of the Pool to VML.

NOW, THEREFORE, for and in consideration of the mutual covenants, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Notwithstanding Section 4.1 of the Original Agreement, the Parties agree that any accounting and human resources management services provided to VML by Pool employees Lisa Davis, Jeff Nickey or Tina Stevens or any other individual accepted by VML as provided herein (the "Specific Services") shall be provided, billed and paid in accordance with the terms of this Addendum. The rates to be paid to the Pool by VML for Specific Services rendered prior to July 1, 2014 shall be: Lisa Davis, \$47.03 per hour; Jeff Nickey, \$102.34 per hour; and Tina Stevens, \$73.60 per hour. The Pool may adjust rates for Specific Services rendered on or after July 1, 2014 based on salary and benefits increases for the providers of the Specific Services. The Pool must notify VML of such changes, and VML shall pay for all Specific Services rendered on or after July 1, 2014 at the adjusted rates.

2. The Parties agree that for all Specific Services rendered through June 30, 2014, the total amount for which VML will be responsible shall not exceed \$7,500.00 and for Specific Services rendered from July 1, 2014 through June 30, 2015, the total amount for which VML will be responsible shall not exceed \$18,000.00. Upon reaching either limit, the Pool will notify VML of such fact and cease rendering Specific Services until the sooner of July 1, 2014 or the termination or expiration of this Addendum.

3. The Pool will send a monthly invoice to VML for the Specific Services rendered in the preceding month. VML will remit payment within 30 days of receiving any such invoice.

4. The Pool will notify VML of any additions or substitutions of individuals that would provide Specific Services hereunder. The Pool shall notify VML of any such proposed change and the hourly rate for such persons. VML shall notify the Pool within 10 days of its

acceptance or rejection of the replacement(s) and rate(s). If VML rejects any such person, he or she shall not be authorized to provide Specific Services to VML.

5. This Addendum shall expire on June 30, 2015. Additionally, either party may terminate this Addendum at any time without cause, upon 60 days' written notice to the other party. This Addendum shall also terminate immediately upon the expiration or termination of the Original Agreement for any reason. VML's obligation to pay the Pool for Specific Services rendered shall survive the expiration or termination of this Addendum for any reason.

6. The Pool and VML are separate and independent organizations. Employees of the Pool are not employees of VML; employees of VML are not employees of the Pool. The Parties shall not in any way or for any purpose be deemed to be or become partners, joint venturers, agents, employees or employers with respect to each other by virtue of this Addendum or for purposes hereof.

7. Except as expressly provided herein, all other terms and conditions of the Original Agreement apply and remain in full force and effect. In the event of any conflict between the terms of this Addendum and the Original Agreement, the terms of this Addendum shall govern. This Addendum does not alter Parties' rights or obligations detailed in Section 4.1 of the Original Agreement as to any services that are not the Specific Services as defined by the Addendum.

IN WITNESS WHEREOF, the Pool and VML have each caused this Addendum to be executed by a duly authorized officer as of the day and year written below.

VML INSURANCE PROGRAMS

By: _____
Its: Managing Director
Date: _____, 2014

VIRGINIA MUNICIPAL LEAGUE

By: _____
Its: Executive Director
Date: _____, 2014



Local Government Day Feb. 6

Richmond Marriott

The Virginia Municipal League, Virginia Association of Counties and the Virginia Association of Planning District Commissions will sponsor Local Government Day at the General Assembly on Thursday, Feb. 6. The event will be held at the Richmond Marriott, located at 500 E. Broad St. in downtown Richmond. Staff will report on legislation affecting local governments, then local officials are encouraged to participate in committee meetings and lobby state legislators at the Capitol. Local officials are strongly encouraged to take their legislators to dinner. Please invite them soon.

To register, mail this form and a check (payable to VML) for **\$45 per person** to: VML, P.O. Box 12164, Richmond, VA 23241. Fax (804) 343-3758.

Officials who need to stay overnight at the Richmond Marriott Hotel can get a special rate of \$114 for a single or double room. Call the hotel at 800-228-9290 and use the special code **VACo VML Legislative Day. Deadline for hotel reservations is Jan. 14.**

For more details, call VML at (804) 649-8471, fax (804) 343-3758 or e-mail@vml.org.

PROGRAM SCHEDULE

- 9:30 a.m. VML Executive Committee meeting
- 11 a.m. Registration
- Noon Staff legislative briefings (box lunch provided)
- Afternoon Visits to state Capitol
- 5:30 - 6:30 p.m. Cash bar reception for local officials (at the Marriott)
- Evening Make plans now to take your state legislators to dinner!

Enclosed is a check (\$45 per person) payable to VML for the following people to attend:
VML does not take credit cards.

Name _____ Name _____

Title _____ Title _____

Name _____ Name _____

Title _____ Title _____

County/City/Town/Organization _____

Mailing Address _____

Phone _____ Special Accommodations _____

(If necessary, attach a list of additional names with titles.)

Bills followed by VML and VACO as of Thursday, January 23, 2014

Budget and Finance Issues

[HB 66](#) (Ramadan) School Resource Officers; local school board to place officer in each public school.

[HB 199](#) (Landes) Local government expenditures or reductions; DLS to identify legislation affecting.

[HB 384](#) (Dance) Local mandates; identification of sources of funding.

[HB 633](#) (Kilgore) Local fiscal impact bills; first day introduction.

[HB 1230](#) (Sickles) Line of Duty Act; funding and review.

[SB 289](#) (Carrico) Line of Duty Act; funding and review.

[SB 493](#) (Puckett) Line of Duty Act; funding and review.

[SB 418](#) (Hanger) / [SB 512](#) (Wagner) Exempts solar equipment from state & local taxes

Budget Amendments

Tax

[HB 57](#) (Miller) Retail Sales and Use Tax; exemption includes gold, silver, and platinum bullion.

[HB 65](#) (Marshall) / [HB 148](#) (Minchew) Motor vehicle sales and use tax; reduces sale price by value of any trade-in.

[HB 156](#) (Minchew) Real and personal property tax; exemption for religious bodies.

[HB 371](#) (Head) Local license tax.

[HB 431](#) (LeMunyon) State and local tax reform; study; report.

[HB 434](#) (LeMunyon) Machinery and tools, merchants' capital, and BPOL taxes; maximum rates established.

[HB 435](#) (LeMunyon) Machinery and tools, merchants' capital, and BPOL taxes; maximum rates and income tax credits.

[HB 497](#) (Head) / [HB 525](#) (Pogge) Real property tax; notice of assessment.

[HB 589](#) (Davis) Personal property tax; exemption for household goods.

[HB 605](#) (Campbell) Funds to localities with high unemployment rates.

[HB 685](#) (Torian) Communications sales and use tax revenues; changes distribution.

[HB 617](#) (Davis) Personal property tax; classification.

[HB 841](#) (Lewis) Transient occupancy tax; localities may impose on publicly owned as well as privately owned lodging.

[HB 1051](#) (Knight) Constitutional officers; locality shall not reduce funding for personnel, etc.

[HB 1099](#) (Farrell) Local meals, & food & beverage taxes; exempts nonprofit entity from collecting on fundraising sales

[HB 1202](#) (O'Quinn) Local property and license taxes on mineral lands

[SB 175](#) (Black) Real and personal property tax; exemption for religious bodies.

[SB 586](#) (Colgan) / [HB 685](#) (Torian) Communications sales and use tax revenues; changes distribution.

[HJ 8](#) (Ramadan) Property tax exemptions for surviving spouses of servicemen & servicewomen KIA.

[HJ 45](#) (DeSteph) Study; local business license (BPOL) tax; report.

Counties, Cities and Towns / Local Government

[HB 94](#) (Head) Business permits, etc.; assistance and documentation required from localities.

[HB 95](#) (Head) Alternative publication methods

[HB 158](#) (Minchew) Annexation moratorium statute; continuation of moratorium on annexation by cities.

[HB 227](#) (Cole) Water & sewer authorities

[HB 422](#) (Davis) Prohibiting certain local government practices; requirements for contractors to provide benefits.
[HB 494](#) (Lingamfelter) Localities; personnel policies related to the use of public property.
[HB 513](#) (Morris) Local government appointees; appointee shall serve at pleasure of local government & may be removed.
[HB 594](#) (BaCote) Commission on Local Government; local mandates.
[HB 652](#) (LaRock) requires costly notice for boundary adjustments and clarifies legal standing
[HB 1023](#) (Hugo) Localities; provision of grievance procedure
[HB 1051](#) (Knight) / [SB 124](#) (Lucas) Constitutional officers; locality shall not reduce funding for personnel, etc.
[HB 1203](#) (Hugo) Localities; provision of grievance procedure.
[SB 124](#) (Lucas) Local Government budget hearings for funding of constitutional officers.
[SB 163](#) (Locke) Extending Sunset Date for Mandates Task Force.
[SB 312](#) (Vogel) Annexation Moratorium Statute; continuation of the moratorium on annexation by cities.
[SB 340](#) (Puller) Residential facility, certain; installation of smoke detectors.
[SB 656](#) (Garrett) Local economic development
[SB 972](#) (Smith) Legal notices location (no population)

Education

[HB 21](#) (Marshall) School boards; employee firearms training.
[HB 34](#) (Kory) High schools, public; local school boards to set daily school calendar, etc.
[HB 35](#) (Kory) School calendar; local school boards responsible for setting and determining opening day. |
[HB 66](#) (Ramadan) School resource officers; local school board to place officer in each public school.
[HB 113](#) (Marshall) Opportunity Educational Institution; abolished.
[HB 134](#) (Cole) Diabetes; care of students who have been diagnosed.
[HB 228](#) (Cole) Visually impaired students; evaluation by certified Teacher of Visually Impaired.
[HB 493](#) (Lingamfelter) Limited public forums for student religious viewpoint expression; school division policy.
[HB 720](#) (McClellan) School board policy, local; employee lactation support.
[HB 947](#) (O'Quinn) School board policy, local; designated breastfeeding area for employees.
[SB 236](#) (Carrico) Students; codifies right to religious viewpoint expression.

Elections

[HB 5](#) (Ware) Electoral board members and general registrars; reimbursement to localities for cost of expenses.
[HB 6](#) (Ware) Primary elections; cost and reimbursement to localities.
[HB 31](#) (Lingamfelter) Primary elections; voter registration by political party, additional information.
[HB 45](#) (Cole) General Assembly districts; technical adjustments to House of Delegates districts
[HB 55](#) (Cole) Voter registration; adds political party affiliation to information an applicant must provide. |
[HB 83](#) (Krupicka) Voter identification; an unexpired Virginia driver's license remains valid at polls, etc. |
[HB 1024](#) (Ingram) Elections; date of special elections.
[HB 1127](#) (Ramadan) Voting equipment; DREs: Voting Equipment Grand Program and Fund
[HB 1231](#) (Sickles) Elections; voting machines.
[SB 310](#) (Vogel) / [SB 344](#) (Newman) / [SB 436](#) (Garrett) Senate districts; technical adjustments.

Environment, Agriculture, Natural Resources

[HB 54](#) (Hodges) / [SB 432](#) (McDougle) removes the statutory cap on locality compensation for farm animals killed by dogs of unknown ownership.
[HB 58](#) (Hodges) Stormwater appeals process for locality decisions
[HB 261](#) (Scott) / [SB 423](#) (Hanger) Stormwater management program; regulations, single-family residence.

[HB 697](#) (Poindexter) Local implementation of Stormwater Management Program
[HB 740](#) (McClellan) Dogs; injuring livestock or poultry, limitation by locality.
[HB 978](#) (Rust) Public utility; definition in PPTA and PPEA
[HB 1173](#) (Hodges) Stormwater management programs; optional for some localities.
[SB 53](#) (Stuart) Regulation of stormwater; waiver of chargers for places of worship.
[SB 469](#) (Smith) Stormwater Management Program; localities with minimal Chesapeake Bay watershed.
[SB 530](#) (Hanger) Local implementation of Stormwater Management Program.
[HB 1117](#) (Wright) delays local implementation by 1 year

General Government, FOIA, Procurement

[HB 174](#) (Farrell) FOIA Local inspectors general
[HB 193](#) (Minchew) FOIA participation in meetings.
[HB 223](#) (Dance) Procurement, Business Zones
[HB 289](#) (Albo) Liberalizes cooperative procurement for construction
[HB 418](#) (Simon) Fair Housing Law; unlawful discrimination; sexual orientation.
[HB 549](#) (Filler-Corn) Virginia Public Procurement Act; transportation construction services.
[HB 651](#) (Villanueva) Statewide Fire Prevention Code; inspection of buildings; exception.
[HB 788](#) (LeMunyon) Virginia Freedom of Information Act; out-of-state requests for records.
[HB 789](#) (LeMunyon) Virginia Freedom of Information Act; participation in meetings in event of emergency.
[HB 826](#) (Minchew) Uniform Statewide Building Code; inspection and enforcement.
[HB 978](#) (Rust) Public utility; definition in PPTA and PPEA.
[HB 1011](#) (Byron) Commission on Local Government; local mandates.
[HB 1208](#) (Albo) Virginia Public Procurement Act; consideration of early payment discounts.
[HB 1238](#) (Gilbert) Virginia Public Procurement Act; disclosure of cost estimates in solicitations prohibited.
[SB 313](#) (Holtzman Vogel) Uniform Statewide Building Code; inspection and enforcement.
[SB 343](#) (Garrett) / [SB 533](#) (Stuart) Statewide Fire Prevention Code; fireworks.
[SB 645](#) (McEachin) Virginia Public Procurement Act; transportation construction services.

Conflicts of Interest

[HB 15](#) (Marshall) Conflict of Interests Acts, State and Local Government and General Assembly; gifts, disclosures.
[HB 245](#) (Surovell) Conflict of Interests Act, State and Local Government; prohibited contracts between Governor.
[HB 537](#) (Plum) Conflict of Interests Acts, State and Local Government and General Assembly; gift disclosure.
[HB 625](#) (Watts) State and Local Government Conflicts of Interests Act; statements of economic interests.
[HB 689](#) (Torian) General Assembly Conflict of Interests Act; lobbyist reports.
[HB 1211](#) (Gilbert) Conflicts of Interests Acts, State and Local Government & General Assembly; establishes Council.
[HB 1212](#) (LeMunyon) Governor's Development Opportunity Fund; political contributions and gifts, prohibited conduct.
[SB 20](#) (Smith) Lobbyist's Disclosure Statement; redesigns to clarify information requested and increase compliance.
[SB 21](#) (Smith) Conflict of Interests Acts, State and Local Government and General Assembly; disclosure thresholds.
[SB 23](#) (Alexander) Conflicts of Interests Acts, State & Local Government and General Assembly; gifts and disclosures
[SB 143](#) (Edwards) Virginia Conflict of Interest and Ethics Advisory Council; created
[SB 149](#) (Stuart) General Assembly Conflicts of Interests Act; disclosure requirements; gifts.

[SB 218](#) (Petersen) State & Local Government, General Assembly Conflicts of Interests Acts, etc.; gifts & Contributions

[SB 265](#) (Ebbin) State and Local Conflict of Interests Act and General Assembly Conflicts of Interests Act.

[SB 274](#) (Favola) State & Local Government and General Assembly Conflicts of Interests Acts; limitation on gifts, etc.

[SB 649](#) (Norment) State and Local Government Conflict of Interests Act and General Assembly Conflicts of Interests.

Human Services, CSA

[HB 134](#) (Cole) Diabetes; care of students who have been diagnosed.

[HB 222](#) (Dance) Behavioral health care providers; licensure, notice to local governing body.

[HB 228](#) (Cole) Visually impaired students; evaluation by certified Teacher of Visually Impaired.

[HB 229](#) (Cole) / [SB 153](#) (Stuart) Comprehensive Services for At-Risk Youth and Families; special education programs.

[HB 894](#) (Peace) Auxiliary grants; expands eligibility for program to certain individuals.

[SB 172](#) (Stuart) Student-athletes; policies on concussions.

[SB 426](#) (Hanger) State Executive Council for Comprehensive Services for At-Risk Youth and Families; regulations.

[SB 476](#) (Norment) Incest; definitions of parent, etc., penalty.

Land Use

[HB 71](#) (Pogge) Right to Farm severely limits local zoning authority.

[HB 177](#) (Farrell) Statewide grass cutting

[HB 208](#) (Marshall) Vested rights (for billboards?)

[HB 209](#) (Marshall) Subdivisions – when preliminary plat may be required

[HB 220](#) (Albo) Driving while intoxicated; refusal of blood or breath tests.

[HB 221](#) (Bell) Student; admission to certain children's residential facilities.

[HB 377](#) (Anderson) Relocating billboards / soundwalls

[HB 268](#) (Orrock) / [SB 51](#) (Stuart) Agricultural operations; local regulation of certain activities.

[HB 296](#) (Villanueva) Comprehensive plans; alignment of transportation services.

[HB 409](#) (Webert) Department of Health; onsite sewage system design; report.

[HB 519](#) (Morris) / [HB 1084](#) (Morris) / [SB 578](#) (Obenshain) Attorney fees; court may award in certain land use cases.

[HB 527](#) (Pogge) Group homes; zoning.

[HB 792](#) (Villanueva) Comprehensive plans; alignment of transportation services.

[HB 1089](#) (Morris) Zoning; clarifies definition of agricultural products.

[HB 1092](#) (Ransone) Condemnation of oyster grounds.

[SB 194](#) (Black) Eminent domain; date of valuation, inverse condemnation proceeding.

[SB 295](#) (Puckett) Adjustment or relocation of billboard signs.

[SB 430](#) (Watkins) Farm brewery license created; local regulation of certain activities.

Courts /Public Safety

[HB 8](#) (Ware) Concealed handgun permits; decreases local law-enforcement background investigation fee.

[HB 143](#) (Minchew) Notice posting from courthouse door/bulletin board to locality website.

[HB 310](#) (Lingamfelter) First informer broadcaster; access to an area affected by disaster for news.

[HB 337](#) (Webert) Active Shooter Local Law-Enforcement Training Grant Fund; created.

[HB 519](#) (Morris) Attorneys fees in challenges to locality zoning law/actions

[HB 714](#) (Campbell) Renewal of concealed handgun permit; no fees required.
[HB 992](#) (BaCode) Firearms; prohibited in libraries owned or operated by localities.
[HB 1084](#) (Morris) Permits and approvals, certain; damages for unconstitutional grand or denial by locality.
[HB 1153](#) (Pogge) Real property tax; assessments, appeal to court.
[HB 1219](#) (Marshall) Unconstitutional acts and ultra vires enforcement by localities; remedies.
[SB 116](#) (Deeds) Correcting errors in deeds, deeds of trust, and mortgages; affidavit.
[SB 194](#) (Black) Eminent domain; date of valuation; inverse condemnation proceeding.
[SB 578](#) (Obenshain) Attorney fees; court may award in certain land use cases.
[SB 665](#) (Petersen) Limitations on eminent domain; right of quiet and peaceful enjoyment.
[SB 666](#) (Petersen) Eminent domain; costs; attorney fees.

VRS Retirement/Benefit

[HB 178](#) (Farrell) Virginia Retirement System; assumed rate of return on investments for employer contributions
[HB 182](#) (Farrell) Local employees; retirement benefits.
[HB 306](#) (Lingamfelter) Deputy sheriffs; eligibility for enhanced retirement benefits
[SB 89](#) (Newman) Virginia Retirement System; disability program for hybrid retirement plan participants.

Worker Comp/Insurance

[HB 463](#) (Yost) State health plan; participation by employees of local school divisions.
[HB 721](#) (McClellan) Insurance; employees of localities.
[HB 1016](#) (Kilgore) Health insurance for local school board employees.
[SB 89](#) (Newman) Virginia Retirement System; disability program for hybrid retirement plan participants.

Transportation

[HB 2](#) (Stolle) Commonwealth Transportation Board; allocations within highway construction districts.
[HB 87](#) (Cole) Transportation; Commonwealth priority of projects and funding.
[HB 426](#) (LeMunyon) puts addition of 2 non HOV lanes on I-66 (inside the beltway) in VDOT 6-year plan
[HB 415](#) (Scott) clarifies that single operator crane trucks do not need to remove counterweights when traveling on state and urban highway systems
[HB 626](#) (Watts) / [HB 920](#) (Sickles) Highway systems; funding.
[HB 973](#) (Cline) Use of photo-monitoring systems for traffic lights; repeal.
[HB 1100](#) (Yancey) CTB Six-Year Improvement Program; requirements.
[SB 518](#) (Wagner) makes locally maintained primary routes eligible for pavement reconstruction funds
[HJ 42](#) (Villanueva) Study; Legislative Audit and Review Commission to study equity of transportation funding; report.

Miscellaneous

[HB 204](#) (Krupicka) Secretary of the Commonwealth; centralized filing of disclosure forms.
[HB 247](#) (Surovell) Governor's Development Opportunity Fund; political contributions and gifts, prohibited conduct.
[HB 252](#) (Surovell) Includes part-time employees in misuse of public property law
[HB 978](#) (Davis Rust) Redefines public utility and would bring most, if not all localities under the State Corporation Commission for the PPTA and the PPEA
[SB 304](#) (Alexander) Disposition of dead bodies.

Studies

[HJ 5](#) (Marshall) Virginia's ethics laws; joint subcommittee to study laws governing public officials.

[HJ 15](#) (Krupicka) Vote-by-mail elections; State Board of Elections to study fiscal impact of conducting.

[HJ 16](#) (Stolle) / [SJ 3](#) (Locke) / [SJ 34](#) (McWaters) Study; recurrent flooding; report.

[HJ 22](#) (Minchew) General registrars; State Board of Elections to study evolution of duties, report

[HJ 24](#) (Webert) General registrars; State Board of Elections to study current rate of compensation in Commonwealth.

[HJ 174](#) (Byron) Study; tax restructuring report.

[SJ 3](#) (Locke) Recurrent Flooding Study Resolutions

[SJ 16](#) (Howell) Study; mental health and the criminal justice system; report.

[SJ 30](#) (Miller) Study; joint committee; study options for reducing the number of Standards of Learning assessments.

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
VRS Requested Legislation			
SB 87-S1	Senator John C. Watkins Technical Amendments Finance Committee Substitute		Makes technical amendments to the programs administered by the Virginia Retirement System (VRS technical corrections bill). Adds references to non-vested Plan 1 employees. Makes Code changes to accommodate Plan 1 and Plan 2 employees who transfer into the Hybrid. Allows for consistency in the administration of the Hybrid.
Legislation Affecting VRS: Judicial Retirement			
HB 10	Delegate S. Chris Jones Judges' Retirement Allowance and Service After Retirement		Provides that the annual retirement allowance of any person who has served as a judge but retires under a different defined benefit retirement plan shall not exceed 78 percent of the person's average final compensation, unless such person after ceasing to be a judge performs five or more years of creditable service under such other defined benefit retirement plan. However, in no case shall such person's annual retirement allowance exceed 100 percent of his average final compensation. The bill clarifies that only those persons who retired as a judge or justice may serve as a senior jurist on the Supreme Court or the Court of Appeals. The bill also contains technical amendments.
HB 81	Delegate Patrick Hope Mandatory Judicial Retirement (Age 73)		Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 73 years of age.
HB 279	Delegate David B. Albo Mandatory judicial retirement age (After 70)	Similar to HB 81	Increases mandatory judicial retirement to the expiration of a judge's term after the age of 70. However, the bill only becomes effective if the Judicial Performance Evaluation Program is funded and implemented.
HB 299	Delegate G. Manoli Loupassi Judicial retirement system; weighted years of service factor.		Eliminates the class of judicial retirees created in 2010 for whom the weighted years of service factor is dependent upon age. Under the bill, the weighted years of service factor for all judges entering the system on and after January 1, 1995, is 2.5. Judges entering the system earlier have a weighted years of service factor of 3.5. The bill does not change recent amendments to the judicial retirement system: (i) the setting of a "normal retirement date" of age 65 for judges and (ii) the reduction of the annual retirement allowance from 1.7 to 1.65 for members entering the system on and after January 1, 2013, parroting the change made for all VRS members who enter the system on or after July 1, 2010, or who had less than 60 months of creditable service as of January 1, 2013.
SB 170-S1	Senator William M. Stanley Jr. Mandatory judicial retirement (Age 73)	Similar to HB 81	Increases the mandatory retirement age under the Judicial Retirement System from 70 years of age to 73 years of age.

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
Legislation Affecting VRS: Health Insurance Credit for State/Local Employees			
HB 110	Delegate Delores L. McQuinn Health Insurance Credit for Retired School Division Employees		Requires that localities provide the \$4 HIC to all retired employees of local school divisions with at least 15 years of total creditable service, including nonprofessional staff employed by school boards.
HB 1104	Delegate Riley E. Ingram Retired State Employees; HIC	Same as SB 103	Increases the amount of the monthly health insurance credit for retired state employees from \$4 per year of creditable service to \$5 per year of creditable service.
SB 103	Patron: Senator Frank M. Ruff Jr. Retired state employees; health insurance credit	Same as HB 1104	Increases the amount of the monthly health insurance credit for retired state employees from \$4 per year of creditable service to \$5 per year of creditable service and increases LTD minimum to \$150 from \$120.
SB 109	Senator William M. Stanley Jr. Health Insurance Credit		Increases the monthly health insurance credit for retired local government employees, local officers, general registrars, employees of a general registrar, and employees of local social services boards from \$1.50 per year of creditable service with a cap of \$45, to \$4 per year of creditable service, with no cap.
Legislation Affecting VRS: Life Insurance			
HB 1105	Delegate Riley E. Ingram Retired State Employees; Life Insurance	Combines SB 101 and SB 102	Provides (i) that the basic life insurance coverage for retired employees with 15 or more years of creditable service shall not be reduced to less than \$8,000, indexed to the amount of any general salary increases for state employees, and (ii) that retired employees be offered optional group life insurance coverage with premiums to be paid by the retirees.
SB 101	Senator Frank M. Ruff Jr. Life insurance for retired state employees		Provides that retired state employees be offered optional group life insurance coverage with premiums to be paid by the retirees.
SB 102	Senator Frank M. Ruff Jr. Life insurance for retired state employees	Same as HB 1105	Provides that the basic life insurance coverage for retired employees with 15 or more years of creditable service shall not be reduced to less than \$8,000, indexed to the amount of any general salary increases for state employees.

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
SB 385	Senator Bryce E. Reeves VRS and local government retirement systems; investments.		Authorizes the Virginia Retirement System and any local government retirement system to purchase investment grade life insurance policies and annuity policies on their members or retirees, provided that (i) the applicable retirement system offers a monetary benefit to a beneficiary selected by the member or retiree and (ii) the member or retiree consents to such retirement system having an insurable interest in him.
Legislation Affecting VRS: Law Enforcement/Enhanced Benefits			
HB 306	Delegate L. Scott Lingamfelter Deputy sheriffs; eligibility for enhanced retirement benefits.		Provides that any prior service of a deputy sheriff as a commissioned conservation officer of the Department of Conservation and Recreation would count toward any vesting requirement for enhanced retirement benefits for deputy sheriffs and would be deemed as service rendered in a hazardous position for the purpose of determining eligibility for the annual retirement supplement paid to deputy sheriffs. The provisions of the bill would apply to persons retiring on or after July 1, 2014.
HB 686	Delegate Luke E. Torian Retirees hired as school board security personnel		Provides that retired law-enforcement officers may be hired as local school board security officer or security personnel without interruption of their retirement benefits under certain conditions.
HB 983	Delegate Benjamin L. Cline VRS; retirement credits for special forest wardens.		Provides retirement credits to special forest wardens of the Department of Forestry who participate directly in extinguishing forest fires. Such persons would receive eight hours of retirement credits for each day or portion of a day in which they participate directly in extinguishing a forest fire. The retirement credits could be used to reduce the years of service otherwise required for eligibility for an unreduced service retirement allowance, but not below 25 years of service. Each month of service would be eliminated at the rate of one month of service for each 173 hours of retirement credits.
SB 256	Senator R. Creigh Deeds Virginia Law Officers' Retirement System; conservation officers.		Adds conservation officers of the Department of Conservation and Recreation as members of the Virginia Law Officers' Retirement System. Conservation officers would accrue retirement benefits under the Virginia Law Officers' Retirement System only for creditable service on or after July 1, 2014.
SB 566	Senator Charles J. Colgan VRS Benefits (SPORS)		Provides for an increase, beginning July 1, 2014, of the monthly retirement allowance payable to any person who retired with at least 15 years of creditable service before January 1, 1990, under the Virginia Retirement System or the State Police Officers' Retirement System (or predecessor retirement systems).

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
Legislation Affecting VRS: Line of Duty Act (LODA)			
HB 1230	Delegate Mark Sickles Line of Duty Act; funding and review	See HJ103	Creates a Line of Duty Death and Health Benefits Fund and provides for the funding of Line of Duty claims from the local communication sales tax revenue. The bill also establishes an advisory review board to assist the Comptroller in the review of claims involving a claimant who has not received a disability determination from the Virginia Retirement System, Social Security Administration, Workers' Compensation Commission, or any recognized retirement system or who is, as of the time the claim for benefits had been filed, working in an alternative position.
HJ 103	Delegate Chris Jones Study; JLARC; Virginia's Line of Duty Act; report		Directs the Joint Legislative Audit and Review Commission to study Virginia's Line of Duty Act, the current and projected future costs of benefits awarded thereunder, and the advisability of coordinating those benefits with additional benefits paid under other state and federal programs.
Legislation Affecting VRS: Defined Contribution Plans			
HB 147	Delegate John O'Bannon Deferred compensation plan for Medicaid program independent contractors.		Authorizes the Board of Trustees of the Virginia Retirement System to develop policies and procedures to allow certain independent contractors performing services for the Commonwealth's Medicaid program to participate in the deferred compensation plan for employees of the Commonwealth and authorizes the Director of the Department of Medical Assistance Services to provide payments or transfers to and to participate in any deferred compensation plan for independent contractors providing services for the Commonwealth's Medicaid program established by the Board.
HB 182	Delegate Peter Farrell Retirement benefits for local employees		Provides that any locality may establish and maintain a defined contribution retirement plan for its employees in lieu of any other retirement plans for employees hired on or after July 1, 2014.
SB 188	Senator Ryan T. McDougle Deferred compensation plans for state and local employees.		Authorizes the inclusion of a Roth contribution program in deferred compensation retirement plans for state and local government employees beginning July 1, 2015.
HB 700	Delegate Riley E. Ingram Optional retirement plans maintained by institutions of higher ed	Same as SB 79	Allows the governing board of an institution of higher education that has established its own optional retirement plan to establish a policy regarding the number of years of service that an employee must perform before being entitled to receive all contributions made by the institution on his behalf to the plan. The policy would only apply to employees hired on or after July 1, 2014, who are not in continuous service at the time of hiring.

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
HB 877	Delegate Chris Jones Hybrid retirement program; local deferred compensation and cash match plans	Same as SB 422	Allows political subdivisions the option of establishing and administering their own deferred compensation and cash match plans for all retirement programs if they elect not to participate in the plan administered by the Board of Trustees of the Virginia Retirement System for the hybrid retirement program. The bill also states that employees and state or local entities are not liable for loss.
SB 79-S1	Senator Frank M. Ruff Jr. Finance Committee Substitute Optional retirement plan maintained by institution of higher education; withdrawal of contribution before retirement		Allows the governing board of an institution of higher education that is authorized to maintain its own ORP to establish a vesting policy regarding the number of years of creditable service that an employee must have before being eligible for an unreduced refund of employer contributions if he ceases to be an employee other than by death or retirement. The policy would only apply to employees hired on or after July 1, 2014.
SB 412	Senator Emmett W. Hanger Jr. DC Plans for Medicaid Dentists	HB 147	Authorizes the Board of Trustees of the Virginia Retirement System to develop policies and procedures to allow certain independent contractors performing services for the Commonwealth's Medicaid program to participate in the deferred compensation plan for employees of the Commonwealth and authorizes the Director of the Department of Medical Assistance Services to provide payments or transfers to and to participate in any deferred compensation plan for independent contractors providing services for the Commonwealth's Medicaid program established by the Board.
SB 422	Senator John C. Watkins Hybrid retirement program; local deferred compensation and cash match plans.	Same as HB 877	Allows political subdivisions the option of establishing and administering their own deferred compensation and cash match plans for all retirement programs if they elect not to participate in the plan administered by the Board of Trustees of the Virginia Retirement System for the hybrid retirement program. The bill also states that employees and state or local entities are not liable for loss.

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
Legislation Affecting VRS: Investments			
HB 178	Delegate Peter Farrell Assumed rate of return on investments		Provides that if the General Assembly adopts an assumed rate of return on investments that is different from the rate used by the Board of the Virginia Retirement System (VRS) in determining employer contribution rates for contributions to VRS, the Board shall recalculate the employer contribution rate for each employer to incorporate the assumed rate of return adopted by the General Assembly. The Board is required to provide each employer with its adjusted employer contribution rate as soon as possible.
HB 688	Delegate Luke E. Torian Management of assets of nongovernmental investors		Authorizes the Virginia Retirement System to create an entity to administer and manage the assets of other state and local government-related entities and nongovernmental investors (private individuals) beginning January 1, 2015. Such entity would be allowed to charge for its services.
HJ 104	Delegate David E. Yancey VRS Stop-loss orders		Encourages the Virginia Retirement System to place stop-loss orders on securities it holds.
Legislation Affecting VRS: Disability Program			
SB 89	Senator Stephen D. Newman Disability program for hybrid retirement plan participants		Provides that a disability program that provides income protection of at least 60% through the use of paid leave, or disability payments, is deemed a program comparable to the Virginia Retirement System's (VRS's) disability program for hybrid retirement plan participants, which an employer may provide in lieu of VRS's program.
Other Legislation Affecting VRS			
HB 181	Delegate Peter Farrell Collection of overpayments to retirees and beneficiaries		Prohibits VRS from collecting overpayments made to a retiree or beneficiary if the proximate cause of the overpayment was a computational error made by VRS or one of its employees, subsidiaries, affiliates, agents, or contractors and the retiree or beneficiary could not reasonably have been expected to detect the error or overpayment. Under the bill, VRS would correct the error as soon as practicable in order that the amount legally due would be paid to the retiree or beneficiary on a going forward basis.

2014 Session Legislation

Bill Number	Patron/Topic or Code Section	Related Bills	Description
SB 420	Senator Emmett W. Hanger VRS Impact Statements		Requires VRS impact statements to detail the financial impact of a proposed bill on members and beneficiaries.
SB 457	Senator Mark Obenshain Charter School Personnel		Allows public charter schools to designate in their applications whether their employees will participate in the Virginia Retirement System. The bill directs the Board of Trustees of the Virginia Retirement System to develop procedures allowing school boards that approve such applications to exempt the charter school employees from participation. The bill also (i) requires at least 75 percent of public charter elementary school teachers to be licensed and at least 50 percent of public charter middle and high school teachers to be licensed and (ii) specifies that all teachers otherwise be "highly qualified," as defined by the federal Elementary and Secondary Education Act.
VRS Related Budget Amendments Dealing with New GASB Standard for Local Governments			
136 #15h	Delegate Davis		Changes the flow of dollars for the state's share of teacher retirement costs. Instead of the state making payments of their portion of teacher retirement costs to the local school divisions, who in turn make the full payments to VRS, the state would now make its share of payments directly to VRS. This is intended to result in the allocation to the state of its share of unfunded liability for teacher retirement rather than the full liability being borne solely by localities. This does not change the amount paid by the state for teacher retirement; it only takes out the locality as the "middle man" between the state and VRS with regard to state VRS payments.
136 #5s	Senator Black		Changes the flow of dollars for the state's share of teachers' retirement costs from first being paid to the local school divisions, who in turn made their full payments to VRS, instead to being paid directly from the state to VRS. This is intended to result in the allocation to the state, for accounting purposes, of its share of the unfunded liability for teachers' retirement rather than being entirely allocated to localities.
136 #6s	Senator Locke		Changes the flow of dollars for the state's share of teachers' retirement costs from first being paid to the local school divisions, who in turn made their full payments to VRS, instead to being paid directly from the state to VRS. This is intended to result in the allocation to the state, for accounting purposes, of its share of the unfunded liability for teachers' retirement rather than being entirely allocated to localities. In this absence of such a change, under new GASB standards, the full amount of the unfunded liability, accumulated over many years, will be assigned entirely to the locals.
136 #4s	Senator McWaters		Changes the flow of dollars for the state's share of teachers' retirement costs from first being paid to the local school divisions, who in turn made their full payments to the Virginia Retirement System (VRS), instead to being paid directly from the state to VRS. This is intended to result in the allocation to the state, for accounting purposes, of its share of the unfunded liability for teachers' retirement rather than being entirely allocated to localities.

January 22, 2014

To: VML Executive Committee

From: Janet Areson

Subject: Federal update

Municipal bonds. Congress ended 2013 without any action on tax reform, and more specifically, no action to cap or eliminate the tax exemption for municipal bonds.

Bloomberg News (12-31-13) reported that the coming congressional elections in 2014 may weaken changes of any far-reaching tax-code rewrite this year.

In addition, Bloomberg notes that two leadership changes in Congress may cool the talk of tax reform. Senate Finance Committee Chairman Max Baucus, who has led efforts in the Senate to change the tax code, is becoming ambassador to China. In the House, Ways and Means Chairman Dave Camp, is stepping down because of the Republicans' six-year term limit for committee leaders.

Finally, Bloomberg notes that the budget agreement signed by President Obama fixes spending targets through FY2015, which also removed pressure to deal with spending.

VML will continue to monitor the issue.

Omnibus appropriations bill approved. On Jan. 16, Congress passed, and the President signed H.R. 3547, a \$1 trillion omnibus appropriations bill to cover the remainder the current fiscal year which began Oct. 1. According to Frank Shafroth at GMU State & Local Government Leadership Center, the spending measure will increase discretionary assistance to state and local governments this fiscal year by 4.5 percent. Education programs will increase by 3.3 percent, and some human services programs, including child welfare services and the maternal and child health care program will see increases. However, while funding to HUD increased by 7.4 percent, the measure includes some cuts to the CDBG entitlement and small city program and homeless assistance program.

Despite the increased spending in this bill, Shafroth notes that overall discretionary funding is substantially less in real dollars than in FY2008, the final year of President Bush's Presidency. To see the bill, go to <http://beta.congress.gov/bill/113th-congress/house-bill/3547>

Marketplace fairness. The Hill Newspaper reported earlier this month that House Judiciary Committee Chairman Bob Goodlatte plans to hold a hearing in the first half of the year to explore online sales tax legislation.

IN 2013, the Senate passed legislation (S.336) that would allow states to collect sales tax on purchases individuals make from out-of-state online retailers. Legislation was introduced in the House as well (H.R. 684) but no action was taken by the Judiciary Committee, where the bill was referred. Judiciary Chairman Goodlatte released a set of seven principles that an online sales tax bill would have to meet in order to be considered by his committee. These principles included protecting consumer privacy; making the structure simple enough for small businesses to follow; not creating new or discriminatory

taxes; not creating greater burdens for online retailers compared with brick-and-mortar stores; and giving online retailers “direct recourse” to challenge taxes and compliance requirements.

National associations for state and local government (NLC, NACo, and the Governors Association), and national retail organizations support the bill.

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- **Senior Policy Officials** interested in learning what changes in federal transportation, education, job training, and other programs means for their city; and
- **Local Government Stakeholders** who want to strengthen the relationship between the federal government and local governments.



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National League of Cities University!

Participation in these sessions requires an additional registration free.

NLC University offers pre-conference training sessions that are designed to develop personal leadership skills and cultivate topical expertise. Half-day sessions led by carefully selected trainers will offer participants the ability to explore new models of leadership, management, and engagement, while learning specific techniques that can be applied to solve challenges.

Earn credit and be recognized for achievement over time through the award of certificates based on accumulated recognition.

Give the Federal Government a piece of your mind!

Located in the nation's capital, the Congressional City Conference brings local leaders to the doorsteps of federal policy makers. There will be opportunities throughout the conference for city officials to travel to Capitol Hill for meetings with their congressional delegation and advocate on behalf of NLC's federal action priorities and to showcase how cities and towns are partnering with the federal government to help the nation achieve its goals.

Advocacy Central, NLC's one-stop lobbying shop, will provide the latest updates on federal legislative priorities and supply materials to assist conference attendees with congressional delegation meetings.

Gain the perspective of national leaders!

Our lineup of general sessions and workshops allows you to hear directly from policy makers and thought leaders. Hear from experts how federal policy affects cities, learn about the latest funding opportunities, and innovative practices you can implement in your community.

This year's conference will cover a range of topic areas, including:

- Federal budget proposals
- Economic and job creation tools
- Comprehensive tax code reform and municipal finance
- Water and transportation infrastructure investments
- Public safety and cyber-security
- Education
- Job training programs
- Immigration
- Regulatory reform and streamlining

General Schedule of Events

The conference provides a wide range of educational, networking, and strategy sessions that maximize the value of attending for city officials. This preliminary schedule provides a timed outline of major events held during the conference in order to help attendees make travel arrangements.

Times are subject to change.

Main Conference Events

Monday, March 10

7:30 a.m. – 9:00 a.m.

Celebrate Diversity Breakfast

9:00 a.m. – 10:30 a.m.

Opening General Session

10:45 a.m. – 12:15 p.m.

Concurrent Workshops

12:15 p.m. – 1:30 p.m.

Delegates lunch break on their own

1:45 p.m. – 3:15 p.m.

Concurrent Workshops

3:30 p.m. – 5:00 p.m.

General Session

5:00 p.m. – 6:30 p.m.

State League Caucuses and Receptions/
Constituency Group/Special Group Events

Tuesday, March 11

8:45 a.m. – 10:15 a.m.

Concurrent Workshops

10:30 a.m. – Noon

Concurrent Workshops

12:15 p.m. – 1:30 p.m.

Roundtable Networking Lunch/Closing General Session

2:15 p.m. – 6:00 p.m.

Capitol Hill Visits

2:15 p.m. – 6:30 p.m.

State League Caucuses and Receptions/
Constituency Group/Special Group Events

6:30 p.m. – 7:30 p.m.

Capitol Steps



Register NOW | March 08-12, 2014 | www.nlc.org

Wednesday, March 12

8:00 a.m. – 5:00 p.m.
Capitol Hill Visits

Pre-Conference Activities

Saturday, March 8

9:00 a.m. – 5:00 p.m.
National League of Cities University
Leadership Seminars

5:30 p.m. – 7:00 p.m.
Constituency Group/State Municipal
League/Other Events

Sunday, March 9

8:30 a.m. – Noon
NLC Board of Directors Meeting/NLC Advisory
Council Meeting

9:00 a.m. – 5:00 p.m.
National League of Cities University Leadership
Seminars

1:30 p.m. – 4:00 p.m.
Policy and Advocacy Committee Meetings

4:00 p.m. – 5:00 p.m.
Policy And Advocacy Steering Committee Meetings

5:15 p.m. – 7:00 p.m.
Constituency Group/State Municipal/Other Events

5:30 p.m. – 6:45 p.m.
Orientation to NLC for First
Time Attendees

Registration Fees

Reserve your spot at the table by registering for the Congressional City Conference today. Registration rates are as follows:

Registration Type	Advance (through 3/7)	On-Site
NLC Member	\$545	\$645
Non Member	\$775	\$875
First Time Attendee	\$425	\$425
State League Member	\$670	\$770
Youth Delegate/Chaperone	\$120	\$120
Student	\$125	\$125
Spouse/Guest*	\$70	\$70



Register NOW
www.nlc.org

All cancellation requests must be received in writing, postmarked by February 14, 2014 and are subject to a \$100 cancellation fee. No registrations or cancellations will be accepted by phone and no cancellations after February 14, 2014. Substitutions are allowed.

Other Conference Fees

In addition to the conference program, attend one of our pre-conference sessions through NLC University. Or consider attending a constituency group event. More information about the learning sessions and constituency groups can be found on our website at www.nlc.org.

Type	Rate
NLC University half-day seminar	\$135
NLC University Leadership Luncheon	\$40
Diversity Breakfast	\$40
APAMO Reception	\$40
GLBTLO Reception	\$40
HELO Reception	\$40
NBC-LEO Reception and Hospitality	\$99
WIMG "A Capital Feast" Luncheon	\$40

Visit www.nlc.org to register and to learn more about the conference.

Lodging

Marriott Wardman Park	\$262 single/double plus 14.5% tax (subject to change)
Omni Shoreham	\$248 single/double plus 14.5% tax (subject to change)

Hotel reservations must be made by February 14th, 2014 to guarantee these rates, and rooms are subject to availability.



Marriott Wardman Park



Omni Shoreham

Amicus report

To: VML Executive Committee
From: Mark Flynn, General Counsel
Re: Amicus report
Date: 18 January 2014

James City County v. Windmill Meadows, LLC

The case involves whether a 2010 amendment to the cash proffer provisions of Title 15.2 of the Virginia code apply to cash proffers made before the amendment's effective date. James City County filed a declaratory judgment action in circuit court to answer the question. The Homebuilders Association of Virginia and the developer acted as defendants. The court ruled that the amendment does apply retroactively and that the developer and association were entitled to attorneys fees from the county.

VML participated in an amicus brief with the Local Government Attorneys Association and VACo to the Virginia Supreme Court on the sole question of whether attorneys fees should apply against the county. In its opinion issued 10 January 2014, the Virginia Supreme Court held that attorneys fees were properly awarded by the circuit court against the county. As a side note, I have learned that the developer's attorneys fees that the county will have to pay are approximately \$300,000, through the appeal to the Supreme Court.

Boren v. Northwestern Regional Jail Authority

The issue for amicus participation in this case about treatment of an inmate at a regional jail is how sovereign immunity works in Virginia in jail and other local government authorities activities. The case was decided by the federal district court, which found that the jail authority was not clothed with sovereign immunity. That issue is now on appeal to the federal 4th Circuit Court of Appeals.

The US District Court ruled that for sovereign immunity to apply to a Virginia governmental authority it must prove all six particular attributes in sovereign immunity law. Local governments have understood for some time that not all six elements must be proven.

As the district court stated in its opinion: "the test for sovereign immunity includes the following elements:

- (1) Creation as a body corporate and politic and as a political subdivision of the Commonwealth;
- (2) Creation to serve a public purpose;

- (3) Power to have a common seal, to sue and be sued, to enter into contracts, to acquire, hold and dispose of its revenues, personal and real property;
- (4) Possession of the power of eminent domain;
- (5) Power to borrow money and issue bonds which are tax exempt, with interest on such bonds enjoying the same status under tax laws as the interest on bonds of other political subdivisions of the state;
- (6) Management of the corporation vested in a board of directors or a commission.”

If the 4th Circuit agrees with the district court, many of the authorities, boards and commissions that local governments create could be at risk for liability for the governmental actions they take due to losing sovereign immunity. That loss of sovereign immunity would be extremely costly for VML’s members.

The time to decide on participating was very short, due to the time we were asked and the briefing schedule in the case. After reviewing the criteria VML uses in deciding whether to participate, I recommended and Mike Amyx agreed that VML should participate. We anticipate that the costs of the League’s participation costs will be less than \$2,000, total.