
202019 GENERAL LAWS POLICY STATEMENT

1 The basic purpose of local government is to
2 provide essential services and protection for
3 the community that citizens cannot provide
4 for themselves. Local governments should
5 decide which services and programs are of
6 primary importance to the community.
7 Virginia's counties, cities and towns need
8 legislation that provides the maximum
9 opportunity to foster improved quality of life
10 and high-quality growth.

11 **I. EFFECTIVE GOVERNMENT**

12 **GOVERNMENT STRUCTURE**

13
14 The General Assembly should allow
15 significant diversity among municipal
16 charters and not impose uniformity.

17
18 The General Assembly should promote the
19 sharing of the economic, social, cultural,
20 fiscal and educational benefits and burdens
21 of urbanization among all local governments
22 involved.

23
24 The addition of sub-state and special district
25 governments should be controlled. New
26 districts should not be created by the
27 General Assembly unless local governments
28 are unable to furnish services. In addition,
29 no sub-state districts, including planning
30 district commissions, should be granted real
31 or quasi-legislative authority to undertake
32 other functions except when expressly
33 directed by their member jurisdictions,
34 including those towns not directly
35 represented in the entity.

36
37 VML urges a careful review of the statutes
38 concerning consolidation of local
39 governments to ensure (a) that citizen-
40 initiated petitions are signed by a reasonable
41 number of affected citizens who reside in
42 the jurisdiction, and (b) adequate periods of
43 time elapse between consolidation or

44 annexation actions. The Virginia Municipal
45 League supports the General Assembly's
46 provision of financial incentives to promote
47 consolidation of local government services
48 and cooperative agreements among local
49 governments.

50 51 **INTERGOVERNMENTAL ISSUES**

52 Local governments have a vital role in the
53 Commonwealth. They must have sufficient
54 powers and flexibility to meet this role. The
55 General Assembly should adopt legislation
56 to promote and expand, to the extent
57 necessary, municipal powers, to (a) enhance
58 the ability of local governments to provide
59 services required by their citizens, and (b)
60 allow local governments to meet their
61 responsibilities in state/local partnerships.

62
63 VML opposes intrusions into the way local
64 governments conduct their business,
65 including burdensome regulations relating
66 to:

- 67 1. meetings of governing bodies;
- 68 2. purchasing procedures;
- 69 3. matters that can be enacted by resolution
70 or ordinance;
- 71 4. procedures for adopting ordinances; and
- 72 5. procedures for filling vacancies on local
73 governing bodies.

74
75 State intervention in local affairs is only
76 warranted in significant matters where
77 regional or statewide issues that are of great
78 importance exist. No changes should be
79 made in the laws or regulations affecting
80 local government without substantial local
81 input from affected jurisdictions and
82 participation in developing those changes.

83
84 VML opposes legislation that:

- 85 1. bars courts from awarding attorney's
86 fees to local governments when a
87 frivolous suit is filed; and
88

1 2. eliminates the notice of claim
2 requirement found in Va. Code,
3 § 15.2-209.
4
5 Membership on all state and regional
6 commissions or committees dealing with
7 matters affecting local governments must
8 include local officials who represent a
9 demographic and geographic cross-section
10 of counties, cities, and towns.
11
12 VML supports legislation to transfer
13 responsibility from local governments to the
14 state government for the liability,
15 administration and cost of community
16 service options for persons upon whom
17 court costs and fines are levied.

18 TOWNS

19 The General Assembly and the executive
20 branch should recognize towns as essential
21 units of local government, with important
22 roles in providing services to citizens living
23 in a concentrated environment. As such,
24 towns with their centrality and economic
25 efficiency represent the future of the
26 urbanizing areas of the Commonwealth.
27 Towns should have clear and full authority
28 to be formed and to act in a timely manner
29 on matters which protect public health,
30 safety, and welfare.

31
32
33 The General Assembly should respect and
34 support the sovereignty, utility, and urban
35 powers of towns. No legislation should be
36 enacted that allows counties to usurp or
37 diminish the authorities of towns. Excise
38 taxes that counties are authorized to levy
39 generally must not apply within towns
40 without the explicit approval by the town's
41 governing body.

42
43 The General Assembly should scrutinize
44 bills dealing with laws of general
45 applications to local governments, to avoid
46 enacting any laws that could be sources of

47 possible conflicts between counties and
48 towns. The following list provides
49 examples of conflicts between towns and
50 counties exacerbated by legislative action:

- 51
52 1. taxation of town residents by county
53 governments at the same rate as that
54 applied to those living in the
55 county's unincorporated areas, when
56 comparable benefits and services are
57 not provided;
- 58 2. county imposition of a merchants'
59 capital tax on businesses located
60 within the town at the same rate as
61 that applied to businesses located in
62 unincorporated areas of the county,
63 when the town levies a business,
64 professional and occupational license
65 tax;
- 66 3. unequal town zoning and planning
67 authority for land straddling or
68 abutting town corporate boundaries
69 and unincorporated county areas;
- 70 4. funding of county sheriffs' and
71 deputy sheriffs' salaries by the State
72 Compensation Board and other state-
73 funded amenities not provided to
74 town police departments; and
- 75 5. unequal statutory authority of towns
76 in relationship to that of cities and
77 counties; and
- 78 6. ~~allowing county excise tax within a~~
79 ~~town without approval of the town~~
80 ~~government.~~ *(Already stated on lines*
81 *37-41)*

82
83 The General Assembly should recognize the
84 unintended consequences of inadvertently
85 omitting towns or cities or counties from
86 legislation. The state laws on local taxes
87 must allow towns to determine how tax
88 dollars collected from residents and
89 businesses of the town will be used.

90
91 Towns should retain the right to annex lands
92 and otherwise expand their boundaries.

1 Towns over 5,000 population should have
2 the right to become independent cities; and
3 cities should have the right to revert to town
4 status.

6 **ELECTION LAWS**

7 **Redistricting.** VML recognizes that while
8 redistricting is a political process, the
9 process should be conducted with the end
10 goals of ensuring a strong and responsive
11 representative form of government that
12 enables citizens with communities of like
13 interest to influence election outcomes
14 through participation in the political process.

15
16 VML supports redistricting reform,
17 including the use of a non-partisan
18 independent commission to draw state
19 legislative and Congressional lines based on
20 specified and consistent criteria, including
21 insofar as possible preservation of the
22 integrity of existing city, town, county and
23 precinct lines.

25 **Non-partisan local elections.**

26 VML opposes attempts to require that
27 candidates nominated by political parties for
28 local elections be identified by party labels
29 on ballots.

30
31 Non-partisan elections at the municipal level
32 are an outgrowth of the municipal reform
33 movement that began developing at the end
34 of the 19th century in reaction to corruption
35 at the local level. Another outgrowth of the
36 excesses of local political machines was the
37 development of the council-manager form of
38 government and the development of a civil
39 service personnel system. Nationwide,
40 about 75 percent of municipalities have non-
41 partisan elections. Virginia is not unique in
42 this regard.

43
44 There is not a partisan way of responding to
45 public safety, street improvements,
46 enforcing the codes, or taxation required for

47 the various services that the state requires
48 localities to offer (and to pay for). The
49 result of requiring party identification will
50 be increased partisanship at the local level,
51 which will not improve local governance.
52 In addition, requiring party identification
53 will hinder the ability of Federal Employees
54 including our Military to participate as local
55 elected officials.

56
57 **Administration of election laws.** Cities
58 and counties have very little control over the
59 administration of elections, yet pay the
60 majority of costs, including office overhead,
61 voting equipment, equipment storage and
62 security maintenance, training of staff, and
63 printing of ballots. Cities and counties also
64 pay a portion of the costs of the salaries for
65 registrars and members of electoral boards,
66 to include salaries for staff other than the
67 registrar, but have no direct connection to
68 the appointment of these officials. The state
69 should provide an adequate level of funding
70 for local election administration that is
71 commensurate with the State's extensive
72 control of the process. The General
73 Assembly should not increase the cost of
74 election administration without providing
75 state funding to pay for the increased
76 expenditures.

77
78 Localities often use schools as polling places
79 and support the continuation of schools as
80 polling places.

81
82 Primaries should be moved to the third week
83 in June so schools can continue to be used as
84 polling places. (Moved from line 92)

85
86 **Timing of municipal elections.** VML
87 opposes legislative attempts to require that
88 municipal elections be held in November.
89 Localities should continue to retain the
90 ability to determine if their municipal
91 elections are held in May or November.

92

1 ~~Primaries should be moved to the third week~~ 46
2 ~~in June so schools can continue to be used as~~ 47
3 ~~polling places.~~ 48

4 49

5 **STATE AND FEDERAL MANDATES** 50

6 The state and federal governments must 51
7 provide adequate funding for any local 52
8 programs or responsibilities that are 53
9 mandated or expanded by state and federal 54
10 laws or regulations. 55

11 56
12 The federal and state governments should 57
13 not use project funding as a means of 58
14 forcing local land use decisions in 59
15 contravention to local land use plans. These 60
16 actions violate the principles of local 61
17 authority and weaken the local tax base. 62

18 63

19 Federal and state mandates must be reduced 64
20 when funding is reduced, so that localities 65
21 are not required to spend additional local 66
22 dollars to comply with the mandates. 67

23 Further, funds should be distributed in the 68
24 most efficient way possible with the least 69
25 regulatory control. 70

26 71

27 The Governor and General Assembly should 72
28 promote state-local partnerships by 73
29 requiring: 74

30 1. A review of mandates in specific 75
31 program areas to (a) establish the full 76
32 cost to local governments of 77
33 implementing mandates and (b) 78
34 develop an equitable basis for 79
35 determining state-local funding 80
36 responsibilities. 81

37 2. Completion of cost estimates for 82
38 proposed legislation prior to its first 83
39 full review by a legislative 84
40 committee, with legislation 85
41 negatively affecting local 86
42 governments' revenue-raising ability 87
43 being submitted to the Commission 88
44 on Local Government "COLG" for a 89
45 fiscal impact analysis. 90

3. Use of a performance-based 46
approach to mandates that (a) 47
focuses on outcomes, (b) offers 48
incentives for achieving state 49
objectives, and (c) gives local 50
governments autonomy to determine 51
the best way to achieve the desired 52
result. 53

4. Simplification of state reporting 54
requirements associated with 55
mandates, greater efficiency and 56
coordination, and making better use 57
of reporting technology. 58

59
60 The alarming tendency of state and federal
61 agencies to treat guidelines authorized by
62 enabling legislation as having the stature of
63 law itself must cease. In addition, the state
64 should avoid unessential and arbitrary
65 implementation of federal regulations. 66

67 **STATE AND LOCAL**
68 **RESPONSIBILITIES**

69 The state requires local governments to
70 provide certain services, such as education,
71 corrections, social services, health and
72 community mental health. The local
73 government does not have the option of not
74 being the state's service provider in these
75 areas. "State aid" to localities is the state's
76 payment for the implicit contractual
77 arrangement for this assignment of duties.
78 In addition, local governments must
79 contribute local funding to these services. 80

81 In addition to the state-mandated services,
82 localities provide other services that are
83 either necessary (water and sewer, police
84 and fire protection, etc.) or desired by
85 residents (parks and recreation, cultural
86 activities, etc.). Local governments need the
87 flexibility and resources to collect revenues
88 to meet all their responsibilities. 89

90 Two fundamental problems in Virginia's
91 intergovernmental structure are first, the

1 state does not fund at adequate levels,
2 existing services, particularly education, that
3 it requires local governments to provide; and
4 second, local officials have very limited
5 revenue options, which forces them to rely
6 heavily on real estate, personal property
7 taxes and other local revenue sources to pay
8 for services.

9
10 Further, to improve the relationship of the
11 state and local governments, the state
12 should:

- 13 1. Not restrict the taxing authority and
14 revenue sources of local
15 governments without local
16 concurrence.
- 17 2. Strengthen the partnership of the
18 state with local governments by
19 granting local government full
20 authority to deal effectively with
21 issues affecting their own locality.
- 22 3. Participate as a financial partner with
23 local governments in the costs of
24 education, including school
25 construction and renovation, and, as
26 an active partner, fully fund the
27 state's fair share of the costs of
28 education.
- 29 4. Follow specific procurement
30 procedures before purchasing
31 property, including adequate inquiry
32 into the purchase, public hearings
33 and notice, and notice of intent to
34 settle sent to the locality. In
35 addition, the state should consider
36 remuneration to the locality for the
37 loss of real estate taxes as well as
38 any loss in economic development
39 potential.

40
41 The General Assembly should continue its
42 involvement with and financial support of
43 the Virginia Institute of Government.

44 45 **FREEDOM OF INFORMATION**

46 VML strongly supports the free flow of
47 information to citizens and the media
48 through the conduct of governmental affairs
49 at all levels in the open, in good faith
50 compliance with the Freedom of
51 Information Act. VML also supports efforts
52 to educate local government officials about
53 the Act, and the importance of extensive and
54 accurate reporting of government affairs.

55
56 Citizens have the right to have personal
57 information protected. Government also
58 must be able to control its work processes so
59 that public business can be conducted. It is
60 in the public's interest to conduct some
61 matters outside public view prior to official
62 action. Accordingly, VML strongly opposes
63 extending limitations on closed meetings
64 and exempt records, which would upset the
65 Act's careful balance among a fully
66 informed public, the protection of
67 individuals' privacy, the ability of
68 government to conduct its work and those
69 matters for which the premature release
70 would not be in the best interest of the
71 locality or its citizens.

72
73 In addition, localities should be able to
74 continue charging reasonable fees for any
75 and all records, including for research time
76 and for computer records that must be
77 provided under the Act to avoid shifting the
78 cost of copying from the requestor to the
79 general taxpayers. The Act should continue
80 to limit rights to documents to citizens of the
81 Commonwealth and news organizations that
82 publish here.

83
84 VML opposes legislation that would require
85 localities to record closed session in any
86 manner.

87
88 VML opposes legislation that would control
89 the time allotted for public comment at
90 public meetings. While VML supports
91 public comment, localities should have the

1 discretion to determine procedures for when
2 public comment should be taken.
3
4 VML opposes legislation to limit the use of
5 any legitimate means of communications
6 from one elected official to others, including
7 letters, emails and conversation. The
8 General Assembly should not exempt itself
9 from anything that it imposes on a locality.
10
11 State policy must assist local governments to
12 contact and notify their citizens in the most
13 efficient and cost-effective manners
14 possible. Ads required by the *Code of*
15 *Virginia* are increasingly more expensive to
16 run in the newspaper and often are only seen
17 by a decreasing number of citizens. The
18 current trend is for local newspapers to
19 reduce the number of times they are
20 published weekly and/or going to an online
21 platform. This has resulted in localities
22 needing to meet certain advertising
23 requirements with only expensive
24 newspapers available for legal notices.
25
26 A locality's internet presence, social media,
27 local cable access channels, local radio and
28 TV provide alternative methods to contact
29 the citizens much more broadly and
30 effectively than newspaper ads in many
31 areas of the Commonwealth. In addition,
32 the cost of contacting the citizens through
33 new technology can be much lower than
34 advertising in the newspaper. The state code
35 should be amended to allow local
36 governments electronic and other alternative
37 means of communicating with their citizens
38 when providing required legal notices.
39
40 In addition, small towns should be allowed
41 to use first class mail instead of newspaper
42 advertising to notify the citizens of
43 government actions such as advertising a
44 budget hearing or advertising a land use
45 hearing to save the citizens money and to

46 communicate more effectively with the
47 citizens.

48 49 **GOVERNMENTAL & MUNICIPAL** 50 **OFFICIAL LIABILITY**

51 VML calls upon Virginia's congressional
52 delegation to support legislation to restore
53 suits brought under 42 U.S.C. Section 1983
54 to traditional civil rights actions, and to
55 preclude the award of damages if the court
56 finds that the government or its officials
57 were acting in good faith.

58
59 Expanding liability and eroding immunities
60 at the state level across the nation have had a
61 chilling effect on the actions of local
62 government officials contributing to local
63 government insurance problems, creating
64 immense financial risks (particularly for
65 legal costs), and posing a substantial
66 obstacle to the provision of needed public
67 services.

68
69 The Virginia General Assembly should
70 strengthen and must maintain the principles
71 of sovereign immunity for local
72 governments and their officials.

73
74 VML strongly opposes bringing local
75 governments under the Virginia Tort Claims
76 Act. This action would seriously erode the
77 sovereign immunity now enjoyed by
78 Virginia local governments and lead to a
79 substantial increase in frivolous suits.

80
81 The tort reparations system in the U.S.
82 creates many difficulties in the
83 administration of justice. VML supports
84 efforts at the national and state levels to
85 address tort reform, such as limitations on
86 the tort liability of local governments in
87 areas where local governments do not enjoy
88 sovereign immunity.

89
90 The General Assembly should adopt
91 legislation to codify the proposition that real

1 property of local governments shall be
2 exempt from liens created by statute or
3 otherwise. This proposition has already
4 been recognized by the Virginia Supreme
5 Court for mechanics liens.

6
7 **PERSONNEL**

8 Management has the responsibility to ensure
9 that employment, training, and promotional
10 opportunities are provided without regard to
11 any unlawful discriminatory factor, qualified
12 persons with disabilities or any other factors
13 not related to job performance.

14 VML supports:

- 15 1. Compensability for work-related
16 heart/lung/cancer employee
17 disability benefits for any class of
18 employees should be determined by
19 establishing whether work or non-
20 work related risk factors are more
21 likely the primary cause of the
22 claimant's condition.
- 23 2. the current injury by accident
24 definition in the Virginia Workers'
25 Compensation Act.
- 26 3. the current Workers' Compensation
27 Act provisions for use of an
28 employer selected panel of
29 physicians to treat injured workers.
- 30 4. maintenance of the exclusive remedy
31 provisions of the Virginia Workers'
32 Compensation Act.
- 33 5. local governments' authority to
34 establish hours of work, salaries and
35 working conditions for local
36 employees.
- 37 6. VML continues to support the
38 current rules for work-related
39 disability benefits and the cancer
40 presumption statutes.

41
42 VML opposes:

- 43 1. Any attempt to impose collective
44 bargaining or 'meet and confer'
45 requirements for public employers or
46 employees; and

- 47 2. Any attempt by the federal
48 government to stipulate grievance
49 procedures for state and local
50 employees, such as the police
51 officers bill of rights.

52
53 **Line of Duty Act**

54 The cost of the current Line of Duty Act is
55 not sustainable for either the state or local
56 governments.

57 VML supports recommendations and
58 options made by the Joint Legislative Audit
59 and Review Commission for the Line of
60 Duty Act program that would ensure the
61 fiscal sustainability of the program and
62 ensure that the benefits are available to those
63 who need and deserve them. Further, VML
64 supports a new, dedicated funding source to
65 pay for LODA benefits, but opposes any
66 funding approach that would rely on or
67 adversely affect existing local revenue
68 sources.

69
70
71 **TELECOMMUNICATIONS AND**
72 **BROADBAND₅ - LOCAL**
73 **GOVERNMENT PRINCIPLES**

74 VML sets forth the following principles to
75 guide any federal or state legislative action
76 regarding telecommunications issues.

77
78 VML supports legislation that promotes and
79 protects the ability of localities to establish,
80 operate, and maintain sustainable broadband
81 authorities to provide essential broadband to
82 all communities throughout the
83 Commonwealth of Virginia.

- 84
85 1. Public Rights-of-Way. Local rights-
86 of-way are public property. The
87 rights-of-way contain numerous
88 utility and other facilities. Proper
89 management and maintenance of
90 rights-of-way are essential to ensure
91 public safety, to protect the integrity
92 of the property, to guarantee the

1	safety of workers and to maintain the	47	be responsive to citizen needs and
2	efficiency of local streets, utility	48	concerns and provide appropriate
3	systems and transportation facilities	49	customer services to all segments of
4	and networks. Private use of public	50	our community so that disparities
5	rights-of-way significantly increases	51	due to income or geographic location
6	management responsibilities and	52	affecting citizen access to new
7	maintenance costs. Any private use	53	technology are minimized.
8	of public rights-of-way should be	54	
9	valued at fair market value.	55	
10		56	
11	2. Franchise authority. Neither the	57	5. Competition. Local governments are
12	federal government nor the state	58	interested in healthy competition in
13	should enact any laws to shift the	59	the field of telecommunications. To
14	award of franchises to use the public	60	ensure a competitively neutral and
15	rights of way from the local	61	non-discriminatory market, all
16	governing body to any state or	62	service providers must pay fair
17	federal agency. Individuals and	63	compensation for the use of public
18	businesses in the community help to	64	property. Governments should not
19	buy and maintain rights-of-way	65	be forced to subsidize some
20	through their taxes. Rights-of-way	66	participants in this free-market
21	should not be used for private	67	competition through lower-than-fair-
22	purposes without approval by and	68	market charges or any other means.
23	compensation to the local	69	
24	government for the right to use the	70	6. Local Government as Customers.
25	space, and local governments must	71	Local governments are important
26	have authority to control the rights-	72	consumers of telecommunications
27	of-way.	73	services. In many communities, the
28		74	local government is the single largest
29	3. Equitable Taxation.	75	customers of telecommunications
30	Telecommunications providers are	76	services through its government
31	valued members of our corporate	77	offices, education facilities and
32	community. All members of the	78	emergency communications. As
33	corporate community must pay taxes	79	valuable customers, local
34	on an equitable basis, as	80	governments should be treated
35	appropriately determined by the local	81	equitably.
36	government. No legislation should	82	
37	restrict the ability of local	83	7. Private Equipment placed on Public
38	governments to impose equitable	84	Facilities. Local governments
39	taxes on telecommunications	85	should continue to have the authority
40	providers.	86	to approve the location and fees for
41		87	any attachment or co-location of
42	4. Universal Service and Consumer	88	communications infrastructure on
43	Access. Important educational and	89	local government buildings and
44	community services are provided via	90	facilities.
45	telecommunications.	91	
46	Telecommunications providers must	92	8. Broadband and Local Governments.
			VML appreciates Governor Ralph
			Northam's efforts to make

1 broadband access available to all
2 Virginians within a decade. VML
3 believes there are several ways to
4 achieve this goal and no one
5 technology or method of delivery
6 should be chosen as the answer for
7 our geographically-diverse states.
8 While public-private partnerships
9 between a local government and a
10 broadband provider may be the right
11 approach for some communities, a
12 municipal government broadband
13 authority owning and operating a
14 new project may be better for others.
15 State grants should allow localities,
16 groups of localities, municipal
17 broadband authorities and public-
18 private partnerships to submit
19 applications for state grants without
20 prejudice to the applicant.

21
22 9. 5G The current 5G statutes have
23 eroded the authority of localities to
24 charge fair market value, add
25 appropriate screening, and control
26 placement of these facilities along
27 with added undue burdens in the
28 form of shot clocks and limited
29 review of applications. VML
30 supports the ability of localities to
31 ensure that their communities retain
32 their unique character to include
33 regulating these structures,
34 particularly in historic areas.

35 **TECHNOLOGY**

36 State law should allow all counties, cities,
37 and towns to make full and appropriate use
38 of modern technology to promote public
39 safety. Localities should have maximum
40 flexibility to contract with the private sector
41 to implement all aspects of such technology.
42 VML supports legislation that promotes and
43 protects the ability of localities to establish,
44 operate, and maintain sustainable broadband
45 authorities to provide essential broadband to
46

47 ~~all communities throughout the~~
48 ~~Commonwealth of Virginia. Next~~
49 ~~Generation 911 is vital to public safety in~~
50 ~~the Commonwealth; we support this~~
51 ~~technology as a funded mandate.~~

52
53 Local governments should have authority to
54 regulate the use of unmanned aerial vehicles
55 in their jurisdictions insofar as consistent
56 with FAA regulations. Especially when such
57 systems are utilized to support a local
58 governing body or authority authorized
59 under title 15.2 for purposes of inspecting
60 their own facilities, assessing damage
61 caused by natural or manmade disasters, and
62 by fire and rescue personnel for purposes of
63 assessing an emergency to which they are
64 responding.

65
66 ~~Pursuant to the 1996 Telecommunication~~
67 ~~Act, the cellular phone industry is~~
68 ~~developing technology to provide for the~~
69 ~~identification of the origin of cellular~~
70 ~~emergency calls. Until this technology is~~
71 ~~implemented and revenue sources have been~~
72 ~~identified to finance it, the state police~~
73 ~~should continue to handle the E911 calls~~
74 ~~they currently handle. Next Generation 911~~
75 ~~is vital to public safety in the~~
76 ~~Commonwealth; we support this technology~~
77 ~~as a funded mandate.~~

78 **UTILITIES**

79 Fundamental policies should be honored by
80 the state in promoting the delivery of utility
81 services by local governments and the
82 authorities they create:
83

- 84
85 1. Each provider of service must be free
86 to set its rates without interference
87 from other local governments or the
88 state.
- 89 2. Each local government providing
90 utility services must be able to
91 compete fairly with any other
92 providers without state interference.

1 3. Each local government that provides
2 utility services must be able to
3 manage its revenues and
4 expenditures related to the services
5 without state interference.
6

7 Virginia's localities and water and sewer
8 authorities must retain the ability to enforce
9 liens against landlords' properties for the
10 unpaid water and sewer bills of their tenants
11 to have the ability to collect monies owed.
12

13 Municipal utility systems must continue to
14 have the authority to set their own rates.
15 Any attempt by the State Corporation
16 Commission to regulate rates for utility
17 services furnished by local governments
18 would violate the Virginia Constitution.
19 Local governments that provide utility
20 services must continue to have the authority
21 to negotiate the rates, terms and conditions
22 for any attachments to or joint use of
23 municipally-owned utility infrastructure.
24 The safe and efficient operation of the
25 municipal utility requires that final approval
26 for any joint use or co-location on its
27 facilities remain with the locality.
28

29 The State Corporation Commission should
30 develop a structure to ensure that the
31 amounts that utilities can charge localities
32 and other entities for placing electric utility
33 lines and other facilities underground are
34 based on the most cost-effective,
35 competitive, yet safe methods.
36

37 **II. PUBLIC SAFETY**

38
39 VML supports legislation that preserves law
40 and order and promotes the safety, quality of
41 life and administration of justice within our
42 communities. The Commonwealth should
43 enhance its efforts to prevent juvenile crime,
44 minimize violence in the schools, reduce the
45 formation and operation of gangs by
46 providing funding for programs that prepare

47 our youth to be productive, responsible, self-
48 reliant members of society.
49

50 The state should continue to assist localities
51 in their efforts to coordinate public safety
52 activities including emergency services.
53

54 VML supports legislation that will clearly
55 establish the relationships between State and
56 localities to assure efficient and appropriate
57 command, control and communications
58 during local emergencies.
59

60 Greater latitude should be given to localities
61 in encouraging innovative methods of
62 combating traffic violations and crime.
63

64 VML supports legislation that ensures our
65 children have the ability to carry, obtain and
66 receive sunscreen at their schools to protect
67 them from sunburn.
68

69 VML supports local jurisdictions efforts to
70 maintain animal shelters in a fiscally
71 responsible manner and does not support
72 any state or federal mandate that would
73 provide a financial burden on local animal
74 shelters.
75

76 **WEAPONS IN PUBLIC BUILDINGS**

77 VML supports legislation to allow local
78 governments to restrict carrying weapons in
79 or on local government property to include
80 parks and recreational facilities unless
81 otherwise allowed by state code. any
82 building where a local governing body
83 meets during the meeting, to the same extent
84 weapons are prohibited in public schools.
85

86 **COMMUNITY CORRECTIONS**

87 VML requests both increased funding and
88 an equitable distribution formula for
89 services provided under the Comprehensive
90 Community Corrections Act (CCCA) and
91 the Pre-Trial Services Act (PSA). Since the
92 advent of these programs in 1995, caseloads

1 have effectively doubled at the local level,
2 while state resources have failed to meet the
3 caseload increases. These resources are
4 allocated to localities on a discretionary
5 grant basis. Given the statewide character of
6 this program, it is now time to allocate these
7 funds through an equitable formula that
8 recognizes regional costs and benefits of
9 these services.

10 11 **COURT FEES**

12 A user of the court system should not force
13 increased costs on the general population.
14 VML supports legislation to increase court
15 fees to pay for courthouse maintenance,
16 security, renovation and construction and
17 other court-related projects.

18 19 **COURT SECURITY**

20 The General Assembly should adopt
21 legislation making it clear that local judges
22 do not have the authority to order localities
23 to fund more deputy positions for court
24 security than are provided for in the State
25 Code and Appropriations Act.

26 27 **INTERNAL AFFAIRS**

28 **INVESTIGATIONS**

29 Legislation should be enacted to restrict the
30 use, in civil matters, of information gathered
31 in internal investigations.

32 33 **OVERCROWDING/STATE SUPPORT**

34 The state should live up to its commitment
35 to remove state prisoners from local jails.
36 The state should fully fund the per diem
37 reimbursement for all state prisoners.

38
39 Jails built by a single large locality should
40 be made eligible for the same state
41 reimbursement rate for construction as a
42 regional jail facility.

43
44 Local governments should not be forced to
45 pay for state prisoners. The state
46 reimbursement rate must be restored to an

47 amount that is fair to localities reflecting
48 actual costs.

49 50 **TRAINING ACADEMIES**

51 The state should fully fund all mandated
52 criminal justice training provided through
53 certified academies.

54 55 **VIOLENCE/TERRORISM**

56 The General Assembly should enable
57 localities to help communities deal with
58 violence and terrorism issues by:

- 59 1. reducing the accessibility of weapons
60 by criminals and persons with mental
61 illness that present a risk of harm to
62 themselves or others,
- 63 2. expanding state and local
64 cooperative efforts in neighborhoods
65 and localities,
- 66 3. promoting additional prevention and
67 intervention programs to deal with
68 youth who may adopt a violent way
69 of life, and
- 70 4. granting localities more flexibility to
71 handle problems of abandoned and
72 blighted structures.

73 74 **NOISE CONTROL**

75 Local government must retain the authority
76 to determine the appropriate measure for
77 establishing unacceptable levels of nuisance
78 noise and to enact local ordinances to
79 address its curtailment.

80 81 **FULL TIME AND ATTENTION TO 82 DRIVING**

83 The General Assembly should continue to
84 take steps to prohibit other activities by a
85 driver while operating a motor vehicle.

86
87 The General Assembly should also confirm
88 that local governments have the ability to
89 enforce full attention and time to driving
90 ordinances. VML supports training on
91 impartial enforcement of all infractions.