

2020 Preliminary Policy Statements



Virginia Municipal League
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202019-COMMUNITY & ECONOMIC DEVELOPMENT POLICY STATEMENT

Continued community and economic development are essential to the vitality of the Commonwealth of Virginia. VML urges the state to partner with localities to develop and carry out the state economic development strategic plan.

VML realizes the importance of diverse communities and neighborhoods and supports legislation to encourage state and local cooperation efforts that would ~~deter crime~~, promote the safety of all populations, encourage the maintenance and protection ~~safety~~ of property in neighborhoods, and improve the livability of Virginia's cities, towns and counties.

VML encourages local governments to work together in regional efforts to improve the quality of life and economic development opportunities and encourages the state to support such regional efforts in collaboration with local elected officials.

Incentive programs, such as GO Virginia, Opportunity Zones, the Commonwealth's Opportunity Fund and the Virginia Enterprise Zone Program are important economic development tools, particularly in a challenging economy. It would be beneficial for all parties if t~~The state should~~ worked cohesively with local governments to ensure that economic development efforts focus on improving opportunities and sustainability. This cooperation would include technical assistance from the state. VML supports clarification on criteria for grant programs especially with regard ~~to~~regarding fiscal health and/or economically distressed localities. Grant programs should look at the totality of the circumstance of a local governments' fiscal health.

We support the current incentive programs and Virginia Enterprise Zones and ask that they; ~~they should not be decreased~~ be continued at the same level.

VML supports initiatives such as Opportunity Zones and GO Virginia's which encourage collaboration among Virginia's localities to support economic diversification.

Efforts that we deem a~~Appropriate efforts~~ include grants and state tax incentives and efforts to assist minority and women-owned businesses. The state should strive to fully fund programs that strengthen local governments' commercial and industrial tax bases to reduce pressure on the residential real estate tax base.

HOUSING

VML urges state and local governing bodies to develop and maintain a balanced housing mix, including affordable and workforce housing with affordable housing policies in place. These numbers should be determined by a locality, as ~~l~~ocal officials are in the best position to determine that mixture. Local governments must be fully involved in the decisions on the placement of affordable and workforce housing in their jurisdictions. Procedures involving the granting of tax credits for projects must involve local governing bodies. Any locality that issues a Section 8 housing certificate should have housing available in the jurisdiction for the certificate's holder, to prevent persons who are granted Section 8 certificates from having to leave their home jurisdiction in order to find housing.

VML supports state funding for affordable and workforce housing.

The state should take the lead and work with local governments to encourage the development of mixed income development and redevelopment, coupled with support for mixed use projects.

~~The Commonwealth should give high priority to approval and funding of low income housing tax credit projects that incorporate affordable and subsidized units into mixed use/mixed income developments. Such projects should include a substantial share of market rate housing.~~

BLIGHT AND NEIGHBORHOOD PRESERVATION

The General Assembly should broaden the laws on dealing with blight. This could be done through empowering localities' flexibility dealing with building permits issued for repairs or renovation. Methods include the to-requirement of timely completion of the work or, failing a legitimate plan by the owner, diligently pursued, to complete the work, authorizing local government action to correct the health and public safety problems created by incomplete projects that are not completed and to either seize available assets of the owner and use them to fund corrective action, or impose high fees that would recover the locality's costs on a priority basis. This would be similar to the localities' powers for retrieving in the same manner as unpaid taxes. Further, we would like the definition of derelict building to should be expanded to include buildings which that are never not completed to a condition that would meet the definition in the Virginia Code Section 15-2.907.1.

VML supports strengthening the minimum property housing-maintenance code.

ZONING INCENTIVES FOR IN-FILL DEVELOPMENT AND REDEVELOPMENT

The state code provisions on zoning authority should continue to ensure that local governments have a full range of authority to promote affordable and mixed income housing, including authority to facilitate in-fill development, redevelopment and mixing of uses in redevelopment projects. Therefore, the Code of Virginia must not be changed to limit local governments' authority to enact land use regulations for the benefit of all citizens of a locality.

PLANNING AND LAND USE

VML encourages tThe Governor and General Assembly to should continually evaluate the limitations on local authority and land use management tools provided in the state code to ensure that the policies of the Commonwealth encourage and support healthy cities and towns. The Commonwealth must repeal state laws that encourage sprawl or that discourage mixed-use, inclusive communities at sustainable densities. Instead, the policies of the Commonwealth should support sustainable growth in and around urban centers to help local governments create more livable, environmentally responsible communities, thus reducing the environmental impact of growth. In addition, we ask that the policies should alleviate transportation funding problems for the Commonwealth and should promote transportation priorities to promote public transportation modes as well as pedestrian and bicycle transportation. VML supports multi-modal transportation options for regions and localities with local input on access to multi-modal facilities.

~~Further, to make movement cities and towns attractive, the education policies and funding must promote high quality educational facilities, opportunities and services in cities and towns. Further the Commonwealth must provide funding to help cities and towns attract and retain high paying jobs.~~

Planning and land use control are two of local government's most important functions. Localities must maintain control of local land use decisions. Neither the state nor federal government should usurp or pre-empt a locality's power to make such decisions or impose processes that weaken planning and land use functions. This includes home businesses and other activities that may put different persons' property rights into conflict with one another. All localities should be guided by their comprehensive plan for future development. The General Assembly should allow local governments to exercise land use authority in the manner that the local government deems appropriate for its circumstances. Coordination of local land use planning and transportation planning improves the ability of all levels of government to deal with and manage growth-related issues the Commonwealth faces in the long-term.

The General Assembly should enhance local government's ability to implement their comprehensive plans by authorizing a complete spectrum of land use and growth management tools and should allow and provide localities more creative, locally initiated planning and land use mechanisms.

When a county's transfer of development rights program includes lands adjacent to a city or town, the General Assembly should provide the municipality with the authority necessary to fully participate in the decisions on transferring such rights when it is determined by the municipality that the land-use change will impact its citizens.

VML supports the state's exploration of sustainable development, provided ~~that~~ there is not an effort to supplant the authority of local governments to determine their own land use policies and encourages the consideration of incentives for localities to implement sustainable development approaches.

State agencies should be required to comply with local comprehensive plans and local land use regulations and policies.

VML supports enhanced redevelopment opportunities through the adoption of an urban policy for the commonwealth, and implementation of growth management policies that encourage growth and economic development in urban areas.

VML supports the position that the vested rights law is prospective only and that local governments have the authority to amend zoning ordinances in the future.

The law on nonconforming uses and structures must ~~not be diminished~~ be maintained. The desires of a single property owner should not outweigh the interests of the neighbors, who benefit from properties coming into conformance with the zoning ordinance over time through the effects of the law on nonconformity.

The General Assembly should not enact any legislation, under the name of private property protection law, that seeks to weaken local powers to regulate land uses and protect the community's health, safety and welfare, or that requires additional compensation beyond judicial interpretation of the Fifth Amendment of the U.S. Constitution and Article I, section II of the Virginia Constitution.

VML opposes any additional legislation that would exempt religious organizations or provide special entitlements to individuals and industries from neutral, generally applicable local ordinances, and in particular, local zoning and public safety ordinances.

RESPONSIBLE GROWTH MANAGEMENT

Current state land use authority is often inadequate to allow local governments to provide the infrastructure and services for growth in a manner that protects and improves the quality of life in our communities. The General Assembly should authorize local governments to implement growth management policies including impact fees in order to enable localities to facilitate orderly, rational growth in a manner appropriate to their communities. The authority to impose impact fees should include calculations for the cost of all public infrastructure, including local transportation, transit, and school construction costs, caused by growth. Until a comprehensive impact fee system is authorized, the state code should extend to all localities full authority for conditional zoning to meet the needs of new citizens for public infrastructure.

The General Assembly should take all steps needed to assist towns and cities to work with the surrounding counties to promote growth in patterns that help the vitality of the municipalities. Any change must not shift the burden of paying for new infrastructure to existing citizens through increased real estate taxes.

VML supports the ability of localities to prepare for the closure of state facilities and supports the state providing ample notice to localities of proposed closures and the loss of jobs.

VML encourages the state to engage localities very early in the process when assisting an economic development prospect so that localities can better prepare for potential impacts. Site Readiness and Certified Economic Development Sites are important to localities and assistance from the State is encouraged to prepare these sites.

DESIGN FOR ALL CITIZENS.

As life expectancy rises and as the number of citizens with significant physical disabilities and limitations is increasing, Virginia's local governments recognize that man-made environments must be made accessible to and inclusive of all citizens, whether aging, disabled or facing other limitations. Therefore, the state's laws, regulations and policies must serve to increase accessibility for the aged and disabled populations. Such laws, regulations and policies that do not assist reaching these goals should be amended or repealed. Building codes should be amended to help achieve these goals in new and existing construction. Further, state laws, regulations and policies must be amended, ~~as needed~~ to give local governments full authority to provide accessible private and public infrastructure.

MANUFACTURED HOUSING BY RIGHT HOUSING OPTIONS TO INCLUDE MANUFACTURED HOUSING, TINY HOUSES, ACCESSIBLE DWELLING UNITS, ETC.

Local governments must retain the authority to plan for the appropriate mix of residential structures in their communities and must retain full authority to regulate the placement of manufactured homes, tiny homes and other types of alternative housing without state intervention. New housing options must be explored.

Localities should retain the right to tax manufactured homes as personal property, and not be forced to classify them as realty.

TRANSPORTATION

Localities need ~~to have~~ greater input on how changes to VDOT managed infrastructure affect localities as well as input on priorities for addressing infrastructure issues. VDOT should ~~also~~ allow more effective local input on funding priorities. VML supports program changes to VDOT's revenue sharing program that will fund a wider distribution of projects and increase the opportunity for a greater number of localities to participate.

STREET AND SIDEWALK STANDARDS

Local governments should have authority to modify standards for street pavement and right-of-way widths, including streets brought into the system that do not meet VDOT standards, that are beneficial to good planning; public safety; and the well-being of the residents, without diminishing state funding for street maintenance payments.

~~Localities should have the ability to work with developers on sidewalk standards and financing to include mutually agreeable arrangements where sidewalks are financed but not built immediately and monies can be used for sidewalk improvements in other parts of the locality.~~

PRESERVATION OF RIGHTS-OF-WAY

Road projects take many years from the planning stage to construction. Often localities need to reserve miles of right-of-way years in advance of any funding availability for these projects, or risk development in the path of these road projects. Localities need tools to enable them to reserve rights-of-way for longer periods of time. The official map legislation allows reservation, but localities are often unable to provide for the upfront funding needed to purchase these rights-of-way in the allotted timeframe.

VARIANCES, SPECIAL EXCEPTIONS & CONDITIONAL USE PERMITS

VML maintains that the law on variances should be retained in its current form. Because land use is controlled at the local level, the General Assembly should not require or dictate any specific procedures for special exceptions, conditional use permits or similar land use decisions.

202019 ENVIRONMENTAL QUALITY POLICY STATEMENT

1 Protecting natural resources and sustaining
2 efficient environmental stewardship is an
3 overarching mission of government.
4 Additionally, VML recognizes the
5 importance and challenge of maintaining
6 natural resources and managing
7 environmental services while
8 simultaneously encouraging economic
9 growth and responsible human development
10 in our cities, towns and counties.

11
12 To achieve these ends, VML pursues these
13 goals:

- 14
15 1. Promoting environmental quality
16 through a coordinated, comprehensive
17 approach that addresses air and water
18 quality, hazardous and solid waste
19 management, energy conservation and
20 use, protection of special lands and
21 features including biological diversity,
22 prudent land use policies, and noise
23 abatement.
24
- 25 2. Attaining an equitable distribution of
26 responsibilities among governments for
27 resource protection and environmental
28 services and attaining sufficient financial
29 resources from the federal and state
30 governments to implement mandates,
31 without duplicating efforts.
32
- 33 3. Environmental resources cross
34 jurisdictional boundaries and positive
35 dispute resolution of issues should be
36 supported.
37
- 38 4. Pursuing the orderly and planned
39 development of communities and
40 encouraging the revitalization of older
41 communities.
42
- 43 5. Promoting cooperation and coordination
44 among governments, citizens,
45 institutions, and organizations to achieve

46 these goals while encouraging
47 innovative, cost-effective solutions to
48 environmental problems.

- 49
50 6. Advocating budget, legislation and
51 policy initiatives that provide sufficient
52 resources to implement the least costly
53 and most efficient regulations.
54

55 **WATER RESOURCES, QUALITY &** 56 **CONSERVATION**

57 **Quality**

58 Investing in water quality infrastructure is a
59 shared State-Local partnership. The
60 Commonwealth owns our streams, rivers,
61 and Bay; localities own most water quality
62 improvement treatment systems and related
63 infrastructure. Sharing resources and
64 investment responsibilities leads to more
65 cost-effective, positive outcomes in public
66 and environmental health as well as to other
67 natural resources, recreational, and tourism
68 benefits.
69

70 Point (direct) and nonpoint (indirect)
71 sources of pollution continue to create
72 significant challenges in protecting water
73 quality: wastewater treatment plant
74 upgrades, urban and agricultural storm water
75 runoff, sedimentation, stream
76 channelization, specific agricultural
77 activities, pet wastes and use of agricultural,
78 yard, lawn care and homecare chemicals.
79

80 Water resource protection is critical
81 throughout all watersheds of Virginia. Local
82 governments, the state government, the
83 federal government and private interests
84 must recognize these threats and implement
85 precautions and protections that reflect their
86 level of responsibility for preventing and
87 mitigating offensive activities, safeguarding
88 local public and environmental health, as
89 well as maintaining the technical and

1 economic competence to respond to and
2 correct problems.
3
4 Recent years have seen significant
5 improvements in water quality throughout
6 the Commonwealth. However, without
7 adequate funding sources and data to assist
8 local governments and public service
9 authorities, water quality will not continue
10 to improve. Combined sewer overflows
11 (CSOs) and sanitary sewer overflows
12 (SSOs) are significantly expensive
13 infrastructure undertakings, often costing
14 hundreds of millions of dollars. Local CSO
15 and SSO improvement projects require
16 federal and state financial assistance. VML
17 supports state financial assistance to local
18 governments and public service authorities
19 facing legislative mandates related to CSO
20 or SSO management and remediation.
21
22 VML supports dedicated and adequate state
23 appropriations to the Water Quality
24 Improvement Fund to make full and timely
25 payments under point source upgrade
26 contracts with local governments.
27 Additionally, VML supports dedicated and
28 ample state financial assistance to the
29 Stormwater Local Assistance Fund to
30 address costs associated with the permit
31 requirements of Municipal Separate Storm
32 Sewer Systems (MS4).
33
34 Local governments are legally obligated to
35 ameliorate water pollution and reduce its
36 harmful effects and they are well-positioned
37 to develop innovative, and meaningful
38 community-based solutions. VML supports
39 the ability of localities to employ credible
40 and efficacious, low impact water pollution
41 prevention and control measures without the
42 additional burden of securing the prior
43 review and/or permitting of state and federal
44 agencies.
45
46 VML supports legislation requiring the
47 study of tree preservation and planting as

48 either a land cover type (i.e., in addition to
49 impervious, turf, and forest conditions) or a
50 stormwater best management practice
51 (BMP), with the intent of providing an
52 additional tool for stormwater compliance. If
53 certified as a land cover type or BMP, the
54 study would also determine how much
55 stormwater credit shall be awarded.
56 Crediting tree preservation and planting can
57 create opportunities for developers and local
58 governments to have more tools for
59 stormwater and flood mitigation.
60
61 Additionally, VML supports an amendment
62 to Virginia Code § 15.2-961 that would
63 allow local governments greater flexibility
64 in the reforestation, preservation, and
65 management of urban forests.
66
67 Municipalities have made extraordinary
68 investments and progress in reducing
69 nutrients from wastewater treatment plants.
70 Permitted waste load allocations to
71 municipal wastewater treatment plants are
72 central to localities' ability to comply with
73 current water quality laws and to
74 accommodate future growth and economic
75 development. The Commonwealth should
76 support regulatory stability as to existing
77 facilities and their allocations. The Virginia
78 Nutrient Credit Exchange Program should
79 continue as the primary vehicle for new
80 public or private sources to acquire
81 allocations and/or credits with facilities
82 owners' consent on agreed terms.
83
84 In the interest of increasing and improving
85 the level of water quality data for impaired
86 watersheds and waterbodies in Virginia, the
87 State should leverage and actively employ
88 state university assets (laboratories,
89 equipment, etc.) and subject matter experts
90 (scientists, graduate students, etc.) to
91 collaborate with local governments to gather
92 and analyze rigorous water quality data.
93 Such high-quality data can then be used by
94 state agencies and local governments to

1 document the effectiveness of locally
2 specific water quality improvement plans,
3 which are required of localities with MS4
4 Permits, and aid the state in its duty to
5 monitor and track the health of state waters.

6

7 **Conservation**

8 Overuse and indiscriminate use of water,
9 coupled with recurring drought conditions,
10 require state and local leaders to promote
11 water conservation to help to avoid future
12 water supply problems. Local or regional
13 comprehensive water conservation plans
14 should urge conservation through
15 construction building material choices, gray
16 water re-use, groundwater and aquifer
17 recharge, rainwater harvesting, native and
18 drought tolerant landscaping, appliances
19 (such as dual flush toilets), rate structure,
20 education and water allocation.

21

22 **Conservation Easements**

23 Water authorities and similar local agencies
24 should have the power to receive
25 conservation easements under the authority
26 of the Conservation Easement Act.

27

28 The Virginia Outdoors Foundation's
29 operating costs should be fully funded.

30

31 State incentives (in-lieu of tax credits) need
32 to be created for local governments seeking
33 to place land designated for watershed
34 protection in conservation easements.

35

36 **Primacy**

37 The state should work to maintain the State
38 Health Department's primacy role in
39 implementing the federal Safe Drinking
40 Water Act.

41

42 **Water Supply**

43 VML believes these principles governing
44 the role of the Commonwealth must guide
45 state water supply planning:

46

47 1. The availability of a safe, adequate and
48 reliable water supply is essential to the
49 public health and the economic vitality of
50 the Commonwealth and its local
51 governments. The state should participate in
52 providing funding mechanisms for local and
53 regional water supplies.

54

55 2. As a partner with local government in
56 providing water supplies, the state should
57 invest in regional projects to maximize the
58 use of infrastructure and minimize
59 environmental impacts.

60

61 3. Maintaining and analyzing a sound
62 surface and ground water database is an
63 essential state responsibility.

64

65 4. The state must take an advocacy role to
66 support local water supply projects that
67 conform to state regulations. This includes
68 taking the lead in negotiating multi-state
69 issues.

70

71 5. VML supports adequate state
72 environmental staffing in the areas of
73 research and development, including legal
74 research into issues such as inter-basin
75 transfers or groundwater recharge, which
76 results in stronger technical assistance to
77 municipal government.

78

79 6. The State should encourage water
80 conservation measures to promote wise use
81 and prevent and minimize waste through
82 incentives and educational programs.

83

84 7. The Commonwealth should consider use
85 of reclaimed water to meet non-potable
86 needs as part of its water resources to reduce
87 the demand on high quality potable water
88 supplies where practicable and
89 environmentally beneficial. State officials
90 should assist local governments and
91 communities in promoting wastewater
92 reclamation and reuse.

93

1 Beyond conservation measures, VML
2 supports the deployment of proven, safe,
3 innovative water reuse technologies to
4 replenish aquifers statewide.
5
6 8. Water is essential to a healthy ecosystem.
7 Stream flows to support beneficial in-stream
8 uses should be protected in the process of
9 providing sufficient water to meet public
10 drinking water requirements.
11
12 Local governments must continue to
13 participate in the discussion of any water
14 resource proposals, including the current
15 statewide water supply planning process.
16
17 **ENVIRONMENTAL EMERGENCIES**
18 The state should assist with paying for flood
19 protection where localities take precautions,
20 through land use controls, to limit the cost of
21 flood damage restoration.
22
23 Localities need increased funding for state-
24 mandated dam safety infrastructure
25 improvements.
26
27 In the event of an environmental emergency,
28 either man made or an act of God, local
29 government officials need maximum
30 discretion to determine measures to be taken
31 beyond those dictated by the state and
32 federal government, as well as ready access
33 to information and assistance.
34
35 VML supports a state requirement that rail
36 operators serve on federally mandated Local
37 Emergency Planning Committees.
38
39 **SOLID WASTE MANAGEMENT**
40 VML supports the continuation of certifying
41 compliance with local ordinances for waste
42 management facility proposals.
43
44 VML endorses developing local waste-to-
45 energy and co-generation facilities as
46 practical alternatives to landfill facilities.
47

48 VML supports efforts to ensure that Waste
49 to Energy (WTE) is consistently defined as a
50 renewable energy source in the Virginia
51 Energy Plan and in any renewable energy
52 standards relating to the Commonwealth.
53 Currently the Code of Virginia defines
54 "renewable energy" as including energy
55 derived from waste.
56
57 VML supports state financial assistance in
58 developing programs that reduce waste
59 entering local landfills, thereby increasing
60 their longevity. Such programs should
61 emphasize processes that reduce waste,
62 reuse materials, and recycle refuse.
63
64 Plastics serve many appropriate purposes in
65 our society, yet their use in disposable
66 products – especially in single-use products
67 – has become ubiquitous and their polluting
68 effects have followed. These products cost
69 localities dearly in time and expense needed
70 to unclog storm and sanitary drainage
71 systems, damage to mowing equipment,
72 ensnarement in trees and other vegetation,
73 and more. Further, these products
74 accumulate in area waters and wetlands
75 where they harm wildlife, impair outdoor
76 recreation, and degrade into compounds
77 which are known toxins.
78
79 VML supports legislative approval of a local
80 government option to regulate the
81 distribution, sale or offer of disposable
82 plastic bags and other such single-use
83 products, such as straws and extruded
84 polystyrene food and beverage containers.
85
86 Exceptions shall be made for such bags and
87 containers used for garbage, medical waste,
88 and other refuse containment, and for
89 disposable plastic wraps designed to ensure
90 the safety and integrity of medical supplies
91 and other sensitive products used in public
92 health and safety, whose purpose and
93 distribution shall be permissible.
94

1 **RECYCLING**
2 VML supports recycling and reuse wherever
3 possible to promote better and wiser use of
4 our resources.

5
6 **HAZARDOUS WASTE**
7 Advanced technology, waste minimization,
8 and waste exchange should be used, to the
9 extent possible, to eliminate or reduce
10 hazardous waste.

11
12 VML recognizes the need for hazardous
13 waste treatment and disposal facilities to
14 provide adequate capacity for wastes
15 generated within state borders. VML
16 encourages the Commonwealth to establish,
17 and if necessary, to operate, hazardous waste
18 facilities appropriate for improving the
19 treatment, storage, or disposal of hazardous
20 waste generated within Virginia.

21
22 Adequate state and federal funding should
23 be provided for cleaning up abandoned and
24 hazardous waste sites. Expedient clean-up
25 of sites is essential.

26
27 The Commonwealth should address the
28 collection of household hazardous waste by
29 collecting it or providing liability coverage
30 for local collection programs. Consumer
31 education and discouraging reliance on
32 household chemicals should be encouraged.
33 The state needs to address pharmaceuticals
34 and associated endocrine disruptors,
35 including collection/disposition, and to
36 encourage pharmacies to accept unused
37 pharmaceuticals. State research institutions
38 should examine and provide policy
39 recommendations on the impact of
40 pharmaceuticals and endocrine disruptors to
41 water quality, agricultural products, and
42 human health.

43
44 Electrical and electronic products contain
45 known toxic and hazardous components
46 which must be tightly control when such
47 products are disposed (e-waste). Most such

48 components can be safely harvested and
49 recycled or reused, reducing the
50 environmental impacts of mining and
51 producing new components from virgin
52 materials, such as rare earth elements, which
53 are increasingly scarce and costly to obtain.

54
55 VML supports legislative efforts to increase
56 the reuse and recycling of all electrical and
57 electronic products, devices and related
58 materials, as well as economic and business
59 development models to grow the necessary
60 skill, capability and infrastructure within
61 Virginia to improve the ability of localities,
62 small businesses and citizens to easily,
63 conveniently and ethically recycle their e-
64 wastes.

65
66 **PARKS, OPEN SPACE AND**
67 **CULTURAL RESOURCES**

68 VML supports the renewal of federal
69 funding for parks, historical structure
70 preservation and recreational opportunities.
71 The federal Land and Water Conservation
72 Fund (LWCF) program provides matching
73 grants to States and local governments for
74 the acquisition and development of public
75 outdoor recreation areas and facilities. VML
76 encourages state officials to work with local
77 officials in combining matching dollars for
78 LWCF grants for local and regional
79 facilities. VML also supports additional state
80 funding for local land preservation through
81 Virginia Land Conservation Foundation
82 (VLCF) grants and matching grants to
83 localities for qualifying purchase of
84 development rights (PDR) programs

85
86 **NOISE CONTROL**
87 State and federal governments must assume
88 the regulatory and financial responsibility of
89 attaining satisfactory noise levels adjacent to
90 major highways, railways and airports

91

1 **ENERGY CONSERVATION, GREEN**
2 **BUILDING & CLIMATE CHANGE**
3 The state should maintain an overall state
4 energy plan that includes provisions for
5 conventional and renewable energy; support
6 for research and development into energy
7 efficiency, conservation and renewable
8 energy technologies; alternative fuels and
9 advanced vehicle technologies; energy
10 infrastructure; and increasing resilience
11 relative to energy emergencies.
12
13 VML acknowledges passage of the Grid
14 Transformation and Security Act of 2018
15 and its emphases on grid modernization,
16 solar and wind energy, energy efficiency
17 and conservation, weatherization programs
18 and consumer protections. VML further
19 notes that the State Corporation Commission
20 (SCC) and utilities will develop stakeholder
21 groups regarding the Act’s mandate that
22 utilities invest approximately \$1 billion in
23 energy efficiency by 2028, and VML
24 encourages the SCC and utilities to include
25 local government representatives in those
26 stakeholder groups.
27
28 Regulations and emergency orders should
29 include alternatives that consider the
30 economic impact on political subdivisions
31 that border neighboring states.
32
33 Energy conservation and efficiency should
34 be major considerations in formulating state
35 and local energy policies and plans, as they
36 are often the most cost effective.
37
38 VML supports state assistance to help local
39 governments, businesses and residents
40 obtain energy audits. VML also supports
41 state tax incentives for (1) energy efficiency;
42 and (2) homeowners using renewable
43 energy, including solar, geothermal, wind
44 and others.
45
46 VML supports the construction of buildings
47 that are energy efficient, maximize natural

48 light, minimize stormwater runoff, use
49 recycled materials and use other
50 environmentally sustainable practices.
51 Local governments, state agencies, and
52 developers can obtain green building
53 practices guidance from organizations such
54 as the U.S. Green Building Council which
55 promulgates the LEED (Leadership in
56 Energy and Environmental Design) Green
57 Building Certification System.
58
59 VML supports the efforts of the Virginia
60 Department of Conservation and Recreation,
61 the Virginia Department of Housing and
62 Community Development, the Department
63 of Environmental Quality and others to
64 implement green building design and
65 construction and encourages greater use of
66 these environmentally sound and energy
67 efficient techniques. Ideally, all public
68 buildings should be LEED, or the
69 equivalent, certified.
70
71 VML encourages the Commonwealth to
72 institutionalize best practices by developing
73 building code standards that enhance
74 environmental sustainability and energy
75 efficiency and to enact policies that enable
76 local governments to promote environmental
77 sustainability and energy efficiency in
78 construction. The Board of Housing and
79 Community Development is to be
80 commended for adopting the latest model
81 codes for commercial buildings.
82 Accordingly, VML supports adopting all
83 provisions of the 2018 International Energy
84 Conservation Code for residential
85 construction.
86
87 VML recognizes that the impacts of global
88 climate change, as it relates to relative sea-
89 level rise, habitat destruction and alteration,
90 temperature increase, and variations in
91 seasonal rainfall patterns, has the potential
92 to negatively impact our communities. State
93 officials should provide tools to localities to
94 take inventory of greenhouse emissions

1 output and assist with greenhouse gas
2 emission reduction plans. Additionally, the
3 Commonwealth should participate in
4 regional collaborations to reduce greenhouse
5 gas emissions.

7 **SOLAR & CLEAN ENERGY USE**

8 Clean energy sources should be encouraged,
9 with both long and short-range energy usage
10 designed to maximize conservation of
11 energy resources.

12
13 Virginia should continue to allow and
14 expand on renewable energy generation and
15 the deployment of distributed energy
16 infrastructure for all residents, businesses,
17 local governments and utilities operating in
18 the state. These measures will help to reduce
19 energy costs to consumers and increase the
20 available supply of energy without further
21 degradation of the environment. It is
22 important that net metering with retail
23 compensation be retained or improved with
24 the ability for production above specific site
25 needs. Any claims of harm to the grid as a
26 result of distributed solar should be
27 accompanied by holistic studies which also
28 consider the benefits of distributed solar.

29
30 VML supports efforts to protect current net
31 metering compensation and to allow for
32 increased system capacity purchased to
33 reflect future needs. The current limitations
34 on non-utility scale photo voltaic generation
35 system size should be examined for removal
36 of restrictions. VML requests provisions for
37 true community solar to be allowed to gain a
38 broader set of customers for solar energy,
39 including third-party owned and financed
40 community solar.

41
42 VML supports the creation of an
43 independent office of the consumer advocate
44 within the state government to actively
45 participate in the siting of gas, liquid and
46 electric transmission lines.

47

48 **CHESAPEAKE BAY**

49 The Chesapeake Bay provides vital
50 economic and recreational benefits to all
51 Virginians. The Commonwealth and federal
52 government must assume responsibility for
53 leading the clean-up of the Bay and work
54 with its local governments -- in addition to
55 the neighboring states -- to develop
56 interstate as well as intrastate strategies
57 designed to "Save the Bay." The
58 Chesapeake Bay is a national treasure, and
59 the state must work with the federal
60 government to ensure adequate financial
61 resources are available to implement the
62 plan for complying with federal Clean Water
63 Act. At the federal level VML supports
64 accountability and oversight which seeks to
65 achieve greater cost-effectiveness in meeting
66 pollution reduction targets. This will help
67 localities address the expensive costs
68 associated with the Chesapeake Bay
69 cleanup.

70

71 Living resources such as oysters, crabs,
72 mussels and underwater grasses are critical
73 to water quality. Oysters and mussels in
74 particular have the capacity to filter
75 sediments and reduce pollutants. While
76 reductions from sewage treatment plants and
77 urban runoff are important to restoring the
78 Bay, it will become increasingly expensive
79 to reduce a smaller amount of pollutants
80 from these sources resulting in a diminishing
81 return for investment. Increasing those
82 living resources that improve water quality
83 should be considered as an alternative to or
84 work in combination with expensive
85 retrofits of urban areas in an attempt to
86 reduce costs and pollutants.

87

88 The Commonwealth must continue to fully
89 fund the Water Quality Improvement Fund
90 and provide financial assistance for local
91 government water quality improvement
92 projects in Virginia at appropriate levels
93 designed to clean up the Bay and its
94 tributaries. The Commonwealth would

1 defeat the spirit of community partnership if
2 it required local governments to undertake
3 unfunded mandates for water quality
4 improvement projects.

5
6 **HIGHWAY BEAUTIFICATION**

7 VML is discouraged that modification to the
8 Federal Highway Beautification Act has
9 undermined local authority and continues to
10 allow tree-cutting simply for billboard
11 visibility. The General Assembly should
12 enact legislation that restores local
13 government authority to remove billboards
14 along federal highways through
15 amortization; supports local governments'
16 ability to require non-conforming signs
17 along federal highways to comply with size
18 and height requirements without cash
19 payments; allows local governments to
20 require the removal of billboards in
21 inappropriate locations, especially in rurally-
22 designated scenic, historic, and residential
23 areas; and provides local governments with
24 the authority by local ordinance to prohibit
25 the construction or to determine the
26 placement of any new billboards.

27
28 VML encourages the local identification of
29 roads with special natural, historical, scenic,
30 or cultural values and encourages local
31 enhancement and protection of these scenic
32 byways.

33
34 VML encourages assisting in the progress
35 towards a reduced consumer waste
36 environment by invoking extended producer
37 responsibility. We ask that producers and
38 first importers of plastic products consider
39 having a strategy for how they will recover
40 or dispose, without cost to taxpayers, their
41 products when consumers are done with
42 them, as a condition of sale in a
43 municipality. This strategy should include
44 measurable results, outcomes and timetables
45 for achievement.

46

47 **TRANSPORTATION AND LOCAL**
48 **LAND USE PLANNING**

49 VML supports the re-initiation of the state's
50 former environmental review procedure for
51 state highway projects. VML recognizes the
52 potential benefits of such a procedure
53 including the benefits to transportation
54 planning and resource management.

55
56 However, any such procedure and/or review
57 is incomplete if it does not evaluate the
58 proposed impacts against the state-required
59 local comprehensive plans. VML believes
60 that the environmental review process for
61 public roads should incorporate the local
62 comprehensive plan and involve and take
63 into the account the views of local officials.

64
65 In all permitting, the DEQ should defer to
66 local zoning decisions prior to the issuance
67 of any permits. Moreover, in exercising its
68 permitting authority, DEQ should recognize
69 the possible cumulative impacts of its
70 permitting activities.

71
72 **HAZARDOUS LIQUID AND GAS**
73 **PIPELINES**

74 The Commonwealth and local governments
75 should adopt appropriate restrictions on
76 development near liquid and gas pipelines
77 and require liquid and gas pipeline operators
78 to take safeguards to reduce the risk of oil,
79 gas and other pipeline product spills and
80 leaks, particularly in environmentally
81 sensitive areas.

82
83 **BIOSOLIDS**

84 VML supports and encourages the beneficial
85 recycle/reuse of biosolids on farms and as a
86 crop nutrient and soil amendment in
87 accordance with federal and state handling
88 and disposal regulation and supports local
89 authority to monitor and reasonably regulate
90 biosolids. VML supports full compliance
91 with all applicable federal, state and local
92 requirements regarding production at the
93 wastewater treatment facility, and

1 management, transportation, storage and use
2 of biosolids away from the facility. This
3 includes good housekeeping practices for
4 biosolids production, processing, transport
5 and storage, and during final use or disposal
6 operations.

8 **URANIUM MINING**

9 Uranium mining, milling and waste disposal
10 of generated wastes poses health and
11 environmental problems for Virginians.
12 VML supports studies that evaluate the
13 impacts of radiation and other pollutants
14 from mill tailings on (1) downstream water
15 supplies; and (2) the health and safety of
16 uranium miners.

17
18 VML supports the current moratorium on
19 the mining and milling of uranium in the
20 Commonwealth of Virginia until studies
21 demonstrate that it is safe for the
22 environment and health of citizens. Any
23 studies or efforts to develop a regulatory
24 framework should address the concerns,
25 warnings, and conclusions contained in the
26 National Academies of Sciences report to
27 the Commonwealth entitled “Uranium
28 Mining in Virginia” and dated December
29 2011. Furthermore, the state should take no
30 action to preempt, eliminate, or preclude
31 local government jurisdiction with respect to
32 whether uranium mining would be allowed
33 in the respective jurisdiction.

35 **HYDRAULIC FRACTURING**

36 The process of hydraulic fracturing raises
37 concerns about the potential pollution of
38 groundwater, the depletion of water supplies
39 and an increase in seismic activity in
40 previously benign or inactive zones. The
41 consequences potentially are costly,
42 irreversible and devastating to local
43 communities. VML supports a state
44 regulatory program that addresses these
45 concerns while protecting the authority of
46 local governments to regulate this type of

47 mining activity along with ancillary
48 activities through its land use ordinances.

50 **COAL ASH/NUCLEAR WASTE**

51 In order to ensure against accidental
52 contamination of ground and surface waters,
53 coal and other energy production by-
54 products should be required to be removed
55 to a permitted disposal facility meeting
56 Federal criteria for this class of
57 waste. Reclamation of such by-product
58 impoundment sites must be consistent with
59 Federal mine reclamation standards. These
60 requirements also apply to impoundment
61 sites that have been closed by capping in
62 place or have received approval for closure
63 by capping in place. VML recognizes
64 the Dominion Energy initiative to study all
65 of its coal ash ponds in order to identify the
66 ones with the highest risk. VML requests
67 that Dominion provide a detailed plan to
68 address the highest risk sites.

1 **Environmental Quality Appendix A** 48
2 49
3 **REMOVING BARRIERS TO** 50
4 **DISTRIBUTED SOLAR – TARGETED** 51
5 **ISSUES FOR CONSIDERATION** 52
6 53
7 The Grid Transformation and Security Act 54
8 approved by the 2018 General Assembly 55
9 authorizes and encourages many clean 56
10 power production activities, but Virginia law 57
11 still restricts the ability of local 58
12 governments, businesses, and others from 59
13 installing solar facilities for their own 60
14 use. VML supports efforts to remove 61
15 barriers and allow for stronger markets for 62
16 distributed solar to create savings for 63
17 taxpayers, meet local sustainability goals, 64
18 and support economic development. 65
19 66
20 Policy and legislative initiatives to provide 67
21 additional opportunities to install solar could
22 increase the security and resilience of the
23 electricity grid by supporting distributed
24 renewable energy projects with the potential
25 to supply electric energy to critical facilities
26 during a widespread power outage.
27
28 Specific issues for consideration include:
29
30 • Lifting the one percent cap on the
31 total amount of solar that can be net
32 metered in a utility territory to five
33 percent;
34 • Allowing local government entities
35 to install solar facilities of up to five
36 MW on government-owned property
37 and to use the electricity for schools
38 or other government-owned
39 buildings located nearby, if not
40 contiguous to the solar facility;
41 • Clarifying that third-party financing
42 using power purchase agreements
43 (PPAs) is legal statewide for all
44 customer classes and remove the 50
45 MW cap;
46 • Allowing all customers to attribute
47 output from a single solar array to

- multiple meters on the same or adjacent property of the same customer;
- Allowing the owner of a multi-family residential rental building to install a solar facility on the building or surrounding property and sell the electricity to tenants;
 - Removing the restriction on customers installing a net-metered solar facility larger than required to meet their previous 12 months’ demand and allow 150 percent production;
 - Raising the size cap for net metered non-residential solar facilities from one MW to two MW; and
 - Remove or adjust standby and other grid access charges on residential facilities sized between 10-20 kW.

201920 FINANCE POLICY STATEMENT

1	Goals and Principles	43	
2	The American economy is dynamic,	44	
3	transforming from agrarian to industrial,	45	
4	from industrial to services-driven, and	46	
5	evolving now to Internet-based	47	
6	businesses harnessing the power of the	48	
7	Digital Age. The growth in online-	49	
8	enabled platforms that connect	50	
9	customers with companies and private	51	
10	individuals offering services and	52	
11	property for sale or lease is	53	
12	fundamentally restructuring the business	54	
13	landscape. As the Internet takes a	55	
14	greater hold in American business and as	56	
15	Virginia weans itself from the economic	57	
16	stimulus of federal defense spending,	58	
17	local governments must reexamine the	59	
18	services provided to citizens and the	60	
19	means to pay for them. State laws, local	61	
20	ordinances, tax structures, licenses and	62	
21	regulations will have to be re-evaluated	63	
22	and re-tooled without sacrificing the	64	
23	overall quality of basic government	65	
24	services, including education, public	66	
25	health, and public safety.	67	
26		68	
27	To that end, these principles are	69	
28	essential:	70	
29	• Local revenue sources should be	71	• Tax policy should recognize the
30	balanced and diversified over three	72	different economic, demographic,
31	broad bases – assets (property),	73	and service demands among
32	consumption (sales), and income;	74	localities, and should foster local
33	• The local tax system should be	75	control to develop tax policies best
34	logical and professionally	76	suited for their communities;
35	administered. Taxpayers should be	77	• Tax policy should recognize and be
36	treated fairly, and compliance costs	78	responsive to the competitive
37	should be minimized;	79	nature of the free market, should
38	• The burden of taxation, as well as	80	refrain from enacting policies that
39	the benefits of services, should be	81	are too generous for one group, and
40	shared and enjoyed by all whether	82	should not place undue burdens on
41	they are residents or local	83	particular groups, including
42	businesses.	84	business and industry;
		85	• State-imposed changes on local tax
			structures should be simple to
			administer and, at a minimum, be
			revenue neutral; and
			• State-mandated tax relief programs
			should not use local revenues.
			State-adopted tax relief programs
			should rely only on state revenues.
			• The State should not create real
			estate tax relief programs unless it
			is willing to pay for the cost of the
			programs.
			• Local tax dollars should not be
			claimed by the state to cover the
			Commonwealth’s revenue needs.
			This includes, but is not limited to,
			local fines and forfeitures and
			revenues tied to the
			Communications Sales and Use
			Tax.
			• Any legislation with local fiscal
			impact should be introduced no
			later than the first week of a
			General Assembly session. Such
			legislation should be pre-filed prior
			to the convening of a regular
			legislative session.
			• Local government representatives
			should be included on any “blue

1 ribbon” commission or other body
2 established by the state that has as
3 its purpose changes to state and
4 local revenue authority or
5 governance.
6

7 **Fiscal Challenges Confronting Local** 8 **Governments**

- 9 • The existing local tax structure is
10 overly dependent upon general
11 property taxes, specifically real
12 estate taxes.
- 13 • Unfunded and inadequately funded
14 state mandates and commitments
15 strain local government budgets
16 and place additional pressures on
17 the real estate tax. State-initiated
18 services and programs should be
19 supported by state funds, not rely
20 on local funds to supplant state
21 dollars. Line of Duty benefits for
22 First Responders is one such
23 example.
- 24 • Public demands for public services
25 continue to increase. These
26 services include education, mental
27 health, other human services
28 programs, juvenile programs,
29 environmental initiatives,
30 economic development, recreation,
31 and public safety. These services
32 have both operating and capital
33 costs and must be funded.
- 34 • Local revenue collections and
35 service demands are also
36 influenced by variables outside the
37 control of councils and boards of
38 supervisors. These include
39 changes in federal tax, budget, and
40 fiscal policies; long-term economic
41 trends; the aging of our citizens;
42 and global events.

44 **Strengthening the Local Tax Base**

45 Depending on the particulars of any
46 given proposal, possible options to

47 broaden local tax bases include reserving
48 a portion of the state income tax for
49 locally-delivered programs, authorizing
50 a local option income tax for both
51 general and special purposes, increasing
52 the local option sales tax rate, reducing
53 the number of sales tax exemptions,
54 expanding the sales tax base, and
55 reducing the number of exemptions from
56 the business license tax.

57
58 The state can also take actions to prevent
59 the further erosion of local revenues **by**
60 **not** restricting local tax authority,
61 imposing new spending requirements or
62 expanding existing ones on services
63 delivered by local governments, shifting
64 state funding responsibilities onto local
65 governments, expanding retirement and
66 other benefits, and placing
67 administrative burdens on local
68 governments for state or joint programs.
69

70 **Specific Tax Issues**

71 VML opposes the repeal or restriction of
72 BPOL, machinery and
73 tools, or excise taxes unless, at a
74 minimum, suitable revenue-neutral
75 replacement sources are provided.
76

77 The state and federal government should
78 make payments-in-lieu-of-taxes for tax-
79 exempt properties in amounts equal to
80 the cost of the local services provided as
81 well as related infrastructure
82 improvements.
83

84 Counties should be granted taxing
85 powers equal to those granted cities and
86 towns, without decreasing, limiting or
87 changing town taxing authority. County
88 excise taxes must not be levied on town
89 residents without the explicit approval
90 by a town’s governing body.
91

1 VML supports the constitutional
2 requirement for fair market valuation of
3 property. State-imposed changes to the
4 real estate tax must be “local option.”
5 The state should not impose changes to
6 processes governing assessments and
7 appeals for real estate taxes that further
8 degrade this revenue source.
9
10 VML supports current state statutory
11 requirements governing the setting of
12 real estate tax rates and the integration of
13 this process with the budget
14 development process. Changes to these
15 processes cannot be addressed separately
16 without placing undue hardship and
17 increased costs on local taxpayers. Any
18 future state legislative change should be
19 simple to administer and not contradict,
20 impede or hinder the others.
21
22 The Virginia Communication Sales and
23 Use Tax was enacted to establish a
24 statewide tax rate and to pre-empt local
25 taxes on communication sales and
26 services. As such, the revenues from
27 this tax must be distributed exclusively
28 to eligible local governments. VML
29 supports setting the tax rate on par with
30 the state sales tax rate and broadening
31 the coverage of the tax to include audio
32 and video streaming services and
33 prepaid calling services.
34
35 VML supports state legislation to make
36 clear that transient occupancy taxes and
37 sales taxes are applied on the cost of the
38 room paid by the consumer, regardless
39 of the means (such as on-line travel
40 companies) used to reserve a room.
41
42 **Specific Budget Issues**
43 In 1979, Virginia made sweeping
44 changes in local governmental boundary
45 change and transition issues, including a
46 moratorium on city annexations that

47 remains in place. In recognition of the
48 lost revenue growth for cities, the
49 General Assembly approved some
50 changes in state funding commitments
51 for selective programs and created a
52 program of state assistance to local
53 police departments (HB 599). Almost 70
54 percent of Virginians now live in
55 communities served by police
56 departments. The state has increasingly
57 de-emphasized its statutory commitment
58 to the “HB 599” program but has never
59 compromised on the annexation
60 moratorium. VML calls on the state to
61 honor its commitment to public safety by
62 funding the program in amounts
63 intended in the enabling legislation.
64
65 The state must be a reliable funding
66 partner in accordance with the Virginia
67 Constitution and state statutes. The
68 Standards of Quality should recognize
69 the resources, including positions,
70 required for a high-quality public
71 education system. The SOQ should
72 reflect prevailing practices across the
73 state, and the actual costs to educate
74 Virginia’s children. This includes the
75 cost to educate at-risk students, students
76 in jeopardy of failing the state’s
77 Standards of Learning tests, students
78 with special needs, and school
79 construction/renovation/maintenance.
80
81 The state should fully recognize and
82 fund the costs of re-benchmarking of the
83 various educational programs, including
84 the Standards of Quality, incentive,
85 categorical, and school facilities
86 programs as well as support services.
87 Changing the process of re-
88 benchmarking to artificially lower
89 recognized costs like inflation does not
90 change what it actually costs to provide
91 education. Instead, it simply transfers

1 additional costs to local governments
2 and the real estate tax base.
3
4 The Commonwealth should:
5 • Study the Standards of
6 Accreditation and Standards of Learning
7 to determine which standards impose
8 costs on local governments that are not
9 recognized in state funding formulas. In
10 particular, changes adopted since 2009
11 to SOAs and SOLs should be examined,
12 as state funding on a per-pupil basis and
13 accounting for inflation and enrollment
14 growth remains below 2009 appropriated
15 levels.
16 • Re-examine those Standards of
17 Quality that the Board of Education has
18 recommended, but that the General
19 Assembly has not funded. These
20 standards reflect prevailing practices
21 necessary to improve children's
22 academic performance. Student
23 academic performance is required for
24 schools to meet the accountability
25 standards under the SOL and SOA. If
26 funding is not available to pay for
27 prevailing practices, the accountability
28 standards should be adjusted so that
29 local governments are not in the position
30 of having to bear the entire burden of
31 meeting these unfunded mandates.
32 • Conduct a study that examines
33 how other states fund education and
34 whether the Commonwealth should use
35 a funding strategy that establishes a
36 more realistic base foundation amount
37 per pupil – plus add-on funding to reflect
38 higher costs for educating at-risk,
39 disabled, ESL, and gifted students, etc.
40 as well as funding for capital costs.
41
42 The state should provide sufficient
43 funding for highway construction and
44 maintenance, public transportation
45 infrastructure and maintenance, ports,
46 airports, and freight and passenger rail to

47 promote economic development and
48 public safety. If the General Assembly
49 chooses a funding approach that
50 emphasizes regional efforts, then such
51 opportunities should be made available
52 across the Commonwealth.
53
54 The state should continue to base its
55 funding of retirement plans based on the
56 contribution rates certified by the
57 Virginia Retirement System.
58
59 VML supports transparency in budgeting
60 at both the state and local level. To that
61 effect, the state should not disguise its
62 budget reductions by using unidentified
63 or non-specific reductions for aid to
64 localities.
65
66 As a matter of fiscal reform, the state
67 should develop financial priorities that
68 account for both spending and revenue
69 actions. The debate on such priorities
70 should be public and should be
71 transparent to the public in the
72 Governor's Budget Bill and the General
73 Assembly's Appropriation Act. For
74 example, should education funding be
75 afforded less priority than certain tax
76 preferences?
77
78 **Governmental Accounting Standards**
79 **Board (GASB)**
80 The Governmental Accounting
81 Standards Board (GASB) has put in
82 place standards regarding the reporting
83 of unfunded liabilities of cost-sharing
84 plans. A cost-sharing plan is one in
85 which participating government
86 employers pool their assets and their
87 obligations for a defined benefit pension,
88 such as Virginia's teacher retirement
89 plan. While the costs are shared, the
90 state sets the rules regarding what
91 benefits are required and what the state
92 contribution will be.

1 GASB requires that the unfunded
2 liability be apportioned among the
3 participating employers that pay the
4 retirement contributions to the pension
5 plan. Teachers are employees of the
6 school boards, which send retirement
7 contributions to VRS. Because of this
8 the unfunded liability falls solely on the
9 school boards, even though the
10 retirement contributions are funded, in
11 part, by the state and the school board.
12 This means that the liability will be
13 shown on the city, county or town
14 financial statement. The intent of GASB
15 rules is to encourage transparency in
16 pinpointing liabilities and the current
17 method of assigning those teacher
18 pension liabilities only to school
19 divisions contravenes the goal of
20 transparency.

21
22 Because there was not a process for
23 apportioning the liabilities for these cost
24 sharing plans, they previously had not
25 been reported at the local level.

26
27 The unfunded liability should be shared
28 by the state and localities based on the
29 state's Standards of Quality and local
30 composite index and reflected as such in
31 reporting.

32
33 VML supports state policy changes that
34 would provide for the Virginia
35 Department of Education to pay the
36 Commonwealth's share of retirement
37 costs directly to the Virginia Retirement
38 System to facilitate the sharing of these
39 liabilities.

40
41 **Government Reform**
42 VML supports a comprehensive review
43 of the services provided by state and
44 local governments. The purpose of the
45 review is to ascertain which services are
46 truly essential to support a productive

47 economy and healthy society; determine
48 the performance level of public services
49 now in place; evaluate the policies and
50 practices used by the state to assign
51 responsibility and accountability
52 between the state and local governments
53 for providing public services; and
54 determine the most effective, efficient
55 and equitable ways to fund essential
56 public services. Such a review must
57 start with a dialog including state and
58 local officials, business interests,
59 academia, and other interested parties.

60
61 **Tax and Spending Reform**
62 Any state initiative aimed at tax reform
63 should first include a focus on state tax
64 reform and the financing of state
65 services including revenue sources. If
66 the state paid an appropriate share of its
67 obligations for locally-administered state
68 mandated or priority services, the
69 reliance on local taxes would be
70 reduced. Local officials should be
71 included in any discussion that focuses
72 on local taxing authority.

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

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

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

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

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 36 **TECHNOLOGY**

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

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 79 **UTILITIES**

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

- 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.

1 **I. HUMAN DEVELOPMENT**
2 The strength of our communities determines
3 the strength of our democracy. Emotional,
4 social, and economic poverty weakens the
5 fabric of our society and threatens our
6 democracy. Policy leaders must ensure
7 access to opportunities and invest the proper
8 resources necessary for all children to grow
9 up in nurturing surroundings, and to
10 reconnect and strengthen the bonds of
11 individuals and institutions in communities
12 so that they thrive and favorably compete in
13 the global economy.

14
15 **A PLATFORM FOR CHILDREN &**
16 **FAMILIES**

17 VML endorses the National League of
18 Cities' Platform for Children and Families
19 that recognizes that strong communities are
20 built on a foundation of strong families and
21 neighborhoods. VML supports and
22 encourages efforts by our communities and
23 the state that emphasize:

- 24 • **Opportunities to learn and grow:**
25 family literacy programs, quality
26 out-of-school time programs and
27 early childhood programs;
- 28 • **Safe neighborhoods to call home:**
29 sufficient state support for local law
30 enforcement, juvenile justice, and
31 prisoner re-entry programs;
- 32 • **Healthy lifestyles & environment:**
33 improving access to healthy foods,
34 physical activity and recreation
35 programs; and
- 36 • **Financially fit families:** workforce
37 development, curbing predatory
38 lenders, and increasing access to
39 low-cost bank accounts and
40 mainstream financial services.

41
42 VML supports approaches (such as the
43 Virginia Grocery Incentive Fund as one
44 example) to provide financial and technical
45 support for businesses to help expand and

46 ensure greater access to healthy food for
47 residents of the state.

48
49 **INTERGOVERNMENTAL ISSUES &**
50 **FUNDING**

51 Federal, state and local governments share
52 the same citizens and same taxpayers. Local
53 governments request a restoration of a
54 meaningful and fiscally-balanced
55 intergovernmental partnership in human
56 services and education.

57
58 **A working partnership.**

- 59 • The federal and state governments
60 should allow local governments
61 maximum flexibility in developing
62 and funding public/private
63 partnerships to address human
64 service needs.
- 65 • Local government must be a partner
66 with the state and federal
67 government in the process of
68 developing regulations, policies, and
69 allocation methods.
- 70 • The State should require interagency
71 review of regulations to reconcile
72 existing conflicts and to avoid
73 duplication or conflict among
74 agencies.
- 75 • The State should share data with
76 communities and build a
77 comprehensive human services data
78 base to promote greater planning
79 coordination and evaluation of
80 services.

81
82 **Funding commitments.** Human services
83 funding formulae should reflect identified
84 needs, adequate resources to meet those
85 needs, and not pit localities against each
86 other. Equity in funding cannot be achieved
87 by simply redistributing insufficient existing
88 state aid among jurisdictions.

89
90 **Cost shifting and unfunded mandates.**

91 VML opposes the imposition of new federal

1 or state requirements without the funding to
2 pay for them. In the case of state mandates,
3 as the state reduces its funding and
4 assistance to localities, it must ease or
5 eliminate requirements it is unwilling to
6 support. In the case of federal mandates, the
7 state must at the very least maintain its share
8 of responsibility for program supervision
9 and funding. For example:

- 10
- 11 • funding the administration of the
- 12 FAMIS eligibility and case
- 13 management ~~without state support~~;
- 14 • paying the cost of federal penalties
- 15 when the state does not meet its
- 16 obligations for human services
- 17 programs, including adequate
- 18 administrative funding, technology,
- 19 training, and technical assistance
- 20 necessary to properly do the job;
- 21 • maintaining state funding for the
- 22 costs for federally-mandated and
- 23 state-supervised programs such as
- 24 adoption assistance, and
- 25 • restoring the state funding ratio for
- 26 local welfare administrative costs, in
- 27 which the state pays 80 percent and
- 28 the localities pay 20 percent.
- 29

30 **AGING SERVICES**

31 **Community programs.** As alternatives to
32 institutionalized care wherever appropriate,
33 the state should develop Medicaid waivers
34 or otherwise fully fund community-based
35 programs like companion services, respite
36 care, homemaker services, adult group
37 homes and adult day care for the elderly.

38
39 **Housing.** The state should support policies
40 that increase the affordability and
41 availability of senior housing throughout the
42 Commonwealth.

43
44 **OPIOIDS, HEROIN, SYNTHETIC**
45 **DRUGS**

46 VML supports an intergovernmental and
47 interdisciplinary partnership to address the
48 epidemic of opioid and heroin overdoses in
49 Virginia. Further, VML urges the federal
50 government to actively address the public
51 health threats posed by any emerging
52 synthetic drugs that pose a similar
53 addiction/overdose threat.

54
55 VML supports the Commonwealth's policy
56 framework that targets the following:

- 57 1) prevention – reduction in the supply
- 58 of legal opiates, and tracking and
- 59 reduction of the supply of illegal
- 60 opiates such as heroin and synthetic
- 61 substances;
- 62 2) harm reduction – active intervention
- 63 until treatment is available and
- 64 accepted;
- 65 3) treatment – for those who are
- 66 addicted, and support/recovery
- 67 resources for family members of
- 68 people in treatment; and
- 69 4) culture change - discourage
- 70 use/overuse of legal opioids, change
- 71 pain management expectations, and
- 72 remove stigma regarding addiction
- 73 treatment and recovery.
- 74

75 **BEHAVIORAL HEALTH**

76 **Planning for the future of the community**
77 **& facility system.**

78 Any plan for the future of the publicly-
79 funded behavioral health and developmental
80 services system should include adequate
81 state funding for:

- 82 • A community-based, comprehensive
- 83 system of care;
- 84 • Urgent care needs in each
- 85 community, including crisis
- 86 intervention teams (CIT);
- 87 • Accessibility to inpatient beds and
- 88 crisis services on a regional basis,
- 89 potentially through public-private
- 90 partnerships, to decrease the need for

- 1 long-distance transports to access
- 2 needed services for critical care;
- 3 • Comprehensive services and
- 4 supports for people returning to the
- 5 community from any type of state
- 6 facilities (public safety as well as
- 7 behavioral health), as well as for
- 8 people diverted from state facilities.
- 9 • Children’s mental health services,
- 10 including community-based early
- 11 interventions and the Mental Health
- 12 Initiative;
- 13 • Medicaid waivers to eliminate
- 14 service waiting lists; and
- 15 • Availability of services for
- 16 consumers voluntarily seeking
- 17 treatment services, regardless of their
- 18 ability to pay.

19
 20 Further, VML supports Community Services
 21 Boards (CSBs) as the single point-of-entry
 22 into the publicly-funded system of care and
 23 as a choice for services to individuals and
 24 families.

25
 26 Any restructuring plan should assure the
 27 following:

- 28 • Local flexibility in planning and service
- 29 provision, particularly for local-only
- 30 funds;
- 31 • No changes in the local match that
- 32 would increase the burden on local taxes
- 33 and budgets;
- 34 • Meaningful consultation with local
- 35 officials and community services boards
- 36 regarding strategies and funding
- 37 proposals for publicly-funded services;
- 38 • Sufficient time and opportunity for
- 39 public comment on any legislative
- 40 proposals;
- 41 • Strategies to overcome past de-
- 42 institutionalization errors, particularly
- 43 the shifting of the burden of care to
- 44 communities;

- 45 • Strategies to discourage the
- 46 concentration of consumers in facility
- 47 communities and in urban centers; and
- 48 • State facilities are not so drastically
- 49 reduced in size and scope that the
- 50 potential for inpatient care is effectively
- 51 eliminated.

52
 53 **Part C early intervention.** VML urges the
 54 General Assembly to assure full state
 55 funding for infants and toddlers eligible for
 56 therapeutic services under Part C of IDEA to
 57 improve their school readiness and quality
 58 of life.

59
 60 **Behavioral health services for youth**
 61 **funding.** The state should build upon its
 62 funding and seek federal-state funded
 63 waivers to provide behavioral health
 64 services, in particular, prevention services
 65 for youth. VML supports greater state
 66 funding to the Mental Health Initiative and
 67 other community-based initiatives to
 68 diagnose and serve children with behavioral
 69 health needs early, to prevent more complex,
 70 costly, and restrictive interventions from
 71 CSA or the juvenile justice system.

72
 73 **Treatment beds.** The state has greatly
 74 decreased state facility beds and state-
 75 funded services for children, including those
 76 with long-term or hard-to-treat conditions,
 77 and those in the state and local juvenile
 78 detention system. VML urges the state to
 79 continue its support of the Commonwealth
 80 Center for Children and Adolescents as a
 81 part of the array of behavioral health
 82 services, and to fund treatment beds for
 83 those committed to the juvenile justice
 84 system. Further, the state should fund
 85 supportive services for children leaving
 86 treatment and their families to further
 87 stabilize their living situations and allow for
 88 recovery.

89

1 **Service capacity.** VML encourages the
2 state to establish a children’s behavioral
3 health workforce development initiative to
4 build service capacity throughout the state.
5
6 **Medicaid accountability and quality of
7 care.** The league encourages adequate state
8 oversight of, and accountability for,
9 community-level services funded by
10 Medicaid, whether those services are
11 furnished through private or public
12 providers.
13
14 **Behavioral health standards for jails.** The
15 2019 General Assembly approved
16 legislation directing the Board of
17 Corrections to draft standards to address
18 health and behavioral health service needs in
19 local and regional jails, as well as discharge
20 planning for inmates with behavioral health
21 needs. If new health and behavioral health
22 standards create a fiscal impact for
23 communities and their jails, the state must
24 find a way to alleviate those new costs. This
25 could include creating a health/behavioral
26 health add-on to state per diem payments or
27 otherwise funding new positions and
28 associated costs through the Compensation
29 Board for newly required services. (*new*
30 *language proposed by the Committee.*)
31
32 **Substance abuse and behavioral health
33 needs in the justice system.** VML supports
34 the creation of state-funded programs and
35 facilities, and funding of current programs,
36 such as drug courts and day reporting
37 centers, to divert individuals with mental
38 illness from jails and juvenile detention into
39 more appropriate community-based or in-
40 patient treatment programs. VML opposes
41 changes in state funding formulae to turn
42 local and regional jails into in-patient
43 behavioral health treatment centers.
44
45 **Needs of military veterans and families.**

46 Given the number of active military
47 members, veterans, and military families
48 living in Virginia, it is clear that behavioral
49 health needs of soldiers returning home with
50 PTSD and their families must be swiftly and
51 adequately addressed. VML urges the
52 federal government to increase funding and
53 access to behavioral health and addiction
54 treatment services for active members of the
55 military (including National Guard and
56 Reserves), returning veterans, and their
57 family members.
58

59 **CHILDREN’S SERVICES ACT**

60 In the last 20+ years Virginia has
61 implemented just half of the CSA program.
62 When the CSA was developed in the early
63 1990s, the plan called for comprehensive
64 prevention programs for at risk youth and
65 families. Unless and until the state commits
66 to developing and funding services that
67 address the roots of issues that bring
68 children and families into CSA, the CSA
69 program will continue as an expensive
70 “catch-up” approach to addressing the
71 complex needs of children and families.
72

73 **A realistic partnership.** The
74 Commonwealth should establish a statutory
75 provision for operation of this state-local
76 partnership that appropriately reflects the
77 shared responsibilities, the need for
78 sufficient “rules and tools,” and recognizes
79 the practical reality that correcting policy
80 and procedural errors may take substantial
81 time and resources.
82

83 **Administrative funding.** VML supports
84 greater funding from the state to support the
85 program’s substantial administrative
86 requirements carried out at the local level.
87

88 **Base-budget funding.** The costs of CSA
89 should be fully funded in the state’s base
90 budget.
91

1 **Expansion of the mandated population.**
2 VML opposes attempts to expand the CSA
3 mandated population or turn CSA into the
4 children’s mental health program. VML
5 also opposes efforts to expand local
6 responsibility for Medicaid match to new
7 categories of individuals, or to require
8 localities to pay the educational costs for
9 children placed in residential treatment
10 outside of the local FAPT process.
11
12 **Incentive funding.** The CSA funding
13 formula should include an incentive
14 component that rewards those local
15 governments implementing innovative and
16 cost-effective interventions.
17
18 **State agency policy coordination.** The
19 State Executive Council must ensure that the
20 administrative and policy requirements of
21 the state agencies involved in the CSA are
22 consistent with one another and consistently
23 applied to local governments.
24
25 **Service coordination.** State and local
26 governments should work together to ensure
27 the greatest degree of coordination between
28 Individual Education Plans (IEPs) and CSA
29 service plans.
30
31 **Sum sufficiency.** CSA serves many
32 children who are entitled to sum sufficient
33 services; the state must keep its commitment
34 to fund its share of services costs for this
35 population.
36
37 **Utilization review.** Local governments
38 must maintain the flexibility to develop
39 utilization management processes that are
40 approved by the State Executive Council.
41
42 **FACILITIES FOR ADULTS AND**
43 **YOUTH**
44 **Auxiliary grant program.** The state should
45 assume full responsibility for the cost of the

46 auxiliary grant program for elderly persons
47 and people with disabilities.
48
49 **Licensure and regulation of group homes.**
50 VML urges the state to continue to work
51 with local governments to assure adequate
52 licensure and regulatory requirements are in
53 place to assure community safety and well-
54 being.
55
56 **HOMELESSNESS**
57 VML supports measures to prevent
58 homelessness in Virginia and to assist the
59 chronic homeless, including veterans, in
60 obtaining appropriate rehabilitative and
61 recovery services, job training and support,
62 and affordable and appropriate housing.
63 VML supports measures to remove barriers
64 this population faces in meeting
65 identification and residency requirements for
66 valid state-issued identification cards. VML
67 urges the state to create a housing trust fund
68 and to work with communities to develop
69 and otherwise support housing for this
70 population.
71
72 **JUVENILE JUSTICE PROGRAMS**
73 **Virginia Juvenile Community Crime**
74 **Control Act (VJCCCA).** The Virginia
75 Municipal League urges the General
76 Assembly to restore the 71 percent funding
77 reduction taken in the early 2000s to the
78 Virginia Juvenile Community Crime Control
79 Act (VJCCCA) program, and to support an
80 equitable and stable funding allocation
81 process for the program.
82
83 The VJCCCA directs localities, in
84 cooperation with judges, court-services unit
85 directors, and Community Policy and
86 Management Teams under the Children’s
87 Services Act to implement programs that
88 divert youth from state or local confinement
89 or help ensure the success of those re-
90 entering the community from confinement.

1 Every city and county participate in the
2 program.
3
4 VJCCCA gives judges the ability to order
5 first-time and less serious offenders to
6 services such as electronic monitoring,
7 intensive individual or family counseling,
8 and group homes. Such appropriate services
9 reduce costlier and less suitable placements
10 in local secure detention or state correctional
11 facilities. It also effectively serves non-
12 mandated youth under the Children’s
13 Services Act.

14
15 VML opposes any effort to divert existing
16 VJCCCA funds for other purposes; any new
17 populations proposed for services under this
18 program must be accompanied by additional
19 state funding.

20
21 **System transformation.** VML supports
22 juvenile justice system transformation that:
23 • Gives juvenile detention centers
24 flexibility, not mandates, to contract
25 with the state to house lower-risk
26 offenders from state facilities;
27 • Pays juvenile detention facilities the
28 actual costs for housing and serving
29 lower-risk offenders from the state;
30 and
31 • Allows the Department to reinvest
32 savings or otherwise provides
33 sufficient, stable funding to
34 implement a treatment continuum
35 with more service and treatment
36 options and supports to ensure better
37 outcomes and lower recidivism.

38
39 **SOCIAL SERVICES**

40 **Family First Prevention Services Act.**
41 Approved by Congress in 2018, the FFPS
42 Act is the first major revision of the title IV-
43 E foster care program since the early 1980s.
44 Changes in the program’s requirements and
45 allowable services will require cooperation
46 between the state, local governments, and

47 private service providers to ensure
48 successful implementation. VML supports
49 this cooperative effort but opposes any
50 proposal to impose new local match
51 requirements to this program.

52
53 **Child and family services program**
54 **improvement plan.** The state must fund the
55 technology and systems to improve the
56 quality of all casework activities related to
57 child welfare services (prevention of child
58 abuse/neglect; prevention foster care, foster
59 care and adoption).

60
61 **Child care.** Affordable, high-quality child
62 care is crucial to parents in the Temporary
63 Assistance to Needy Families (TANF)
64 program and to low-income parents whose
65 wages simply cannot cover child care costs.
66 The state must help fund child care costs to
67 help these families. The state should
68 consider ways to ensure safe, affordable
69 child care, such as grants for nonprofit or
70 public organizations offering child care, and
71 employer incentives to provide child care
72 centers or other assistance for their
73 employees.

74
75 **Healthy families.** VML supports expanded
76 use of state general funds for the Healthy
77 Families program, a voluntary program that
78 offers parental education, support, and
79 assistance to help prevent the need for
80 costlier human services and public safety
81 programs in the future.

82
83 **Social Services Block Grant.** Virginia uses
84 Title XX-Social Services Block Grant
85 (SSBG) funding for a variety of non-cash-
86 assistance services, including in-home
87 services for the elderly, child and adult
88 abuse investigators, and domestic abuse and
89 family preservation services. Congress has
90 consistently underfunded the SSBG at the
91 levels authorized in the 1996 federal welfare
92 reform law. VML urges Congress to live up

1 to its commitment to fully fund the SSBG.
2 Until the federal budget fully funds SSBG,
3 VML urges the General Assembly to
4 continue to first use any Temporary
5 Assistance for Needy Families (TANF)
6 balances to replace SSBG funds.

7 8 **PARKS & RECREATION**

9 **Recreational programs.** Local parks and
10 recreation departments offer a variety of
11 affordable activities and programs for
12 children, teenagers, and adults. These
13 programs abide by local health, safety, and
14 risk-management requirements and are
15 ultimately accountable to the local
16 governing body of a city, town, or county.
17 Efforts to categorize these programs as child
18 care are inappropriate, and such recreation
19 programs should not be subject to
20 duplicative state agency regulation and
21 oversight.

22 23 **HEALTH**

24 **Cooperative health budget.** The General
25 Assembly should provide sufficient funding
26 to local health departments.

27
28 **Local flexibility.** District health offices
29 should be locally controlled to the maximum
30 extent consistent with protecting public
31 health.

32 33 **MARIJUANA DECRIMINALIZATION**

34 VML supports a change to the Code of
35 Virginia to make anyone convicted of the
36 simple possession of no more than 0.5 oz. of
37 marijuana for personal use subject to a civil
38 rather than criminal penalty. Individuals
39 under 21 years of age found to be in
40 possession should still be required to
41 undergo drug screening and participation in
42 a treatment or education program as a
43 condition for the suspension of a conviction
44 if appropriate.

45 46 **HEALTH CARE REFORM**

47 Expansion of state Medicaid eligibility will
48 increase the workload and costs for local
49 departments of social services, which
50 perform eligibility determination and
51 redetermination on behalf of the state. Any
52 expansion of the caseload must be
53 accompanied by sufficient, sustained state
54 funding for staffing and technology to
55 properly do the job.

56
57 Imposing work requirements on certain
58 Medicaid recipients will also increase
59 workload on local social services staff. The
60 state must provide sufficient state funding
61 and technical assistance for local social
62 services staff who will work with this
63 population.

64 65 **HUMAN TRAFFICKING**

66 VML supports the appointment of a sex
67 trafficking response coordinator at the
68 Department of Criminal Justice Services and
69 the proposed development of much-needed
70 public outreach, education, and treatment
71 services. Outreach efforts and avenues for
72 reporting trafficking must address language
73 barriers for those reporting and those
74 seeking rescue from trafficking. Since
75 human trafficking also includes labor
76 trafficking and affects a wide range of ages,
77 all types of trafficking situations should
78 ultimately be addressed in Virginia's
79 response plan. (Language addresses Policy
80 Committee's discussion)

81 82 **DRIVER PERMITS**

83 A total of 13 states and the District of
84 Columbia allow undocumented immigrants
85 to obtain a driver permit as a way to
86 encourage unlicensed drivers to pass a
87 driver's license test and obtain car
88 insurance, thus increasing driver safety for
89 everyone and decreasing pressure on the
90 uninsured drivers fund. These permits are
91 generally limited in duration and differ in
92 appearance from a regular state driver's

1 license and cannot be used for federal
2 identification purposes. Virginia should
3 consider such permits to promote driver
4 safety and insurance coverage and allow
5 affected individuals to more safely transport
6 themselves and their children within their
7 community.
8 *(Language addresses Policy Committee's*
9 *discussion)*

11 **II. EDUCATION**

12 The Virginia Municipal League supports the
13 goal of ensuring quality, well-funded and
14 effective teaching in every classroom in the
15 Commonwealth. Localities have greatly
16 exceeded their responsibilities for K-12
17 education funding. It is essential for the state
18 to meet fully its responsibilities to fund
19 education.

21 **VISION**

22 A strong public education system is the
23 pillar of American society and a passport to
24 the future. Our country cannot be strong
25 without an excellent education system that
26 prepares students for the future with the
27 critical thinking skills that will enable them
28 to be productive citizens. A solid foundation
29 of learning is essential for our communities,
30 state, and country. A strong public school
31 system is essential to economic development
32 and prosperity.

34 A strong educational system requires
35 accountability; parental, community and
36 business involvement; and the wise and
37 efficient use of resources. Standards are an
38 essential part of the accountability system
39 but cannot be measured simply by
40 standardized tests. Students need to learn not
41 only facts and figures, but also those critical
42 learning skills that will enable them to leave
43 high school prepared for either the
44 workplace or higher education.
45

46 School safety is a critical issue for every
47 community. VML supports strong
48 partnerships and communication between
49 local police departments and school
50 divisions and encourages sustained financial
51 assistance from the state and federal
52 governments to help school divisions with
53 safety-related infrastructure, technology, and
54 personnel. Additionally, VML supports the
55 work of the special statewide committees
56 studying student and school safety and
57 encourages continued examination of the
58 root causes of violence in schools and best
59 practices to address those causes.

61 Students, parents, administrators and
62 teachers all have roles in the educational
63 system and have to be part of that
64 accountability system. Parents should be
65 involved with their children's education, but
66 family support for parents is essential,
67 particularly for those whose children have
68 behavioral health issues, physical
69 disabilities, substance abuse disorders or
70 bullying problems. Not all children should
71 or need to prepare to attend college, but
72 students across the economic spectrum
73 should have equitable opportunities to learn.

75 A sound education system puts resources
76 where they can be most effective, includes
77 collaboration between school boards and
78 local governing bodies, uses technology
79 effectively, embraces innovation and
80 regional opportunities and focuses on early
81 intervention to tackle problems at the
82 earliest time possible.

84 **STANDARDS OF QUALITY**

85 The SOQ should be broad enough to include
86 the major components of what is required
87 for a quality educational program.

89 The current SOQ do not reflect the cost of a
90 sound public education system. The SOQ
91 are not based on prevailing practices, nor do

1 they reflect the cost of meeting state
2 accountability standards. Because of this
3 disconnect between the accountability
4 standards and the SOQ, the cost that the
5 state recognizes in its funding formulas is
6 too low, and too much of the burden of
7 funding public education falls on local
8 governments.
9
10 The state and local governments should
11 partner to determine the minimum funding
12 levels necessary to sustain high quality
13 services for schools and other local
14 government operations while also
15 addressing capital and maintenance needs.
16
17 VML supports a JLARC or other state study
18 that examines the ways other states fund
19 education and whether the Commonwealth
20 should use a funding strategy that
21 establishes a more realistic base foundation
22 amount per pupil – plus add-on funding to
23 reflect higher costs for educating at-risk,
24 disabled, ESL, and gifted students, etc., as
25 well as funding for capital costs.
26
27 VML supports a study by the Joint
28 Legislative Audit and Review Commission
29 to determine how the SOQ may be revised
30 and adequately funded to meet the
31 requirements contained in the Standards of
32 Learning and Standards of Accreditation.
33 VML also supports implementation of
34 JLARC recommendations to promote third
35 grade reading performance.
36
37 **SOQ FUNDING**
38 VML supports full funding of the state’s
39 share of the actual costs of the SOQ based
40 on prevailing practices, and full funding of
41 the state’s share of categorical educational
42 mandates in areas such as special education,
43 alternative education and gifted education.
44
45 The state should fully recognize and fund
46 the costs of rebenchmarking of the various

47 educational programs including the
48 Standards of Quality, incentive, categorical,
49 and school facilities programs. Changing
50 the process of rebenchmarking to artificially
51 lower recognized costs does not change
52 what it actually costs to provide education.
53 Instead, it simply transfers additional costs
54 to local governments, and ultimately to the
55 local real estate tax base.
56
57 The state must be a reliable funding partner
58 in accordance with the Virginia Constitution
59 and state statutes. The Standards of Quality
60 should recognize resources, including
61 positions, required for a high-quality public
62 education system.
63 Funding for the SOQ should include:
64
65 1. Establishment of a new, predictable
66 and meaningful source of funding for
67 construction, including funding for
68 new construction, renovation,
69 maintenance and land purchase. The
70 Literary Fund and the Virginia
71 Public School Authority are not
72 sufficient means for the state to help
73 localities pay for capital needs.
74 Options could include creating a
75 two-year pilot program of
76 competitive grants using funds from
77 the Virginia Public Building
78 Authority to offset new construction
79 or renovation costs for publicly
80 owned and operated K-12 schools in
81 fiscally stressed communities as
82 defined by the Virginia Commission
83 on Local Government. (from policy
84 committee discussion.)
85 2. A predictable and reliable source of
86 funding for technology infrastructure
87 and personnel costs.
88 3. Realistic state funding for salary
89 increases for professional and non-
90 professional school employees.
91 Salary increases should be funded

1 for a full year starting July 1, the
2 start of the fiscal year.
3 4. State funding to meet the goal of the
4 Commonwealth (VA Code §22.1-
5 289.1) that teacher compensation be
6 competitive; at a minimum, at or
7 above national average teacher
8 compensation, provided that the true
9 costs of meeting the SOQ are funded
10 by the state.
11 5. Funding to initiate and continue to
12 enable school systems to address
13 school safety issues.
14 6. Recognition of adequate support
15 costs based on realistic measures of
16 the importance of support positions
17 to achievement on state
18 accountability standards. Current
19 state funding for support positions is
20 not based on prevailing practices or
21 on any scientifically-derived staffing
22 ratios.
23 7. Flexibility where possible in areas
24 such as funding of student health
25 services.
26 8. Support for funding of
27 recommendations made by JLARC
28 to promote reading by grade level by
29 the third grade.
30 9. Development of realistic cost
31 estimates that are based on
32 prevailing practices and not on the
33 availability of state funding.
34 10. Review by JLARC in order that data
35 and information can be provided to
36 the State Board of Education on the
37 cost of meeting the SOQ, SOLs and
38 SOAs.
39 11. Lottery funds that are distributed to
40 localities without a corresponding
41 reduction in direct aid.
42
43 The state should not require any
44 maintenance of local effort other than that
45 associated with the SOQ. A maintenance of
46 effort requirement that is not connected to

47 the SOQ will punish those localities that
48 voluntarily spent beyond the required
49 minimum in an effort to achieve a high-
50 quality system of education. Further, it will
51 simply perpetuate the current mismatch in
52 state-local funding for education.
53
54 The General Assembly should recognize
55 that local governments traditionally have
56 funded their share of costs of meeting the
57 SOQ and, in fact, most have funded
58 education beyond their required share in
59 efforts to provide quality education. These
60 higher funding levels have meant that
61 localities have had to raise local taxes and
62 fees and defer spending on other important
63 local priorities including public safety.
64
65 The local composite index (LCI) is a crude
66 and often inaccurate proxy for determining
67 the ability of each locality to pay its share of
68 K-12 expenses as defined by the SOQ. The
69 Commonwealth's education funding
70 formulae (SOQ and LCI) are more sensitive
71 to the state's revenue situation than the
72 educational needs of Virginia's students.
73 VML supports a JLARC or other state study
74 that examines the ways other states fund
75 education and whether the Commonwealth
76 should use a funding strategy that
77 establishes a more realistic base foundation
78 amount per pupil – plus add-on funding to
79 reflect higher costs for educating at-risk,
80 disabled, ESL, and gifted students, etc.
81
82 Because spending increases alone may not
83 produce desired levels of student
84 achievement, the State Board of Education
85 and other responsible bodies are urged to
86 develop measures of results to determine the
87 actual effectiveness of expenditures on
88 education. VML supports the use of school
89 efficiency reviews to help determine ways to
90 ensure that public funds are spent as
91 effectively and efficiently as possible.
92

1 VML believes that the methodology for
2 costing the SOQ does not consider the
3 differences in costs in the state’s various
4 regions, nor does it adequately address
5 unique local conditions such as small, large,
6 declining, or diverse student populations.
7 First, the methodology artificially lowers the
8 state average salary by using the “L-
9 estimator” instead of average salary figures.
10 Second, the L-estimator is based on dated
11 information that does not reflect current
12 salary levels. Third, the methodology uses
13 an artificially low limit on the number of
14 professionals per 1,000 pupils for which
15 state aid is given. Fourth, the methodology
16 does not address the differences in providing
17 education to students with special needs or
18 the heavy additional cost of educating
19 English as Second Language students. The
20 add-on funding for at-risk students is a start
21 toward meeting unique local circumstances
22 and should be increased.

23
24 The first priority for the use of a state
25 surplus should be the funding of mandated
26 educational programs.

27
28 Disparity should not be addressed by simply
29 redistributing existing state aid among
30 jurisdictions.

31 **LOCAL AUTONOMY**

32 Because public education should be as close
33 as possible to the people, local school
34 decisions cannot and should not be made by
35 the state. Local school boards should be
36 responsible for the direct supervision and
37 management of local schools.

38
39
40 The state should not take any actions that
41 limit or reduce authority of local school
42 boards and local governing bodies to finance
43 and manage local schools. Local school
44 boards should retain the responsibility for
45 approving applications for charter schools.
46 Otherwise, decisions that affect the funding

47 of public schools potentially could be made
48 by a statewide, appointed body that has no
49 direct connection to the council or board of
50 supervisors.

51 **ALTERNATIVE EDUCATION**

52 Traditional approaches to discipline—long-
53 term suspensions and expulsions—transfer
54 the problems of the student from the school
55 division to the general government. There
56 should continue to be school alternatives to
57 the normal school environment for students
58 who do not behave appropriately. The state
59 should develop and fund alternatives,
60 including workforce development grants, for
61 students suspended and expelled from
62 school, such as programs designed to
63 encourage obtainment of GEDs, career
64 education, job skills, self-control training
65 and drug and substance prevention. Finally,
66 there is little effective enforcement of
67 truancy laws for students who are over 16
68 years of age. Some of these students have
69 full time jobs and school divisions have
70 difficulty in locating them. VML encourages
71 the development of initiatives to better
72 enable schools to track these older students,
73 or otherwise determine if changes are
74 needed to truancy laws.

75 76 **EARLY CHILDHOOD 77 DEVELOPMENT & EDUCATION**

78 Research has shown that the early childhood
79 years (from infancy to age five) are critical
80 years for brain development. These early
81 years are also critical for establishing
82 healthy lifestyles – eating nutritious foods,
83 engaging in activities and exercise (i.e.,
84 playing), and learning basic health and
85 safety practices.

86
87
88 Children who are regularly read to and gain
89 basic language skills, who participate in
90 healthy activities and learning experiences,
91 and who learn basic social skills are more
92 likely to enter kindergarten ready to learn.

1 They are also more likely to read at grade
2 level by the third grade. This early progress
3 can lead to continued success in school and
4 ultimately in the workforce.

5
6 VML supports state and local policies and
7 initiatives that spotlight and encourage
8 greater early learning opportunities for
9 children, along with access to information
10 and resources that will help parents and
11 caregivers give young children the greatest
12 chances to learn and grow in healthy ways.
13 This will ensure a better economic future for
14 families and communities.

15
16 VML supports increased state funding for
17 pre-kindergarten students to ensure that all
18 children entering the public system have the
19 social and intellectual skills necessary to be
20 successful students.

21 **HIGHER EDUCATION**

22 Virginia's colleges and universities serve as
23 engines of economic growth, cultural
24 enrichment, and intellectual development for
25 communities across the Commonwealth.
26 The decline in state support for institutions
27 of higher education and the state's
28 unwillingness to invest in these institutions
29 endangers the economic health of the
30 Commonwealth and its cities, towns, and
31 counties.

32
33
34 In addition to ensuring a stronger and more
35 diversified economic base, a healthy and
36 vibrant higher education sector, which
37 includes two-year as well as four-year

38 institutions, supplies our communities with
39 an educated and well-trained workforce that
40 attracts new businesses and allows existing
41 businesses to compete effectively in an
42 increasingly competitive global economy.
43 Further, beneficiaries of higher education
44 tend to earn higher incomes, thus expanding
45 the revenue stream to the state, and thereby
46 ensuring the continued provision of quality
47 services for its citizens. Finally, the
48 involvement of institutions, their faculty,
49 and their students in communities across the
50 Commonwealth and the expanded cultural
51 opportunities these institutions offer
52 communities enhance the quality of life for
53 all Virginians.

54
55 Currently, community colleges are required
56 to offer reduced tuition for high school
57 students. Local schools, however, are
58 required to make up the difference in tuition.
59 This clearly is an unfunded mandate. The
60 state should find other resources within its
61 higher education budget to pay for the
62 tuition for these students.

63 **WORKFORCE DEVELOPMENT**

64 VML supports innovative approaches,
65 including creation of satellite campuses, to
66 ensure that training and certification
67 programs are widely available to high school
68 students, GED candidates, returning
69 veterans, and other residents, particularly
70 those representing underserved and at-risk
71 populations. Such programs are vital to
72 prepare Virginians for careers important to
73 Virginia's economic prosperity.
74

2020-19 TRANSPORTATION POLICY STATEMENT

1	Critical investments are needed to maintain	45	D.	Shared responsibility. Transportation
2	and improve Virginia’s transportation	46		planning and authority are delegated
3	network. The structural imbalance between	47		to regional bodies where they exist
4	critical needs and available resources	48		and to localities. These bodies
5	persists. Even with past actions taken by the	49		prioritize and authorize individual
6	General Assembly to enact a transportation	50		projects within their jurisdictions, an
7	and public transit funding bill, the	51		essential element of equity which
8	challenges abound for all transportation	52		does require coordination among
9	modes. The federal Highway Trust Fund,	53		involved localities.
10	which pays for roads and transit, is barely	54	E.	Project prioritization. VML supports
11	solvent, and Congress has proven unable to	55		the collaborative approach taken by
12	develop a long-term solution.	56		the Commonwealth Transportation
13		57		Board to seek input from regional
14	VML is mindful of and acknowledges the	58		and local bodies to develop a
15	contribution of the legislation enacted in the	59		statewide prioritization process to
16	2013 session (HB2313) and in the 2014	60		leverage the highest value of scarce
17	session SMART SCALE (HB 2) as	61		resources by measuring targeted
18	important first steps in addressing the	62		projects that expand capacity,
19	transportation needs of Virginia’s localities.	63		address congestion mitigation,
20	Future legislative and administrative	64		economic development, accessibility,
21	initiatives should be based on these	65		safety, and environmental quality.
22	principles:	66		VML recognizes the importance of
23		67		having an objective, quantifiable,
24	A. Sustainable Funding. A stable and	68		and consistent process that also takes
25	predictable plan which is	69		the different needs of regions into
26	comprehensive, which addresses	70		consideration and recognizes the
27	investment across the state and	71		significant progress made on this
28	which does not rely upon general	72		issue through SMART SCALE
29	fund revenue.	73		implementation.
30	B. Fiscal responsibility. Dedicated	74	F.	Infrastructure modernization. Our
31	revenues, which are activity-based,	75		transportation efforts must include a
32	will strengthen as the economy does.	76		comprehensive statewide plan to
33	C. Statewide focus. Transportation is a	77		provide transportation options for
34	statewide issue, not a regional, urban	78		rail passenger and transit systems.
35	or rural issue. Every area of the state	79		Such plans must ensure that all
36	is economically hampered by	80		Virginians — rural, suburban and
37	insufficient infrastructure	81		urban – are able to contribute to and
38	management. However, if the	82		benefit from statewide economic
39	General Assembly chooses a funding	83		opportunities.
40	approach that emphasizes regional	84	G.	Congestion mitigation. Alleviation of
41	efforts, then such opportunities	85		commuter congestion is essential to
42	should be made available across the	86		economic development and to
43	Commonwealth.	87		enhance citizens’ quality of life.
44		88		Corridor-wide solutions which
		89		promote alternative modes including

1 highways, transit and non-traditional
2 solutions still need to be developed.

3 H. Resilience. Decisions to construct or
4 modify transportation facilities and
5 other infrastructure improvements
6 must assess the benefits and costs of
7 adapting to sea level rise and the
8 consequences of flooding from
9 stormwater and other rain events.

10 **REVENUES**

11 Since the transportation needs of the state
12 are so much greater than the current funding
13 provisions, it remains essential that the
14 General Assembly continue and expand
15 transportation and infrastructure investment
16 which is fiscally sound, well documented
17 and serves local, regional and state-wide
18 needs by:

- 19 • Raising revenue from those who use the
20 transportation and transit systems;
- 21 • Identifying new revenue streams for
22 state-wide, regional, and local
23 transportation needs while preserving
24 existing funding sources;
- 25 • Increasing dedicated funding for public
26 transportation to meet transit operating
27 and capital expenses and make Virginia
28 competitive for federal transport funds;
- 29 • Providing or extending as a local option
30 transportation impact fee authority to all
31 localities;
- 32 • Authorizing practical options for using
33 long-term financing for major
34 transportation projects;
- 35 • Providing full state funding for the
36 revenue sharing program as provided for
37 in § 33.2-357; and
- 38 • Seeking equity among various road users
39 by ensuring that trucks pay their share of
40 road costs. VML also advocates for
41 increased local influence when the state
42 considers mitigating negative impacts
43 resulting from truck traffic.

44 **PASS-THROUGH OF FEDERAL FUNDS**

45 Localities are often successful in receiving
46 federal funds such as special appropriations
47 and enhancement funds. These funds
48 are passed through the State to localities
49 and the transfer of these funds is often
50 delayed. The federal government and the
51 state need to streamline the transfer of these
52 funds and allow localities to move forward
53 with these projects. Additionally, localities
54 with limited experience with federal projects
55 should be provided training to reduce
56 administrative risks.

57 **SAFETY**

58 **Vision Zero**

59 Vision Zero approaches road safety through
60 aggressive casualty reduction goals,
61 coordinated and interdisciplinary actions,
62 increased priority and resources allocated
63 towards road safety improvement, and an
64 overarching policy framework. VML
65 supports the state's Vision Zero approach to
66 transportation safety in state highway safety
67 plans and encourages VDOT to collaborate
68 and provide resources where appropriate to
69 reach the Arrive Alive goal and the intent of
70 Vision Zero.

71 **Pedestrian**

72 VML recommends that the Virginia Code be
73 amended to clarify the respective rights and
74 duties of pedestrians and vehicle drivers.
75 Drivers should be required to stop, not just
76 yield, for pedestrians in all marked and
77 unmarked crosswalks. In addition, police
78 need the ability to issue simpler citations
79 than currently allowed under Virginia law to
80 more effectively enforce the laws against jay
81 walking.

82 **Bicycling**

83 VML also recommends changes to the Code
84 of Virginia clarifying the rights and
85 responsibilities of bicyclists in their use of

1 public streets in order to ensure the safety of
2 all road users.

3
4 **Multi-Modal Transportation Options**
5 VML supports multi-modal transportation
6 options, including but not limited to
7 scooters, mopeds and electric bicycles, at
8 both the local and regional levels. This
9 support is conditioned in that local input and
10 local rights, including regulation, on access
11 to multi-modal facilities are recognized by
12 the state.

13
14 **PRESERVATION OF RIGHTS-OF-**
15 **WAY**
16 Transportation projects take many years
17 from the planning stage to
18 construction. Localities need additional
19 authority to reserve miles of right-of-way
20 years in advance of any funding availability
21 for these projects, or risk development in the
22 path of these transportation projects.

23
24 **TECHNICAL ASSISTANCE**
25 Smaller communities and regions require
26 additional and enhanced transportation
27 planning and technical assistance from the
28 state. This includes establishing equitable
29 equipment rental rates and administrative
30 costs.

31
32 **TRAFFIC CALMING**
33 VML supports continued improvements to
34 VDOT's traffic calming program to improve
35 safety for users of public streets.
36 Additionally, VML has supported, and
37 continues to support, expanding the
38 availability of photo-camera traffic
39 enforcement for all localities in the context
40 of a defined transportation safety program
41 that includes engineering, enforcement,
42 education, and emergency response
43 elements while respecting civil rights.
44

45 **METROPOLITAN PLANNING**
46 **ORGANIZATIONS (MPOs)**
47 VML opposes broadening MPO voting
48 membership to include private sector
49 representatives. VML believes that
50 representation by public officials makes
51 MPOs accountable to citizens.

52
53 **PUBLIC TRANSIT**
54 Mass transit is critical to the state's
55 economy and the quality of life for all
56 Virginians. Public transit includes all
57 available multiple occupancy vehicle
58 services and technologies designed to
59 transport passengers on local and regional
60 routes.

61
62 VML supports:
63 1) increased federal and state funding for
64 public transit;
65 2) policies that allow for the equitable
66 distribution of such funding;
67 3) a dedicated source of funding to support
68 public transit; and
69 4) state legislation to provide localities with
70 additional taxing authority to adopt
71 regionally-based or local taxes to address
72 transit capital needs.

73
74 VML also appreciates congressional actions
75 taken to restore and make permanent the
76 \$260 per month parity between employer-
77 sponsored benefits for parking and for mass
78 transit riders. (The federal tax deduction
79 taken by employers for providing these
80 benefits ended under the Tax Cuts and Job
81 Act enacted in December 2017.)

82
83 **RAIL TRANSPORTATION**
84 VML recommends the expansion of
85 interstate and intra-state passenger and
86 freight rail service corridors, with no
87 requirement for local match to provide
88 transportation alternatives, and to help to
89 stimulate economic development and
90 tourism.

91

1 State government and railroad executives
2 must work cooperatively with local officials
3 to improve and enhance railroad
4 maintenance, safety, traffic and conflicts
5 (for example at at-grade crossings).

6
7 The Commonwealth needs to:

- 8 • Work with railroad executives to provide
9 greater access for passenger service (for
10 commuters and tourists).
- 11 • Strengthen funding for cost-effective
12 intercity passenger service and high-
13 speed rail operations to complement
14 federal construction funding.
- 15 • Work with surrounding states to foster
16 greater interstate passenger rail service
17 and to promote the development of the
18 Northeast high-speed rail corridor, the
19 New York to Atlanta corridor and
20 services to Western Virginia, where
21 these systems provide meaningful
22 reduction of travel times, higher than
23 historic reliability and needed coverage
24 to vital business districts which are in
25 close proximity to population centers.

26
27 VML believes the state needs to work with
28 rail executives and the commuter rail system
29 to permit commuter system extension and
30 expansion throughout the Commonwealth
31 and to develop a source of funds to
32 accomplish.

33 34 **AIR TRANSPORTATION**

35 VML wants the state and federal
36 governments to actively work to develop
37 and sustain comprehensive air service
38 throughout the Commonwealth, connecting
39 it to the mid-Atlantic region as well as the
40 entire country. Additionally, VML wants
41 the state and federal government to invest in
42 and deploy new technologies intended to
43 improve air service and safety.

44
45 The federal government is urged to
46 appropriate federal funds for airport
47 infrastructure improvements at authorized

48 levels and to develop a national airport
49 access strategy intended to stimulate local
50 economic development opportunities.
51 Additionally, the state is urged to
52 complement federal infrastructure
53 investments as well as expand state support
54 for capital improvements.

55 56 **PORTS AND WATER** 57 **TRANSPORTATION**

58 VML requests the protection and promotion
59 of an effective port and water transportation
60 system by:

- 61 a. developing alternative water
62 transportation mechanisms to
63 alleviate congestion, such as ferries,
64 that will move people, goods and
65 vehicles as an alternative to road
66 travel;
- 67 b. enhancing rail service to move goods
68 in and out of ports;
- 69 c. deepening major water ports and
70 navigable rivers;
- 71 d. relieving congestion in the ports by
72 enhancing rail and highway access
73 out of ports; and
- 74 e. developing policies on the
75 disposal/reuse of shipping
76 containers.

77
78 Concerning the deepening of channels,
79 VML requests the state to work closely with
80 local governments regarding spoils disposal
81 from channel deepening.

82
83 The revenues derived from Virginia's public
84 ports are dedicated exclusively to the state.
85 Some portion should be shared with
86 localities to account for street and road
87 maintenance and police and fire protection
88 services directly related to the impacts of
89 tax-exempt port properties.

90
91 VML urges a significant study of the state's
92 water transportation system, including the
93 expanded use of barge traffic for freight
94 transportation.

1 **REGIONAL TRANSPORTATION**

2 **AUTHORITIES**

3 **Facilities**

4 VML supports by-right authority for the
5 creation of regional transportation
6 authorities to promote coordination of
7 transportation and related facilities.

8

9 **Town voting membership**

10 VML supports town voting membership on
11 regional transportation authorities

12

13 **Protective floor gas tax**

14 VML thanks the General Assembly for
15 amending Virginia Code § 58.1-2295 to
16 establish a protective floor price for the 2.1
17 percent regional gas tax, much as was done
18 for the statewide fuels tax in §58.1-2217.
19 Such a floor concept is essential to provide a
20 more stable, dedicated revenue source
21 needed for long-term financing of regional
22 projects as well as bus and commuter rail
23 operations.

24

25 **LIVABILITY**

26 Streets do much more than move cars; they
27 often define community character and serve
28 as important public spaces. Small towns and
29 larger cities alike are using complete streets
30 policies to reclaim public space and solve
31 traffic problems at the same time. Many
32 complete street solutions are low-cost—
33 some are as simple as changing paint-
34 striping on pavement. VML supports
35 securing mainstream transportation funds for
36 non-motorized improvements and policy
37 changes that result in construction of
38 complete streets and improved bicycle and
39 pedestrian infrastructure within the existing
40 right of way.

41

42 **TRANSPORTATION NETWORK**

43 **COMPANIES**

44 VML supports state licensing of Internet-
45 based transportation network companies
46 (TNCs) as contained in HB 1662 (2015
47 session) which establishes safety and

48 insurance standards for vehicles and drivers.
49 VML acknowledges that state licensing is
50 preferable to local licensing recognizing the
51 wide area of operations of TNCs, the need to
52 avoid conflicting or competitive licensing
53 among jurisdictions, the need to establish a
54 functional basis for taxation, the need to
55 provide consistent driver credentials and the
56 need to ensure all segments of the
57 transportation industry are treated fairly.
58 VML supports open market pricing for
59 TNCs rather than fixed pricing, somewhat
60 like variable toll pricing on major highways.
61 VML also supports development of data-
62 sharing agreements with TNCs to require the
63 companies to share general trip information
64 with DMV and which would be made
65 available to all jurisdictions.