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2015 Calendar:
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eReminder

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House panel weighs exempting churches from stormwater fees

A SUBCOMMITTEE OF the House Agriculture, Chesapeake and Natural Resources Committee will consider a bill Thursday afternoon to exempt churches from paying local stormwater utility fees. [HB 1293](#) (Morris) also extends this exemption to religiously-affiliated schools and universities.

Local governments are authorized to establish a stormwater utility whereby charges are determined by the amount of impervious surfaces such as pavement and rooftops. Such an exemption would likely result in other classes of non-profit property owners (including federal and state government) seeking relief, thereby further diminishing revenues.

Talking points:

- Virginia's localities are required under federal and state law to meet new requirements for reducing stormwater pollution.
- Recent cost estimates for Virginia to comply exceed \$10 billion, with the majority of the costs falling on local governments.
- Stormwater utility fees provide a limited source of revenue for locals to tap into to finance costly projects to reduce pollution.
- Any state-mandated reductions to this revenue source will place additional financial burdens on localities.

Please call or e-mail these subcommittee members in opposition to [HB 1293](#):

House Agriculture, Chesapeake and Natural Resources subcommittee

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General Assembly

Finance and taxes

Senate panel scrutinizes McAuliffe revenue and spending plan; silent on amendments

THE SENATE FINANCE Committee heard this morning from Finance Secretary Ric Brown on state revenue collections and from Senate Finance staff on the governor’s proposed budget – [SB 800](#).

Brown noted that collections from July through December of 2014 were 6.8 percent greater than the prior fiscal year. This is 3.7 percent higher than the annual estimate of 3.1 percent growth in FY15. In terms of dollars, the finance secretary said that collections are running roughly \$200 million more than the official estimate. Brown, however, quickly cautioned the committee against assuming that the state’s revenue challenges are over. Economic growth for this fiscal year and next are both projected at under 3 percent.

Brown reported that January receipts will serve as the next critical data point in evaluating the outlook for the fiscal year, and serve as the basis for any recommended adjustment in February before the House

Appropriations and Senate Finance committees report out their respective budget amendments.

After Brown finished, Finance Committee staff presented a 92-page document detailing the new spending and spending cuts underlying the McAuliffe budget. Committee members asked few questions of staff, seemingly preferring to stay silent until Feb. 8. (View the document at <http://1.usa.gov/1uo7X4O>.)

There was no discussion on budget amendments that the Senate Finance Committee might entertain. VML is working with local governments on amendments to end the “local aid to the commonwealth” program, which costs cities and counties \$30 million in each year of the biennium. VML-sponsored amendments would also terminate state seizure of local fines and fees and remove budget language mandating (but not funding) localities to pay future salary increases for entry-level deputy sheriffs. ☹

Contact delegates to oppose real estate tax exemption

PLEASE CALL OR e-mail members of the House Privileges & Elections Committee, particularly the members of the Constitutional Amendments subcommittee, in opposition to [HJR 597](#) (Hugo).

This constitutional amendment would allow the General Assembly to exempt from real estate taxation the primary residence of the surviving spouse of any law-

enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel killed in the line of duty. Current surviving spouses would be eligible for the exemption, and the surviving spouse would not have to have lived in the locality or even the state at the time of the death of the public safety officer.

The members of the subcommittee are:

House Privileges and Elections Constitutional Amendments Subcommittee

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General Assembly



Real estate tax exemption continued ...

Talking points:

- The General Assembly should not be using local tax revenues to pay for its priorities. If the General Assembly wants the policy of this constitutional amendment to be carried out, it should establish a state fund to pay the tax bills.
- The General Assembly has already chipped away at the local real estate tax base through passage of the constitutional amendments exempting disabled veterans and surviving spouses from paying real estate taxes. Legislators must stop this continual assault on local revenues.
- The subcommittee hearing the bill meets Mondays at 8 a.m.

Staff contact: Mary Jo Fields, mfields@vml.org.



Human services

Bill creates local option adult fatality teams

AN INITIATIVE OF the attorney general would allow – not require (for now) – local governments or regions to create adult fatality teams to investigate the circumstances behind suspicious deaths of elderly adults and adults 18 years of age or older with physical or mental disabilities who resided in a nursing home or other facility.

[HB 1558](#) (Rust) was modeled after the child fatality team law. The patron said in the House Health, Welfare, and Institutions Committee today that one of the reasons for the bill's introduction is that the state has an adult fatality team but does not fund it. VML does not have a position on the bill, but is monitoring it because of the potential for an additional shift in state responsibility to local governments.

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Day care bills abound

GIVEN THE DEATHS of at least two young children in unregulated home-based day cares this year, a slew of bills have been introduced to create new licensure requirements.

VML is particularly concerned with [SB 1029](#) (Marsden), which would require local commissioners of revenue or other local business license officials to report to the Virginia Department of Social Services (VDSS) quarterly the name, address and contact information of any child day care or family day home for which a business license was issued. That bill is in the Senate Committee on Rehabilitation and Social Services.

One concern: Some of these offices do not have a specific category for day cares, and would have to create a new administrative processes and procedures to track and report. It also may dissuade some home-based day care businesses from seeking a business license. VML has suggested that the responsibility be flipped – that such businesses first come to VDSS for licensure before seeking a business license, because if you need to be regulated by the state and meet its requirements, it's better to know that you can meet those requirements before you seek a local business license.

Other bills would make the day care provider count their own minor children toward the number being cared for in regard to the threshold for licensure, including [SB 1124](#) (Barker) and [SB 780](#) (Favola/Wexton); add offenses that require registration in the sex offenders registry and disqualify people from being employed or volunteering in a family day home – [SB 1055](#) (Hanger); require criminal background check for those seeking licensure or employment in day care – [HB 1931](#) (Anderson) and [SB 1168](#) (Hanger); and catch the state up to others in requiring that home-based day care centers that receive federally-based child care subsidies be licensed and regulated by the state – [HB 2023](#) (BaCote) and [SB 1123](#) (Barker).

Staff contact: Janet Areson, jareson@vml.org.

Bill expands reach of auxiliary grants

A HOUSE BILL would expand the definition of facilities allowed to accept auxiliary grants to include supportive housing programs. It would also give the Department of Behavioral Health and Developmental Services the authority to enter into agreements for the provision of supportive housing with any provider licensed to provide mental health community support services, intensive community treatment, programs of assertive community treatment, supportive in-home services, or supervising living residential services.

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General Assembly



Auxiliary grants continued ...

Currently, only assisted living facilities and adult foster care home are the entities for which auxiliary grants may be used.

The bill – [HB 2084](#) (Peace) – has been referred to the House Committee on Health, Welfare, and Institutions.

Local governments pay a 20 percent match on each grant; the program is an open-ended entitlement that allows anyone who qualifies for it to receive the grant if they reside in a facility approved by the state. This bill would expand the type and number of facilities eligible to accept auxiliary grant recipients. Recipients of the

grants are adults with physical or mental disabilities who are unable to live independently.

The legislation is championed by the National Alliance for Mental Illness (NAMI) of Virginia, which had similar legislation introduced last year. Its aim is to find housing with services and support that offer the potential for greater autonomy for individuals with mental illness.

VML supports better housing opportunities for individuals with disabilities, but is concerned with the use of the auxiliary grant for this purpose because of the fiscal impact that would come as a result of greater numbers of grantees and the history of the disproportionate impact on localities with low-cost housing (i.e., cities with older housing stock).

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Personnel

Grievance procedure bill amends final stage of process

AN AGGRIEVED EMPLOYEE would decide whether the final step in a local grievance procedure would be before an administrative hearing officer or a panel under legislation to be heard in the [House Education Committee](#). Currently, if the locality has chosen to use a hearing officer, there is no panel at the last step. The executive secretary of the Virginia

Supreme Court appoints the hearing officers.

[HB 1744](#) (Hugo) also makes some changes to the teacher grievance procedure, which must account for this bill’s referral to the House Education Committee.

If the bill becomes law, it will require localities that use a hearing officer to start over by adopting new policies to have a panel hearing, when an employee demands it.

The bill has not been assigned to a subcommittee or placed on a docket for hearing. In the meantime, please let members of the House Education Committee know of your opposition to this bill.

House Education Committee

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General Assembly

House Education Committee continued ...

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