

# 2011 Legislative Program Virginia Association of Counties

Adopted by the VACo Membership – November 9, 2010

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Statements requiring federal action noted: (Federal)

# VACo's PRIORITIES

## **Deployment of Universal Affordable Access to High-Speed Internet Services (Federal)**

VACo urges the Commonwealth to assist communities in their efforts to deploy universal affordable access to high-speed Internet services (“broadband”) to residents, businesses, public safety agencies, schools, hospitals, community centers and libraries, particularly in underserved and rural areas. Widespread deployment of broadband should be a top priority for the Commonwealth to ensure competitive economic advantages, provide quality educational opportunities, and facilitate telemedicine and other modern health care initiatives. State assistance should include economic incentives as well as statewide budgetary and statutory policies that facilitate broadband deployment and adoption, such as support of local and regional authorities created under the Virginia Wireless Service Authorities Act, and the preservation of the powers granted under the Act, support for Virginia Resources Authority and other favorable financing mechanisms for broadband projects, and continued efforts to improve the quality and accuracy of the state’s broadband availability map.

## **Education Funding**

The recent recession has caused the Commonwealth to reduce significantly state funding for public primary and secondary education (K-12):

- Adopted FY 2010 K-12 state distributions from all funding sources were nearly \$300 million lower than actual FY 2009, even with \$584 million in federal stimulus funds.
- Adopted FY 2011 K-12 state distributions from all funding sources (including \$189 million less in state VRS contributions) are: 1) \$773 million lower than last year’s planned FY 2010 distributions and 2) \$512 million lower than this year’s adopted FY 2010 distributions.
- Localities are holding the K-12 education system together to meet SOA and SOL standards by spending \$3 billion or 82 percent more per year than required to match state funding. Local “excess” is 22 percent of total K-12 spending.

- The adopted 2010-12 budget reduces state funding for school positions by one-third (\$376 million in FY 2011).

In the final analysis, recent federal stimulus funding and local tax dollars have buttressed public education.

VACo supports sufficient state funding for public education programs, including the Standards of Quality, teacher salaries and retirement costs, the Standards of Accreditation, the Standards of Learning, incentive and categorical aid, and capital and maintenance support. VACo opposes changes in methodologies and the division of financial responsibility intended to shift education costs from the state to localities.

It must be recognized that at this point in time, many counties do not have the fiscal capacity to replace additional state mandated K-12 reductions with local funds. State leaders must affirm the state-local funding partnership.

#### **Health and Human Resources Funding**

VACo supports state policies and funding to ensure the Commonwealth's at-risk families have access to high quality and appropriate services. The Commonwealth should fully fund localities for state mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services. Additionally, increased state funding for the Virginia Juvenile Crime Control Act (VJCCCA) will enhance the ability of local governments to plan and receive youth offenders back into the community (re-entry services).

#### **Land Use/Growth Management Tools**

Authority to plan and regulate land use should remain with local governing bodies and VACo opposes any legislation to weaken that authority. Furthermore, the General Assembly should grant localities additional tools necessary to meet adequately citizens' increasing transportation, education, public safety and other vital public infrastructure needs that are driven by new development. Such additional tools may include broad impact fee authority for all counties, adequate public facilities provisions in subdivision ordinances, state funds for the purchase of development rights, and real estate transfer charges.

## **Privatizing Virginia's Wholesale and Retail Operations of Distilled Spirits**

Vibrant communities nurture economic growth and make a strong commitment to protecting the health, safety and welfare of their citizens. To achieve these goals, Virginians expect local government leaders to responsibly regulate land use, prudently manage revenues, and efficiently provide public services that are essential for maintaining a desirable quality of life.

Given the need to strengthen the State-local partnership and the constitutional responsibility of the State to fund fully mandated services that local governments must deliver, VACo opposes any ABC privatization proposal unless the following principles are met:

- Localities must retain full authority to participate in the initial ABC licensing process for retail liquor outlets and in subsequent processes that will result in the transfer of those licenses. It is important to ensure that there is not an over-proliferation of retail liquor outlets in neighborhoods and jurisdictions;
- Businesses selling distilled spirits must remain subject to all local land use and zoning ordinances, including public hearing requirements and regulations;
- State general fund dollars that are currently available from the Commonwealth's ownership of ABC, must be replaced on a dollar-for-dollar basis and steps must be taken to ensure that, at a minimum, this ABC related funding is available to the general fund in the long run;
- Businesses selling distilled spirits must be subject to all local taxes that are levied on any other similar establishments (e.g., BPOL);
- The state must ensure that revenues from privatization adequately fund the enforcement of state ABC laws and increased state funds for locally-administered substance abuse prevention and rehabilitation programs;
- The state must recognize that new, one-time revenues, even if loaned out in a revolving fund and dedicated to transportation projects, are not a replacement for a comprehensive, adequately funded revenue stream that is dedicated to meeting all of Virginia's well-documented multi-modal transportation needs; and

- In the event the state gains new revenues from privatization, the state must resume the sharing of profits from the sale of all ABC products with localities. (The state is required by statute to share ABC profits with counties, cities and towns. In the latter part of Governor Kaine's administration, however, these local dollars were eliminated as part of state budget reductions.)

### **Road Construction and Maintenance**

VACo opposes any legislation or regulations that would require the transfer of responsibility to counties for construction, maintenance or operation of new and existing roads. In addition, VACo supports amendments to Virginia Code § 33.1-75.3 of the Code of Virginia that would require VDOT to administer all projects financed by VDOT and prohibit VDOT from requiring localities to administer any project without the consent of the local governing body. If VDOT cannot administer the projects due to limited resources, then VDOT's consultant services shall be utilized or the locality shall have the option to use VDOT's consultant services, should the locality choose to do so, on locally administer projects financed by VDOT.

### **Sovereign Immunity**

VACo opposes any substantive change in local governments' present defense of sovereign immunity. VACo opposes bringing counties under the Virginia Tort Claims Act.

### **State and Local Obligations and Revenues (Federal)**

During this period of ongoing economic uncertainty, VACo reaffirms its commitment to protecting state and local fiscal stability. Fiscal stability enables the Commonwealth and local governments to provide the core public services critical to the long-term economic vitality of Virginia including public primary and secondary education (K-12). The counties in Virginia stand ready to partner with the Commonwealth to make the tough fiscal and programmatic decisions required and offer the following strategies to state leaders.

- State Funding  
Almost 50 percent of the state's general fund is appropriated to local governments to support mandated services provided by localities including K-12, public safety, the Comprehensive Services Act, constitutional officers and mental health and mental retardation services. Therefore, VACo is dedicated to protecting the reliability and sustainability of the Commonwealth's general fund.

- Local Government Fiscal Policy including Managing State Budget Reductions

VACo calls for the repeal of the state's FY 2011 and FY 2012 Reductions in Aid to Localities. Instituted in FY 2009 (\$100 million for 2008-2010 - \$50 million each year; and \$120 million for 2010-2012 - \$60 million each year), these reductions are in addition to program specific cuts (for example, state budget cuts to K-12, Constitutional Officers, the human services and public safety). When compared with FY 2008, state aid to localities was almost 15 percent less in FY 2010.

VACo supports sufficient local discretion to manage state mandated reductions for non-educational services. State K-12 reductions should not be combined with other non-K-12 reductions but rather should be categorized as education specific cuts from the Commonwealth. It must be recognized that many counties do not have the fiscal capacity to replace state-mandated K-12 reductions with local funds.

- Local Government Revenues and State Tax Reform

VACo opposes proposals to eliminate or reduce specific local tax revenues, including local business taxes (the Machinery and Tools and the Business Professional Occupational License taxes). The state is obligated to replace repealed local revenues with new, offsetting local revenue sources. The elimination of local revenues without providing a replacement will lead to increased local property taxes, including those on homeowners.

Local governments require sufficient and sustainable revenue streams to meet state mandates. VACo suggests that the Commonwealth grant counties and cities the option, by action of the local governing body without a referendum, the ability to increase the local sales and use tax by 0.5 percent to help offset state budget reductions affecting localities. If appropriate to a particular locale, the new dollars will help local leaders to fund adequately K-12 and other critical government services while lessening the on-going pressure on local property taxes. In addition, VACo continues to support equal taxing authority for cities and counties.

Counties must be assured of reliable revenues and authorized to adopt and maintain practical financial policies, including tax assessment and collection laws, to provide the core public services and to comply with

state and federal mandates. Conversely, VACo opposes mandated “one-size-fits-all” budget, revenue and investment policies that hinder local government’s cost effectiveness. VACo also opposes changing the legal presumption for the application of local taxes.

VACo calls upon the Commonwealth to strengthen the stability of the general fund by initiating state tax reform. Significant tax reform will help to buttress the Commonwealth’s general fund that finances most core government functions. Significant tax reform also will reduce pressure on local government leaders who continually must consider raising real estate tax rates to fund the mandated services. Tax reform should include a restructuring of state income and sales and use taxes with the intent to stabilize and increase revenues to meet current and foreseeable core service demands. Reform also should include a revisiting of specific state tax reductions the Commonwealth enacted in better economic times that may no longer be affordable.

### **Stormwater**

VACo appreciates actions by the 2010 General Assembly to suspend the adoption of the Virginia Stormwater Management Program (VSMP) permit regulations until 2011. Stormwater requirements on local governments related to new development, redevelopment and existing development must be cost-effective, affordable and manageable at the local level. The Commonwealth must assume any and all expenses imposed by these new regulations. The new VSMP regulations must have achievable objectives tested in “real world” situations, streamlined to minimize administrative reviews by state agencies, and provide localities with flexibility to make appropriate decisions about drainage and land use. Localities enforcing state regulations require full cost recovery through the fee schedule provided by the VSMP regulations.

### **Transportation Funding**

VACo contends that an efficient transportation network is critical to a healthy economy, job creation, a cleaner environment, enhanced public safety and a better quality of life. To eliminate the revenue shortfalls that have caused Virginia’s transportation infrastructure to deteriorate at an alarming rate, VACo urges the governor and the General Assembly to enact a funding package for transportation with new revenues that are separate from the general fund; and are stable, recurring and sufficient to meet Virginia’s well-documented transportation needs for highways, transit and all other modes. New revenues should include, but not be limited to, gas tax revenues. Transferring state general

funds to transportation neither adequately supports documented and recurring transportation infrastructure investment needs, nor serves to protect the Commonwealth's additional core services including public education, health care, mental health and retardation, and public safety. VACo is also alarmed by the elimination of formula allocations for secondary roads, and contends that these funds must be restored.

### **Transportation Revenue Sharing**

VACo supports restoration of the Revenue Sharing program to the structure that existed prior to the 2006 session with robust funding. Specifically, VACo supports removal of the local administration and overmatch criteria. The revenue sharing program was originally intended to give all localities (counties at the time) an equal opportunity to qualify for funding. This has not occurred under current program guidelines. Maintenance projects should be eligible for matching funds under the revenue sharing program. In addition, total funding for the program should be increased from \$15 million to \$50 million, as provided for in the current statute.

### **Unfunded Mandates**

VACo opposes unfunded mandates by the Commonwealth. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the state, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided. Furthermore, VACo opposes the shifting of fiscal responsibility from the state to localities for existing programs. Any unfunded mandate or shifting of responsibility should be accompanied by a full fiscal and program analysis to determine the relative costs to the state and to the locality and to assure the state is meeting its full funding responsibility before taking effect.

### **VDOT Cooperation**

VACo requests full cooperation and timely responsiveness from VDOT in addressing local government concerns. VACo contends that it is critical for VDOT to involve local officials in any studies or audits examining VDOT's operations, organizational structure, and processes for delivering services.

### **Water Quality Improvement Program Funding (Federal)**

VACo supports effective partnerships among and across all levels of government to improve water quality.

VACo urges state and federal agencies to carefully consider impacts on local governments of any initiatives intended to reduce loadings of pollutants into state waters from both point and non-point sources. In order for comprehensive, watershed-wide water quality improvement strategies to be effective, major and reliable forms of financial and technical assistance from federal and state governments will be necessary. VACo supports the goal of improved water quality but will vigorously oppose provisions of any strategy that threatens to penalize local governments by withdrawing current forms of financial assistance or imposing monitoring, management or similar requirements on localities without providing sufficient resources to accomplish those processes.

VACo strongly opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or any service provided by a local government or authority.

# VACo's POSITIONS

## Administration of Government

### **Aid to Localities**

VACo requests the Commonwealth to use the most current population statistics available for the purposes of determining state aid to those localities that experience population growth. While the results of the 2010 Census will be available in the near future, many population shifts occur in the ten-year period between the decennial enumerations. During that period, population statistics from the Weldon Cooper Center for Public Service or the American Community Survey are available for use by the Commonwealth. Those localities that have remained stable or have lost population should be held harmless and funded based on the last U.S. Census results.

### **Annexation Moratorium**

VACo supports full funding of the Commonwealth's HB 599 commitments. VACo also supports the continuation of the current moratorium on city annexations regardless of whether those commitments have been met. The moratorium has promoted more intergovernmental cooperation between cities and counties; has allowed counties to plan for future growth and economic development within their borders; and has allowed counties to be able to protect their tax base in order to provide needed services to citizens.

### **Collective Bargaining for Public Employees (Federal)**

VACo opposes any effort to mandate collective bargaining for public employees.

### **Dillon Rule**

VACo supports relaxation of the Dillon Rule to provide counties greater autonomy in areas including land use, local revenue measures and other issues of local concern. Examples include but are not limited to, the authority to regulate parking, to change BPOL taxes and to provide tax relief to certain citizens. The General Assembly should extend powers and authorities currently granted to some local governments by existing statute, to all other local governments.

### **Elected Officials**

VACo seeks to work with the General Assembly in a bipartisan effort to address the issues that arise when an elected official faces prosecution for crimes of moral turpitude. This includes a process for appointing a temporary replacement to carry out the duties and responsibilities of the office until the legal process is complete.

### **Election Costs**

VACo supports legislation to look at alternatives that would minimize the costs of primary elections.

### **Eminent Domain**

VACo supports legislation preserving the necessary powers of local governments and governmental agencies to avoid and abate blighted conditions through redevelopment, and preserving condemnation authority provided for public purposes such as schools, parks, roads and other purposes as set out in the Code of Virginia.

### **Freedom of Information Act Electronic Meetings**

VACo supports amendments to the Virginia Freedom of Information Act that allow regional authorities, boards, bureaus, districts, political subdivisions, commissions or agencies of local governments to conduct electronic meetings under the same provisions as state public bodies. VACo also supports legislation allowing localities and regional bodies to conduct electronic meetings in the event of an emergency.

### **Funding and Staffing of Constitutional Officers and State-Mandated Positions**

VACo urges the Commonwealth to meet its full funding obligations for constitutional officers and other state mandated positions. Any change to the definition of state responsible prisoner or other terms that result in increased cost or operational problems such as capacity for localities should be fully funded by the state. A JLARC study of funding and staffing of constitutional officers and other state mandated positions should be conducted. The study should examine Compensation Board funding as well as alternative funding methods and insure local involvement in changes to funding and staffing of these positions. In particular, the Compensation Board should seek the approval of local governing bodies prior to authorizing new positions or changing reimbursement of fringe benefits and other funding. The study should also examine jail issues including staffing, funding, construction, per diems, operational costs, and benefits. A full

fiscal and program analysis should determine state and local responsibilities and whether state funding responsibilities are being met.

### **Grievance Hearings**

VACo supports legislation authorizing localities to utilize an administrative hearing officer in lieu of the three-member panel. VACo also supports providing immunity to local government employees, officers, volunteers, administrative hearing officers and panel members for claims arising out of participation in personnel grievance procedures.

### **Homeland Security Emergency Preparedness and Volunteer Recruitment & Retention (Federal)**

VACo urges the General Assembly to maintain current state funding and make certain that localities, often the first responders, are included in the planning process for homeland security and emergency preparedness measures. Federal funds received for homeland security and emergency preparedness must flow through the state to local agencies, departments and authorities to pay for eligible costs. In furtherance of this goal, VACo supports legislation that provides a local option for increased incentives for the recruitment and retention of volunteer public safety personnel who are crucial in these situations.

### **Immigration Reform (Federal)**

VACo maintains a strong commitment to ensuring the security and safety of our communities. Legislative reforms must recognize the contributions of immigrants to a complex economy as well as the costs associated with welcoming immigrants into our communities. The U.S. Congress must enact comprehensive immigration reform that provides a funding stream sufficient to address the fiscal impact on state and local governments for any guest worker program and earned legalization program. The states and local governments require a national immigration system that is fully funded at the federal level, recognizes the realities of the marketplace, eases the fiscal stress on states and localities and properly secures our borders. It is important that the federal government establish a clear and understandable path to citizenship for those who are eligible.

### **Pay Day Lending**

VACo supports legislation to set a total cap of 36 percent that shall include all interest, fees and other charges for payday lending and other similar businesses.

**Sheriffs' Departments Staffing Standards**

VACo supports legislation to change the Compensation Board's minimum staffing standards to fund at least 10 deputy sheriffs per county. The current standard provides one deputy per 1,500 people, with a minimum state funding level of five deputies per county. In a county with a small population but a large land area, five deputies are simply not adequate to perform 24-hour law enforcement, court security and other legally required duties.

**Virginia Retirement System Alternatives**

VACo supports efforts to work with VRS and other relevant stakeholders to fully explore optional alternative to the VRS retirement program for localities.

## Community Development & Planning

### **Affordable Housing (Federal)**

VACo supports increased federal and state funding and appropriate incentives to assist localities with their affordable housing.

### **Alternative Onsite Sewage Systems**

VACo supports state regulations for alternative onsite sewage systems that clearly define responsibility and liability for proper operation; have a means to finance future repair and replacement costs; and ensure that sufficient and appropriate testing occurs to protect groundwater standards and alert to potential problems at the earliest possible moment.

### **Civil Penalties for Local Ordinance Violations**

VACo supports legislation granting localities general authority to prescribe civil penalties for violations of local ordinances.

### **Cost of Growth**

VACo supports local authority for conditional zoning (i.e., voluntary proffers) and broad impact fees in order to fund fully the public infrastructure capital needs brought on by residential growth. Current residents should not be expected to bear the cost of new growth through increased real estate taxes.

### **Economic and Workforce Development**

VACo supports increased state funding and support for workforce training and economic development programs as effective means for making the necessary investments in infrastructure and human capital.

### **Impacts of Federal and Military Projects (Federal)**

VACo supports increased federal and state funding to mitigate the land use, environmental, infrastructure, and transportation impacts on counties affected by major federal projects, including the most recent recommendations of the Defense Base Closure and Realignment Commission (BRAC). This support is also needed to sustain the federal and military presence in Virginia and to compete for the location of additional facilities in the Commonwealth.

**Planning Districts**

VACo supports the overall funding of Virginia's planning district commissions at a level of \$0.35 per capita or a minimum of \$100,000 per commission, whichever is greater.

**Reimbursement for Offsite Improvements**

VACo supports allowing all localities to require a future developer to reimburse the initial developer a pro rata sum for offsite improvements provided by the initial developer.

**State Corporation Commission - Public Service Corporations: Location of Utilities**

VACo supports requiring public utilities to provide written notice to those residing or owning property within the affected areas and to hold a public input meeting in that area before they apply to the SCC for a certificate of public convenience and necessity to construct or enlarge any facility.

**State Project Approval**

VACo supports authority for counties to approve any projects that are constructed within their jurisdiction using state funds.

**Tourism**

VACo supports increased state funding and support for regional tourism initiatives.

**Water and Sewer Fees**

VACo supports allowing counties to enact water and sewer availability fees and mandatory water and sewer connection powers.

## Environment & Agriculture

### **Agricultural and Forestal Districts**

VACo supports amendments to Virginia Code § 15.2-4307 to streamline and clarify the public notice requirements for agricultural and forestal districts.

### **Agriculture Production**

VACo supports increased availability of local food for purchase. To accomplish this, VACo supports the establishment of farmers' markets and the use of food stamps for purchases at farmers' markets; policies to increase direct delivery of food from growers to consumers; and funding for the design and construction of regional processing facilities to facilitate delivery of locally-produced food.

### **Biosolids**

VACo contends that the land application of biosolids, when conducted properly, provides important benefits to the public and Virginia's agricultural sector. To reduce risks that might occur because of improper land application, VACo supports an effective statewide program and regulations governing land application of biosolids that protect the environment, public health and safety. VACo also supports the ability of local governments to monitor compliance with such regulations and the ability of local governments to submit recommendations for site-specific conditions into the permitting process.

### **Energy Efficiency (Federal)**

VACo strongly endorses aggressive initiatives among all levels of government to reduce dependence upon foreign sources of energy, to reduce emissions of greenhouse gases, and to improve energy efficiency. VACo also strongly supports production of renewable energy in Virginia through the implementation of Renewable Portfolio Standards of 20 percent by 2020.

### **Invasive Species**

VACo supports adequate funding to implement the Virginia Invasive Species Management Plan.

### **Land Conservation**

VACo supports targeted initiatives to facilitate the protection of 400,000 additional acres of land for conservation purposes. VACo also supports a Purchase of Development Rights program with state funding for the Virginia

Land Conservation Foundation, and that provides incentives for landowners of all income levels to participate in the program. Such programs preserve prime soils for food production and protect important forestal land and environmentally sensitive areas in the Commonwealth.

### **Local Regulation of Timbering**

VACo supports legislation amending Virginia Code § 10.1-1126.1 of the Code of Virginia to state explicitly that, once a subdivision plan is submitted for local approval at the request of the property owner for a development project, any timbering on the property is subject to local development regulations.

### **Non-point Source Pollution**

VACo supports a well-financed state program to address the problem of non-point source runoff from agricultural operations. The program should effectively encourage implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming, development of forested riparian buffers, and livestock stream exclusion.

### **Onsite Wastewater Systems**

VACo supports a legislative study of problems encountered by all localities when enforcing requirements relating to onsite sewage systems, including the five-year pump-out requirement by localities subject to the Chesapeake Bay Preservation Act. VACo also supports legislation ensuring that, potential buyers of real property are told about the type, size and maintenance requirements and associated costs of the wastewater system(s) on the property prior to the signing of the initial sales contract and recordation of an engineered system(s) on the plat and deed at the time of the sale.

### **Recycling**

VACo supports the development of more aggressive strategies by the state to develop markets for recycled materials.

### **Southern Rivers Watershed Enhancement Program**

VACo supports continued funding for the Southern Rivers Watershed Enhancement Program to improve water quality in non-Chesapeake Bay watersheds.

**Virginia Cooperative Extension Service**

VACo opposes the restructuring of the Virginia Cooperative Extension Service that would eliminate beneficial extension agents and/or increase the financial burden on local governments for the same service.

**Virginia Outdoors Foundation**

VACo supports legislation that would increase the general fund appropriation to the Virginia Outdoors Foundation, permit an increase in transfer fees, or provide full funding to the Foundation through alternative means.

**Waste Management Flow Control**

VACo supports broad authority for local governments to adopt flow control ordinances.

**Wastewater Effluent**

VACo supports a study to evaluate benefits of reuse of wastewater effluent in terms of health, public safety, cost effectiveness, environmental protection, and its financial implications.

**Water Supply Planning**

VACo supports additional appropriations adequate to ensure full funding by the state for the development of state-mandated water supply plans.

## Finance

### **County Authorities Including Equal Taxation**

VACo supports granting counties the authority cities and towns currently have to enact local excise taxes including the cigarette tax, admissions tax, transient occupancy tax and meals tax. VACo also supports granting counties specific powers enumerated to cities and towns under the Uniform Charter Powers Act.

### **Employment Benefits including VRS and Line of Duty**

VACo calls on the state to fully fund state mandated retirement and employment benefits, including Virginia Retirement System (VRS) and Line of Duty costs. In particular, VACo opposes the state using funds intended for other purposes to support VRS (Literary Loan Funds); delaying and thereby increasing local VRS costs such as the 2010 action reducing teacher and state employee payments in order to create a state savings; and establishing a new unfunded local Line of Duty mandate by converting the current state created and funded benefit to a locally funded program. Full state funding of mandated benefits includes those required by the Commonwealth for particular classes of employees, including teachers, as well as emergency service, fire and police officials. Additionally, in order to reduce increasing program costs, VACo supports legislation providing localities with greater flexibility in making adjustments to VRS benefits, including, but not limited to, legislation allowing localities, on an annual basis, the option of requiring employees hired before July 1, 2010, to pay the 5 percent VRS employee share, or any portion thereof.

### **School Boards**

VACo supports requiring school boards to consolidate specific administrative functions with counties. Currently, a school board is not compelled to combine or share functions with the county including but not limited to building and grounds, finance, information management/technology, and personnel.

Additionally and without advocating either for or against any proposal to authorize tax authority for school boards, VACo supports a legislative study regarding the issue.

### **Online Travel Taxes and Transient Occupancy Taxes (Federal)**

VACo supports ensuring the proper collection of applied and assessed taxes including state (sales and use) and local Transient Occupancy Tax (TOT) levies associated with online travel sales. As a matter of competitive fairness with Virginia based properties, online travel companies (OTC) should apply and remit state and local taxes for the actual prices paid by their customers. As a general rule, OTCs deduct particular “fees” from taxation. These business practices reduce the companies’ tax liabilities, shield from customers, governments and the contracting Virginia properties the total amount charged to customers, and place Virginia properties at a competitive disadvantage (i.e. unlike OTCs, Virginia properties are applying and collecting taxes on the actual prices paid by their customers). A significant portion of TOT revenues are reinvested in local tourism.

Additionally, VACo supports the authority of counties to apply an existing TOT to short-term rentals; i.e., single family residences rented out for continuous occupancy for fewer than 30 days.

### **Virginia’s Inclusion in the Streamlined Sales Tax Project Agreement (Federal)**

VACo supports Virginia’s inclusion in the Streamlined Sales Tax Project Agreement (SST). Inclusion in the multi-state agreement, however, must not compromise the Commonwealth’s ability to establish and administer state and local specific tax policies.

Enacted by approximately 20 states and voluntarily enforced by more than 1100 national businesses, the agreement authorizes participating states to collect their existing, yet often times unenforceable, use taxes from out of state vendors. Virginians currently purchasing more than \$100 dollars of goods from out-of-state vendors are required by statute to remit the use tax to the Commonwealth. If enacted by the federal government, General Assembly and governor, the SST would require vendors to remit the required use taxes. The change would result in increased fairness for taxpayers and competing vendors as well as increased annual revenue collections to the state and localities.

## Health & Human Resources

### **Aging/Long-Term Care**

VACo supports efforts that allow the elderly to remain at home in a safe and secure environment. VACo urges the General Assembly to provide sufficient funding for companion services, in home services and home delivered meals.

### **Behavioral Health Care**

The Commonwealth should continue to provide funding sufficient to allow community services boards to meet adequately the charge of providing services through a community-based system of care.

### **Healthcare**

VACo supports continued state funding for offered dental care, school nurses and preventive services and maternal and child health programs through local health departments and local school systems. VACo encourages the state to prepare for emergency health services and develop incentives that would alleviate the nursing shortages felt in many communities.

### **Healthcare Reform (Federal)**

VACo asks that the Commonwealth participate in health care options for the uninsured that may become available because of national health reform efforts.

### **Health Planning**

VACo supports a health resources and planning process that assures providers accept a certain percentage of patients who are uninsured and underinsured.

### **Pretrial Services Programs**

VACo supports sufficient state general funding that will expand and enhance local pretrial services programs that reduce the predisposition jail population, while maintaining public safety through the community supervision.

### **Prevention Services**

VACo supports sufficient state general funding for startup costs associated with community-based service programs. VACo recognizes that programs, such as Healthy Families, CHIP of Virginia, and the Resource Mother, are models that are operated throughout the state and requests the General Assembly to provide additional funding for these and other home-based activities. Reductions in

prevention programs will put numerous youth at risk of high-end CSA placements.

## Telecommunications & Utilities

### **Communication Taxation**

VACo is resolved to help ensure that the dollars generated by the statewide communications sales and use tax reforms, on a locality-by-locality basis, are revenue neutral in the early years and escalate in the out years.

### **Interoperability (Federal)**

VACo supports the state's goal that by 2015 agencies and their representatives at the local, regional, state and federal levels are able to communicate using compatible systems, in real time, and across disciplines and jurisdictions to respond more effectively during day-to-day operations and major emergencies. Local governments require new dedicated federal and state funding sources to achieve this goal.

### **Transmission Lines**

VACo supports legislation to encourage the undergrounding of high voltage transmission lines where right of way constraints or other considerations exists. VACo also supports legislation to preserve existing trees and vegetation in transmission line rights of way to mitigate the visual and environmental impacts resulting from clear cutting practices and widespread use of herbicides. VACo suggests that effective and practical undergrounding and preservation practices be considered when locating new transmission lines.

# Transportation

## **Billboards**

VACo supports a requirement that proposed billboards in the Virginia Department of Transportation's (VDOT) right of way conform to local zoning and other applicable ordinances and local approval processes.

## **Inter-Directional Signage Program**

VACo supports a requirement that any signs installed under VDOT's Inter-directional Sign Program, including the Tourist Oriented Directional Signs Program, conform to local ordinances, including any local approval processes.

## **Parking**

VACo supports authority for counties to adopt ordinances regulating - including prohibiting - the parking of boats, RVs, utility trailers, campers, etc. on subdivision streets.

## **Rail Enhancement Fund Approval**

VACo supports authority for counties to approve Rail Enhancement Fund projects funded by the state and constructed within their jurisdictions.

## **Rest Stops**

VACo supports federal legislation to allow commercialization of rest stops on the interstate highway system in Virginia.

## **Securities for Subdivision Streets**

VACo supports authority for a local governing body to determine requirements for developer securities for the construction of subdivision streets.

## **Separation of Federal Funds (Federal)**

VACo supports granting each county the authority, working with VDOT, to determine the percentage of federal funds applied to all secondary road projects within their jurisdiction. In addition, for any locally administered road projects, the county should be allowed to use all state funds, as long as they can obligate their federal funds on other projects.

**Service Contracts**

VACo supports administrative changes allowing all localities to use professional service contracts similar to other agencies of the Commonwealth (i.e., Virginia Department of General Services).

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