

Capitol Contact

Virginia General Assembly

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Friday, January 13, 2017

VACo opposes bill to curb local authority for the provision of broadband services

A legislative proposal by the [Virginia Cable Telecommunications Association \(VCTA\)](#) would impose an additional set of significant requirements (beyond those currently required by law) and burdensome limitations for a locality or municipal authority to bring broadband to unserved areas, particularly in rural parts of the state.

Many VACo members have invested time, resources, and expense for the deployment of broadband to serve schools, businesses, and residential areas. [HB 2108 \(Byron\)](#), if passed, could halt these efforts and potentially bar future initiatives. Two of the most troubling aspects of the bill relate to financing and planning. First, the bill states a locality shall not “... provide loans, or issue notes or bonds, or facilitate the construction of facilities, to provide communication services....” The core foundation of the municipal broadband authorities being created in Virginia is the ability to leverage public investment, including existing infrastructure, to provide coverage where it currently does not exist. Second, the Virginia Freedom of Information Act (FOIA), provides an exemption for a local governing body to hold discussions with commercial internet service providers for the creation of potential public-private partnerships to serve communities.

The bill, as drafted, would require such discussions be open to the public. This change in policy will effectively limit the willingness of private internet service providers to explore and potentially partner successfully with localities to provide broadband.

Further analysis of the bill will continue to determine other aspects that impact local authority, and VACo will provide updates including any calls to action for contacting legislators. Stay tuned.

[VACo Members - Share your thoughts on FlagPoll.](#)

VACo Contact: [Joe Lerch, AICP](#)

Bills establish trade secret status for ‘fracking’ chemicals

By a 4-3 vote, the House General Laws [Subcommittee #2](#) recommended the reporting of [HB 1678 \(Robinson\)](#), a measure that provides “trade secret” status for chemicals that might be used in the process of hydraulic fracturing or fracking. VACo testified against the bill because of it would prevent full disclosure of all chemicals and chemical mixes used in the fracking process.

HB 1678 is likely to be considered again by the full [House General Laws Committee](#) when it meets next Tuesday afternoon (January 17) 30 minutes after adjournment of the House floor session. The identical Senate companion measure to HB 1678 is [SB 1292 \(Chafin\)](#), which has been referred to the [Senate General Laws and Technology Committee](#).

Two related companion bills, [HB 1679 \(Robinson\)](#) and [SB 1291 \(Chafin\)](#), establish procedures for the Department of Mines, Minerals and Energy (DMME) to follow when approving as trade secrets chemicals used in the fracking process. Both bills also grant the DMME’s Director the authority to release information about such chemicals in certain emergency situations. VACo also opposes HB 1679 and SB 1291.

HB 1679 has been referred to the [Natural Resources Subcommittee](#) of the [House Agriculture, Chesapeake and Natural Resources Committee](#). SB 1291 has been referred to the [Senate Agriculture, Conservation and Natural Resources Committee](#).

VACo urges its members to contact their [Delegates](#) and [Senators](#) to oppose the above bills. These bills are likely to be considered in their respective committees next week

VACo’s position statement regarding chemicals used in the fracking process:
“VACo supports the disclosure of all chemicals used in the “fracking” process prior to their use.”

[VACo Members - Share your thoughts on FlagPoll.](#)

VACo Contact: [Larry Land, CAE](#)

Key Dates for 2017 General Assembly Session

The Joint Rules Committee met on December 16 to adopt the procedural resolution that will set out the schedule for the 2017 General Assembly session. Although the procedural resolution will be considered by the full House and

Senate in January, typically it is agreed to without amendments. Key dates in the procedural resolution are as follows:

- **January 11:** General Assembly convenes at noon. Prefiled legislation must be submitted by 10 a.m.; this is also the last day to file bills dealing with the Virginia Retirement System or legislation creating or continuing a study.
- **January 13:** Budget amendments by General Assembly members must be submitted by 5 p.m.
- **January 20:** All bills must be filed by 3 p.m.
- **February 5:** The Senate Finance and House Appropriations Committees must report their respective budgets.
- **February 7:** Crossover (deadline for legislation to pass its chamber of origin)
- **February 9:** Deadline for each chamber to complete work on its budget
- **February 20:** Deadline for committee action on legislation
- **February 25:** Scheduled adjournment *sine die*
- **April 5:** Reconvened session to consider the Governor's amendments and vetoes

VACo Contact: [Katie Boyle](#)

Governor McAuliffe to speak at VACo County Government Day



This is our day to advocate for counties at the General Assembly. Join us at VACo County Government Day on Thursday, February 2! Registration opens at 11 a.m.

and the event kicks off with a boxed lunch at noon. Our keynote speaker will be The Honorable Governor Terry McAuliffe who will address attendees on issues that affect counties.

VACo staff will provide legislative briefs before charging all present to meet with their General Assembly representatives that afternoon. For information on how to reach your representatives, see the [Virginia House of Delegates Member Listings](#) and the [Senate of Virginia](#) websites. Find information about VACo's positions in the [2017 Legislative Program](#), created by VACo Steering Committees, and adopted at our Annual Business Meeting. We will distribute our VACo County Government Day Bulletin at the event.

We encourage all counties to participate in the legislative process - hear briefs on the issues and make appointments to speak with your representatives that afternoon. The VACo County Government Day event should last no later than 1:30 p.m.

Register for [VACo County Government Day online](#) or by faxing in a [registration form](#) to 804.788.0083. Register early and show the state who's coming to town!

For rooming information, check out [our dedicated online room reservation page](#) or call 1.800.THE.OMNI and use code "VACo County Government Day" to unlock our special event rate. Omni Richmond is participating in the HUNGER program, which will provide one week of meals to a family of four for every online reservation. Consider reserving online to help a family during this season. Room Reservation cut off is 5 p.m. January 18. Room rate is not guaranteed after that date.

We are also introducing sponsorship opportunities for the February events. Check back soon, or contact [Amy Sales](#) for more information.

VACo Contact: [Amy Sales, CMP](#)