

Capitol Contact

Virginia General Assembly

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Thursday, February 8, 2018

Governor Northam speaks at VACo County Government Day



VACo President and King and Queen Supervisor Sherrin Alsop encouraged the crowd of more than 200 County officials to make Thursday their day.

“I know you’re excited to start your legislative experience,” Alsop said. “Please be sure to talk about the important legislative issues we’ve discussed. Today is our day – County Government Day.”

County elected officials and staff from all over the Commonwealth convened in Richmond to hear Governor Ralph Northam speak and to be briefed by VACo staff on the most pressing issues. County officials then went to the Capitol and advocated on behalf of their localities.

[Read the County Government Day Legislative Bulletin](#)

Governor Northam spoke about jobs, education, transportation and called the opioid crisis the biggest challenge in the Commonwealth.

“One point I’d like to make is you don’t need a four-year college education to get a good high-paying job,” Governor Northam said. “There are jobs in cybersecurity, unmanned aerial systems, biotechnologies, artificial intelligence, data collection, data analysis – these are the jobs of the 21st Century. We need to make sure we prepare our youth for these jobs.

“We actually put a lot of emphasis on the high school level on vocational and technical training, and I will continue to do that.”

[Watch the video of County Government Day](#)

VACo staff reported on issues ranging from budget amendments to the gutting of local authority to education funding to solar to public safety to FOIA and transportation.

VACo thanks all its members who participated in the legislative process and made a difference for Virginia’s Counties.

VACo Contact: [Dean Lynch, CAE](#)

Stormwater Workgroup Bills Pass House

[HB 1307 \(Hodges\)](#) and [HB 1308 \(Hodges\)](#), which seek to fix the so-called stormwater “donut hole,” both passed the House of Delegates. HB 1307 pass unanimously as a part of the block vote, and HB 1308 passed by a vote of 96-1.

The bills, drafted upon the recommendations of the HB 1774 Workgroup (named after Delegate Keith Hodges’s [2017 legislation](#) that led to its creation), seek to address rural Tidewater localities’ concerns regarding the administration of stormwater regulations for land disturbances of 2,500 square feet to one acre and to find alternative means for treating and using stormwater in the applicable localities.

HB 1307 and HB 1308 have been referred to the Senate Agriculture, Conservation, and Natural Resources Committee. For more information on these bills, please read our [February 1 edition of Capitol Contact](#).

VACo Contact: [Chris McDonald, Esq.](#)

Troubling Stormwater Waiver Bills End Their Run

Two bills were introduced this year that seek to provide waivers for certain stormwater charges for public use airport runways and taxiways. [SB 367 \(Newman\)](#) would have allowed localities to provide for a partial waiver of service charges for stormwater management to airports for that portion of the property that is used for runways and taxiways. The bill was referred to Senate Local Government, but ultimately after hearing from many concerned stakeholders, Senator Stephen Newman asked that the bill be carried over to 2019.

While Senator Newman's bill was permissive in nature, Delegate Kathy Byron introduced [HB 1004 \(Byron\)](#), which *required* all localities to provide full waivers for these same stormwater charges. VACo opposed this bill and, along with many other stakeholders such as the Virginia Municipal League (VML) and the Virginia Municipal Stormwater Association (VAMSA), met with Delegate Byron's office to express our concerns and problems. On February 6, at the session's last meeting of the House Agriculture, Chesapeake, and Natural Resources Committee's Subcommittee #3, Delegate Byron elected to have HB 1004 stricken from the docket.

VACo Contact: [Chris McDonald, Esq.](#)

School Voucher Bill Fails

[HB 1286 \(LaRock\)](#) creates "Parental Choice Education Savings Accounts," one-year accounts consisting of an amount equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the resident school division in which the student resides. This includes the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding for which the student is eligible. In turn, the bill allows parents to use such funding to pay for education-related expenses, including tuition, fees and textbooks for private schools.

HB 1286 was heard by the [House Education Committee's Subcommittee #1](#) on February 5. As it has historically done, VACo spoke in opposition to this measure,

as did representatives from numerous school organizations, including the Virginia School Board Association (VSBA), the Virginia Association of School Superintendents (VASS), the Virginia Education Association (VEA), as well as numerous other localities and school board representatives. A motion to pass the bill by indefinitely failed, and the Subcommittee ultimately failed to recommend reporting the bill by a 4-4 vote.

VACo Contact: [Chris McDonald, Esq.](#)

Problematic Towing Bill Clunks

[HB 1406 \(Pogge\)](#) provides that a law-enforcement agency bear the costs of stolen vehicle towing recovery if a car owner retrieves his vehicle within five days. The law-enforcement agency must pay the full recovery cost to the towing company 30 days after receiving the payment request. The law-enforcement agency may then seek reimbursement from the state treasury for criminal charges.

VACo opposed the bill that would've added administrative and financial burden to localities. The bill was stricken from the [House Transportation Committee's Subcommittee #2](#) docket unanimously.

VACo Contact: [Khaki LaRiviere](#)

School Opening Day Bills Update

Many bills were introduced this session allowing local school boards to set their school calendar and determine the opening day of the school year, eliminating the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. Seven bills were introduced, but as crossover nears, only two bills survive.

[HB 36 \(Kory\)](#), [HB 38 \(Habeeb\)](#), and [HB 354 \(Reid\)](#) were all identical to [HB 1020 \(Adams\)](#) and were unanimously laid on the table. Delegate Adams' bill was chosen as the one to move forward. House Education Subcommittee #1 recommended reporting HB 1092 by a vote of 6-2, the House Education Committee reported HB 1092, 16-6, and the measure ultimately passed the House, 75-24.

Delegate Roxann Robinson also introduced similar legislation, but with a slight tweak. Her bill, [HB 372 \(Robinson\)](#), requires that school boards that set the school calendar with a pre-Labor Day opening date, (except those schools that were granted a "good cause" waiver for the 2017-2018 school year) must close all schools in the division either from the Thursday immediately preceding Labor Day through Labor Day, or from the Friday immediately preceding Labor Day

through the Tuesday immediately succeeding Labor Day. The five-day weekend provision is intended to appease the hospitality industry, who traditionally is the most vocal – and successful – opponent to these bills. HB 372 was recommended for reporting, 6-2, reported out of the House Education Committee, 16-6, and passed the House, 75-24.

Two similar bills were introduced in the Senate as well, though they did not fare as well as their House counterparts. [SB 300 \(Favola\)](#) sought to allow pre-Labor Day openings without the five-day weekend provision, but was eventually incorporated into [SB 914 \(Chase\)](#) that did have the five-day weekend provision. The Senate Education and Health Committee moved to pass by indefinitely SB 914 by an 8-7 vote.

Both HB 372 (Robinson) and HB 1020 (Adams) have been referred to the [Senate Education and Health Committee](#).

VACo Contact: [Chris McDonald, Esq.](#)

Key Dates for 2018 General Assembly Session

The Joint Rules Committee met on December 18 to adopt the procedural resolution that sets the [schedule](#) for the 2018 General Assembly session. Although the procedural resolution will be considered by the full House and Senate in January, typically it is agreed upon without amendments. Key dates in the procedural resolution are as follows:

- **February 13:** Crossover (deadline for legislation to pass its chamber of origin)
- **February 18:** The Senate Finance and House Appropriations Committees must report their respective budgets.
- **February 22:** Deadline for each chamber to complete work on its budget
- **March 5:** Deadline for committee action on legislation
- **March 10:** Scheduled adjournment *sine die*
- **April 18:** Reconvened session to consider the Governor's amendments and vetoes

VACo Contact: [Katie Boyle](#)