

**ADOPTION OF 2018 GENERAL ASSEMBLY LEGISLATIVE PROGRAM**

Each year in the fall, the Board communicates any legislative requests for the upcoming General Assembly session to the County's General Assembly delegation. The Board will meet with the delegation at a dinner meeting on December 5, 2017. Typically, the Board supports the VACO legislative program each year (see attached VACO program).

In addition, the Board may want to consider supporting the following items specifically affecting Prince George County:

1. Resolution recognizing Prince George County's Czech/Slovak festival as an example of a community celebration recognizing immigration to Virginia.
2. Appropriation of State funding for Commonwealth Center for Advanced Logistics and Prince George Apprentice Academy.
3. Appropriation of additional State funding for broadband infrastructure grants to improve economic and educational competitiveness in rural areas.
4. Require State DEQ to conduct final stormwater inspections on local government projects within \_\_\_\_\_ days of notification by the contractor or the locality that the stormwater/erosion/sediment features are completed.
5. Oppose limitations on the ability of local governments to regulate the installation of solar equipment through special exceptions.
6. Amend § 15.2-905, Code of Virginia that allows local regulation of "inoperable vehicles" to clarify that this local authority applies to "boats" as well as cars, trucks and trailers.
7. Expand the flexibility of funding approaches in service districts (§ 15.2-2400 et. seq., Code of Virginia) when extending public sewer and water facilities for future economic development to allow an "ad valorem" set "per-parcel" fee (as used for the County's stormwater utility) rather than an "ad valorem" charge based upon the tax assessment.
8. Increase state funding for Richard Bland to expand certification/credential programs and scholarships for students learning skills needed by local industries.
9. Amend § 46.2-1217, Code of Virginia to make local towing advisory boards optional rather than mandatory.
10. Amend § 2.2-1124, Code of Virginia to allow departing employees to purchase mobile technology devices at fair market value to insure protection of personal data.

## 2018 GENERAL ASSEMBLY CALENDAR

1. 60-day session begins at noon on January 10, 2018 (adjournment on March 10<sup>th</sup>).
2. Inauguration of new Governor on January 13<sup>th</sup>.
3. Pre-filing of bills begins on November 20<sup>th</sup>.
4. Last day to request a bill from Legislative Services for pre-filing is December 4<sup>th</sup>.
5. In the House, total bills (pre-filed and after) is 15.
6. In Senate, after pre-filing, limited to 8 bills.



# 2018 Legislative Program

Virginia Association of Counties  
1207 E. Main St., Suite 300  
Richmond, VA 23219



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# 2018 Legislative Program Virginia Association of Counties

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39 **VACo's 2018 Overarching Legislative**  
40 **Priority Position**  
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42

43 **Increase Education Funding**

44 To assure each child in Virginia a quality education necessary for his or her success,  
45 VACo calls upon the Governor and General Assembly to fully fund the Standards of  
46 Quality as recommended by the Board of Education, where these recommendations  
47 coincide with prevailing local practice, as well as the Standards of Accreditation.  
48

49 The provision of a quality education for all Virginia's children is the most important  
50 function of state and local government. The infusion of K-12 funding provided in the  
51 2016 General Assembly session and the additional dollars supplied in 2017 were steps in  
52 the right direction toward restoring the state's partnership with localities in fulfilling  
53 this critical mission. However, when adjusted for inflation, state direct aid per-pupil  
54 spending on public education in FY 2018 is less than funding levels in FY 2006. With  
55 increased educational mandates, increased numbers of students, increased numbers of  
56 students with special needs, and state policy changes that decreased education funding,  
57 local school divisions have had to eliminate important academic programs, cut  
58 instructional and support staff, and increase class sizes, despite strong local efforts to  
59 improve efficiencies in public education.  
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82 **ECONOMIC DEVELOPMENT AND**  
83 **PLANNING**

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85 **Priorities**

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87 **Broadband**

88 VACo urges the Commonwealth and the Federal Government to assist  
89 communities in their efforts to deploy universal affordable access to broadband  
90 for all areas, particularly in underserved and rural areas. Additionally, VACo  
91 opposes mandates that limit or restrict local land use authority for the siting of  
92 telecommunications infrastructure or result in a negative fiscal impact to county  
93 budgets.

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95 **Proffers and Growth Management Tools**

96 VACo supports changes to the conditional zoning law to allow greater flexibility  
97 in the process for determining impacts to be addressed when considering an  
98 application for development.

99  
100 VACo also supports legislation that grants localities additional tools to adequately  
101 meet increasing needs for public services driven by new development without  
102 burdening current residents with the cost of new growth through increased real  
103 estate taxes. Such additional tools may include broad impact fee authority for all  
104 counties, and adequate public facilities provisions.

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106 **Positions**

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108 **Land Use**

109 VACo supports maintaining local authority to plan and regulate land use and  
110 opposes any legislation that weakens these key local responsibilities.

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112 **Enhanced Coordination between Workforce System and K14**  
113 **Education**

114 VACo supports changes in curriculum and funding that will increase the number  
115 of students leaving the K14 system with workforce ready credentials.

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117 VACo also supports innovative models for schools to give academic credit for  
118 students who earn industry workforce skills through certifications, or licensure  
119 from an approved education or training provider.

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121 **Regulation of Home-based Businesses**

122 VACo opposes any legislation that limits or restricts local authority to regulate  
123 home-based businesses, including short term rentals, regardless of whether  
124 services or goods are purchased through an online hosting platform.

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**Affordable and Workforce Housing**

VACo supports maintaining federal and state funding and appropriate incentives to assist localities in fostering affordable housing, as well as workforce housing for employees such as teachers and first responders.

**Economic Development**

VACo supports economic development policies and programs that bolster local and regional development efforts by maintaining state funding and granting additional funding and authority to promote local and regional initiatives. This includes the provision of adequate funding for the Agriculture and Forestry Industries Development Fund (AFID); the Commonwealth Opportunity Fund; and the operations of the Virginia Economic Development Partnership (VEDP). VACo also supports state funding for Virginia’s planning district commissions, which play a key role in addressing regional challenges.

**Impacts of Federal and Military Facilities**

VACo supports maintaining federal and state funding and technical assistance to mitigate the impacts on counties affected by federal budget cuts and to sustain current and future federal facilities in Virginia. VACo supports state and local partnerships to work to prevent encroachment and non-compatible land uses next to military installations. VACo also supports workforce training and retraining for programs that support Defense activities in Virginia.

**Maintain Public Sector Role in Onsite Sewer Program**

VACo supports an onsite sewage program at the Virginia Department of Health (VDH) that protects public health and the environment in all regions of the Commonwealth. The Commonwealth should give special focus to addressing the challenge of failing septic systems and allow localities authority to develop and implement policies that support the state’s program. VACo supports the private sector providing onsite sewage system design, installation and repair services, as long as the services can be provided at affordable rates and in a timely manner, and as long as VDH continues to provide these direct services as well.

**Siting of Transmission Lines**

VACo supports requiring utilities to seek input from localities and property owners before any actions to construct, modify or enlarge transmission facilities.

# EDUCATION

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## Priority

### **Education Funding**

VACo urges the General Assembly to provide full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education, where these recommendations coincide with prevailing local practice; targeted incentive programs; capital and maintenance support; and teacher salaries. Full state funding should be achieved without reduction to other parts of state public education budgets or to other core services. The state must recognize that in FY 2016 local school divisions spent approximately \$3.9 billion above required local effort. VACo opposes proposals to divert state or local education funds from local school divisions. Major proposed changes to high school graduation standards will require additional resources to implement and those costs must be allocated fairly between the state and localities.

VACo supports the current practice whereby all year-end funds appropriated to the school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances.

## Positions

### **Composite Index Appeal process**

VACo supports legislation that would establish an appeals process for local governments to challenge computation of the Local Composite Index.

### **Composite Index, Use Value**

VACo supports legislation to adjust the calculation of the Local Composite Index for public school funding by directing the Department of Education to adjust its funding calculations for the local ability to pay by using the use-value assessment of real property, instead of the true value, in localities that have adopted use-value taxation.

### **Charter Schools**

VACo opposes legislation that provides authority for the State Board of Education to establish charter schools.

### **Early Childhood**

VACo supports efforts to increase at-risk children’s access to high-quality, enriching learning environments, including flexibility for localities participating in the Virginia Preschool Initiative and Head Start.



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**Funding Support Personnel**

In addition to meeting its obligations to fully fund instructional staff, the Commonwealth should meet its obligation to fully fund the support side of K-12. Since 2009, Virginia has implemented sizable structural budget cuts to K-12, particularly in the area of support, costing localities more than \$1.7 billion per biennium statewide. VACo supports full restoration of these cuts, including elimination of the funding cap on support positions, and full reinstatement of the Cost of Competing Adjustment (COCA) for support staff. Adequate state funding for support staff and operations is critically important for the operation of any school system.

**Library System**

VACo supports maintaining the level of funding of financial aid to the library system at levels budgeted for FY 2018.

**School Safety**

VACo supports funding to improve school security, including but not limited to funding that would serve as an incentive for local school divisions to hire School Resource Officers (SROs) to assure the protection of Virginia’s school children.

**Special Education Regional Tuition Reimbursement Program**

If a new model for distribution of funding for special education students with intense support needs is implemented, such a model should be phased in gradually, with state dollars provided to enable school divisions that would otherwise experience reductions in funding to continue to meet federal maintenance of effort requirements.

# **ENVIRONMENT AND AGRICULTURE**

## **Priorities**

### **Water Quality Improvement Funding**

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

VACo urges state and federal agencies to 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 oppose provisions of any strategy that penalizes 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 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.

### **Hydraulic Fracturing**

Advances in technology for the extraction of natural gas known as “hydraulic fracturing” has the potential to tap vast reserves in what are known as the Marcellus shale and Taylorsville Basin deposits. Concerns about how the process of hydraulic fracturing could impact both public and private groundwater supplies have been raised both regionally and nationally. VACo supports a state regulatory program that addresses these concerns while protecting the authority of local governments to regulate and/or ban this type of mining activity through their land use ordinances.

Specifically, VACo supports a regulatory program with the following components:

- A requirement for permit applicants to provide certification to the Department of Mines, Minerals and Energy that the activity and associated activities are consistent with applicable local ordinances;
- Authority for local governments to require documentation that all state requirements are met as a condition for local approval;
- Requirements for operators of hydraulic fracturing operations to demonstrate adequate financial assurance to ensure the availability of adequate resources to correct any damages that could result from drilling operations;

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- Through a portion of permit fee revenues, establish a state fund to defray local costs that would be associated with the training of first responders as preparation for emergencies stemming from fracturing activities;
- To assure continuity in protection of health and natural resources, that provisions in the Memorandum of Agreement between DMME and DEQ of August 12, 2014 be strengthened and perpetually institutionalized by statute or regulation; and
- VACo supports the disclosure of all chemicals and chemical mixes used in the “fracking” process prior to their use.

## **Positions**

### **Aquifer Protection**

VACo supports initiatives by the state to assure adoption of actions to reduce high chloride concentrations and loss of artesian head pressure in Virginia’s aquifers. VACo also requests that the Commonwealth conduct a review of regulations, and promote education to promote reclamation of water on a local level for industrial and irrigation uses to offset future demands on all ground and surface water used for human consumption in the Commonwealth.

### **Biosolids**

VACo contends that the land application of exceptional quality and Class B 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. To address concerns of neighboring property owners, VACo supports the ability of local governments to suggest amendments to biosolids permits as they are being considered by the Department of Environmental Quality.

### **Dam Safety**

VACo supports dam safety regulations that do not impose unreasonable costs on dam owners whose structures meet current safety standards. VACo encourages DCR to institute reasonable calculations of probable maximum precipitation rainfall amounts that accurately identify at-risk structures and facilitate the most efficient targeting of scarce resources to the neediest structures. VACo supports programs that keep downstream owners and developers aware of potential inundation zones. VACo also supports sufficient state and federal funding for the repair and maintenance of dams.

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**Energy Efficiency**

VACo endorses 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 supports production of renewable energy in Virginia through the implementation of Renewable Portfolio Standards. VACo also supports responsible policies that enable coal and natural gas extraction, processing and transport while protecting agriculture and water resources.

**Invasive Species and Noxious Weeds**

VACo supports adequate funding to implement the Virginia Invasive Species Management Plan. The Plan identifies strategies to prevent and control damage caused by invasive species. VACo supports amendments to the definition of “noxious weeds” to enable a wider number of known invasive plants to be considered for regulation by the Virginia Department of Agriculture and Consumer Services (VDACS), with consideration of any commercial impacts to Virginia growers and retailers, so that sales and transport of designated invasive plants can be prohibited in a manner that helps protect parks and green spaces, with negligible impacts to Virginia’s nursery industry.

**Land Conservation**

VACo supports targeted initiatives to facilitate the protection of land for conservation purposes. VACo also supports a Purchase of Development Rights program that includes state funding for the Virginia Land Conservation Foundation, and that provides incentives for landowners at 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.

**Large Utility Projects (Pipelines)**

VACo supports the provision of adequate direction and resources for the Department of Environmental Quality (DEQ) to improve monitoring and enforcement of Erosion and Sediment Control and Stormwater requirements by entities constructing large-scale utility projects. DEQ should conduct a review of the annual standards and specifications and construction general permit requirements for those projects to determine if they are providing adequate protection of water quality and natural resources.

**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 and development of forested riparian buffers and livestock stream exclusion.

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**Southern Rivers Watershed**

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

**Stormwater Programs**

VACo supports adequate funding to enable local governments to meet ongoing costs associated with local stormwater management programs that became effective July 1, 2014. VACo believes it will be critical to evaluate the effectiveness of the fee structure in the Virginia Stormwater Management Permit regulations as the chief source of revenue for funding local stormwater management programs.

VACo strongly opposes any legislation by the 2017 General Assembly that would amend any or all components of the Stormwater Management Laws that do not fully satisfy the resource and funding needs of the Department of Environmental Quality (DEQ) to administer, enforce and maintain the Stormwater Management Laws. VACo further opposes any legislation that would be in conflict with HB 1173/SB 423 that passed the 2014 General Assembly and that would impose any additional mandates or financial burdens upon local governments. VACo supports legislation to correct the so-called “donut hole” problem that currently requires “opt out” local governments to enforce stormwater requirements for land disturbances between 2,500 square feet and 1 acre.

VACo also supports legislation to:

- Amend Section 62.1-44.15:48 of the Code of Virginia to remove the requirement that proceeds from penalties must be used only for purposes mandated under that section of the Code.
- Remove the requirement from the Construction General Permit that permittees must comply with Virginia’s post construction standards for water quality.
- Amend Section 62.1-44.15:28 of the Code of Virginia to give localities the ability to waive the state’s portion of the VSMP fees if a locality waiver policy has been implemented by a locality and approved by the Board. VACo also requests a new locality/state workload analysis to justify the state’s portion from the stormwater permit fee. The new analysis should address long-term responsibilities placed on localities that previous studies ignored.
- Amend Virginia’s Stormwater Management Law that would distribute a maximum of 10 percent of statewide stormwater fees revenue to the Virginia Stormwater Management Fund with the remaining 90 percent remaining with local governments.

- 432 • Amend Section 62.1-44.15:33 of the Code of Virginia to mandate that  
433 the State Water Control Board consider long-term maintenance costs  
434 of a Best Management practice when approving a local stormwater  
435 program.
- 436
- 437 • Support the continued work by the General Assembly in looking for  
438 any and all options to make stormwater solutions more effective from a  
439 cost and water quality point of view.
- 440
- 441 • Support innovative solutions to facilitate compliance with stormwater  
442 standards in a manner that would promote economic development  
443 while achieving water quality goals.
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#### 445 **Onsite Wastewater Systems**

446 VACo supports legislation ensuring that potential buyers of real property are told  
447 about the type, size and maintenance requirements and associated costs of the  
448 wastewater systems on the property prior to the signing of the initial sales  
449 contract and the recordation of engineered systems plat and deed at the time of  
450 sale.

#### 451 **Uranium Mining**

452 VACo supports continuation of a moratorium on uranium mining and milling  
453 within the Commonwealth of Virginia.

#### 454 **Virginia Cooperative Extension**

455 VACo supports sufficient funding for the Virginia Cooperative Extension Service.

#### 458 **Water Supply Planning**

459 VACo supports appropriations adequate to ensure full funding by the state for the  
460 ongoing development and implementation of state-mandated water supply plans.

#### 462 **Zoning Authority**

463 VACo supports maintaining local zoning authority regarding solar farms for the  
464 purpose of protecting agriculture and other local considerations.

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# FINANCE

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## Priorities

### **Local Finance**

VACo supports the authority of county governments to levy and collect revenue from local business taxes.

### **Equal Taxing Authority**

VACo supports granting counties equal taxing authority to that enjoyed by cities and towns to enact local excise taxes without referendum, such as the authority to adopt a local meals tax without referendum and to levy and collect a tobacco tax.

## Positions

### **Funding for State Mandated Positions and Jails**

VACo urges the Commonwealth to meet its full funding obligations and provide flexibility in the use of state funds for compensation of constitutional officers and state-supported local employees.

VACo requests that jail per diem funding in the 2018-2020 biennial state budget be returned at least to 2010 levels, which were \$8 per day for local-responsible inmates and \$14 per day for state-responsible inmates. The current respective rates of \$4 and \$12 per day, respectively, are inadequate and represent an underfunded mandate on counties.

Additionally, VACo requests the state fully fund four quarters of per diem payments in the introduced budget and pay the medical costs of inmates using a cost-effective program jointly funded at the federal and state levels.

If the state mandates that mental health assessments be conducted for inmates of local and regional jails who appear to be suffering from mental illness, based on an initial screening, within 72 hours of that screening, the state must provide funding to support the necessary staffing to conduct such assessments.

VACo supports reinstating state payments (PILT) to counties that mitigate the impacts that state correctional and behavioral healthcare facilities on county revenue.

### **“Local Aid to the Commonwealth”**

VACo commends the Governor and the General Assembly for eliminating the “Local Aid to the Commonwealth” in the 2015 session of the General Assembly and opposes any reinstatement of this burden on local governments. Since 2009, local governments returned \$190 million in funding for state mandated services though through “Local Aid to the Commonwealth.”

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**Modernization of Communications and Sales Tax Structure**

VACo supports updating the Communications Sales and Use Tax (CSUT) to ensure that it reflects the modern telecommunications landscape, which has evolved since the CSUT took effect in January 2007. Similarly, VACo supports revising sales and use taxes to address modern patterns of consumption, such as online purchases.

**Provisions of Bond Referenda**

VACo supports the ability of counties to seek approval from voters of both the issuance of bonds and the authority to impose a food and beverage tax in a single referendum question. Such a referendum question would allow voters to approve the issuance of debt and the use of revenues derived from the food and beverage tax to repay the debt.



# **GENERAL GOVERNMENT**

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## **Priorities**

### **Local Authority**

VACo supports relaxation of the Dillon Rule by granting and maintaining local authority and autonomy in matters including land use, revenue measures, procurement and other issues of local concern. VACo supports extending powers currently granted to some local governments to all local governments.

### **Unfunded Mandates**

VACo opposes unfunded mandates and shifting of fiscal responsibility from the state to localities for existing programs 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 Commonwealth, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided.

## **Positions**

### **Collective Bargaining for Public Employees**

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

### **Next Generation 9-1-1 (NG9-1-1)**

VACo supports the Commonwealth's transition to Next Generation 9-1-1 (NG9-1-1) in a way that does not unfairly burden localities, financially or otherwise. VACo only supports recalculations of current Public Safety Answering Point (PSAP) funding that hold localities harmless.

### **Election Costs and Districts**

VACo supports legislation that would decrease the costs of elections to localities. These costs include primaries, voting equipment, personnel and voting places. Cost reduction solutions include requiring parties to pay for primary elections, having one date for primary elections, using printed ballots, establishing countywide voting places and other similar measures. The state should provide adequate funding to localities for optical scan and other voting equipment and registrar costs. VACo also supports legislation to minimize or eliminate Split Voting Precincts.

### **Ethics Reform**

VACo supports common sense efforts to strengthen Virginia's public ethics and conflicts of interest laws that are applicable and practical at the local level.

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**Freedom of Information Act (FOIA)**

VACo opposes changes to the Virginia Freedom of Information Act that would impose additional burdens on localities.

**Grievance Hearings**

VACo supports legislation authorizing localities to use an administrative hearing officer and existing grievance panels and procedures, and opposes the mandate of a 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.

**Immigration Reform**

VACo supports federal legislation on immigration reform that (1) establishes a clear and understandable path to citizenship for those who are eligible; and (2) provides a funding stream sufficient to address the fiscal impact on state and local governments for any guest worker program and earned legalization program.

**Interoperability**

VACo supports the state’s goal that agencies and their representatives at the local, regional, state and federal levels be able to communicate using compatible systems to respond more effectively during day-to-day operations and major emergencies. Local governments require dedicated federal and state funding sources to achieve this goal.

**Public Notice, Public Hearing and Public Procurement**

VACo supports legislation to reduce required newspaper advertising for public notices, public hearings and public procurement including legislation to give localities the option to use electronic or other forms of notification as an alternative to newspaper advertising.

**Public Safety – Body Worn Cameras**

VACo supports maintaining the ability for local governments to adopt policies and practices regarding body worn cameras that reflect local needs and fiscal realities.

**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.

**Increased funding for Local Law Enforcement**

VACo supports increasing state assistance for police departments through "599" Aid to Localities. This funding is designed to equalize state funding between counties in which the sheriff’s department provides law enforcement and those cities, counties and towns with a police department.

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**Disclosure of Information to Nongovernmental Entities for the Purposes of Tax Administration**

VACo supports legislation that would grant local officials the ability granted to the Department of Taxation to disclose information to non-governmental entities with which the locality has entered into a contract to provide services to assist it in the administration of refund processing or other services related to its administration of taxes.

# **HEALTH AND HUMAN RESOURCES**

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## **Priority**

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

VACo supports transparent state policies and funding to ensure the Commonwealth's at-risk families have access to high quality and appropriate services. The Commonwealth should provide full funding to localities and their state administrative entities for state-mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services.

## **Positions**

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

VACo supports efforts that allow seniors 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 Healthcare**

VACo supports continued funding by the Commonwealth sufficient to allow Community Services Boards (CSBs) to meet adequately the charge of providing services through a community-based system of care. State support for CSBs must be adequate to enable CSBs to provide the additional services mandated by the General Assembly to be phased in over the next several years. Realignment of the behavioral health funding structure to incentivize community-based treatment rather than use of state hospitals will require additional state dollars and must not rely on local funding to backfill unanticipated costs for hospitalization.

VACo supports the creation of additional Medicaid waiver slots to serve individuals with intellectual and developmental disabilities in the community, more than 11,000 of whom are currently on a wait list.

### **Children's Services Act**

VACo supports monitoring the implementation of policies by the State Executive Council that provide guidelines for public participation in its process of developing and adopting policy. VACo supports equitable cost-sharing between the state and localities for the costs involved in the placements of children in residential treatment facilities for non-educational reasons. VACo opposes proposals to limit state participation in funding services for children and youth who are mandated to be provided with special education and foster care services. VACo supports enhancing the ability of local school divisions to serve children with disabilities in their neighborhood schools.

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**Early Intervention**

VACo supports sustainable funding for Part C Early Intervention, which is an entitlement program that provides services for Virginia’s infants and toddlers. VACo also requests that the General Assembly address funding concerns by increasing state general funding. Underfunding this entitlement program puts pressure on local revenues to fill funding gaps for this mandated service.

**Emergency Medical Transportation**

VACo supports policies to protect consumers who require air ambulance services.

**Group Homes**

VACo encourages the state to enforce appropriate regulation of group homes to ensure protection of residents’ health and safety.

**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 access to care and to develop and fund incentives that would alleviate the nursing shortages felt in many communities.

**Local EMS Involvement**

VACo supports increased local involvement in state EMS planning to ensure statewide needs are met.

**Prevention Services**

VACo supports increased state general funding for startup costs associated with community-based service programs. VACo recognizes programs such as Healthy Families, Comprehensive Health Investment Project (CHIP) of Virginia, Smart Beginnings, and Resource Mothers as important models and requests that the General Assembly provide additional funding for these home-based activities. Reductions in prevention programs will put numerous youth at risk of high-end CSA placements.

**Substance Abuse**

Efforts to address substance dependency must be comprehensive and coordinated with localities. The state should develop and support evidence-based prevention initiatives and should continue to improve access to treatment.

**Telehealth**

VACo supports the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration. Flexibility in the delivery of these services is essential in meeting the needs of residents.

# TRANSPORTATION

## Priorities

### **Transportation Funding**

VACo believes that the 2018 session of the General Assembly must confront the funding challenges facing Virginia's transportation systems. Unless the 2018 legislature approves increased revenues for transportation needs that are separate, reliable and permanent (including dedicated funding for Metro), Virginia will continue to face a congestion and mobility crisis that is strangling economic growth, threatening public safety and negatively affecting the quality of life of all residents. VACo appreciates the funding provided through HB 2313 (2013), which was a significant step towards addressing the transportation needs of the Commonwealth. However, it did not fully address the needs of Virginia's transportation system (annual revenue estimates are \$153 million less than original projections) including:

- Providing more funding in the immediate future for roadways - The amount of funding available for "Smart Scale" for the FY 2018-2023 Six Year Improvement Program was approximately 1/8 of the amount requested for proposed projects. Providing funding to address the secondary road needs of counties throughout the Commonwealth, as such funding has been vastly reduced over the past 10 years. While the Secondary Six Year Program (SSYP) effectively no longer exists, as those road funding formulas have been replaced by the State of Good Repair and Smart Scale process, projects previously funded under the SSYP do not always compete well in these new programs, resulting in unmet needs that continue to grow.
- Maintaining the existing funding levels for transit - The Virginia Department of Rail and Public Transportation (DRPT) has identified an average revenue gap of \$130 million annually over the next ten years for transit capital needs across the Commonwealth due to the depletion of transportation bonds, which must be addressed.
- Finding a dedicated funding solution for Metro – The State should provide sustainable funding today, and in the future, for Metro and give localities the authority to create dedicated funding sources for operating and capital expenses for WMATA contributions. The Commonwealth should also explore regional dedicated sources that follow the WMATA Compact funding formula.

- 813                   • Revenue Sharing - VACo supports a revenue sharing program that will be  
814 funded at a minimum of \$150 million on an annual basis. Reducing  
815 funding for Revenue Sharing will discourage local governments from  
816 seeking non-VDOT sources of revenue to meet their transportation needs.

817                   **Local-State Cooperation**

818 VACo also believes it is important to closely monitor and evaluate the  
819 implementation of “Smart Scale” and all other processes employed in recent  
820 years for distributing transportation funds.

821  
822 VACo is committed to the protection of local government authority to regulate  
823 land use. This authority must be recognized by the Virginia Department of  
824 Transportation (VDOT) and the Commonwealth Transportation Board (CTB)  
825 when evaluations are conducted to determine the consistency between local  
826 transportation plans and the Commonwealth’s transportation priorities. VACo  
827 also opposes the reduction of local control that is associated with the CTB’s  
828 process of designating Corridors of Statewide Significance and the  
829 implementation of Arterial Preservation. Additionally, VACo supports additional  
830 flexibility within the VDOT project approval process and standards to be  
831 responsive to localities’ individual needs.  
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833                   **Positions**

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835                   **Devolution of Secondary Roads**

836 VACo opposes legislative or administrative initiatives that would transfer to  
837 counties the responsibility for the construction, maintenance or operation of new  
838 and existing roads.  
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840                   **Billboards**

841 VACo supports a requirement that proposed billboards in the Virginia  
842 Department of Transportation’s (VDOT) right of way conform to local zoning and  
843 other applicable ordinances and local approval processes.  
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845                   **Highway Tolls**

846 VACo opposes the installation of toll facilities on Virginia’s interstate highways  
847 until the Commonwealth Transportation Board has thoroughly reviewed and  
848 assessed the components of a long-term capital improvement program, has  
849 identified and compared all available funding alternatives and has adopted a  
850 proposal that matches capital improvements with realistically available funding  
851 sources.  
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853                   **Inter-Directional Signage Program**

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

VACo supports a requirement imposed upon VDOT to implement a notification plan with the local governing body to establish maintenance priorities.

**Parking**

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

**Rail Enhancement Fund**

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

**Railway Crossings**

VACo supports efforts to safely improve mobility issues on roads that cross railway lines.

**Road Construction and Maintenance**

VACo supports legislation that would prohibit VDOT from requiring localities to administer any transportation project without the consent of the local governing body.

**Transportation Network Companies**

VACo supports state regulation of transportation network companies as needed to ensure proper safety, liability, cleanliness, insurance coverage, local revenue, consideration of access for disabled riders, and equitable service in communities. VACo also supports the option of continued regulation of taxi companies at the local level.

**Truck Size and Weight**

VACo strongly opposes any legislation that seeks to increase truck size or weight beyond the current federal standards, thereby stressing the capacity of the Commonwealth's road systems and putting highways, roads and bridges at risk of increased damage or deterioration.

**Use of Transportation Tax Revenue**

VACo opposes taking any HB2313 transportation tax revenues for the use of non-transportation purposes.