

CITY OF HARRISONBURG 2017 LEGISLATIVE AGENDA

The City of Harrisonburg is a member of the Virginia Municipal League (VML) and supports the legislative agenda of the organization.

The City of Harrisonburg 2017 Legislative Agenda is meant to highlight those issues of particular importance to the City.

The Harrisonburg City Council asks that its legislators keep the following principles in mind as they evaluate and vote on legislation and the biennial budget.

PRINCIPLES

- Local governments are instruments of the state, created in large measure to deliver state responsible services in a more efficient and effective manner. This state/local partnership requires an equitable allocation of costs between the two levels of government and across the various jurisdictions of the Commonwealth.
- The state must continue to meet constitutional and statutory responsibilities to adequately fund the state share of state/local services, especially in education, human services, and public safety. Any shortfall in state revenues should not be shifted to local governments.
- When the state experiences or anticipates a budget surplus, due to either increased revenues or reduced expenditures, it should relieve localities of funding responsibilities that have been shifted to them for state mandated/locally delivered serves.
- Rather than shifting responsibilities for programs that the state is unwilling to fund down to the localities, the state should consider eliminating those programs.
- The state should explore ways to increase the efficiency and effectiveness of the delivery of state services at the local level including the regionalization of service delivery (e.g. Social Services) and the elimination of inefficient structures such as the Compensation Board.
- The General Assembly should defeat proposed legislation that would erode local taxing authority, cap or reduce local revenue sources or that would impose unfunded mandates on localities.
- If the General Assembly takes action to regulate private enterprises employing a business model that emphasizes the use of the Internet to either provide retail or fa-

cilitate lodging or ride-sharing services, then local government interests should be acknowledged and localities should be included in the decision-making.

- The General Assembly should support legislation that provides greater authority to localities in implementing sustainability initiatives especially with regard to land use and transportation planning.
- The General Assembly should preserve local zoning and land use authority, allowing flexibility to meet the needs of individual communities.

CITY OF HARRISONBURG 2017 LEGISLATIVE PRIORITIES

Filing of Bills with Local Fiscal Impact: Supports legislation that requires members of the General Assembly to file bills with local fiscal impacts as early as possible and no later than the first day of the legislative session, so that the appropriate fiscal impact analysis can be completed and reported in a timely manner.

Taxes- Machinery and Tools: Oppose legislation that would reduce or eliminate a locality's authority to impose a machinery and tools tax. The loss of \$2,113,000 in revenue from the Machinery and Tools Tax would equate to a 5.28 cent increase in the City's Real Property Tax rate.

Taxes- Business License: Oppose legislation that would reduce or eliminate a locality's authority to impose a business license tax. The loss of \$6,666,000 in revenue from the Business License Tax would equate to a 16.67 cent increase in the City's Real Property Tax rate.

Taxes - Short-term Rentals: Oppose short-term rental legislation that does not require property owners to register locally and insure accessibility, zoning and life safety protections and equal taxing of all lodging facilities. Mechanisms also need to be put in place to ensure that localities are receiving their appropriate share of any tax revenues collected by the Commonwealth. As Virginia localities vary widely in character and size they should not all be grouped as the same to satisfy the desires of any one corporation or business enterprise.

Landscape Materials: Localities should have the ability to regulate the use of specific landscape cover materials or the retrofit of existing landscape cover materials for the health, safety, and welfare of its citizens.

Educational Funding: Jobs are the key to economic recovery and adequate education is essential for preparing the current and future workforce. The State should fully fund the Standards of Quality (SOQ), including support staff costs and categorical incentive funds for At-Risk students and restore funding from cuts to education over the last biennium. The state has a constitutional duty to meet its education funding obligations and should refrain from changes in methodology and the division of financial responsibility that result in a further shift of funding responsibility from the state to localities. These

shifts do not change what it actually costs to provide education but simply transfers additional costs to local governments, and ultimately to the local real estate tax base.

Educational Funding – SOQ Funds for ESL: Harrisonburg has a very high percentage of ESL students in its school system relative to most of the Commonwealth due to immigration and refugee resettlement which requires the system to spend nearly two dollars for every one in SOQ funds for ESL. Targeted, additional funding should be provided to localities with significantly high ESL student populations.

Local Law Enforcement Funding: The Commonwealth should be equitable in its support for local law enforcement funding both to those localities with police departments (HB 599 funding) and to those in which Sheriff's Departments provide law enforcement (through the Compensation Board). Cities should not bear a disproportionate burden for law enforcement funding through continued reductions in funds provided by HB 599.

Transportation Funding - Revenue Sharing: Preserve the Revenue Sharing program administered by the Virginia Department of Transportation. This program allows localities to leverage funds for needed projects that have no other source of funding.

Transportation Funding - Smart Scale: Support local and regional applications to the Smart Scale project selection process. Smart Scale promotes the implementation of safe and efficient transportation systems.

Transportation Funding – Roadway Maintenance Payments. Localities like Harrisonburg, that receive roadway maintenance payments from the Commonwealth based on moving-lane miles of roadway should not see those payments reduced if moving-lane miles of roadway are converted to bicycle-only lanes. Municipalities will not reduce their funding for maintenance after any such conversion.

Children's Services Act (CSA): CSA funding continues to be a serious concern. Actions taken by the General Assembly have increased mandated services and shifted costs to the localities. The General Assembly should refrain from adding additional mandated services and should fund its full share of the CSA program.

Economic Development: Preserve existing incentive and grant funds offered by the Virginia Economic Development Partnership, the Virginia Department of Agriculture and Consumer Services, the Department of Housing and Community Development, the Department of Environmental Quality, Virginia Tourism Corporation, and Virginia Commission for the Arts.

Historic Rehabilitation Tax Credits: Support this financing tool which supports the development and redevelopment of historic buildings.

Water Quality and Environment: Harrisonburg, like other localities continues to face significant financial burdens in its efforts to comply with water quality regulations. The management of all the related water quality programs imposes high costs on sewer and stormwater rate payers. Continued Federal and State assistance is required to avoid an

unreasonable economic burden on City residents and businesses. The City urges support for the following positions:

- Oppose any legislation that would reduce the Harrisonburg-Rockingham Regional Sewer Authority's nutrient allocations, require the authority to re-justify its nutrient allocations for its existing treatment facility, or otherwise take away any nutrient allocation or related treatment capacity.
- Continue to adequately fund the Virginia Cleanwater Revolving Loan Fund (VCWRLF) program and make available low and zero interest loans for water quality improvement projects that are necessary for permit compliance and the achievement of the goals of the Chesapeake Bay and other local Total Maximum Daily Loads(TMDL)s.
- Support efforts to fund the Stormwater Local Assistance Fund in the amount of \$50 million to help localities offset some of the multi-billion dollar cost attributed to stormwater through the Chesapeake Bay TMDL.
- Oppose any efforts to exempt certain properties from stormwater utility fees. Additionally oppose efforts to provide reduced stormwater fees for certain properties or situations. Equitable distribution of stormwater program costs is essential to meeting regulatory requirements and minimizing stormwater rates.
- Oppose any efforts to increase DEQ's penalty authority against localities.
- Oppose more stringent requirements and regulations associated with the land application of biosolids.
- Oppose efforts to regulate water and wastewater utilities by the State Corporation Commission.
- Support funding associated with lead water service replacement efforts.

OTHER LEGISLATIVE POSITIONS

James Madison University: Support reduced budget cuts to James Madison University. As the largest employer in the Shenandoah Valley, JMU contributes substantially to the local economy by providing 3,700 jobs to both faculty and staff, and supporting an estimated 4,600 non-JMU jobs in the local community. In FY 15, spending by JMU, its students, employees, and visitors totaled over \$480 million. The University also attracted nearly 280,000 visitors to the Harrisonburg area who shop, dine and lodge in local stores, restaurants and hotels. Fully funded University operations are critical to the local economy.

Communications Sales and Use Tax: Support legislation to reclassify the communications sales and use tax as a local not a state tax.

Exemptions from local ordinances: Oppose any legislation that would exempt churches and other religious and non-profit organizations from neutral, generally applicable local ordinances, and in particular local health, safety and zoning ordinances.

FOIA Exemption on the Release of Information Pertaining to Closed Criminal Justice Case Files: Oppose legislative action to remove the current FOIA exemption on the release of information pertaining to closed criminal justice case files. While not preventing the disclosure of information from closed criminal case files, the exemption allows law enforcement agencies the option to decline disclosure in situations where such disclosure is deemed likely to compromise ongoing criminal investigations; to identify at-risk witnesses, informants or victims; or to otherwise jeopardize public safety. Beyond the scope of endangering witnesses, informants or victims in certain cases, indiscriminate release of all closed case information would significantly hamper current criminal investigations involving the same suspect, similar modus operandi, etc. A primary reason for keeping investigative details from public knowledge is to preserve investigators' ability to evaluate the validity of information gathered from various sources.

Line of Duty Act: Support initiatives that return program funding responsibility to the state. Should this unfunded mandate continue, support efforts to implement the recommendations of the 2014 Joint Legislative Audit and Review Commission (JLARC) "Line of Duty Act Report" .

Reimbursement for Political Party Primaries: Support the full reimbursement to localities for the costs related to political party primaries.

Reimbursement for General Registrar and Electoral Board Expenses: Support the full reimbursement by the State to the localities for the compensation and expenses of the General Registrar and Electoral Board.

Social Services: Maintain funding for workforce re-training through appropriate agencies, retaining Virginia Initiative for Employment not Welfare (VIEW) staff and funding in Social Services. This program has successfully helped Temporary Assistance for Needy Families (TANF) recipients secure and maintain jobs.

State Aid to Public Libraries: Restore state aid for libraries to at least FY 2010 levels. Public libraries serve as resources for early childhood education and for the unemployed seeking job opportunities.

Substance Abuse Treatment: Restore state funding for substance abuse treatment programs. Such funding could be provided to Community Service Boards, programs such as "The Healing Place" or other pilot programs.

Tax on Electronic Cigarettes and Vapor: Support legislation to allow localities to tax electronic cigarettes and vapor in a manner similar to traditional cigarettes.

Taxes on Local Services: Oppose the imposition of a state fee, tax or surcharge on water, sewer, and solid waste or on any other local government funds or services.

Telecommunications: Maintain local authority over zoning, land use, rights-of-way and taxation. Limit new state regulation preempting local authority regarding the use and compensation of local rights of way for telecommunications.

Workers Compensation Medical Fees: Virginia should adopt Medicare-based fee schedules for setting medical provider fees in workers' compensation cases, instead of the prevailing community rate standard now used. This will make providing workers' compensation coverage more affordable and will adequately protect the financial interests of the medical providers of Virginia.