

# Legislative Update



## **HANOVER COUNTY LEGISLATIVE AGENDA 2013 GENERAL ASSEMBLY SESSION**

**JANUARY 9, 2013**

# 2013 Legislative Agenda Action Items



- Request a budget amendment to eliminate the \$95 million biennial reduction in State Aid to Localities.
- Request that the General Assembly fully fund the Line of Duty Act benefits for law enforcement and public safety personnel as it did from the time that the General Assembly created these benefits in 1995 until the 2012 fiscal year.
- Request that the General Assembly structure the payment of VRS benefits for state funded teacher salaries in such a way that the state will continue to bear the responsibility for any unfunded liabilities accruing for these benefits under General Accounting Standards Board Statement 68.
- Request legislation to permit counties that have implemented land use assessment to designate specific areas within which land use assessment will not be applicable.
- Request an amendment to Va. Code § 33.1-1 to add a third urban at-large seat to the Commonwealth Transportation Board to be filled by a resident of the Richmond-Petersburg Metropolitan Statistical Area. Historically, the two urban at-large seats have been filled with citizens residing in the Northern Virginia and Hampton Roads areas.

# 2013 Legislative Agenda Action Items



- Request an amendment to Va. Code § 62.1-44.15:1.2 to clarify that any impoundment release reductions shall not adversely affect the permit limits for downstream activities permitted by the Virginia Department of Environmental Quality.
- Because the state has assigned to local governments primary responsibility for the stormwater quality programs and facilities necessary to achieve the Chesapeake Bay Total Daily Maximum Load requirements, request legislation (1) to require that the state provide a substantial and fair share of the funding required to implement these programs and (2) provide localities with appropriate tools for raising the additional revenue required to comply with the mandate.
- Request an amendment to Va. Code § 33.1-23.03:10 to require that prior approval of the General Assembly shall be obtained prior to the imposition and collection of tolls on any interstate highway in Virginia.
- Request an amendment to Article 1.1 of Title 33.1 of the Code of Virginia to require that the Department of Transportation confer with local representatives regarding the priority of projects involving substantial expenditure of maintenance funds within each locality.

## **HB 1620 Adoption of optional forms of county government.**

*Introduced by: Peter F. Farrell*

**Adoption of optional forms of county government.** Allows any county to adopt one of the optional forms of county government by a vote of the majority of its governing body. Current law requires any adoption of an optional form of county government to be approved by voter referendum. The five optional forms of county government provided by Title 15.2 are the county board form, the county executive form, the county manager form, the county manager plan, and the urban county executive form. The bill does not alter the additional conditions, specific to each form of government, that current law requires any county to meet before it can adopt that form of government.

## **HB 1673 School calendar; alternative schedules in school divisions offering additional instruction time.**

*Introduced by: K. Rob Krupicka*

**Opening of the school year; alternative schedules in school divisions offering additional instruction time.** Permits the Board of Education to waive the requirement for a school board to set the first day that students are required to attend school after Labor Day in any school division that is providing (i) a minimum of 190 days or 1045 hours of instructional time for grades one through 12 and 190 days or 570 hours of instructional time for kindergarten or (ii) extensive and high-quality teacher collaboration, preparation, or professional development time as determined by the Board pursuant to regulation.

**SB 935 Public schools; change to teacher contracts and evaluation policies.**

*Introduced by: Mark D. Obenshain*

**Public schools; teacher contract and evaluation policies.** Makes several changes to the processes by which teachers and certain administrators are evaluated and retained. Teachers, assistant principals, principals, and supervisors who have not achieved continuing contract status prior to the 2014-2015 school year may be eligible for three-year term contracts. Under the bill, five years of service is required to attain term contract status. Teachers, assistant principals, and principals with term contract status will be evaluated in the third year of their term contract and will be informally evaluated at least once during each of their first two years. Teachers, assistant principals, and principals who have achieved continuing contract status prior to the 2014-2015 school year will retain their continuing contract status. Teachers, assistant principals, and principals with continuing contract status will be formally evaluated every three years, and evaluated informally at least once each year in which they are not formally evaluated. The bill also defines the standard 10-month contract as 200 days, of which a minimum must be 180 days of instructional time. The bill has a delayed effective date of July 1, 2014.

**HB 1378 Legal notices; locality to publish on its website instead of advertising in newspaper.**

*Introduced by: Mark L. Cole*

**Advertisement of legal notices on websites.** Allows a locality to publish required legal notices on its website instead of advertising them in a newspaper having a general circulation in the locality.

**HB 1697 Real property tax; special valuation for land preservation.**

*Introduced by: J. Randall Minchew*

**Real property tax; special valuation for land preservation.** Makes it optional for localities to impose roll-back taxes when the owner of real property that qualifies for special land use valuation has the property rezoned for a more intensive use. Under current law, imposition of such taxes is mandatory.

**SB 941 Child abuse or neglect, alleged; authority to talk to child or sibling.**

*Introduced by: Bryce E. Reeves*

**Alleged child abuse or neglect; authority to talk to child or sibling.** Limits the authority of a person required to make a report or conduct an investigation or family assessment in cases of alleged child abuse or neglect to talk to a child or his sibling without the consent or presence of the child's or sibling's parent, guardian, legal custodian, or other person standing in loco parentis to cases in which the child has been taken into emergency custody. The bill establishes a procedure whereby a person required to conduct an investigation or family assessment may seek a court order for the parent, guardian, legal custodian, or person standing in loco parentis to produce the child suspected of being abused or neglected or his sibling for the purpose of an interview in cases in which the child has not been taken into emergency custody.

**SB 717 Sources of revenue; establishing and adjusting for appropriations of State and its localities.**

*Introduced by: John C. Watkins*

**Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.** Makes several changes to sources of revenue of the Commonwealth:

Establishes a five percent tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the Highway Maintenance and Operating Fund, the Transportation Trust Fund, the Intercity Passenger Rail Operating and Capital Fund, and the localities to be used for transportation purposes;

Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new five percent tax on motor fuels sales;

Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly;

Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014. Income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate;

Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013;

Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.

**HB 1488 Stormwater management program; delays date local governments will have to for administering.**

*Introduced by: Nick Rush*

**Local implementation of stormwater management program.** Delays the date that local governments will have to assume responsibility for administering the stormwater management program from July 1, 2014, to July 1, 2015.

**HB 1491 School calendar; makes local school boards responsible for setting opening of school year, etc.**

*Introduced by: Kaye Kory*

**School calendar.** Makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments.

**SB 865 Tolling Interstate Highway System components.**

*Introduced by: A. Donald McEachin*

**Tolling Interstate Highway System components.** Requires General Assembly approval before tolls are imposed or collected by the Commonwealth Transportation Board on any component of the Interstate Highway System except for High-occupancy toll lanes.

**HB 1548 Municipal separate storm sewer (MS4) permittees; guidance documents.**

*Introduced by: Barry D. Knight*

**Guidance documents for municipal separate storm sewer (MS4) permittees.** Requests the Department of Conservation and Recreation and the Department of Environmental Quality to jointly prepare guidance documents to assist MS4 permittees in developing and implementing their Chesapeake Bay Total Maximum Daily Load (Bay TMDL) Action Plans. The guidance documents shall (i) identify methodologies to be used by MS4 permittees in calculating nutrient reductions and best management practices efficiencies as part of their Bay TMDL planning activities pursuant to MS4 permits and (ii) assist MS4 permittees in developing and implementing their Action Plans.

**HB 1557 School boards; training for persons designated to carry concealed handguns on school property.**

*Introduced by: Robert G. Marshall*

**School boards; employee firearms training.** Requires every school board in the Commonwealth to designate at least one qualified person for every school in the district who, upon application with the school board, may carry a concealed handgun on school property. The bill requires all designated persons, including certain school division employees, certain school volunteers who carry valid concealed handgun permits, and certain retired law-enforcement officers, to be certified and trained by the Virginia Center for School Safety or the National Rifle Association in the storage, use, and handling of a concealed handgun. The bill also outlines the training requirements for designated persons as designed by the Department of Criminal Justice Services.