

# Arlington County Civic Federation

Legislation Committee  
Tim Wise, Chairman

## 2007 Legislative Package

*Adopted November 14, 2006*

**Civic Federation Principle** - The Civic Federation adopts the following principles in order to maintain our quality of life, enhance the desirability of our community as a place to live and work, and meet future human and infrastructure needs:

- We urge the General Assembly to revise state revenue-sharing formulas to result in more equitable funding for Arlington County government, public schools, and transportation

1. **Arlington County, Mid-Year Budget Rebalancing** - Asks the County Board to study the most effective way to match the annual real estate assessments with the start of the state fiscal year so that that tax rates match the fiscal year. (Adopted November 14, 2006)

2. **General Governance** - Terms for Governor. Amend the Constitution to allow the Governor to serve one term of six years. (Adopted November 14, 2006)

### 2. **Economic and Community Development** –

a) Virginia Housing Partnership Fund. Encourages the General Assembly to re-establish the Fund, from which non-profits could borrow at low interest rates.

b) Minimum Wage. Support an increase of \$1.00 in the state's minimum wage. (Adopted November 14, 2006)

3. **Conservation (environment)** - Air Quality - Clean Smokestacks Act. Urges the legislature to adopt a Clean Smokestacks Act (similar to that of North Carolina) to reduce emissions from coal-fired power plants in Virginia by closing the existing grandfather loophole in the federal Clean Air Act that exempts old, dirty coal plants. This law should require every power plant in Virginia to meet the most recent pollution control standards for new pollution sources. The new standards must be met on the later of the date that is 30 years after a power plant commenced operation or the date that is 5 years after the date of the enactment of the Virginia Clean Smokestacks Act.

### 4. **Crimes and Offenses Generally** -

a) Sodomy Laws. Supports repeal of the sodomy law as it applies to consenting adults.

b) Antidiscrimination and Hate Crimes Ordinances. Support the addition of sexual orientation to the categories included in existing state antidiscrimination and hate crimes laws.

c) A. 21-Day Rule. Urges elimination of the 21-day rule for consideration of potentially exculpatory evidence in all circumstances. (Adopted November 14, 2006)

5. **Dangerous Weapons - Gun Control.** Support requiring mandatory instant background checks on purchasers of all firearms at all gun shows and allowing up to seventy-two hours completing the check if the instant check is inconclusive.

6. **Equal Rights - Employment and Housing.** Urges prohibition of discrimination in employment and housing on the basis of sexual orientation in a manner consistent with existing state discrimination laws.

#### 9. **Health –**

a) **Authority for Nurses.** Supports enacting legislation to continue to expand the authority of certified advance practice nurses, nurse practitioners, and physician's assistants to write appropriate prescriptions and to practice independently or in collaboration with physicians. Such legislation would reduce costs and expand access to health care.

b) **Ban on Smoking in Restaurants.** Urges legislation extending to Arlington County the authority to ban smoking on the premises of any restaurant or other establishment open to the public in which prepared food is served for consumption on the premises. Furthermore, when such enabling legislation has been enacted, the Civic Federation urges immediate imposition of the aforementioned restriction by Arlington County. (Adopted November 14, 2006)

10. **Insurance - Insurance Rates.** Supports a law to prohibit insurance companies from raising rates when the insured motorists in accidents are found to be not "at fault," and when home owners inquire about coverage, but do not file a claim.

#### 11. **Property and Conveyances**

a) **Retention of Local Zoning Authority.** Supports legislation to prohibit Commonwealth agencies from overriding local jurisdictional land-use plans and zoning decisions and ordinances.

b) **Eminent Domain.** Urge the General Assembly to enact legislation in opposition to the 2005 Supreme Court of the United States decision on eminent domain (*Kelo v. City of New London, CT*).

#### 13. **Taxation**

a) **Consumer Use Tax.** Supports revision and reform of the Consumer Use Tax.

b) **Economic (Fair-Market) Rent.** Recommends establishment of statewide, economic (fair-market) rent, not contract rent, as the basis for assessments of commercial property. [1]

c) **Sales Tax Modernization.** Urges the Legislature to simplify and modernize its sales tax system by adopting legislation to conform to the multi-state Streamlined Sales and Use Tax Agreement. The effect of such legislation, applicable to Internet and mail order sales, would be to adopt uniform definitions of goods and services (such as what constitutes computer software). As of 2004, 42 states are participants and 20 states have adopted conforming legislation. [2]

d) **Motor Fuels Tax.** Supports legislation to permit Arlington County to levy a motor fuels tax as can cities in Virginia. Supports legislation to increase the motor vehicle fuel tax with revenue devoted to transportation and public transit. (November 14, 2006)

e) Homestead Exemption. . Support a Constitutional amendment to provide real estate tax relief in the form of a homestead exemption for owner-occupied residential properties. (Reaffirmed November 14, 2006)

#### **14. Transportation and Highway Safety**

a) Cell Phones. Urge the General Assembly to prohibit the use of cell phones by drivers on all roads in the Commonwealth.

b) Handicapped Parking. Supports legislation to raise the reduced mail-in fine (currently \$125) for parking in a handicapped space to \$300 (the current fine is \$500 should you go to court).

c) Red Light Cameras. Urges the County to support legislation reinstating and expanding the Red Light Camera program. (Adopted November 14, 2006)

d) Interstate 66. Opposes changes to I 66 inside the capital beltway unless such changes are part of a comprehensive regional transportation plan and are made with community consensus. (Reaffirmed November 14, 2006)

#### Notes

[1] Although the Virginia Supreme Court has ruled that contract rent may be used, the Federation has opposed its use because it usually lowers commercial assessments, shifting more of the real estate tax burden to homeowners.

[2] This effort was prompted by judicial decisions determining that retailers without physical presence in a given state do not have to collect sales and use tax on sales made in that state. The explosive growth of e-commerce beginning in the late 1990s increased the number of transactions that have escaped sales tax. States were losing revenue and so-called "bricks and mortar" retailers argue that they are at a competitive disadvantage to the electronic retailers because they do have to collect sales tax. The agreement does not change these rules (Federal legislation would be needed) but, instead, focuses on making state sales taxes more uniform so that compliance with current rules is simplified. Project proposals include adopting more uniform definitions and procedures, more efficient administrative procedures, and new technologies to reduce the burden of tax collection. More information can be found on the project website, [www.streamlinedsalestax.org](http://www.streamlinedsalestax.org).