

Arlington County Civic Federation

Legislation Committee
Tim Wise, Chairman

2008 DRAFT Legislative Package

1. **General Governance** - Terms for Governor. Amend the Constitution to allow the Governor to serve two consecutive terms of four years.

2. **Economic and Community Development.** Encourages the General Assembly to re-establish the Virginia Housing Partnership Fund, from which non-profits could borrow at low interest rates.

3. **Environment.** Air Quality – Urges the General Assembly to strengthen the Clean Smokestacks legislation was enacted in 2006 to further reduce emissions from coal-fired plants in Virginia. The new legislation should close the existing grandfather loophole in the federal Clean Air Act that exempts old, dirty coal plants. Every power plant in Virginia should be required to meet the most recent pollution control standards for new power plants within a reasonable period.

4. Crimes and Offenses Generally

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

b) 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. Urge elimination of the 21-day rule for consideration of potentially exculpatory evidence in all appropriate circumstances.

d) Restoration of voting rights for felons. Allow the restoration of voting rights after completion of judicial requirements, e.g., sentences, suspensions, and probation.

5. Dangerous Weapons

a) 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.

b) Publishing Names of Handgun Purchasers. Adopt a law to permit newspapers to publish names of handgun purchasers as is currently done for home sales. This change should not imply that the names of holders of concealed carry permits be published.

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

7. **Health** –

a) **Authority for Nurses.** Support a legislative study and legislation to continue to expand the authority of certified advance practice nurses, nurse practitioners, and physician's assistants to perform health care functions, 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.** Urge 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.

c) **Provision of community-based mental health services.** Urges the General Assembly to study how the costs and benefits of expanding community-based mental health services compare to providing such services on an inpatient basis.

8. **Insurance - Insurance Rates.** Support 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.

9. **Property and Conveyances**

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

b) **Payday Lending.** Urge the General Assembly to amend Virginia law which currently exempts payday lenders from the 36 percent annual interest cap that governs other Virginia lenders.

10. **Appropriations and Budgeting.** Fairness and Equity of Formulas for Distributing State Funds. We request the General Assembly to study the fairness and equitableness of the many formulas used in distributing general and non-general fund budget appropriations to assure they are fair and equitable. For example, Virginia is one of only four states that use a staff-based funding methodology – a methodology that was adopted decades before achievement and performance became priorities. In this case, a student-based methodology may make more sense. The results of such a study would increase the transparency of the biennial budget process. Distribution formulas should be made easily accessible on-line in both plain English and technical language.

11. **Taxation**

a) **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). All but one of 45 states with a sales tax are participants, and 22 states have adopted conforming legislation. [1]

b) **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.

c) Homestead Exemption. . Reaffirm the vote of the 2007 General Assembly for a Constitutional amendment to allow localities to exempt up to 20 percent of the value of owner-occupied residential properties.

12. Transportation and Highway Safety

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

d) Abuser fees. Urges the General Assembly to repeal the so-called "abuser fees" enacted to fund Virginia transportation needs and replace the revenue with a one-cent increase in the gasoline tax.

13. **Consumer Protection.** 'No More Deliveries' Contact Information. Commercial firms making unsolicited deliveries, such as telephone directories, should be required to provide contact information so that future deliveries can be stopped.

Notes

[1] 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.