

Arlington County Civic Federation

Legislation Committee. Tim Wise, Chairman

2009 LEGISLATIVE PACKAGE

1. General Governance

Terms for Governor. Amend the Constitution to allow the Governor to serve two consecutive terms of four years. (28-10-2)

2. Environment and Air Quality

a) Clean Smokestacks Legislation. Urges the General Assembly to strengthen legislation 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.(32-8)

b) The General Assembly should repeal the tax credits in sections 58.1-433.1 and 58.1-439.2 for the mining and consumption of coal. (26-13-1)

c) The Federation urges the General Assembly to set more ambitious targets for meeting the state's energy needs through energy efficiency. (30-10)

3. Crimes and Offenses Generally

a) Sodomy Laws. Supports repeal of the sodomy law as it applies to consenting adults. (35-4-1)

b) Hate Crimes Ordinances. Support the addition of sexual orientation to the categories included in existing state anti-discrimination and hate crimes laws. (30-10)

c) 21-Day Rule. Urge elimination of the 21-day rule for consideration of potentially exculpatory evidence in all appropriate circumstances. (26-13-1)

4. 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. (35-4-1)

5. Equal Rights

Urge legislation to prohibit discrimination on the basis of sexual orientation in a manner consistent with existing state discrimination laws. (34-6)

6. 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. (38-1-1)

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b) Ban on Smoking in Restaurants. Urge legislation to provide 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. (32-8)

7. 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. (35-3-2)

8. Property and Conveyances.

Support legislation to prohibit Commonwealth agencies from overriding local jurisdictional land-use plans and zoning decisions and ordinances. (29-10-1)

9. Appropriations and Budgeting

a) 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. Distribution formulas should be made easily accessible on-line in both plain English and technical language. (36-3-1)

b) Searchable budget database website. Support legislation to require the Department of Planning and Budget (DPB) to maintain a searchable budget database website that would allow persons to search and aggregate information for individual or specific appropriations or budget items.. When fully operational, all data in the database would be continually updated and will house historical information for a minimum of last 10 years. (35-2-3)

10. 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] (31-8-1)

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. (29-9-2)

c) Homestead Exemption. . Reintroduce legislation for a Constitutional amendment to allow localities to exempt up to 20 percent of the value of owner-occupied residential properties. (28-11-1)

12. Transportation and Highway Safety

a) 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. (26-13-1)

b) Abuser fees. Urges the General Assembly to replace the revenue lost from ruling that "abuser fees" are unconstitutional, and fund Virginia transportation needs with a one-cent increase in the gasoline tax. (27-13)

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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. (35-5-2)

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.