

# Arlington County Civic Federation

*The civic voice of Arlington for 82 years*

## Newsletter

November, 1997

Volume 82, No. 3

### — November Meeting:

One week later than usual!

**November 11th**

### **Legislative Package**

7:30 pm, Tuesday, November 11  
John T. Hazel Conference Center  
Columbla Arlington Hospital  
1701 N. George Mason Drive

Please note: This month's meeting will be held on the second Tuesday rather than the first to avoid conflict with elections.

We will discuss and adopt the Federation's Legislative Package, our annual request to legislators for action during the coming year. To give you a chance to read the recommendations before the meeting and consult in your neighborhood, we are including the full draft in this newsletter and mailing it early. For info please call Legislation Committee Chair Nancy Graham at 243-4650.

*Please encourage your  
neighborhood to vote on  
November 4th!*

### **DRAFT Legislative Package for Debate on November 11th**

*NOTE: The recommendations in Sections 1 through 8 were approved unanimously by the members of your Legislative Committee*

#### **1. Education**

Opposes any efforts to change the formula for state funding that would result in less funding for Arlington Public Schools.

#### **2. Transportation and Highway Safety**

**A. Transportation Funding.** Urges the General Assembly to revise the state transportation funding formula to increase funding for growth areas such as Northern Virginia

**B. Bicycle Safety.** Supports requiring the Virginia Department of Transportation to establish sufficient right-of-way for bicycles during planning and construction of state roadways and greater accommodation for bicycles on state roadways.

**C. Truck Safety.** Supports strengthening measures to improve safety of truck operations on Virginia highways, encourages stronger enforcement of speed limits, urges tougher requirements for commercial drivers' licenses.

**D. Mass Transit.** Supports increased funding for mass transit.

**E. Woodrow Wilson Bridge.** Supports efforts of the Northern Virginia and other metropolitan congressional delegations to obtain maximum federal funding to rebuild the Woodrow Wilson Bridge.<sup>i</sup>

**F. National Airport.** Opposes any liberalization of standards at National Airport.<sup>ii</sup>

### **3. Housing and Human Services**

**A. Housing.** Supports proposal in the draft County legislation package to restore General Assembly funding for the Virginia Housing Partnership Fund to the level of \$8 million per annum.

**B. Human Services.** Endorses development of a coordinated service-delivery system for at-risk youth to include social service, school district, and judicial system resources which would result in more effectively meeting individual client needs.

### **4. Fiscal and Tax Policy**

**A. Consumer Use Tax.** Supports repeal of the Consumer Use Tax.

**B. Economic (Fair-Market) Rent.** Supports the County Manager's recommendation to establish, statewide, economic (fair-market) rent, not contract rent, as the basis for assessments of commercial property.<sup>iii</sup>

**C. Cigarette Tax.** Supports the Arlington County proposal to authorize the County to increase the cigarette tax in a manner similar to that of cities.

**D. Local Income Tax.** Opposes legislation that would allow a local income tax.

**E. Professional Sports Facilities.** Supports Sen. Moynihan's proposed bill (currently S.B. 1880 "The Stop Tax Exempt Arena Debt Issuance Act") to end Federal tax subsidy for professional sports facilities.

### **5. General Government**

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

**B. Board of Zoning Appeals.** Supports shifting power of appointment of the Board of Zoning Appeals from the Circuit Court to the County Board or, alternatively, granting the County Board

power to define the "hardships" which can provide the basis for granting variances.

**C. State Corporation Commission.** Supports increasing the SCC's membership from three to five and encourages General Assembly members to ensure that confirmation of candidates includes full review of their qualifications and records with regard to consumer issues.<sup>iv</sup>

**D. Limited Partners - Access to Information.** Supports legislation that would permit citizen access to names and addresses of limited partners and their financial investments or other contributions in limited partnerships which conduct business with state or local governments of at least \$10,000 annually.<sup>v</sup>

**E. Public Employee Ethics.** (1) Supports legislation requiring that state ethics brochures be provided to public officials and employees before they assume their state or local government positions.<sup>vi</sup> (2) Urges a legislative study on replacing the existing Virginia Senate and House Ethics Advisory Panels with a comprehensive state/local ethics commission.

**F. Baseball Stadium Authority.** Supports repeal of the Virginia Stadium Authority, Virginia Code section 15.1.227-71.

**G. Office of Inspector General.** Supports the establishment of an Office of Inspector General for the County to audit and review County performance in contracting, construction of facilities, purchasing, and sale of land or other resources to assure appropriateness of expenditures.<sup>vii</sup>

### **6. Environment**

**A. Recycling Goal of 40% by 2000.** Supports adoption of a state recycling goal of 40% by the year 2000 and comparative progress reports by jurisdictions.

**B. Water Quality Measurements.** Supports the development and standardization of methods for the measurement of contaminants in storm waters and waters that feed the Chesapeake Bay.

**C. Notification of Use of Lawn Pesticides.** Supports adoption of a rule requiring commercial lawn-care firms to post signs for 48 hours after chemical lawn treatment similar to a pre-spray notification already in place for gypsy moth application.

**D. Requirement of State-Owned Industrial Facilities to Develop Environmental Management Plans.** Supports legislation to develop and implement pollution-prevention plans and to establish a state office to coordinate and provide technical assistance.

**E. Illegal Dumping and Littering of Waste.** Supports legislation to allow raising of fines for illegal dumping and to enforce illegal dumping and littering and stricter enforcement of environmental laws.

**F. Environmental Protection Programs.** Strongly recommends that the state restore environmental programs either to pre-rollback levels or to current and/or new EPA standards, which are more stringent, and that funding be restored to accomplish this.

#### **8. Miscellaneous**

**A. 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."

**B. Third-Party Notification.** Supports mandatory third-party notification so that incapacitated persons would not lose insurance coverage automatically if they should inadvertently miss a payment.

**C. Selection of Judges.** Supports appointment of a commission to study and recommend a plan for merit selection of judges to ensure judicial independence and appointment of the most qualified individuals.

**D. Audio Recording of Court Sessions.** Supports a study of legal and cost implications of all general and circuit court sessions proceedings.<sup>viii</sup>

**E. 21-Day Rule.** Supports modification of the 21-Day Rule (Rule 1.1 of the Virginia supreme court) to permit courts to consider potentially exculpatory evidence which is submitted beyond the 21-day period currently allowed in capital cases.

**F. Sexual Orientation.** Supports the addition of sexual orientation to the coverage of antidiscrimination and Hate Crimes laws.

**NOTE:** *The following recommendations did not have the unanimous approval of the Legislation Committee members.*

**A. Initiative and Referendum.** Supports a constitutional amendment to reserve power to the people to propose laws and amendments to the constitution and to adopt or reject any law or section of a state law.<sup>ix</sup>

**B. Aggressive Panhandling.** Requests that the Arlington County Board be authorized to adopt an ordinance to make it unlawful for any person to panhandle in an aggressive manner, to panhandle within fifteen feet of an automatic teller machine, or to panhandle from any operator of a motor vehicle while standing in a roadway median or on a travel lane.

**C. Public School Opening.** Supports allowing local school boards to control their public school calendars. Currently in Virginia, by state law, the school year cannot begin before labor Day. This denies school boards the flexibility that may be needed when establishing the school calendar.<sup>x</sup>

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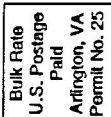
#### **Endnotes**

<sup>i</sup> There is at present only one plan on the table. The cost including ramps and approach reconfiguration is approximately \$1.8 billion. The current House Appropriation Bill has no money earmarked for this project, and the Senate bill has designated only \$900 million. Unless the Congress provides adequate funding for this federally owned bridge, the project will have to be significantly changed or the State of Maryland and the Commonwealth of Virginia will have to make up the difference.

<sup>ii</sup> There are many safety and environmental concerns at National. The Legislation Committee recommends that the Transportation and Environmental Committees take these issues under consideration as soon as possible.

<sup>iii</sup> Although the Virginia Supreme Court has ruled that contract rent may be used, the Federation has opposed its use because it usually lowered commercial assessments shifting more of the real estate tax burden to homeowners.

<sup>iv</sup> The Federation believes a body as powerful as the SCC should have broader, more diverse representation than its present membership permits.



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## Endnotes (continued from p. 3)

- v. These officials and employees should certify in writing that they have read and understand these ethics requirements as a condition of employment.
- vi. These officials and employees should certify in writing that they have read and understand these ethics requirements as a condition of employment.
- vii. The Inspector General shall operate independently but shall provide periodic reports to the County Board and the courts as may be required.
- viii. The tape recording would become part of the official record.
- ix. Required percentages to place statutory initiatives and referenda items on the ballot to be 5 percent of the total vote cast for governor in the previous gubernatorial election and 8 percent for state constitutional amendments.
- x. Allowing school to begin prior to Labor Day should have no fiscal impact in Northern Virginia. Reason given for school not beginning before Labor Day is to allow employers a sufficient pool of summer laborers.

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