



ARLINGTON COUNTY, VIRGINIA

2023 GENERAL ASSEMBLY LEGISLATIVE PACKAGE

Every year, Arlington County creates a legislative package that outlines the County's legislative principles and priorities for the Virginia General Assembly Session. The 2023 General Assembly Session will be a "short" 45-day session, beginning January 11, 2023, and ending in late February.

The legislative principles are broader themes that will guide our approach to the General Assembly session and our engagement strategy for our legislative priorities.

- 1) Workforce Resilience
Streamline state and federal processes to account for local constraints on staffing and strengthen resource pipelines to incentivize filling all staff positions
- 2) Fully Fund Commitments to Local Government
Ensure the state government pays its debts and fully funds commitments made for services and staffing to local governments before funding additional new priorities
- 3) Maintain Intent throughout the Legislative Process
Uphold the integrity of the legislative process and value the importance of amending code sections while not distorting the intent
- 4) Economic Development and Recovery
Support economic development policies and programs that bolster local and regional development efforts by maintaining and expanding state funding, lowering the vacancy rate in office buildings, and granting additional funding and authority to promote tourism and recovery from the pandemic

The legislative priorities, which can be found on the following pages, are specific issues, policies, and revenue measures that the County intends to expend significant political capital on, in addition to asking our General Assembly delegation to support on behalf of the County.



2023 GENERAL ASSEMBLY LEGISLATIVE PRIORITIES

A. Human Services

1. Address Critical Workforce Shortages: Support the Virginia Community Service Board (VACSB) in securing \$166 million in quarterly recruitment and retention bonuses for staff in proportion to what was provided to Virginia's state psychiatric facilities. It is critical to fully fund the entire continuum of care and to create a sustainable workforce pipeline to address the behavioral health crisis in Virginia.
2. Behavioral Health System Services (STEP-VA): Increase funding for the first three services funded as part of the STEP-VA program to account for the cost of inflation. The first three services are Same Day Access, Primary Care Screening and Outpatient Services.
3. State Hospital Bed Crisis: Continue working towards a solution to the lack of available state hospital beds for people in a mental health crisis. Support solutions that prioritize keeping Arlingtonians in Northern Virginia for care, increase funding for local crisis receiving centers, and reduce the burden on law enforcement during the temporary detention and emergency custody order process.
4. Developmental Disability (DD) Waiver Services: Continue to fund Priority One waiver slots and add flexibility to income calculations for people with disabilities to prevent benefits from limiting individuals from working.
5. Reproductive Health Care and Services: Maintain unrestricted access to the full range of reproductive health services for all persons.
6. LGBTQ+ Rights: Protect existing legislation that codifies rights and protections for LGBTQ+ Virginians and support any proposed expansions to those rights.
7. Staffing Standards and Licensure Requirements: Improve Long-Term Care standards by providing living wages, paid sick days, overtime pay, and training for workers, as well as funding to meet state and national staffing standards for Ombudsman staff-to-patient ratios. Streamline healthcare workers ability to obtain licensure in Virginia when they are already licensed in other states.
8. Infection Prevention: Require that nursing homes and assisted living facilities employ a full-time infection preventionist and maintain an accessible inventory of appropriate personal protective equipment.



9. Child Care: Increase funding for the state's childcare subsidy program and direct the Virginia Department of Education to enact program changes that increase participation of child-care providers. These changes include, but are not limited to, reducing the administrative burden, and increasing reimbursement rates to account for administrative costs and the actual cost of tuition in a locality. Local flexibility to administer or expand support services for childcare is critical.

B. Land Use and Housing

1. Land Use Policies: Support the authority of local governments to plan, zone, and enforce land use regulations, without restricting local zoning authority or the zoning process.
2. Housing Trust Fund: Support a significant increase and a sustainable source of funding for the Housing Trust Fund. Similarly support increased funding and programming to prevent evictions and to protect our most vulnerable residents.
3. Tenant Rights and Eviction Prevention: Continue to support tenants' rights that shifts the burden of enforcement from residents to the state and support increased funding and programming to prevent evictions to protect our most vulnerable residents.

C. Finance

1. Local Taxing Authority: Preserve all current local taxing authority, including business license, and machinery and tools tax administration, real estate and rate making authority. Any modifications to local taxing authority must include an alternative revenue authority with reliable, sustainable revenue sources.
2. Communications Sales and Use Tax: Modernize the communications tax by resetting the rate to the same level as the state sales tax and broaden coverage to include services that have become available since the original law was adopted. Oppose transfers of these revenues to the state general fund for purposes other than those stipulated in the Code of Virginia.
3. Sales Tax on Groceries: Oppose the exemption of groceries and hygiene products from the local option sales tax unless the General Assembly can establish a viable revenue replacement to local governments. Codify a revenue replacement strategy for education and transportation funding.



D. Transportation

1. Washington Metropolitan Area Transit Authority (WMATA) Funding: Protect existing transit programs, the funding included in the 2020 General Assembly Session's Omnibus Transportation Bill, and all other dedicated funding for WMATA, VRE and the Transforming Rail Program.
2. Northern Virginia Transportation Authority (NVTa) Funding: Protect existing NVTa revenues and continue efforts to restore state funding diverted in 2018 to secure dedicated funding for the State of Good Repair needs of the Washington Metropolitan Area Transit Authority (WMATA). Of the \$102 million annually that was diverted in 2018, \$63.5 million has been restored; \$38.5 million still needs to be restored.
3. Funding for Regional Transportation to Improve Mobility: Ensure the Commonwealth's \$195 million non-general fund investments for new and expanded transportation projects materialize as part of the Amazon HQ2 development. As Amazon brings more than 25,000 jobs to our region, the Commonwealth will support additional Metro entrances at Crystal City and Potomac Yard stations; improvements to U.S. Route 1 in Arlington County; a connection from Crystal City to Reagan National Airport; and a bus route expansion in Pentagon City, Crystal City and Potomac Yard to improve mobility for our region.
4. Towing: Support legislation that provides Planning District 8 parity to the rest of the state when pursuing litigation through the Virginia Consumer Protection Act.
5. Vision Zero: Support localities in achieving Virginia's commitment to zero transportation-related deaths and serious injuries on streets and trails by securing dedicated funding, updating design standards and guidelines to be more bike and pedestrian friendly, and granting local authority for automated speed enforcement beyond school and work zones.

E. Criminal Justice Reform

1. Revise Prosecutor Office Funding Formula: Reimbursement to counties should include the work performed on misdemeanors instead of only felony convictions. Misdemeanor cases account for the majority of cases and this funding will encourage more evidence-based and public safety oriented solutions. The Prosecutor's Office funding formula is currently based on felony convictions and felony sentencing events, which incentivizes the pursuit of felony convictions rather than diversion programs, deferrals, or amendments to misdemeanor convictions.



2. Immigration: Oppose any state mandate to localities requiring local law enforcement officers to evaluate the immigration status of individuals encountered during lawful stops or other routine police activities.
3. Reimbursable Positions Related to Body Worn Cameras: Provide state funding for additional positions related to body worn cameras to increase transparency and accountability with law enforcement. Additional staff in the Commonwealth's Attorney, Police Department, Sheriff's Office, and Public Defender's Office are all critical to effectively implement Body Worn Camera programs.
4. Sexual and Gender Based Violence: Support measures to combat sexual and gender-based violence and crimes including human trafficking, intimate partner violence, sexual assault, and stalking.
5. Marijuana: Ensure legislation regarding marijuana remains consistent with Arlington County's local revenue, land use, and public health and safety policies.

F. Education

1. Teacher Raises: Support state teacher pay increases without conditions such as local matches, recognizing that Arlington Public Schools annually raises teacher salaries at levels consistent with local revenue and further, funds from local revenue the full salaries and increases of many positions above the state's Standards of Quality-funded positions.
2. Youth Mental Health: Expand funding to provide professional staff and services for student mental health needs.

G. General Government

1. Unfunded Mandates: Oppose any mandates that are not fully funded, including additional administrative burdens on local governments.
2. Broadband Access: Expand access to the Internet to assist with tele-work, tele-medicine, and educational needs. Continue to promote digital equity across the Commonwealth, including access to substantive data and local flexibility to serve residents, businesses, and the community.



3. Electronic Meetings for Public Bodies: Permanently allow virtual participation for public bodies to meet by electronic means under the Virginia Freedom of Information Act.
4. Job Order Construction Contracts: Support the increase of the individual task assignment amount for Job Order Contracts from \$500,000 per contract to \$750,000 per contract. Support associating the maximum threshold amount for Job Order Contracts to an inflationary index such that the threshold would increase with inflation.

H. Public Safety/Emergencies

1. Staffing: Maintain adequate funding for police departments ("599 money"), sheriffs, jail personnel, and other emergency medical services personnel.
2. Jail Diversion Efforts: Adequately fund jail diversion efforts for mental health and substance-abusing individuals who become involved with the criminal justice system.
3. Next Generation 9-1-1: Support the statewide transition to Next Generation 911 using state funds that will be dedicated to the 911 Services Board; this should not be an unfunded mandate for which localities become accountable.
4. Operations Center Personnel Harassment: Update the legislative code to include modern electronic communication devices and modalities that are used to harass emergency personnel.
5. Swatting: Support legislation to combat the act of making a hoax communication to 9-1-1 (or to a private citizen, who communicates with 9-1-1) with the intent of triggering an immediate law enforcement response.

I. Energy, Environment, and Climate Change

1. Protect Virginia Clean Economy Act: Focus on legislative strategies that provide a sustainable and reliable power grid while achieving lower emission levels associated with 100% renewable energy sources in the Commonwealth.
2. Protect Regional Greenhouse Gas Initiative (RGGI): Preserve the cap-and-trade program that caps carbon dioxide emissions, and in turn, requires power plants to reduce their pollution loads to meet this cap or obtain allowances through quarterly auctions. The proceeds from these auctions are important to invest in renewable energy and energy efficiency projects.



3. Public/Private Partnerships: Expand the ability and authority of local jurisdictions to encourage and support private sector efforts to improve energy efficiency, reduce fossil fuel use, promote safety, and shift to renewable energy. Such measures include, but are not limited to, local and regional green banks, improved and stretch building codes, electric vehicle infrastructure, and local commercial building efficiency benchmarking.
4. Renewable Energy Choice: Permit individual retail customers the choice to purchase 100% renewable electricity from any licensed competitive supplier of electric energy regardless of whether the incumbent utility also offers it. Purchases can be made individually, as part of a collaborative or alliance, or through local government agencies administering aggregated commercial and residential renewable energy purchases to meet local/regional climate and equity objectives.
5. Preserving and Expanding Tree Canopy: Support legislation to provide local governments with greater authority in the reforestation, preservation, and management of urban forests in recognition of their ability to capture and store carbon, reduce stormwater runoff, improve air quality, reduce energy use, and mitigate urban heat islands and their health effects.
6. Stormwater Local Assistance Fund (SLAF): Increase SLAF funding to support projects that provide Chesapeake Total Maximum Daily Loads (TMDL) nutrient and sediment reductions required under MS4 permits. Evaluate updating proposal scoring criteria to assign points to projects that also support local stormwater resiliency priorities and needs.