

**CITY COUNCIL WORK SESSION WITH THE
STATE LEGISLATIVE DELEGATION
ALEXANDRIA'S 2014 LEGISLATIVE PACKAGE
November 12, 2013**

2014 GENERAL ASSEMBLY SESSION: PROPOSED CITY PACKAGE ITEMS

A—MAJOR FISCAL ISSUES

1. State Budget and Local Revenues. The Governor and General Assembly should not further restrict local revenue authority or sources, such as BPOL, without providing alternative revenue authority and sustainable revenue sources; should not impose unfunded mandates on local governments; and should not shift state funding responsibilities onto local governments. The City asks its delegation to strongly support this position.

2. Transit Service Delivery Advisory Committee (TSDAC). Senate Joint Resolution 297 of the 2011 Session directed the Department of Rail and Public Transit (DRPT) to look into several issues relating to transit funding; DRPT made a report prior to the 2012 Session which focused on one issue only—whether there should be a new, performance-based system for allocating DRPT funds (State transit funds have traditionally been distributed using a formula that is based on the amount of funds spent by the locality on transit). The DRPT proposal had a number of drawbacks (e.g., it would have been impossible to accurately predict the amount of future state aid that would be available to local transit agencies; the integrity of data that would be the basis of funding decisions was questionable).

Although there was support in the 2013 Session for a formula that rewards the efficient delivery of services, there was also agreement that the DRPT proposed formula and its accompanying methodology was problematic. As a result, the General Assembly created a Transit Service Delivery Advisory Committee (TSDAC), made up of representatives of local government, transit providers, and DRPT. It directed TSDAC to develop a funding formula that rewards efficiency; the formula was to be used only for any State money over and above that which has traditionally been provided to local transit providers (approximately \$160 million annually)—in other words, this formula will be used only to distribute transit funds that result from the major transportation funding legislation (HB 2313) passed in the 2013 Session.

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TSDAC has been meeting regularly since April, and has developed funding formula proposals (the Commonwealth Transportation Board has final authority over the formula) that are much more defensible than those developed last year. They do have shortcomings (e.g., they have been unable to develop a method of counting Metrorail ridership in a way that accurately allocates Northern Virginia transit ridership) that TSDAC hopes to address in the coming year. Even with these shortcomings, however, they will provide more new transit funding to the City than either the current distribution formula or the 2013 DRPT proposal would.

The City asks its General Assembly delegation to ensure that any TSDAC funding formula which is considered, and ultimately approved by the 2014 General Assembly, treats the City and Northern Virginia fairly. Furthermore, if there is insufficient data (e.g., WMATA ridership) to finalize any formula decisions, TSDAC should be directed to continue to address these shortcomings in 2014.

3. Transportation Funding. The City supported the major transportation funding legislation of 2013 (HB 2313). It addressed a long-standing City legislative position—the need for new State revenue for transit and other transportation. The Alexandria Transportation Commission recommends that the City carefully monitor any transportation funding legislation that is considered by the 2014 Session, and oppose any proposals that will lessen funds coming to Alexandria, or result in the City not receiving its fair share of any transportation revenues.

4. Cost of competing. Costs of competing funds are awarded to Northern Virginia school systems in recognition of the fact that our schools must pay higher salaries than schools in other parts of the State. The State has stopped providing full funding to school support positions. Providing insufficient State cost of competing funds simply shifts the burden to Alexandria and other Northern Virginia counties and cities. Council's Legislative Subcommittee, as well as other Northern Virginia localities, recommends that the General Assembly support full funding for the cost of competing in the upcoming biennial budget.

B—REQUESTS FOR LEGISLATIVE OR BUDGET PROPOSALS TO BE INTRODUCED

1. Revisions to the City Charter. Councilman Wilson has asked that two revisions be requested for the City Charter:

- a. The first of these would eliminate a provision that prohibits the City Attorney from being the “legal advisor” to the School Board. Recent discussions have taken place between the School Board members and City Council members—these discussions included the City Attorney—with respect to the City Attorney's office providing legal counsel to the School Board (the School Board currently contracts for legal assistance). While no final decision has been made, it would be helpful to amend the City Charter to remove this provision so that such a change can be made if agreed to by the School Board and City Council.
- b. The second proposed change would simply “clean up” the Charter provisions that refer to May Council and School Board elections. Three years ago, the City chose to move these elections to November, as allowed under State general law. References to May elections throughout the Charter will be changed to November.

2. Pedestrian Safety. Pedestrians, especially in densely populated communities, need assurance that when they use crosswalks to get across the street, oncoming drivers will not hit them. Unfortunately, Virginia law does not provide that assurance. Drivers are required to yield, but not necessarily stop, for pedestrians in crosswalks. This often

leaves a pedestrian guessing whether the oncoming traffic actually will stop so that the pedestrian can safely cross where he has right-of-way (in the crosswalk). For some time now, the City, together with other Northern Virginia localities and others throughout Virginia, has been seeking a change in state law to require drivers to stop (not just yield) for pedestrians in crosswalks. Councilman Wilson, and the City's Transportation Commission, request the City delegation to support such legislation if offered in the 2014 Session.

3. CSO Funding. Alexandria was recently issued a new discharge permit by the State Water Control Board. Included in the permit is a requirement that the City develop and implement a long-term plan to minimize the discharge of raw sewage from combined sewer pipes (which carry both storm water and sewage) when it rains. Preparing this plan will take several years, but after it is complete, it must be implemented. The cost could reach as much as \$200-300 million over a period of approximately 20 years. When Richmond and Lynchburg faced similar costs to address CSO issues in the 1980's (they are the only Virginia localities that have been required to make massive sewer line upgrades to address CSO problems), the General Assembly agreed to provide significant funding to assist these cities. Councilman Wilson would like the City to explore the possibility of State assistance for Alexandria, and recommends that we begin seeking State assistance for this from the Governor and General Assembly. The Environmental Policy Commission supports this recommendation, and also asks that the City seek additional State funding for other water quality needs.

4. ABC Laws and Wine Tastings. An Alexandria restaurant owner has hosted weekly wine tastings in her restaurant for some years now. The restaurant typically partners with one of its wine wholesalers, who will educate those tasting the wines about them, and also pour the wines that are being tasted. The restaurant owner believes this system is very valuable for all those involved, since the wholesaler knows more about the wine than the restaurant employees, and restaurant employees are not tied up with the tastings. Recently, the restaurant's wine distributors were notified by the State's Alcoholic Beverage Control agency that they are not allowed to participate in tasting events at local restaurants or combination retail/restaurant businesses. Not surprisingly, the wholesalers will no longer participate as partners in these tastings. As a result, the restaurant has stopped its weekly tastings, and will lose revenue from the lost wine sales (as well as other items bought by tasting customers).

Councilman Wilson has asked that the City's legislative delegation introduce legislation to allow participation by wholesalers in such tastings in the future.

5. Opportunity Educational Institution. Legislation passed by the 2013 General Assembly (and opposed by the City) creates a State school district, the Opportunity Educational Institution (OEI), to take over schools whose students perform poorly on required State standardized tests. The OEI is scheduled to start operating these schools by the beginning of the 2014-15 school year. One of the schools that are scheduled to be run by OEI is Jefferson-Houston. The legislation creating OEI includes no new money or specific plans to improve these problem schools. The City and ACPS do not believe that

the OEI legislation demonstrates any likelihood that the OEI can improve Jefferson-Houston, and they want control over all Alexandria schools left to the Alexandria School Board. The City of Norfolk has now filed suit on OEI, questioning its constitutionality. Councilman Wilson has recommended that the City ask its delegation to introduce legislation to eliminate the Opportunity Educational Institution (OEI), or to significantly modify its enabling legislation so that there is considerably greater local input and control over any Alexandria schools placed in OEI.

6. Condo Conversions. In 2007, with the City's strong support, the General Assembly enacted legislation to allow a disabled or elderly tenant to assign purchase rights to his unit to a government agency, housing authority, or nonprofit housing corporation in the case of a condominium conversion. The agency, authority, or nonprofit corporation then offers the tenant a lease of the unit at an affordable rent. The number of units that can be acquired this way cannot exceed five percent of the total number of units (or one unit, if five percent equals less than a full unit), or impede the condominium conversion process. Councilman Wilson has asked that the City support legislation extending the ability to assign purchase rights to any tenant; if an incremental step is needed that is not as broad, he suggests allowing families with minor children living at home to assign their purchase rights.

7. Flood Insurance. Councilman Wilson has asked that the Legislative Subcommittee discuss with the members of the delegation ways that the State might partner with localities to assist them in lowering their rating class in the Community Rating System for FEMA's National Flood Insurance Program. Lowering the class provides residents with additional discounts in this program.

Mr. Wilson asked that the delegation introduce a budget amendment to create a grant program to match local funding for efforts designed to lower rating classes. Staff is unable at this time to determine whether the City could likely amass enough additional points to improve its rating class.

8. Virginia Preschool Initiative (VPI). The Virginia Preschool Initiative is a State-sponsored program that provides State funding to be matched with local funding to pay for preschool for at-risk 4-year-olds. The current formula used to determine a locality's funding is based in part on the percentage of a locality's children that qualify for a free lunch through the USDA lunch program. For a child to be eligible for a free lunch, the child's family income must be at or below 130 percent of the federal poverty guidelines (this is slightly more than \$30,000 annually for a family of four).

The Department of Community and Human Services recommends that the City seek to have the eligibility level raised to 185 of poverty (slightly more than \$43,000 annually), which would cover more low-income families and provide preschool opportunities to more children. The Department also recommends that Virginia use more accurate numbers to project the number of preschool-aged children within a locality (projections are now based on free lunch eligibility forms submitted by all K-12 students, but older students often do not return forms to the school to indicate whether they are eligible for

free or reduced lunches; if State projections were based on the number of free lunch eligible kindergarten students only, the State projections of the number of VPI-eligible 4-year olds in a locality would be more accurate).

9. Community Net Metering (Environmental Policy Committee). House Bill 1695, as approved in the 2013 Session, allows agricultural customers to participate in community net metering programs. These programs allow electric customers to produce energy (using, for instance, solar power or windmills) and sell any excess back to their electric provider at a rate set by the State Corporation Commission. The Environmental Policy Commission recommends that legislation be introduced in 2014 to extend this authority beyond the agricultural sector to residential customers such as condominium or homeowner associations. If such association members were able to take advantage of net metering, unit owners who produce electricity could produce renewable energy from a common system and sell what they cannot use to their electricity provider (e.g., Dominion Virginia). This would not only save money for the homeowner—it would also reduce pollution that results from electricity produced by conventional technology (such as coal-fired power plants).

C— REQUESTS FOR LEGISLATION TO BE SUPPORTED OR INTRODUCED

1. Workers' Compensation Medical Costs in Virginia. Over the last decade, medical costs under Virginia's Workers' Compensation system have been substantially higher and growing much faster than workers' compensation medical costs in most other states, including all of our neighboring jurisdictions. A recent study (done by the Workers' Compensation Research Institute) showed that Virginia medical payments per claim were 25 percent higher than the median cost in 16 other states. The higher prices charged by providers were the main reason for the higher medical payments per claim. Costs per claim in Virginia grew 8 percent per year from 2005 to 2010.

Prices charged for non-hospital services in Virginia were 22 percent higher than was typical in the 16-state study group. For hospital outpatient services, the average payment per service was 27 percent higher than the median study state. Medical costs alone accounted for 72 percent of the growth in the Virginia cost per claim during the years 2004 to 2010. The average medical cost per workers' compensation claim in Virginia was \$17,100 in 1996; by 2010 that number had jumped to \$44,500. This number has only gone down one time in the last 15 years.

Forty-four states have adopted fee schedules to contain the rapid increase in the cost of providing treatment to workers' compensation claimants, and 32 of them use Medicare-based fee schedules. All states that border Virginia, as well as the District of Columbia, use such a fee schedule.

The Virginia Municipal League, together with many other public and private entities represented by the Virginia Self-Insurers Association on Workers' Comp issues, will seek approval of legislation in 2014 that will require Virginia to adopt Medicare-based fee schedules for setting medical provider fees in workers' compensation cases. The City's Finance Department recommends that the City support this legislation.

2. WMATA Fare Enforcement Inspectors. Early next year, a Bus Rapid Transit Route will begin operation in Alexandria. The following year, this route will extend into Arlington. Once the Arlington portion is open, riders will pay their fare before they board the bus. Since there will be no way for the bus operator to know if a rider has paid, WMATA (which will operate the service) plans to employ fare inspectors who would be authorized to issue citations or tickets to anyone who cannot demonstrate that he has paid his fare. WMATA does not believe that it has the authority for fare inspectors to do this in Virginia, so it plans to pursue a Virginia Code provision giving it such authority. WMATA has asked that the City (and Arlington) support this legislation.

3. Affordable Care Act & Medicaid Expansion (Public Health Commission/Economic Opportunities Commission). Under the Affordable Care Act (ACA) of 2010, each state has the option of expanding coverage under its Medicaid program to include all individuals with incomes up to and including 133 percent of the federal poverty index (the current federal poverty index for an individual is about \$11,000 a year; it is approximately \$19,000 for a family of three). This expanded coverage will be paid for entirely by the federal government for the first three years of the program; after that, the federal government will cover 90 percent of the cost, with the state responsible for the remainder.

The City's Public Health Advisory Commission and Economic Opportunities Commission recommend that the City and its legislative delegation support this option for three reasons:

1. It will provide coverage for many preventive health care services, especially for low-income women and children;
2. By covering individuals slightly above the federal poverty index, it will address many health disparities which are directly associated with poverty and low-income; and
3. It will help avoid the cost-shifting that already occurs, as low-income, uninsured people turn to local governments and nonprofits for their health care.

4. Prohibit Housing Discrimination Based on the Source of Income (Economic Opportunities Commission). In 1968 the federal government passed the Fair Housing Act, which prohibits housing discrimination based on factors such as race, color, religion, national origin, gender, elderliness, or familial status. Virginia enacted similar legislation in 1972.

In recent years, a number of states have added source of income to the list of discriminatory factors which are prohibited under fair housing laws. Source of income is generally defined as any lawful source of income paid directly or indirectly to a renter or purchaser of housing, including wage, pensions, alimony, child support, or government assistance. States have made this change in respect especially to renters, who say that landlords will sometimes not rent to them because a portion of their income is from government assistance, such as Section 8; or because landlords set higher security

deposits or minimum incomes for them. The Economic Opportunities Commission has asked the City to support such a bill if it is introduced in 2014.

5. Constitutional and Statutory Provisions Prohibiting Same Sex Marriages (Human Rights Commission). In 2006, the Virginia Constitution was amended to prohibit marriage other than “between one man and one woman.” This amendment also prohibits any “legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage.” A similar prohibition was inserted into the Virginia Code in 2004. That provision (§ 20-45.3) prohibits civil unions, partnership contracts or other similar arrangements between persons of the same sex. The Human Rights Commission recommends that the City support any legislation to repeal either the constitutional provision or the Affirmation of Marriage Act.

6. Provide Funding Statewide for Peer Model Recovery Support Services (CSB). For the last two years, the State has funded a Peer Model Recovery program for adults with Substance Abuse issues in Northern Virginia. This program has been very successful in promoting sustained recovery and self-sufficiency among individuals in the region who have alcohol and other substance use disorders. A Peer Recovery Support Specialist provides peer addiction recovery support services before, during, and after a substance abuser’s participation in a formal treatment system. Funding for the program runs out at the end of the biennium (June 30, 2014). The Alexandria CSB and other Northern Virginia CSBs are seeking \$130,000 in State funding for each year of the coming biennium to continue this program.

7. Expand Housing Options for Persons with Serious Mental Illness (CSB). There is very limited permanent supportive housing available for people with Serious Mental Illness (SMI). Services to support people with SMI, including psychiatry, medication, case management, mental health supports, and counseling, are also very limited. The lack of these services further impact the ability of individuals to keep housing once they have acquired it. Consequently, many of these individuals become homeless, end up in hospital emergency rooms, and often become incarcerated or hospitalized in a psychiatric facility.

Alexandria’s CSB, together with the other CSBs in Northern Virginia, would like \$3.2 million in biennial funding for a pilot program to provide both housing and services in a manner similar to that which exists in the Discharge Assistance Program (this Program provides a package of services for people leaving state facilities). The funding would pay for housing and support services, including case management, for approximately 140 individuals at the start of the program, and possibly more once it has been fully implemented. These individuals would then be able to avoid more expensive and less appropriate hospitalization and incarceration. If the program is successful, permanent State funding would be requested in the next biennium.

8. Expand Comprehensive Services for Youths with Serious Emotional Disturbances and their Families, Including Intensive In-Home Services (CSB). There is a need for the expansion of comprehensive services for youths with serious emotional disturbances who

do not require placement in a residential or inpatient (e.g., hospital) setting. A comprehensive strategic plan needs to be developed that will identify, and lead to the implementation of, a plan for collaborative services across agencies within the community. Such a plan must fully involve the youth's family, and will include intensive family- and community-based programs. These programs will address the complex behavioral, psychiatric and substance use problems of the youth. Participants, in addition to the youth and their families, will be schools, teachers, and friends. In-home respite care is a critical part of this program. Funds are needed for a regional pilot (\$1.1 million) that will build on existing CSB programs within the Northern Virginia region. The program's success will be judged on the basis of the number of youths kept in their homes and schools, and out of the criminal justice system. Other measures of success will be improvements in family relations, a decrease in adolescent psychiatric symptoms, and a decrease in adolescent drug and alcohol use.

9. Protect Employees of All Firms with Five or More Employees from Age Discrimination (Human Rights Commission). Virginia anti-discrimination statutes currently protect only employees of employers with 5 to 14 employees from being wrongfully terminated (on the basis of race, religion, etc.). Federal law generally applies to employers with 15 or more employees. Federal law prohibiting age discrimination, however, applies only to employers with 20 or more employees. The Human Rights Commission recommends fixing this discrepancy by amending the Virginia Human Rights Act so that it prohibits the various types of employment discrimination (hiring, termination, age, and terms and conditions of employment) for any employer with five or more employees, unless the employer is subject to federal jurisdiction. This will allow age discrimination to be treated the same as other forms of discrimination.

10. Early Voting (Human Rights Commission). The Human Rights Commission has asked that the City support legislation to allow unrestricted early voting (i.e., early voting for any reason).

11. Restoration of Voting Rights for Felons (Human Rights Commission). Under Virginia law, any person convicted of a felony forfeits certain civil rights for life, including the right to vote. The Virginia Constitution reserves to the Governor the power to restore these rights. Although the current Governor and his two most recent predecessors have used a streamlined process instituted by executive order, this process relies totally on the good will of each individual governor. Virginia's process for restoring rights has traditionally been one of the most restrictive in the nation. The Human Rights Commission recommends that the General Assembly institutionalize a streamlined process (similar to that being used by the McDonnell administration) for the restoration of voting rights to ex-felons by statute, or begin the process for a Constitutional amendment that automatically restores voting rights upon completion of a felon's sentence.

12. Caps on Interest Paid on Payday and Auto Title Loans (Economic Opportunities Commission). Virginia allows both payday loans—short-term loans pledged against a future paycheck or government benefit check—and auto title loans, which are secured by

a car's title. Fifteen states (including neighbors Maryland, North Carolina, and West Virginia) and the District of Columbia currently ban high-cost, short-term loans by setting a maximum annual interest rate of 36 percent including fees. Under the federal Military Lending Act, military service members and their families are also protected from these expensive and predatory loans. A 2009 Virginia law restricted payday loans to 36 percent annual interest but permitted two additional fees that increase the actual interest rate above this level. In 2012, according to the State Corporation Commission, the average annual interest rate for car title loans was 224 percent; for payday loans it was 305 percent.

The Economic Opportunities Commission has asked the City and its legislative delegation to support legislation to cap the interest rate on short-term loans at 36 percent annual interest inclusive of all fees.

13. Renewable Portfolio Standard (Environmental Policy Committee). State law sets voluntary goals for investor-owned electric utilities to follow in providing a certain amount of their power from renewable energy sources; if they follow these goals, they are given certain financial rewards. This power does not have to be produced in Virginia or by Virginia businesses—it can be purchased from out-of-state entities. The Environmental Policy Committee has recommended that the City support legislation that would require all “Renewable Portfolio Standard” energy to come from Virginia-based projects, beginning in 2015. Existing projects and purchases of Renewable Energy Credits (RECs) that have been used to meet the current REC standard would remain approved and count moving forward. The Commission notes that this would provide cleaner air in Virginia and give a boost to the State's renewable energy industry.

14. Energy Conservation (Environmental Policy Committee). Prior to 2012, Virginia was one of the few states that used a formula that evaluates potential energy saving and conservation projects based on how they impact energy users who do not participate in the conservation program. This approach made it much harder for a public utility to justify the return on investment for an energy conservation project. Legislation passed in 2012 with the City's support (SB 493) redefined the standards to be used by the State Corporation so that it evaluates conservation projects based on the total energy savings and return on investment they create for the entire state. The statute now specifies four tests that can be used to demonstrate that the value of the benefits exceeds the value of the costs. A project cannot be rejected by regulators (the State Corporation Commission, or SCC) just because it fails one test. Observers believe that the SCC is misinterpreting the 2012 legislation, and relying too heavily on only one of the four tests. The Environmental Policy Commission believes that legislation will be introduced in 2014 to:

- (1) make clear that the SCC cannot rely on one test alone; and
- (2) require the SCC to consider both direct value to ratepayers as well as the cost savings that utilities will see as a result of a conservation project (the project will lessen the need for new power sources).

The Environmental Policy Committee recommends that the City support such legislation.

15. National Criminal Background Checks for Those Who Provide Child Day Care (Children, Youth and Families Collaborative Commission). The Code of Virginia (§19.2-392.02) allows child care businesses to request from the State Police a national criminal background check for any of its employees. For the State Police to perform this check, the employee must provide fingerprints. Child day care providers say that the results of the background checks are often not known for six weeks or more, and they cannot let the employee interact with children while they are awaiting the results. The Children, Youth and Families Collaborative Commission asks that the City support legislation (which is expected to be introduced) to speed up this process.

16. Child Day Care Subsidies (Children, Youth and Families Collaborative Commission). Low-income families with young children are eligible for State financial assistance to provide day care for their children. The State conducts a market survey of the fees charged by child care providers, and is supposed to adjust its rates to reflect the findings of the market survey. Unfortunately, the State often fails to adjust its rates to correspond to what the market charges. The most recent increase for rates for infants and toddlers in child day care was in 2010; the payment rate for preschoolers and school age children was raised more recently—in January 2013.

Even with these increases, the State subsidies are far below what the market demands. The federal government considers the market rate to be 75 percent of what the average person pays for unsubsidized child day care. The Virginia payment rates are closer to 30 percent of the cost of unsubsidized child day care. If insufficient funds are provided to parents, they may not have access to good child day care, resulting in the inability to become—and stay--employed. The Children, Youth and Families Collaborative Commission recommends that the City and its delegation seek a meaningful increase in State funds provided for child day care, so that the State can adopt more realistic payment rate.

17. Northern Virginia Aging Network (NVAN) Platform (Commission on Aging). The Commission on Aging asks that the City support the following items in the legislative platform of the Northern Virginia Aging Network:

- Enact legislation to allow civil suits to protect vulnerable adults from being financially exploited by those in a position of trust.
- Allow no-excuse absentee voting, and enhance accessibility for people who may need assistance registering or casting a ballot.
- Support policies to enhance the livability of communities that accommodate aging in place.
- Increase State funding for community-based services offered through Area Agencies on Aging.
- Expand Medicaid coverage under the Affordable Care Act to include all individuals with incomes up to and including 133 percent of the federal poverty index.
- Increase Medicaid reimbursement rates for long-term care workers.

- Provide an additional \$100,000 annually to the Northern Virginia Regional Older Adult Facilities Mental Health Support Team (RAFT) to expand community-based clinical services for adults 65 and over with serious mental illness.
- Provide additional State funds for the Virginia Public Guardianship Program.
- Increase funding for the Assisted Living Auxiliary Grant program and make it totally state-funded, as well as portable.
- Ensure that nursing home residents receive notice of the right to return to a nursing home following a hospital stay.
- Appropriate funds for adequate local and state long-term care ombudsman staffing levels.
- Enact a Medicare Part A “Buy-In Agreement” that allows individuals to enroll in Medicare Part A at any time during the year.

18. State Funding for the ICPRB (Environmental Policy Committee). The Interstate Commission on the Potomac River Basin (ICPRB) provides data and modeling that is critical to Northern Virginia and metropolitan Washington regional water supply planning. Legislation that would have terminated Virginia’s membership in the ICPRB was considered, but not agreed to, in the 2012 General Assembly Session. State funding to the organization, however, was discontinued. While the ICPRB has allowed Virginia to continue to participate in its work, and has continued to include Virginia localities in any data-gathering and modeling it undertakes, it cannot continue to do this indefinitely without financial support from the Commonwealth. The City’s Environmental Policy Committee recommends that the City support budget amendments to restore State funding for the ICPRB.

19. Tax on Plastic Bags. Senator Ebbin introduced legislation in the 2013 Session that would have imposed a fee of five cents per bag on paper and plastic bags used by grocery stores, convenience stores, and pharmacies. The bill would have exempted from the fee any reusable plastic bags, as well as bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, alcoholic beverages, and prescription drugs. Retailers would have been allowed to retain a portion of the fees they collected. The remainder of the revenues raised by the fee would have been deposited in the Virginia Water Quality Improvement Fund, which makes grants to public entities for water quality improvement projects. Although the 2013 legislation was defeated, Senator Ebbin intends to introduce similar legislation in 2014. He believes he may increase the bill’s chance for passage if he limits its applicability to Northern Virginia, and can state that all localities in the region support its passage. Senator Ebbin has asked that the City support this legislation. The City has supported similar legislation in the past.

D— REQUESTS FOR LEGISLATION TO BE OPPOSED

1. Obstacles to voting (Human Rights Commission). The Human Rights Commission recommends that the City oppose any legislation that would create additional obstacles or barriers to voting.

2. Immigration/Law Enforcement (Human Rights Commission). The Human Rights Commission asks the City to continue to oppose legislation that would require local law enforcement officials to enforce federal immigration laws.

3. Immigration/Higher Education (Human Rights Commission). The Human Rights Commission asks the City to continue its opposition to legislation that restricts access to higher education by undocumented persons, unless it includes safeguards such as those proposed by Governor Warner in 2003 (i.e., residency in Virginia during high school and at least 5 years prior to graduation; graduation from a Virginia high school; ongoing pursuit of permanent residency in the U.S.; and family payment of Virginia income taxes for at least three years prior to college enrollment).