



Legislation Text

File #: 21-0557, Version: 1

City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 11, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Update on the 2021 Virginia General Assembly Session.

ISSUE: Update on the 2021 General Assembly Session, including an overview of the Governor Northam's proposed "caboose budget" for Fiscal Year 2021 to 2022.

RECOMMENDATION: That City Council approve the legislative positions included in Attachment 1 (**Recommended Positions on Bills of Impact to the City**), as recommended by Council's Legislative Subcommittee (Mayor Wilson and Vice Mayor Bennett-Parker) at their January 5 and January 8, 2021 meetings.

DISCUSSION: The 2021 General Assembly Session is scheduled to begin on Wednesday, January 13. Coming off a months-long special session, Republicans in the Senate and House of Delegates intend to keep the session to the 30-day constitutional limit on "short" legislative sessions. Typically, the legislature extends short sessions to 45 days, but any extension requires approval from two-thirds of both chambers. However, with Democrats holding the majority in each body of the General Assembly as well as the Governor's office, there are procedural options they can employ to extend the session to, or beyond, the customary 45 days.

For however many days it is in session, the General Assembly will, for the most part, meet virtually. The members of the Senate, along with some Senate staff, will convene in person at the Science Museum of Virginia, and will hold committee meetings and floor session from that location. Members of the House of Delegates will convene entirely virtually, with House members participating in subcommittee meetings, committee meetings, and floor session remotely from their location of choice. In both the Senate and the House, outside participants - including lobbyists, activists, and members of the public - will join in subcommittee meetings, committee meetings and most other meetings with members and staff electronically, either through Zoom testimony or by presenting written comments ahead of the meeting.

Sarah Taylor, the City's Legislative Director, will continue to represent the City with the General Assembly - if not at the General Assembly - during this unique Session.

A final schedule for session as not yet been released, however the deadline for the introduction of legislation is likely Friday, January 22. In an effort to streamline the already complicated virtual session, the Senate and House have instituted extremely strict bill limits this session - Senators may file no more than 12 bills and Delegates may file no more than 7 bills. Staff expects to see upwards of 1,500 pieces of legislation this session, with only 145 bills and 28 resolutions filed to date. Recommended positions on 27 bills have already been completed by staff, approved by the Legislative Subcommittee, and are included in the attached documents for your approval.

Issues Facing the 2021 General Assembly Session - Despite a short, virtual session, the General Assembly is likely to be tackling a number of significant issues during this session.

There are a number of issues that will carry over from this past fall's Special Session of the General Assembly into the 2021 Regular Session. The House and Senate failed to come to an agreement on legislation to reform qualified immunity; in addition we expect there to be some work to expand the reach of the recently authorized civilian police review bodies to include Sheriff's Office employees. Legislators also failed to come to an agreement on COVID-19 liability protections for businesses and paid sick leave. The General Assembly may revisit both matters this session, especially in light of Congress excluding liability protections from the latest COVID-19 relief bill.

Following a report of the Virginia Marijuana Legalization Work Group, Governor Northam offered his full support of the legalization of recreational marijuana and included funding in his 2021 budget proposal to lay the groundwork and set up a framework for marijuana legalization in the Commonwealth. The challenge for the legislature will be to get consensus on a bill that adequately regulates the industry and preserves various interests. For localities, there are a number of areas to watch, including local authority with regard to zoning, code enforcement, licensure, public health and safety, as well as taxation, revenue collection, and revenue disbursement.

Finally, in December, Governor Northam presented his proposed amendments to the 2020 to 2022 biennial budget. The proposed budget, as amended, provides funding for various criminal justice reforms, the regulation of recreational marijuana under Virginia ABC, and restores some allocations that were "unallotted" early in the pandemic when the State's revenue forecast was uncertain. The budget also includes funding related to COVID-19 response efforts, with more details on items of particular interest to the City included below. The General Assembly will consider the Governor's budget proposal during session and may make amendments to reflect their own priorities.

Legislative Package - The City's 2021 Legislative Package has the proposals organized into two sections - Legislative Principles and Legislative Priorities.

The section of Legislative Principles is structured around the City's Strategic Plan and creates a clear nexus between the City's goals and the legislative and funding measures necessary for us to achieve these goals. In general, the Legislative Principles are broadly crafted and focus on comprehensive legislative strategies rather than specific legislative tactics.

A number of pieces of legislation that align with and support the City's Legislative Principles have been filed, including bills related to voter access, energy efficiency, and marriage equality.

The City's Legislative Priorities are, generally, specific revenue and legislative proposals that the City has identified as the issues of greatest impact to the City. These are the issues the City intends to continue expending significant political capital on and the issues that we intend to ask our General Assembly delegation to engage in on behalf of the City.

The City's Legislative Priorities for the 2021 General Assembly Session fall into five categories with several priorities in each category:

- Funding and Authority for Infrastructure Investments in Alexandria
 - CSO
 - Transit/Transportation
 - Affordable Housing
 - Inland/Urban Flooding
 - School Construction/Renovation
- Protection and Expansion of Local Authority and Funding for Localities
 - Regionally Scaled, Adequate Funding for “Shared Employees”
 - Increased funding for K-12
 - Modernizing the Local Tax Structure
 - Tree Canopy Preservation and Expansion
- Protecting our Most Vulnerable Residents
 - Limited, Narrowly Tailored Info Sharing to Assist in Serving Vulnerable Youth
 - Human Rights Commission Authority
 - Expanding Pool of Participants Who Can Serve on Teams Supporting Local Programs Funded by the Children's Services Act
 - Streamline Application, Increase Funding for SNAP for Seniors
- Promoting Access, Equity and Equality
 - Limit Qualified Immunity
 - Replace “Handicapped” with “Disabled” in Virginia Code
 - Access to Voting
 - Electronic Meetings/Participation
- Combatting Climate Change, Promoting Clean Energy
 - Reduce Greenhouse Gas Emissions
 - Accelerate Deployment of Electric Vehicles
 - Transportation Climate Initiative

Legislation filed to date that aligns with and supports the City's Legislative Priorities, includes a constitutional amendment to restore the voting rights of convicted felons in the Commonwealth.

“Caboose” Budget - This session is a “short session” and the General Assembly will only consider the Governor's proposed amendments to the Fiscal Year 2020 to 2022 biennial budget.

The City will continue to work to protect the \$25 million in Virginia Public Building Authority Bonds in the current biennial budget and will work to codify the General Assembly's commitment to another \$40 million in

bonds in the next biennial budget, which will be considered in 2022.

In addition, there are a number of other budget items of interest to the City, including:

- \$240 million for public health pandemic response, including \$90 million to support Virginia's vaccination deployment
- \$500 million to prevent reductions to school division funding due to COVID-19
- Restores over \$16 million to expand access to early childhood education
- Invests an additional \$25 million in Virginia's Housing Trust Fund in FY 2022, matching the \$55 million that is maintained in FY 2021
- \$15.7 million in FY21 for the Rent and Mortgage Relief Program
- \$1.5 million in FY22 to fund additional housing attorneys at the Virginia State Bar
- Invests an additional \$15 million in the Virginia Telecommunications Initiative (VATI) in FY22, matching the \$50 million that is maintained in FY21
- \$98 million for a one-time bonus for state employees (\$1,500), adjunct faculty (\$750), and state-supported local employees (1.5 percent), and \$9.5 million for the Compensation Board to increase support for Virginia's constitutional officers
- \$10 million to update the formula that determines how much the state pays for local health departments
- \$12 million in the Department of Environmental Quality to better protect Virginia's air, land and water, and \$13.5 million in water quality and agricultural best management practices (BMPs), bringing Virginia's BMP investment to \$35 million in FY 2022
- \$1.8 million to provide salary equity between Deputy Circuit Court Clerks and their counterparts at the District Courts.

The economic outlook for the Commonwealth looks stable, and revenues are exceeding the official forecasts.

ATTACHMENTS:

1. 2021 Alexandria Legislative Package
2. Recommended Positions on Bills of Impact to the City Discussed at January 5 and January 8, 2021
Legislative Subcommittee Meeting

STAFF:

Laura Triggs, Deputy City Manager
Sarah Taylor, Legislative Director