

## **CERTIFICATION**

I, Celeste Heath, City Clerk for the City of Falls Church, Virginia do hereby certify that the foregoing is a true and correct copy of Resolution 2022-45, which was duly adopted by the City Council of the City of Falls Church at a meeting held on November 28, 2022.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Falls Church, Virginia this 30<sup>th</sup> day of November, 2022.



Celeste Heath, CMC  
City Clerk



RESOLUTION ADOPTING THE CITY OF FALLS CHURCH 2023  
LEGISLATIVE PROGRAM

WHEREAS, the City of Falls Church is a political subdivision of the Commonwealth of Virginia, and, as such, has an interest in prospective legislation that will come before the Virginia General Assembly during its 2023 Session; and

WHEREAS, the City Council Legislative Committee has reviewed the legislative initiatives and recommends that Council support the proposed *City of Falls Church 2023 Legislative Program* as its legislative program; and

WHEREAS, the City Council has considered the Legislative Committee's recommendations and wishes to approve them as the *City of Falls Church 2023 Legislative Program*;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Falls Church, Virginia that:

- 1) the City Council hereby approves the *City of Falls Church 2023 Legislative Program* and endorses, by reference, the positions contained in the Virginia Municipal League, Northern Virginia Transportation Authority, Northern Virginia Transportation Commission, Mary Riley Styles Public Library Board of Trustees, Environmental Sustainability Council, and Falls Church City Public Schools submissions; and
- 2) the City Council urges the Virginia General Assembly to favorably consider and take action on the legislative initiatives provided in *City of Falls Church 2023 Legislative Program*; and
- 3) the Mayor, Members of Council, City Manager, Deputy City Manager, City Attorney, City Boards and Commission Members, and other City officials are authorized and encouraged to represent the City of Falls Church positions, as set forth in the *City of Falls Church 2023 Legislative Program*, with respect to prospective legislative and policy matters being contemplated by the Virginia General Assembly during its 2023 Session; and
- 4) a copy of the approved *City of Falls Church 2023 Legislative Program* shall be forwarded to Senator Dick Saslaw and Delegate Marcus Simon.

Reading: 11-28-22  
Adoption: 11-28-22  
(TR22-43)

IN WITNESS WHEREOF, the foregoing was adopted by the City Council of the City of Falls Church, Virginia on November 14, 2022 as Resolution 2022-45.

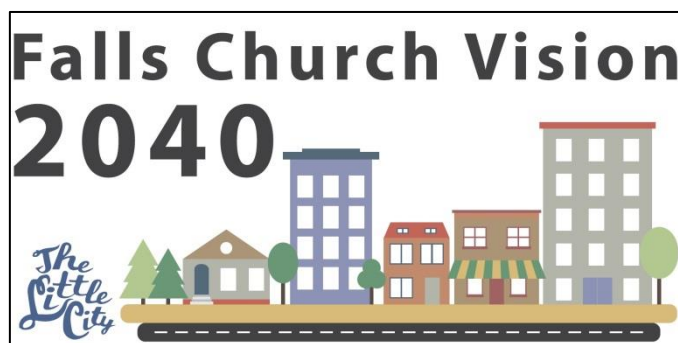
A handwritten signature in blue ink that reads "Celeste Heath". The signature is written in a cursive style with a horizontal line extending from the end of the word "Heath".

Celeste Heath  
City Clerk

## 2023 City of Falls Church Legislative Program

The Council's adopted vision for the City drives and directs the work of City Council and staff and is the foundation for the efforts that will make this vision a reality in our community. The Legislative Program and the work of City staff during the General Assembly is key to ensuring that City has the legal framework, authority and funding necessary to achieve this vision for our community.

This Legislative Program is developed to be aligned with the adopted Vision and Core Values as cited below.



### **Falls Church 2040 Vision, adopted April 10, 2017**

*In the year 2040, the City of Falls Church is a welcoming and inclusive community – a special place in the heart of Northern Virginia. Involved citizens are key to the City's long-term success as a leader in education, environmental sustainability, multi-modal transportation, and vibrant*

*economic development. By investing in neighborhoods, community services and facilities, schools, and parks the City preserves small-town character and history while honoring a deep commitment to progress and a growing community. The continual rejuvenation of robust commercial areas supports the City's high quality of life for all citizens.*

### **Core Values:**

*Small-Town Character in an Urban Setting* - Community involvement and spirit, festivals and events, substantial investment in the arts, including public art, historic preservation, revitalization districts as focal points

*Economic Sustainability* - Flourishing commercial base including local shopping and dining, business development, skilled labor force, regional attractions and tourism economy, public-private collaboration

*Environmental Sustainability*- Parks and open spaces for recreation and the environment, a lush urban forest, safe, breathable air, clean, safe streams as measured against water quality requirements for being "swimmable and fishable", zero waste, energy efficiency/reduction in GHG emissions

*Inclusiveness and Social Sustainability* - Diverse housing stock for all income levels, services and facilities for all ages and abilities, celebrations of race and culture including music, arts, and commemorations of history and historical events

*Education* - High quality public education and library facilities, continued academic excellence, opportunities for life-long learning

*Mobility and Accessibility* - Travel options to walk, bike, transit, or drive, local accessibility and regional mobility, regional cooperation and regional solutions

*Public Health and Safety* - Ample opportunities for physical activity, access to fresh, local foods, low crime rates, responsive police service, access to quality physical and mental health care, hazard mitigation

*Responsive and Accountable Governance* - Fiscal responsibility, accessible and responsive public servants, high participation with citizen boards and commissions, openness and transparency

**Equity Lens:** Additionally, as the City first did in 2021, the General Assembly legislation will be viewed with an equity lens for consistency with the Vision and these Core Values. Questions to be considered when assessing the outcome of proposed legislation include:

- 1) Equal impact among all residents?;
- 2) Benefit those under stress?;
- 3) Reduce current community disparities? and
- 4) Corrects organizational inequalities that developed over time?

**Environmental Impact Lens (NEW):**

Continuing the 2022 initiative the General Assembly legislation will be viewed against an environmental impact lens for consistency with the Vision and Core Values. Questions to be considered when assessing the outcome of proposed legislation include:

- 1) What is the impact on environmental sustainability?  
[*Consideration given to five categories, based on the Comprehensive Plan Chapter 5 Environment for Everyone, of Climate, Air & Energy; Stormwater, Streams & Natural Springs; Urban Forest & Biodiversity; Consumption & Waste; Community Engagement*]; and
- 2) What is the impact on the community's ability to withstand, adapt to and/or recover from adversity (whether natural or man-made)?

## **LEGISLATIVE POSITIONS**

### **FEDERAL**

*Background:* The COVID-19 pandemic continues to have detrimental impact on localities both from the health and economic standpoints. The added complexity of inflation, supply and demand, the global crisis in Ukrainian. The federal relief funds as well as the Infrastructure and Jobs Act along with the Inflation Reduction Act are resources to assist in addressing the health, human services and economic impacts as communities recover. The Federal government must provide flexible financial resources to assist in mitigating this pandemic and stabilizing the economy whether as the already approved recovery CARES Act CRF or ARPA SLFRF funding as well as the infrastructure investment legislation or pending federal bills. This assistance must be targeted to local government and educational services. Additionally, the hard hit public transit services must be stabilized in order to ensure ridership recovery that is vital to job productivity, economic stability, long-term congestion mitigation and reduce greenhouse gas emissions.

*Position:* support additional federal legislation as well as implementation regulations that provides adequate funding, flexible eligible uses and adequate timelines due to the duration of this severe pandemic.

## **VIRGINIA**

### **Priority**

#### **Board and Commission Membership Modification- Charter Amendment**

*Background:* The Council Work Plan was referred to boards and commissions on March 1, 2021, with a request to conduct an equity review of policy and services and provide recommendations to Council for possible changes. Council reviewed the board and commission submissions at the June 7 work session. A consistent theme from all the input received was a need to increase inclusion of diverse perspectives and experience in the participatory government. The Library Board of Trustees recommended expanding representation and diversity of its membership. The Housing Commission recommended that the language requiring that board and commission applicants be qualified voters be removed because that includes a citizenship requirement for voting. Currently, the City Charter requires that members appointed by Council to serve on boards and commissions be “qualified voters of the city, actually residing within the city limits.” City Charter Sec. 4.14.

To allow membership on boards and commissions to be more inclusive of the city population, an amendment to the City Charter by the Virginia General Assembly is required. The proposed language would remove “qualified voter of the city,” while the residency within the city is retained. A minimum age limit is also proposed, as that criteria previously was part of the “qualified voter” status. Council approved Res.21-38 but the Governor vetoed the resulting Virginia legislation. Therefore, Council is acting on TR22-42 to resubmit the Charter Amendment request for 2023 (Attachment 2). The City’s Senator and Delegate have agreed to submit the legislation per the request of City Council.

*Position:* support the City Charter Amendment Sec. 4.14 language modification to as specified in TR22-42 which is identical in form of Res. 21-38.

#### **State Budget (Consistent Regionally)**

*Background:* The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by adequate state funding to successfully provide those services, and reciprocal accountability for successes and failures, ensuring both the state and localities accept responsibility commensurate with their respective roles.

The funding challenge that Virginia localities continue to confront is that the Commonwealth never fully satisfies its funding obligations to shared state and local programs and services. As a result, even when the state economy is flourishing and revenues are growing, the gap between what the state should provide for critical services (including K-12, public safety, human services, transportation, and economic development, among others) and what it actually provides is simply too substantial to make up. And because the economic picture is often cyclical, when revenue challenges create a substantial impact, like the recession several years ago or the current global

pandemic, the issue is compounded as the state shifts more of the fiscal burden to localities at a time when they can least afford it, allowing the gap to grow ever larger.

The allocation of resources is, in fact, a way of prioritizing areas of critical importance for the state. If core services and shared state-local programs are not at the top of that list, the pro-business environment Virginia has become known for will be jeopardized. Regrettably, a national report indicates that, during the previous national recession, only a handful of state governments cut more funds to local governments and school districts than Virginia did. Though the Commonwealth's budget shortfall was the 20th largest in the nation, Virginia's cut to funding for localities was the third highest among states. Essentially, Virginia relied on cuts to localities and school divisions to a greater extent than most other states. It is vital that the state avoid this approach to the current pandemic-related economic challenges.

In addition to increasing funding overall for K-12 and Transportation, the 2022 General Assembly should:

- Fully restore Cost of Competing Adjustment (COCA) funding for K-12 support positions in the 2022-2024 biennium budget (the 2021 GA took an important step by including additional appropriations to restore funding for the COCA for support positions; however, the 2021 GA also included a required ratio for K-12 support staff that will increase local costs for implementation, erasing some of those gains.);
- Fully restore regional transportation revenues that were diverted to fund WMATA's capital funding gap for state of good repair and critical capital needs;
- Restore, or at a minimum provide level funding, for HB 599 law enforcement funding; if state funding had consistently increased with state revenues, as is required;
- Provide the necessary resources to allow Virginians experiencing the impacts of the COVID-19 pandemic to recover, including assistance for affordable housing;
- Support full, uninterrupted funding for implementation of STEP-VA (System Transformation, Excellence and Performance in Virginia), the Commonwealth's behavioral health transformation plan;
- Support increased state resources for early childhood education programs, including the Virginia Preschool Initiative (VPI), to allow localities to expand these critical programs. Research has increasingly shown the importance of high-quality early childhood education programs to children's cognitive and social-emotional development and their school success; and
- Provide additional state funding to increase Medicaid waiver rates and slots for individuals with developmental disabilities, to provide appropriate community services and ensure the Commonwealth fulfills its responsibility to implement the federal settlement.
- Hold localities harmless for any reduction or elimination of taxes (i.e. grocery sales or gas tax) or new mandates (i.e. SRO and/or School based nurses)

State revenues have continued to fluctuate considerably in recent years, but due to the substantial injection of federal funds, including the most recent appropriation of \$4.3 billion from the American Rescue Plan Act (ARPA), the state is in a considerably stronger financial position than was expected at this time last year. Despite the ongoing global pandemic, inflation and Ukrainian war the current projections indicate the state has experienced substantial revenue growth. The

state's extensive revenue surplus and receipt of significant federal funding provide an extraordinary opportunity to address long-standing challenges associated with the Commonwealth's sustained underfunding of shared state and local critical core services. The state must find ways to increase investments in K-12, human services, and other shared state and local programs after years of state underfunding.

*Position:* The state must find ways to increase investments in K-12, human services, police, transportation and other shared state and local programs after years of state underfunding. The state must focus on investments in critical core services. The City opposes the elimination of the 1% locality grocery sales tax revenue until localities are made whole.

### **K-12 School Funding and Composite Index**

*Background:* Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully and appropriately meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow the gap between state funding and the actual costs of providing a high-quality education, particularly in high cost-of-living jurisdictions like the City, to expand. This growing imbalance was highlighted in particularly stark terms in 2021. Virginia's state per pupil funding consistently ranks among the lowest compared to other states, a discrepancy that has become increasingly untenable at a time when a global pandemic has placed unprecedented challenges on public education. While local revenues were negatively impacted by the COVID-19 pandemic, increased pressures were placed on localities and school divisions to continue to deliver high-quality services, including public education, under unprecedented conditions with limited state support.

Virginia needs to:

- Continue efforts to address state funding formula imbalances and inadequacies, including addressing required local match provisions, particularly in high cost-of-living jurisdictions.
- Eliminating the support positions ratio cap, which has artificially lowered the state's funding contributions for critical educational support positions by hundreds of millions of dollars annually since its adoption in 2009.
- Fully restoring funding for a Cost of Competing Adjustment (COCA) for support personnel, a factor used in the state K-12 funding formula recognizing the competitive salaries required in high cost-of-living regions to attract and retain high-quality personnel.
- Increasing state funding support for school divisions with high numbers or concentrations of English learners (approximately 30 percent higher costs than general education), students living in economically disadvantaged households (approximately 10 percent higher costs than general education), and students receiving special education and mental health services (approximately 100 percent higher costs than general education).
- Addressing education funding shortfalls, including those due to reduced student population counts (or Average Daily Membership), resulting from the ongoing effects of the COVID-19 pandemic.
- Standards of Quality (SOQ) that reflect the true local costs of providing a high-quality public education, and that provide adequate and appropriate state funding to implement



the Standards, including in high-cost-of-living areas like Northern Virginia. The current SOQs dramatically underestimate the actual costs of public education, as evidenced by the fact that localities spent approximately \$4 billion above state requirements in FY 2021.

- Rejecting the use of weighted averages and other estimators designed to reduce the state's share of public education costs when calculating average teacher salaries and other education costs.
- Recognizing cost-of-living variations throughout the Commonwealth in state funding formulas, in order to more accurately determine a locality's true ability to pay.
- Increasing state resources for early childhood education programs, which help young children enter kindergarten prepared to succeed.

Additionally, Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the state General Fund, strong local effort, and the effect of high local composite indices, which divert state funding away from this region. As a result, it is essential that the state conduct a thorough review and update of the school funding composite index factors, thresholds, formula construct and maintained higher overall funding. This position is consistent previously adopted legislative programs, specifically cited since the 2017 program.

*Position:* Request the General Assembly authorize a detailed review and update to the composite index, to establish more equitable funding distribution of allocating school funding and continue to increase overall K-12 funding.

### **Regional Transportation Funding (Regional)**

*Background:* The Commonwealth must fully restore funding to the Northern Virginia Transportation Authority (NVRTA) in an amount equal to what was diverted, to ensure that transportation projects continue to advance in Northern Virginia after decades of state underfunding. The General Assembly has successfully restored approximately \$63.5 million of the \$102 million in annual regional transportation funding diverted to the Washington Metropolitan Area Transit Authority (WMATA) by the 2018 General Assembly. The 2018 action, which also included governance reforms at WMATA to enhance the safety, security, and efficiency of the system and its riders, addressed WMATA funding needs at the expense of other critical projects throughout Northern Virginia. While the region continues to try to address the ongoing effects of the funding diversion, project costs continue to increase significantly.

Further, it is essential that the regional and local transportation funding created by HB 2313 (2013), HB 1414/SB 890 (2020), and other legislation be maintained as originally intended. Major transportation improvements that provide benefits beyond Northern Virginia, such as WMATA state of good repair, the I-66 Express Lanes, and projects that create additional capacity across the Potomac River, should primarily be funded by the Commonwealth and the federal government. Diverting existing Northern Virginia transportation revenues for such projects (as was done for WMATA in 2018, to the detriment of numerous other projects) will significantly disrupt regional transportation planning and long-standing regional priorities, and must not be repeated.

*Position:* Support restoration of long-term regional funding. Oppose future diversions of existing Northern Virginia transportation revenues, which significantly disrupt regional transportation planning and long-standing regional priorities.

### **Transportation Funding (Consistent Regionally)**

*Background:* Virginia should build upon the successful enactment of significant transportation revenues by the 2013 and 2020 General Assembly's to ensure sufficient funding for transportation needs. Statewide and regional funding generated by HB 1414/SB 890 (2020) and HB 2313 (2013) provided substantial new resources needed to significantly address the transportation needs of Northern Virginia and the Commonwealth. It is essential that this additional funding help ensure appropriate funding for new projects, state road maintenance (including funding for improved repaving, snow removal, mowing in the right-of-way, and stormwater management) and continued state assistance for local and regional transit systems. However, while HB 1414/SB 890 and HB 2313 moved the Commonwealth in the right direction the elimination of the .5% grocery sales tax revenue will increase long-term transportation funding challenges. Staff is also tracking the VDOT study on road conditions and funding parity for localities who maintain their own road.

### Allocation of Statewide Revenues

It is critical that Northern Virginia continue to receive its fair share of statewide revenues, as required by HB 2313, particularly in light of the Smart Scale process for prioritizing projects, the MERIT process for prioritizing transit capital and operating funding, and other funding programs and processes created over the past several years. Further, new transportation funding created since 2013 should continue to be used only for transportation purposes, as originally intended.

- The Virginia Department of Transportation's (VDOT) Northern Virginia District is only expected to receive 6.34 percent of the State of Good Repair funds in FY 2020.
- It is important that funding for the Revenue Sharing program be maintained and increased if possible. This program significantly leverages state transportation funds by encouraging local governments to spend their own money on transportation projects and has been essential in helping fund road and transit projects. Additional funding should be provided to the Revenue Sharing program to ensure that vital projects across the Commonwealth continue to advance. In addition to adequate funding the General Assembly to authorize an overspend of VDOT Revenue Sharing funds so that transportation capital projects can be advanced during years three and four of the VDOT Six Year Improvement Program (SYIP) versus five and six years out.
- The 2019 General Assembly provided helpful transition assistance in FY 2020 to aid transit systems that are projected to see a significant decrease in transit operating funds resulting from changes to distribution formulas.

### Transportation and Economic Success

*Background:* The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 and 2020 General Assembly session to ensure sufficient funding for overall transportation needs. The Commonwealth should also provide funding

assistance for the transportation needs of major employment centers to lay the groundwork for continued economic success.

*Position:* the City supports restoration to HB 1414/SB 890 and HB 2313 as the impacts of the COVID-19 pandemic are mitigated as well as ensuring fair share distribution for Northern Virginia from statewide revenues. The City also supports the restoration or fully offset funding from the 2022 elimination of the .5% of the grocery sales tax funding dedicated for transportation.

### **Local Authority**

*Background:* Existing local government authority should be preserved, particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another. Finally, local government representatives should be included on all commissions or bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

The local tax structure, which has become outdated and over-reliant on property taxes, should be modernized. Local government revenues must continue to be diversified – the 2020 General Assembly took a major step forward on this front with the passage of equal taxing authority legislation for counties and cities. Where possible, the state should continue to update state and local taxes to reflect changes in the economy or technology; avoid new state mandates while fully funding current requirements; avoid any diminution of current local taxing authority (including BPOL and machinery and tools taxes); and, avoid restrictions on local revenues.

Local land use authority must also be preserved. Historically, local governments have served as the level of government best suited to equitably and effectively deal with local land use issues.

*Position:* Oppose any legislation that reduces or eliminates existing local government authority particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare. If regressive taxes as grocery sales taxes are to be reduced or eliminated the locality should be held harmless for revenue loss.

### **Stormwater - Quality and Quantity (Consistent Regionally)**

*Background:* While the Commonwealth has invested significantly in studies and programs related to water quality, the issue of water quantity has not had the same amount of focus or investment, especially in inland and urban areas. While projects should be focused and be based on quantity improvements, projects should score better if they're able to introduce a green component to them. In other words, converting a pipe to an open stream should score better than just upsizing a pipe for capacity. There is no one solution to the more frequent flooding events many inland and urban areas are experiencing, and strategies must include consideration of infrastructure investments (quality and quantity), development standards, permit requirements, and grant and tax-incentive programs to plan for and address these issues.

As a region, we support a collaborative approach to addressing inland and urban flooding; it is critical to address upstream as well as downstream solutions to prevent pushing the problem “downstream”. Approaches should provide for both gray and green infrastructure solutions.

*Position:* the City support efforts to increase and fully fund per state formula the Stormwater Local Assistance Fund (SLAF) funding as well as evaluating and updating SLAF proposal scoring criteria to assign points to projects that also support local stormwater resiliency priorities and capacity needs and introduce green infrastructure components.

In addition, the City supports legislation and study analysis formulate recommendations for the development of a comprehensive and coordinated planning effort to address recurrent flooding and propose actionable short-term and long-term strategies and funding opportunities for minimizing the impact of flooding throughout the Commonwealth.

### **Affordable Housing (Consistent Regionally)**

*Background:* The City is committed addressing the documented need to expand and preserve a continuum of quality housing affordable housing. Given the Virginia surplus revenue increased funding should be allocated.

The City supports implementing the recommendations from the recent affordable housing studies to include executing on:

- Support substantially increasing funding for the Virginia Housing Trust Fund, as well as increasing the funding cap that each development can request. This is essential to create and preserve affordable housing and reduce homelessness in Northern Virginia, where housing affordability poses substantial challenges for the economic competitiveness of the region, creating potentially negative impacts to the Commonwealth overall.
- Expand resources available to ensure legal assistance and aid to tenants facing eviction, including outreach and prevention services for potential beneficiaries.
- Expand the pool of resources available for down payment assistance, as down payment costs are a major barrier to homeownership for low- and moderate-income earners.
- Enhance and create more state-funded housing tax credits and rental assistance programs for individuals with disabilities and people experiencing homelessness, such as the Livable Homes Tax Credit, State Rental Assistance Program (SRAP), Virginia Homeless Solutions Program (VHSP), and previously provided Housing Choice Vouchers.
- Increase funding for permanent supportive housing units (allocated based on the size of the population served) for individuals with severe mental illness, substance use disorder, and developmental disabilities.

*Position:* support implementing the 2021 affordable housing study recommendations as well as City specific funding \$2M affordable housing funding in the upcoming state budget. Staff will monitor affordable housing, land-use/ zoning and equitable inclusion related legislation and underway studies.

### **Swatting (New)**

*Background:* To counter the intentional misleading erroneous communication to 9-1-1 recommend language prohibiting any intentionally misleading erroneous communication,

including a call to a non-emergency number as well as by a 911 call, which by its content and manner reasonably would be interpreted to justify initiating an emergency “SWAT” or similar response.

*Position:* supports legislation to provide law enforcement an additional legal tool to prohibit the act of making an intentional misleading erroneous “hoax” communication to 9-1-1 (or to a private citizen, who communicates with 9-1-1) reporting an immediate threat to human life with the intent of triggering an immediate and significant law enforcement emergency response, usually involving a SWAT team (thereby known as “swatting”).

### **Resiliency Infrastructure and Affordability Initiative**

*Background:* The Council’s Legislative Committee, with full Council consensus, submitted to Senator Saslaw a \$10M to address critical local needs on stormwater (quantity and quality), affordable housing preservation and expansion to build on our two Amazon VA Housing Reach grants, and pedestrian safety-walkability. The state’s revenue surplus is adequate to help address these specific City infrastructure investment needs.

*Position:* coordinate with Senator Saslaw and support a budget amendment in the amount of \$10M.

### **Tenant Rights**

*Background:* Continue to support tenants by establishing a new administrative process, similar to the fair housing enforcement process, for tenant rights that shifts the burden of enforcement from residents to the state. Current state code places the responsibility on the tenants to seek enforcement to resolve tenant rights, environmental health and/or building code violations. Tenant often lack the knowledge, time and resources to work through the legal complexities. Additionally, local building officials have limited authority to address these issues.

*Position:* support legislation that shifts tenant right enforcement, especially around environmental health issues of mold and rodents, to the state. Also support legislation to revised the Virginia Uniform Building Code to provide more authority to the state and local building officials.

### **Community Services Boards (Regional)**

*Background:* Community Services Boards (CSBs) provide vital behavioral health and developmental services available to the entire community, and that are critical to assuring access to some of the most vulnerable populations. As the Commonwealth continues to implement the STEP-VA program, ten services mandated by the General Assembly to be provided in every community, adequate funding must be available to fully develop each step. The Region supports language provided in the current biennium budget that states CSBs are not required to provide any service pursuant to STEP-VA beyond the scope (level) of services funded and that any new service requirement shall be subject to appropriation and allotment of funds. During the 2020 Special Session, the General Assembly passed legislation that over time will require that each CSB also develop a Mental Health Awareness Response and Community Understanding Services alert system (MARCUS alert system) and community care/mobile crisis teams.

The biennium budget includes \$3 million GF in the second year to establish one MARCUS alert system and community care team in each MH-service region pursuant to the legislation, with each region receiving \$600,000 for this purpose. The General Assembly also provided another \$30 million in the second year for STEP-VA, specifically stating that \$4.7 million be for crisis dispatch and \$6.8 million for mobile crisis services. However, it is unclear precisely how much money will be needed to institute the plans by the Department of Behavioral Health and Developmental Services (DBHDS) and the Department of Criminal Justice Services (DCJS) and protocols established by the localities.

There is documented shortage in mental health staff needed to implement these requirements, a challenge that will require time and funding to address. In addition, MARCUS Alert planning and implementation should work in conjunction with services provided through STEP-VA as crisis services is one of the steps. It is imperative that sufficient state general funds are provided in this biennium and in future biennial budgets to help fully institute this legislation and successfully provide needed mental health support services.

Furthermore support the Community Service Boards in securing \$167.5 million investment in recruitment and retention initiatives for CSBs across Virginia including quarterly recruitment and retention bonuses, funds to create a path to licensure by paying for clinical supervision hours and funds for loan repayments and scholarships. 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.

Fairfax County CSB already has a well-established short-term Crisis Center with 16 Adult short-term crisis beds at Wellness Circle. Fairfax CSB is seeking \$2.8 million in ongoing operational funding to expand this program by adding 16 Adult 23-hour Crisis Recliners, which would be co-located with the existing program.

*Position:* Support fully funding Community Services Boards services and staffing.

### **Public Meetings- Electronic Participation**

*Background:* The City of Falls Church is fully committed to transparent public meeting along with well-documented record keeping. Additionally, the adopted City Vision and Comprehensive Plan foundation cites the criticality for maximizing equitable and equality public participation, remove barriers and facilitate more representative, effective public policy. The City wants our advisory bodies to reflect the diversity of voices and lived experiences within our communities and firmly believe that the public benefits when their government reflects its population. This is relevant during the declared pandemic emergency but existed as a need prior to and will after the emergency. The City supports the removal of the Commonwealth-imposed limit on individual electronic participation by members of a public body to include elected governing bodies (jurisdictions and school district) as well as appointed Planning Commission, Boards and Commissions (AAB, EDA, Historical, Human Services) and Regional (NVTC, NVTAs).

The City acknowledges the 2022 General Assembly improvement through the FOIA Council's recent studies and recommendation to enhance electronic participation as another reasonable compromise step forward.

*Positions:* the City supports the removal of the Commonwealth-imposed limit on individual electronic participation by members of a public body.

### **Sovereign Immunity**

*Background:* The City is focused on ensuring that all members of our community have access to justice and democracy, are afforded equal protection under the law, and the work is being done to acknowledge and address the core issues of inequity and inequality in our community and our Commonwealth. The City is proud of the sworn police officers and sheriff deputies who maintain a safe and secure environment for our residents, businesses and visitors. The diverse group of law enforcement officers who serve and protect our community are carefully vetted, highly trained and technically skilled, and a credit to their profession. The City supports officers and deputies of character and honor their dedicated service.

Additionally, the City holds public safety personnel to high standards. All should be held legally accountable should there be an act of intentional and aggressive use of force or violation of code of conduct. The City is actively engaged in external and internal assessment and implementing the recommendations of the external Use of Force Taskforce as well as internal police review team.

However, the City supports maintaining qualified immunity or making changes to sovereign immunity. Under current law immunity is not guaranteed or absolute, it must be earned. A change can have a negative impact have (remove) on retaining current officers as well as recruiting future officers. Officers are asked to make split second decisions and this immunity is necessary for their protection.

*Position:* supports maintaining qualified and sovereign immunity status. Support ongoing training, police and social justice reform, review of all policies and procedures and community advisory oversight commissions.

### **Pedestrian Safety and Cross Walks**

*Background:* Events throughout the region continue to bring concern for the safety of pedestrians attempting to cross streets; education alone is insufficient to mitigate vehicular accidents that involve pedestrians. Many Northern Virginia jurisdictions are exploring a variety of means to effectively provide for pedestrian safety while avoiding both the potential for serious vehicular accidents and the potential for creating a false sense of security for the pedestrians.

*Position:* Support revisions to Virginia's existing laws regarding pedestrians to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities. In particular, support legislation that would require motorists to stop for pedestrians in all crosswalks on roads where the speed is 35 mph or less. Additionally, seek and/or support legislation that would further refine state statutes in order to eliminate confusion regarding the rules of the road and at crosswalks for bicyclists. Support the VDOT recommended model crosswalk guidance from the working group analysis. Also, support the expanded use of speed cameras, similar to school bus stop arm and photo red cameras, as another tool to achieve increased safety.

### **Street Safety**

*Background:* Per Council's adopted Vision and the Comprehensive Mobility for all Modes Chapter Council is committed to providing for "the safe movement of people and goods within and through

the City via a transportation network that connects to the regional transportation network, offers choices in travel modes, supports economic activity, is sensitive to the environment, and provides equitable access for all City residents, workers, and visitors.” In order to achieve this outcome the City advocates for enabling legislation that grants local authority to utilize additional tools that provide for an additional layer of safety such as expanding the use of red light cameras, implementing speed camera technology in areas outside of school zones, local determination of roadway travel speeds as well as mandating safety helmet use (applicable to sidewalk use as well as streets) for all persons not just those under the age of fourteen. The granted local authority needs to not be burdened with expensive and excessive engineering requirements.

*Position:* Support legislation that would enable the City to locally implement additional street safety tools.

## **Energy and Environment**

*Background:* The City is committed to reducing greenhouse gas emissions and operational demand for energy through efficiency, conservation, renewable energy, education, and other measures. After years of small advances in addressing global climate change and environmental sustainability, the 2020 General Assembly passed legislation creating more substantial change. Consistent with the adopted Comprehensive Plan Chapter 5 and the Environmental Sustainability Council’s legislative positions (attachment 5), the City supports The City supports the following:

- **Protect** Virginia’s participation in the **Regional Greenhouse Gas Initiative (RGGI)**, the **Virginia Clean Economy Act**, and other legislation which has made advances in the areas of combatting climate change, promoting energy efficiency and electric vehicles, and encouraging clean energy investment;
- Legislation in **increase energy efficiency in existing buildings**;
- Legislation to reform the process of updating the Virginia Energy Conservation Code;
- Legislation to provide local governments with greater incentives for the **reforestation, preservation, and management of urban forests**
- Legislation to **encourage and achieve zero carbon energy** in the Commonwealth;
- Legislation to **mitigate greenhouse gas emission impacts of the transportation sector**; and
- Increased funding for the **Stormwater Local Assistance Fund (SLAF)** and budget for adequate state appropriations to the **Water Quality Improvement Fund (WQIF)**.

*Position:* Supports legislation that facilitates reduction in greenhouse gas emissions, development of renewable energy, expands electric vehicle infrastructure and retains membership in RGGI.

## **Support**

### **Preserving Trees:**

*Background:* Support legislation to provide greater incentives for tree canopy preservation, conservation and planting in the context of compliance with the Chesapeake Bay Preservation Act and related environmental laws. Tree preservation legislation should provide local governments with greater flexibility in the reforestation, conservation, preservation, and management of urban forests to include incentives to developers to maximize tree preservation and planting to offset tree



removal. This issue is consistent with the Urban Forestry Commission's recommendation and is included in the Arlington Legislative Program.

*Position:* Support legislation that provides local governments with greater flexibility in the reforestation, conservation, preservation, and management of urban forests.

### **Smoking in Parks**

*Background:* The City cannot prohibit smoking outdoors on publicly-owned land especially parks which is a health, fire and trash concern. Resolving this issue has been discussed by Council, the Recreation and Parks Advisory Board and the community. The City's Recreation and Parks Advisory Board has developed and is refining a community campaign on this issue and assessing its effectiveness. Regardless of local voluntary efforts it is recommended that a state code revision be considered to permit a local ordinance option to restrict smoking on public land.

*Position:* Support legislation to enable the City to regulate and prohibit smoking outdoors within the City.

### **Library State Funding**

*Background:* See Attachment 4 for Mary Riley Styles Public Library (MRSPL) Board of Trustees legislative recommendations.

*Position:* Council fully endorses, by reference in Council's 2022 Legislative Program, the MRSPL's legislative program.

### **Environment**

*Background:* See Attachment 5 for the Environmental Sustainability Council's (ESC) as well for the Energy Transition Committee (ETC) legislative programs.

*Position:* Council fully endorses, by reference in Council's 2022 Legislative Program, the ESC's and ETC's legislative program.

### **VML**

*Background:* See Attachment 7 web link for comprehensive regional positions in the Virginia Municipal League's (VML) 2023 legislative program.

*Position:* Council fully endorses the VML legislative program.

### **NVTA**

*Background:* See Attachment 8 web link for comprehensive regional positions in the Northern Virginia Transportation Authority's (NVTA) legislative program to be adopted mid-December

*Position:* Council fully endorses the 2023 NVTA legislative program.

### **NVTC**

*Background:* See Attachment 9 web link for comprehensive regional positions in the Northern Virginia Transportation Commission's (NVTC) legislative program.

*Position:* Council fully endorses the NVTC legislative program.



Attachment 2

(TR22-42)

RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY AMEND SECTION 4.14, “APPOINTMENTS,” OF THE CHARTER OF THE CITY OF FALLS CHURCH TO REQUIRE THAT APPOINTED MEMBERS TO CITY BOARDS AND COMMISSIONS BE AT LEAST 18 YEARS OF AGE AND RESIDENTS OF THE CITY, AND REMOVING THE REQUIREMENT THAT THEY BE QUALIFIED VOTERS OF THE CITY

- WHEREAS, the City Charter of the City of Falls Church describes the process for appointments to boards and commissions; and
- WHEREAS, the Council-requested social equity review of policies and services has resulted in a recommendation to increase membership diversity and inclusion; and
- WHEREAS, Council’s adopted 2040 Vision states in part “In the year 2040, the City of Falls Church is a welcoming and inclusive community – a special place in the heart of Northern Virginia. Involved citizens are key to the City’s long-term success as a leader in education, environmental sustainability, multi-modal transportation, and vibrant economic development;” and
- WHEREAS, a core value necessary to achieve this Vision is “Inclusiveness and Social Sustainability” is the provision of services and facilities for all ages and abilities as well as celebrations of race and culture including music, arts, and commemorations of history and historical events; and
- WHEREAS, the City Charter’s requirement that persons appointed to boards and commissions in the City be qualified voters precludes all non-citizens from serving on such boards and commission, in contravention of the City’s policies of diversity and inclusion; and RESOLUTION REQUESTING THAT THE GENERAL ASSEMBLY AMEND SECTION 4.14, “APPOINTMENTS,” OF THE CHARTER OF THE CITY OF FALLS CHURCH TO REQUIRE THAT APPOINTED MEMBERS TO CITY BOARDS AND COMMISSIONS BE AT LEAST 18 YEARS OF AGE AND RESIDENTS OF THE CITY, AND REMOVING THE REQUIREMENT THAT THEY BE QUALIFIED VOTERS OF THE CITY
- WHEREAS, the City Charter of the City of Falls Church describes the process for appointments to boards and commissions; and
- WHEREAS, the Council-requested social equity review of policies and services has resulted in a recommendation to increase membership diversity and inclusion; and
- WHEREAS, Council’s adopted 2040 Vision states in part “In the year 2040, the City of Falls Church is a welcoming and inclusive community – a special place in the heart of

Northern Virginia. Involved citizens are key to the City's long-term success as a leader in education, environmental sustainability, multi-modal transportation, and vibrant economic development;" and

WHEREAS, a core value necessary to achieve this Vision is "Inclusiveness and Social Sustainability" is the provision of services and facilities for all ages and abilities as well as celebrations of race and culture including music, arts, and commemorations of history and historical events; and

WHEREAS, the City Charter's requirement that persons appointed to City boards and commissions be qualified voters precludes all non-citizens from serving on such boards and commission, in contravention of the City's policies of diversity and inclusion; and

WHEREAS, amending the City Charter to permit non-citizen residents of the City who are at least eighteen years old will enable to City and Council to receive more different input and hear more diverse viewpoints so that all persons in the City can benefit;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Falls Church Virginia, that the Virginia General Assembly is hereby request to amend Section 4.14 of the City Charter as follows:

**Sec. 4.14. - Appointments.**

The council in making appointments shall act only by the affirmative vote of a majority of the members of the council. All members of boards and commissions, appointed by the council, shall be at least eighteen (18) years of age and ~~qualified voters of the city, actually residing~~ reside within the city limits.

Reading: 11-28-22  
Adoption: 12-12-22  
(TR22-42)

## **Falls Church City Public Schools**

### **LEGISLATIVE POSITIONS 2023**

#### **INTRODUCTION**

The Falls Church City School Board supports the continuation of previously adopted policy and practice respecting individual rights and protecting students from discrimination due to gender expression, gender identity, sexual harassment, and transgender status.

The Falls Church City School Board believes high-quality public schools are fundamental to keeping our local community and Commonwealth strong. The Board supports increased state funding to support students, staff, and school facility modernization. The Falls Church City School Board represents the City of Falls Church and will manage resources, set policies and make curriculum decisions that are in the best interest of our community.

The Falls Church City School Board values the safety of the students and staff at our schools and on its campuses and supports legislation that would strengthen the ability to keep guns out of the hands of children. Some areas of legislation might involve who can get guns, what kind of weapons can be accessed, waiting periods, red flag laws, and storing of guns and ammunitions.

#### **FUNDING**

The Falls Church City School Board supports the return to the General Assembly's prior practice of funding support services to school divisions based upon local school division practices

The Falls Church City School Board supports the full funding of the Standards of Quality as recommended by the State Board of Education.

The Falls Church City School Board supports expanded funding to provide professional staff and support for student mental health needs.

The Falls Church City School Board supports the implementation of the Board of Education's recommendation to base EL pupil/teacher ratios by English language proficiency of students.

The Falls Church City School Board supports extending the Halifax Model of 1% sales tax for school construction and modernization to all school divisions.

The Falls Church City School Board supports the continued use of the Cost of Competing factor, including the restoration of funds for the inclusion of all support staff, in the reimbursement formula for Planning District Eight.

The Falls Church City School Board opposes any diversion of public education funds to non-public schools including the use of tuition tax credits, tax deductions, or vouchers as a mean of reimbursing parents for their children's K-12 education expenses.

## **ISSUES**

The Falls Church City School Board requests legislation to exempt from State licensure any day care program that is staffed by local school division employees, attended by children who are at least four years of age who are enrolled in a public school or preschool within the division, and is offered by a local school board at times other than during the instructional day.

The Falls Church City School Board requests legislation that requires gun owners to keep their weapons and ammunition safely in locked storage when not in use to ensure that they do not fall into the hands of children who can use them in schools and the community. Further, the Falls Church City School Board supports legislation that would make it a crime for failure to do so.

The Falls Church City School Board supports legislation to enhance the current Virginia code to ensure that the appropriate school officials are informed when a teacher or other school division employee is arrested for certain offenses.

The Falls Church City School Board supports legislation that would support the option for school division advisory bodies to meet electronically.

The Falls Church City School Board supports the Virginia Literacy Act legislation that was passed in the 2022 session and requests that school divisions be given flexibility in how they implement the Act.

The Falls Church City School Board supports legislative changes to allow school divisions to use performance-based assessments for all end-of-course Standard of Learning Assessments.

The Falls Church City School Board supports current policy regarding eligibility for in-state college tuition for Deferred Action Childhood Arrivals and Temporary Protected Status students and opposes any attempts to modify or curtail this policy.



Legislative Agenda 2023  
of the  
Mary Riley Styles Public Library Board of Trustees  
(to be adopted mid-December)

**Priority for Funding**

**1. Fully Fund State Aid for Public Libraries to improve services in every community across the Commonwealth.**

**The Library Board of Trustees for the Mary Riley Styles Public Library urges the Legislature to fully fund its State Aid for Public Libraries program as called for in the Code of Virginia. Public Libraries provide critical service to the disadvantaged and all Virginians every day. For FY2024 the Board encourages the City of Falls Church to seek a \$2.5 million increase to state aid for public libraries as a step towards full funding.**

Virginians visit their public libraries every day, relying on their library to bridge the digital divide, assist their job search, and support early childhood literacy and education initiatives. And there is more that they would do if they had the additional resources called for in the Code of Virginia for supporting State Aid for Public Libraries. Based on local needs, public libraries will be able to improve and expand access to these services to improve the community.

State Aid to Public Libraries has been deeply cut in the past, declining by over \$5 million in constant dollars to a level last seen in FY 1999. This happened despite the 2001 Joint Legislative Audit and Review Commission (JLARC) study that found the State Aid program to be an effective investment that leverages local spending and achieves cost efficiencies and economies of scale. In recent years we have seen modest increases to State Aid including an additional \$2.5 million in FY2023.

***Background:***

The State Aid funding formula rewards local effort in the provision of public library service. **In Falls Church, 100% of State Aid monies are used for the purchase of books, magazines, DVDs, audio-books, e-book/e-audiobooks for the public.**

To show the recent history in State Aid funding for the library:

- In FY2020, the library received \$153,156 (an increase of \$7,131 from last year due to the increase from the General Assembly). This is still only 60% of full funding.
- In FY2021 the library received \$167,580.

- In FY2022 the library was awarded \$166,792. A slight decrease due to a decrease in local expenditures from 2019 to 2020 (affected by COVID). This is approximately 66% of full funding.
- FY2023 was awarded \$188,826 due to the increase in State Aid overall of \$2.5 million. This brings funding to approximately 74% of full funding.
- FY2024 state aid estimate is \$189,725

## **2. Legislative and Budget Support for the Library of Virginia**

**The Board of Trustees supports the Library of Virginia’s legislative and budgetary priorities and proposes that the General Assembly continue the work begun in fiscal year 2013 to strengthen the financial foundation for Virginia’s only public research library.**

## **3. Change to City of Falls Church Charter**

**The Board supports amending section 4.14 “Appointments” of the Charter of the City of Falls Church to replace qualified voter status criteria with age of at least 18 years old and keep the requirement for residing within the city limits. This would support the core value of inclusiveness and social sustainability and provide diversity of perspective to Boards and Commissions.**

**The Board would also support the change in language of the Library Board of Trustees Chapter 24 of the City Code Sec. 24-3 from “among the eligible voters” to “shall be at least eighteen (18) years of age and reside within the city limits”.**

### **Strategies**

**Because of the continued need for State Aid to public libraries in Virginia, it is necessary to make legislators aware of the Board’s concerns. Therefore, the following strategies are suggested:**

- Library Board members and City/County governing bodies should attend the State budget hearings that are held throughout the state and advocate that funding be restored to State Aid as soon as economically feasible.
- Library Board members and the Library Director should meet with their legislators to make them aware of the needs of their local libraries and their stances on the issues noted above.
- The Library Board of Trustees encourages patrons to write their legislators stressing the needs of the Mary Riley Styles Public Library and promoting the positions listed above.

**This 2023 Legislative Agenda will be adopted by the Library Board of Trustees on 12/14/2022.**

Attachment 5

TO: Cindy Mester, Deputy City Manager  
DATE: November 22, 2022  
FROM: Environmental Sustainability Council (ESC)  
SUBJECT: **2023 Legislative Agenda – Environmental Sustainability**

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The Environmental Sustainability Council (ESC) requests that the City of Falls Church include in its 2023 Legislative Program the following items related to environmental protection and conservation. These legislative actions, which support the City's own climate and energy plans, most urgently need to be addressed in this year's legislative session.

- 1) The City supports efforts to **protect** Virginia's participation in the **Regional Greenhouse Gas Initiative (RGGI)**, the **Virginia Clean Economy Act**, and other legislation which has made advances in the areas of combatting climate change, promoting energy efficiency and electric vehicles, and encouraging clean energy investment.
- 2) The City supports legislation in **increase energy efficiency in existing buildings** including:
  - a. Legislation to allow localities to require private building owners to **benchmark energy and water usage** and report this information to their local jurisdiction annually for public disclosure;
  - b. Legislation to expand current authority for localities to allow for regional **clean energy financing authorities** that promote or incentivize investment in clean energy technologies; and
  - c. Legislation to support innovative **energy efficiency incentive and finance programs** for residential dwellings, including condominiums.
- 3) The City supports legislation to reform the process of updating the Virginia Energy Conservation Code, including requiring the State **to adopt the International Energy Conservation Code** promptly when a new iteration is adopted by the International Code Council **without weakening amendments**.
- 4) Support legislation to provide local governments with greater incentives for 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.
- 5) The City supports legislation to **encourage and achieve zero carbon energy** in the Commonwealth, including:
  - a. Legislation to **increase the Virginia Clean Energy Act's Renewable Portfolio Standard targets** to 60% by 2030, and 100% carbon-free electricity (renewables and nuclear) by 2035; and
  - b. Legislation placing a **moratorium** on the building of any **new fossil fuel infrastructure** in the Commonwealth.
- 6) The City supports legislation to **mitigate greenhouse gas emission impacts of the transportation sector**, including:
  - a. **Protect existing transit programs**, including dedicated funding for the Washington Metropolitan Area Transit Authority (**WMATA**) and Virginia Railway Express (**VRE**);

- b. Legislation and appropriations to provide **direct incentives for zero carbon transportation methods, including e-bikes and scooters**; and
  - c. Support the **electrification of school buses**, while maintaining control over bus battery usage rather than granting control to a utility.
- 7) The City supports funding for **water quality improvements**, including:
- a. Increased funding for the **Stormwater Local Assistance Fund (SLAF)**, which supports projects that provide Chesapeake Total Maximum Daily Loads (TMDL) nutrient and sediment reductions required under MS4 permits; and
  - b. Budget action providing adequate state appropriations to the **Water Quality Improvement Fund (WQIF)** in order to ensure full and timely payments under point source upgrade contracts with local governments.

### **Falls Church Electoral Board and Director of Elections 2023 Legislative Goals**

The Falls Church Electoral Board and Director of Elections are pleased that the following item from our 2022 legislative goals has been adopted:

- Elevation of Assistant Registrars to Deputy Registrars

Following are more legislative goals for the 2023 Legislative Session.

#### **1) Eliminate the requirement for Electoral Boards to meet in March.**

When Electoral Board terms began in March and ended in February, the board needed to meet in March to determine its officers. (The reason for the meeting had been removed from the code, but the meeting was still listed.) Now that terms coincide with calendar years, the March meeting is not necessary, and we support legislation requiring the board to meet to reorganize after a new appointment or reappointment is made. (Note: if legislation includes a time limit after an appointment/reappointment, we would support 40 days rather than 30. In that way 1 meeting can be held to satisfy both requirements of electing board officers and appointing officers of election in February.) (VEBA priority)

#### **2) Limiting FOIA requests for materials from past elections to times when offices are not administering an election.**

Election offices have been inundated by FOIA requests; limiting those non-time-critical ones to other than election time would be helpful. (VEBA and VRAV priority)

#### **3) Delay submission of abstracts from 7 days after the election to 10 days after the election.**

Especially when canvass may not be completed until 6 days after the election, officials need more time to make the final entries. (VEBA priority)

#### **4) Prohibit third party groups from mailing absentee ballot applications.**

Absentee voting; unsolicited absentee ballot applications; required information. Requires any individual or organization sending an application for an absentee ballot to a registered voter that was not solicited or requested by the registered voter to include with the application instructions on completing the application and submitting it to the appropriate general registrar. The bill requires a statement that the application is not being sent by any state or local government official or agency on the envelope containing the application or on the first page of any enclosed materials. Such individuals and organizations are required to use the information provided in the list of registered voters acquired by such individual or organization from the Department of Elections pursuant to law, and a violation of this requirement is a Class 4 misdemeanor. The bill requires the Department of Elections to ensure, when providing the list of registered voters to such individual or organization for purposes of sending unsolicited absentee ballot applications, that no voter is included on the list provided if such voter has applied for an absentee ballot on or before the date the list is requested. The bill also provides that no absentee ballot sent to a registered voter that was not solicited or requested by the registered voter may be pre-populated with information the applicant is required to provide. (VRAV priority)

**5) General Registrar protection bill.**

Provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application. (VRAY priority)

**6) Minimum staffing standards for election offices**

Code section 24.2-112 should be amended to increase the minimum staffing standards. (VRAY priority)

**7) Polls open from 7:00 am to 8:00 pm.**

Election Day of 6:00 am to 8:00 pm was passed in 2020 but did not pass again in 2021, so it is not effective. We oppose adding an extra hour for our officers of election, who already work a 15-hour or more day. We support an 8:00 pm closing time if the opening time is moved to 7:00 am. This would put Virginia in line with most of the surrounding states.

**8) Pilot Program of vote centers for primary elections.**

Voter turnout is much lower in primary elections than in general elections, and even more so with increased absentee voting. Efficiency would be increased by allowing fewer polling places on primary day.

**9) Budget Amendment to restore Full Reimbursement to Localities for the Cost of General Registrar and Electoral Board Compensation and Expenses, as required by Code.**

To require full reimbursement to localities for cost of compensation and expenses for General Registrar and Electoral Board members. Reimbursement to localities is reduced in the current Budget by over 15%, and reimbursement of mileage of electoral board members that is required by Code was deleted in the budget. We support full funding. We believe it is important for the state to honor its obligations and to send out a very clear and strong message that elections are a core function of government and will be funded as promised.

**10) Reimbursement to Localities for costs of Party Primary Elections by Political Parties.**

Localities are burdened with the costs of running primary elections for the benefit of political parties, and we feel the parties should bear this expense.

**11) Allow officers of election to reproduce non-scannable ballots onto scannable ballots.**

Legislation for this provision may not be necessary, since the Department of Elections has said that they will send us standards for transposing ballots. We still await these standards.

**12) Change voter registration deadline from 3 weeks before an election to 1 or 2 weeks before an election.**

With our systems, there is no need for a 3-week delay from the time a person registers until they can vote. A lot of people try to register after the deadline when there is no response because of close of books, then they try again, and possibly again using Same Day Registration on Election Day, thereby creating duplicates, each of which we must process. Shortening this time period would be both better for voters and alleviate some of our unnecessary work.

**13) Absentee ballot may be returned by the voter's family member or someone who lives with the voter.**

With drop box legislation now implemented, the code has created a disparity where we can only accept a voter's ballot in person, but then must tell that voter, who is carrying another voter's ballot, to deposit that ballot in the drop box. The person a voter entrusts to deliver that ballot to a drop box should also be allowed to deliver that ballot in person.

**14) Add enrollment of Permanent Absentee as option for Voter Registration Applications.**

Right now, a voter needs to fill out two application forms to register and enroll in Permanent Absentee. Using a separate absentee application form for a single election makes sense. However, those voters want to register and receive all future ballots by mail should be able to fill out one form for both.