



2024 State Legislative
Priorities
Virginia General
Assembly



2024 legislative priorities

Newport News City Council

At-Large
Phillip Jones, Mayor
(757) 926-8403
mayorsoffice@nnva.gov

North District
Curtis D. Bethany, III, Vice-Mayor

South District
John R. Eley, III

North District
Marcellus L. Harris, III, D. Div.,

Central District
Cleon M. Long, P.E.,

South District
Tina L. Vick

Central District
Dr. Patricia Woodbury

council@nnva.gov
(757) 926-8618
(757) 926-8634

Newport News City Hall
2400 Washington Avenue
Newport News, VA 23607

City Information
(757) 933-2311
www.nnva.gov
www.facebook.com/CityofNewportNews
www.twitter.com/CityofNN

Virginia Legislative Delegation

Senate District 23
Senator Mamie Locke
District02@senate.virginia.gov
(804) 698-7502

Senate District 24
Senator Danny Diggs
Email*
Phone*

House District 69
Delegate Chad Green
Email*
Phone*

House District 70
Delegate Shelly Simonds
Delssimonds@house.virginia.gov
(804) 698-1094

House District 85
Delegate Marcia Price
Delmprice@house.virginia.gov
(804) 698-1095

**Please note that email and phone numbers have as yet to be assigned and are subject to change*

Acting City Manager
Alan Archer
(757) 926-8411

Government Affairs Manager
Jeri Wilson
(757) 968-2452
wilsonjg@nnva.gov

2024 legislative priorities

Code Change Requests:

1. Allow localities to impose an additional service charge for the improvement or maintenance of private dams and associated impoundments
2. Allow the City of Newport News, by ordinance, to impose taxes or assessments on the property owner for the purpose of maintaining a private dam or lake
3. Workers' Compensation Act ~ Remove the limiting date of July 1, 2014 from Virginia Code Section 65.2-605.1 Prompt payment; limitation on claims

Budget Amendment Requests:

4. Support for the Coastal Virginia STEM Learning Ecosystem Hub ~ \$1.5 million in each year of the biennium
5. Gap funding of \$900,000 in the first year of the biennium for court expansion needed to meet demand for jury trials
6. Increase the Port Host Communities Revitalization Grant Fund by \$1.5 million in each year of the biennium

Policy Positions:

7. Preserve local authority to regulate short-term rentals
8. Support increase in maximum threshold for non judicial sale of tax delinquent real properties of minimal size and value
9. Maintain local revenue streams such as Machinery & Tools and BPOL taxes
10. Support funding for the Virginia Military Community Infrastructure Grant Program
11. Support additional resources for school construction and modernization
12. Oppose unfunded mandates
13. Support economic development and redevelopment incentive programs
14. Support public safety and community violence intervention
15. Support increased funding for road maintenance for port host cities

2024 legislative priorities

1. Code Change: Allow localities to impose an additional service charge for the improvement or maintenance of private dams and associated impoundments

Amend the Code of Virginia § 15.2-2114 by adding:

§ 15.2-2114.02. Additional Service Charge for the Improvement or Maintenance of Private Dams and Associated Impoundments

A. A locality, by ordinance, may establish a service charge in accordance with the procedures stipulated in § 15.2-2114, to be assessed to owners of developed and undeveloped property contiguous to bodies of water impounded by private dams to allow for the improvement or maintenance of such impoundments.

B. The impoundment(s) affected by a service charge adopted under this section must be specifically designated by ordinance, and the funds collected hereunder must be applied only to those designated impoundments.

C. A service charge adopted under this section shall be in addition to any other service charge(s) imposed under § 15.2-2114 and shall be based upon an analysis demonstrating a rational relationship between amount charged and service provided.

D. Service charges established pursuant to this section shall be assessed and collected in accordance with the procedures outlined in § 15.2-2114.

The City of Newport News is home to many private dams and man-made lakes. A common denominator to these lakes is that there is often no mechanism to provide for needed maintenance of the dams and their associated impoundments. Also, since Newport News is an almost fully developed city, these private lakes are typically surrounded by residential and commercial structures.

In order to function properly, a dam requires periodic maintenance. Spillways can become overgrown. Critical overflow piping designed to conduct excess water through the dam so it can be safely discharged may deteriorate and fail. Any issue that impedes the operation of the dam can lead to hazardous conditions threatening life and property, including excess retention of water and resultant flooding above the dam and dam failure allowing for the uncontrolled release of water downstream.

2024 legislative priorities

There are no existing tools to enable the city to step in and perform needed repairs on a private dam or an associated lake when they are surrounded by private property and not part of the stormwater system. The city is willing, on a case by case basis and with proper authority, to arrange for and oversee work necessary to maintain the proper functioning of these impoundments. The proposed legislation would provide a legal mechanism for the city to do this and assess the costs to the private owners who are the principal beneficiaries of the repair projects.

2. **Code Change: Allow the City of Newport News, by ordinance, to impose taxes or assessments on the property owner for the purpose of maintaining a private dam or lake.**

Amend the Code of Virginia § 15.2-2404. Authority to impose taxes or assessments for local improvements; purposes, by adding:

H. In the City of Newport News, the governing body may, by duly adopted ordinance, impose taxes or assessments on the owners of developed and undeveloped property contiguous to bodies of water impounded by private dams to fund, in full or in part, maintenance of such dams and bodies of water in order to preserve the safe and proper functioning of these impoundments, provided that such taxes or assessments shall be apportioned among the abutting property owners and shall not be in excess of the total cost incurred by said city in repairing or maintaining the private impoundment or contiguous body of water.

As described in item 4 (previous), the lack of proper maintenance to dams or lakes on private property can result in significant threats to life and property. The proposed legislation would provide another legal mechanism for the city to do required maintenance and assess the costs to the owners.

3. **Code Change: Workers' Compensation Act - Remove the limiting date of July 1, 2014 from Virginia Code Section 65.2-605.1 Prompt payment; limitation on claims.**

As currently written § 65.2-605.1 imposes no statute of limitations for workers' compensation claims for health care services rendered before July 1, 2014. In contrast, claims filed after this date must be filed within one year of the receipt of

the last payment for the treatment or within one year of the date of the final order which determined compensability for the injury. The proposed change will create a one year limitation period for all treatment regardless of the date that it was rendered. This will prevent a medical provider from filing for additional payment when an initial payment was accepted without inquiry or without giving notice of a dispute. The change will also mitigate issues caused by extensive delays such as when records no longer exist and witnesses are no longer able to testify about transactions.

4. Budget Request: Support for the Coastal Virginia STEM Learning Ecosystem Hub \$1.5 million in each year of the biennium

The City of Newport News in partnership with the Virginia Peninsula Community College (VPCC) asks that the General Assembly provide \$1,500,000 in each year of the biennium to support the Coastal Virginia STEM Learning Ecosystem Hub and VPCC STEM activities. The COVA STEM Hub is a regional learning ecosystem for the 17 municipalities in the Hampton Roads region. The Hub was established through the partnership with the Brooks Crossing Innovation and Opportunity Center; the Innovation Center is a collaborative effort by the City of Newport News, Old Dominion University, and Newport News Shipbuilding to address the needs of underserved populations. The funding requested will be used to expand the partnerships and STEM programming in Hampton Roads with costs associated with program enhancements and expansion including personnel cost, curriculum development, industry-related equipment, computers, software and training for the STEM Digital Innovation and Fabrication Lab (BCiLab) and the Opportunity Center. The FY23 allocation of \$500,000 supported twenty-one STEM initiatives in the Hampton Roads region. Over 11,000 teachers, students, and other adults are receiving access to new STEM programming from over 15 cities and counties in the Coastal VA region. An additional allocation will enable us to serve more students and adults as they become engaged in STEM learning through both summer and year-round programming.

5. Budget Request: Gap funding of \$900,000 in the first year of the biennium for court expansion needed to meet demand for jury trials

In July of 2021, Virginia implemented a new law that allows a criminal defendant to be tried by a jury but transfers sentencing responsibilities to the judge unless the

defendant specifically requests that the sentence be set by the jury. This change was an important part of criminal justice reform because it removed the “jury penalty” which often led to criminal sentences that were significantly longer than defendants would have faced if they had opted for a trial before a judge or taken a prosecutor’s plea deal. However, since the implementation of the law in 2021, Newport News has seen the number of jurors increase by 267 percent. Between July 1, 2019 and June 30, 2021 the jury count was 132 compared to a jury count of 351 between July 1, 2021 and June 30, 2023. Unfortunately, the city’s courtroom facilities are inadequate to meet the demands of the increased caseloads. Likely an unintended consequence of the legislation, the need for additional infrastructure has become an unfunded mandate.

A backlog in jury trials poses the threat of potentially violating a defendant’s sixth amendment right to a speedy trial. In order to accommodate the increased demand for jury trials, the city must act. To that end, a stakeholder group was convened and a plan was developed to remodel an existing court building to increase the capacity from one court room to three court rooms. The project is now estimated to cost \$6.4 million, however the budget included in the annual Capital Improvement Plan included only \$5.5 million. The city respectfully requests that the General Assembly provide gap funding of \$900,000 in the first year of the biennium for the court renovation.

6. Budget Request: Increase the Port Host Communities Revitalization Grant Fund by \$1.5 million in each year of the biennium

The Port Host Communities Revitalization Fund was created by the Virginia General Assembly in 2019 to provide funding for the strategic removal or redevelopment of vacant, underutilized and deteriorated port related properties in the five port host communities of Front Royal, Newport News, Norfolk, Portsmouth and Richmond. The General Assembly currently allocates \$1.5 million each year for the program and makes awards through a competitive grant process.

Given that the resources provided are intended to serve five localities, the current allocation limits the potential impact of the program and may hamper the host cities efforts to leverage other state, local, and private resources to facilitate redevelopment efforts. In order to better equip the port host communities to

transform blighted structures and foster new economic opportunities, the city respectfully requests that the General Assembly add \$1.5 million in each year of the biennium to the fund, bringing the total to \$3 million in each year of the biennium.

7. **Preserve local authority to regulate short-term rentals**

No two municipalities face the same opportunities and challenges when it comes to regulating short-term rentals. However, following best practices and working with community stakeholders has proven to be an important and effective tool in making short-term rentals work for all parts of the community. While short-term rentals are a prominent issue today, the challenge of balancing competing community interests is not a new one for local leaders. Mayors, councilmembers and other local officials are well-equipped to help bring stakeholders together to understand and navigate potential trade-offs and create policies that work for both. The city urges the General Assembly to reject any legislation that erodes local authority to regulate short-term rentals.

8. **Support increase in maximum threshold for non judicial sale of tax delinquent real properties of minimal size and value**

The Code of Virginia § 58.1-3975 empowers the treasurer of a locality to sell at public auction a parcel of real property assessed at more than \$10,000 but no more than \$25,000 when taxes have been delinquent for a period of three years. As part of the East End Revitalization Program, the Newport News Treasurer takes low value abandoned vacant lots that have serious past due taxes to non-judicial sale tax auction. This includes 25 foot frontage lots that are merged into one 50 foot buildable lot and 37 foot frontage or greater lots that are buildable by right. The sale puts the lots in contractors hands to build new homes in accordance to the city's building requirements.

The real estate sales market has significantly driven-up the value of vacant lots. For FY24 assessed values on 37 foot to 50 foot frontage lots have increased over 30% and are now assessed in the range of \$37,000 and greater. The city supports increasing the value threshold in §58.1-3975 to \$40,000 in order to facilitate the continued revitalization of vacant and abandoned lots and foster increased housing supply.

9. **Maintain local revenue streams such as Machinery & Tools and BPOL taxes**

The elimination or reduction of local revenue streams such as Machinery & Tools taxes or BPOL taxes results in a shift to city residents for the full cost of city services, such as public safety and education, which equally benefit residents and businesses. The burden of these taxes to most businesses is relatively small: two-thirds of Newport News businesses pay a flat fee of either \$30 or \$50, based on their annual gross receipts. Only one-third of the city’s businesses pay a tax based on their business activity and the tax rate for that activity. In FY23, the revenue from these taxes made-up 8 percent of the Newport News General Fund. In FY23 the city collected approximately \$27.9 million in Machinery & Tools taxes and \$22 million in BPOL. To offset the loss of M&T and BPOL revenue, the city would have to increase the current real estate tax rate by a minimum of 23.3 cents. So, in order to compensate for the loss of local business taxes, which cost most businesses \$30 to \$50 annually, a home owner in the city’s median home value range of \$265,000 would see increased real estate taxes of about \$617 annually. The Newport News City Council urges the General Assembly to reject any legislation that will reduce or eliminate local revenue streams such as Machinery & Tools and BPOL taxes.

10. **Support funding for the Virginia Military Community Infrastructure Grant Program**

In 2022, the General Assembly created the Virginia Military Community Infrastructure Grant Program (VMCIGP) to support local infrastructure projects that enhance the value of military installations in the Commonwealth and benefit both the local community and the installations. The 2022-2024 biennial budget included \$5 million for the program. Currently, defense communities in Virginia can apply for these funds to help offset the non-federal share of Department of Defense (DoD) grants. The initial allocation of \$5 million was obligated within the first year of the two-year budget cycle, demonstrating a clear need and demand for these funds. The City of Newport News received over \$1.2 million of the initial allocation as matching dollars for its Harwood’s Mill Reservoir Dam Improvement Project. Across the Commonwealth, the initial \$5 million investment leveraged \$24 million in DoD grants. The city supports funding for the VMCIGP of \$5 million in each year of the next biennial budget. Further, the city supports expanding the program so grants can be awarded directly to defense communities instead of being restricted to offsetting the non-federal match of DoD grants.

11. Support additional resources for school construction and modernization

The City of Newport News supports amending the Code of Virginia to allow all localities the option of increasing local sales taxes specifically for the purpose of school construction and major renovation. According to 2021 cost data from the Virginia Department of Education, the Commonwealth needs over \$7 billion to build, expand or renovate Virginia's K-12 schools. The needs continue to grow and far exceed the resources available to address them. Sales taxes are among the more common sources of dedicated revenue for funding school infrastructure projects, outside of property taxes, and are sometimes structured as a local option by referendum. At least 45 states and D.C. use sales taxes to fund school infrastructure projects. In Virginia, only a handful of localities have been given the authority to use local option sales taxes for school construction despite pervasive needs. All localities should have resources and a level playing field when it comes to school construction funding opportunities.

12. Oppose unfunded mandates

Public expectations of services provided by local government continue to increase while local revenue streams, which are heavily dependent on property, sales, and other taxes, are limited. The City of Newport News asks that the General Assembly: 1) refrain from creating unfunded mandates, 2) not adopt tax relief programs that sacrifice local revenues without a commitment to making communities whole, 3) fully meet the State's financial commitment to programs and services it deems essential, and 4) not create administrative and procedural hurdles that negatively impact the fair and timely collection of local revenue.

13. Support economic development and redevelopment incentive programs

The City of Newport News asks that the General Assembly increase funding for existing economic development/redevelopment incentive funds. These incentives play a pivotal role in attracting, retaining, and expanding business. Programs that support redevelopment are especially important for Newport News because we are an urban city that is virtually fully developed. Grant programs that assist with redevelopment and rehabilitation will continue to be essential as we work to repurpose and redevelop strategic properties in the city.

Three very important economic development tools for Newport News include:

Enterprise Zones - The General Assembly should provide sum-sufficient funding for the Enterprise Zone program. This program creates an improved climate for private sector investment, development and expansion in targeted areas by providing state grants and local tax relief. Newport News consistently ranks as one of the top Enterprise Zones in the state, regularly placing at or near the top in grant dollars leveraged and total number of qualifying businesses. When the General Assembly fails to provide sufficient program funding, grants are then prorated which significantly impacts the effectiveness of the program. The City of Newport News urges the General Assembly to provide the amount of funding needed to fully honor grant awards and maintain the effectiveness of this important economic development tool.

Virginia Jobs Investment Program (VJIP) - The General Assembly should provide a minimum of \$5M funding in each year of the biennium for VJIP. VJIP provides services and funding to companies creating new jobs or experiencing technological change to reduce the human resource development costs for new companies, expanding companies, and companies retraining their employees. VJIP provides valuable assistance supporting workforce development at the local level and allows flexibility to meet specific needs of businesses.

Virginia Investment Performance Grant (VIP) - The VIP Grant encourages continued capital investment by existing Virginia companies, resulting in added capacity, modernization, increased productivity, or the creation, development, and utilization of advanced technology. We encourage the General Assembly to increase funding for this program.

14. Support public safety and community violence intervention

Building communities across the Commonwealth where all residents feel safe and are safe is a core function of government. Localities cannot accomplish this task alone and must rely on the significant resources of the Commonwealth to identify, implement, and fund public safety and community violence intervention programs. The City of Newport News supports initiatives that stem the tide of community violence such as crisis intervention training programs, expanded services and supports for teenagers and young adults, and helping formerly incarcerated individuals successfully reenter their communities. Additionally, the city supports Commonwealth funding of HB599, aid to local police departments, as stipulated by the distribution formula in the Code of Virginia. The current practice of basing

local allocations on instructions in the Appropriations Act for a standard, across-the-board percentage increase or decrease from the previous fiscal year results in funding levels far below what would occur from calculating HB599 funds on even the anticipated revenue growth since 2000.

15. Support increased funding for road maintenance for port host cities

In 2006, the General Assembly allocated \$1 million for the host cities of the Virginia Port Authority (VPA) for road maintenance due to the impact of the trucks on local roads. This amount has never increased despite the tremendous expansion of truck traffic, legislation that has allowed for increased truck weights, the time value of money, and inflation. The City of Newport News supports a minimum increase of \$1 million in each year of the biennium, bringing the fund to \$2 million each year. The fund will assist port host localities and facilitate better access for trucks to port sites.

NOTES

n e w p o r t n e w s v i r g i n i a

The City of Newport News is a member of the Virginia Municipal League, Virginia First Cities, the Hampton Roads Transportation Planning Organization, the Hampton Roads Planning District Commission, the Hampton Roads Transportation Accountability Commission, Hampton Roads Transit, Hampton Roads Military and Federal Facilities Alliance, and the Hampton-Newport News Community Services Board. Each of these organizations adopts its own legislative agenda and unless otherwise stated, the City of Newport News supports the legislative agendas of these organizations.



HAMPTON-NEWPORT NEWS
COMMUNITY SERVICES BOARD

BETTER COMMUNITIES THROUGH
SOUND GOVERNMENT

