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2020 LEGISLATIVE PRIORITIES

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1. Brooks Crossing Innovation and Opportunity Center

The City of Newport News respectfully requests that the General Assembly provide:

- $200,000 of one-time funding in FY 20 or FY 21 to complete the outfitting of the Brooks Crossing Innovation and Opportunity Center. These startup funds will allow for additional industry-related equipment, computers, software and training simulators for both the Opportunity Center and the STEM Digital Innovation and Fabrication Lab (BCiLab) and will be used to leverage additional private investment from targeted donors.

- $400,000 in both FY 21 and FY 22 for annual BCIOC operating expenses, including personnel and equipment costs. It will also allow for specialized data capture and tracking for both the Opportunity Center and the BCiLab to measure the return on investment and provide guidance for other communities interested in replicating this model elsewhere in Virginia.

The Brooks Crossing Innovation and Opportunity Center (BCIOC) is an innovative collaboration between the City of Newport News, Old Dominion University, and Newport News Shipbuilding to address the needs of a historically underserved community. The Opportunity Center offers a flexible space that will bring together community partners such as the Newport News Redevelopment and Housing Authority, Department of Social Services, Hampton Roads Community Action Program, and the Goodwill Community Employment Center to focus on job and career training, wealth-building and individual casework. Its flexible layout with classrooms, office space and meeting rooms will accommodate an array of programs that correspond to the community’s changing needs as individuals transition to self-sustainability.

The STEM Digital Innovation and Fabrication Lab offers students and community members access to cutting-edge technology such as 3-D printing and digital design. It will offer programs designed in collaboration with local public schools that target students of all ages, pre-K through adult, as well as teachers and community members. Digital fabrication labs, or fab labs, are often located in schools or universities and target students and researchers on site. The BCiLab’s location in the Southeast community will remove traditional barriers that limit minority and underserved communities from accessing such state-of-the-art facilities. The BCiLab’s membership in the National Fab Lab Foundation
network means that visitors can be instantly connected to a global network of innovators, allowing for unique collaboration in learning, education and workforce development.

The location of these two unique facilities in one building operated by Virginia’s largest industrial employer, Newport News Shipbuilding, brings unique resources to bear. The shipyard is a partner in Newport News’ Choice Neighborhood Initiative grant; as such, they are committed to supporting the needs of the Southeast community in a major way. The shipyard will provide training and employment workshops in the Opportunity Center and conduct on-site interviews and employment fairs. Their employee volunteers will provide mentorship and serve as role models to the students using the facility.

The BCIOC holds great potential for breaking barriers to employment and developing critical skills in the 21st century talent pool. For BCIOC to realize its full potential, additional resources are necessary to completely outfit the facility and provide for its on-going operations. Given the unique collaboration model and its location in a historically underserved community, we believe this is an important opportunity for the Commonwealth, as well as Newport News’ Southeast Community.

2. **Fort Eustis Main Gate Compatible Land Use**

The City of Newport News asks that the General Assembly provide $375,000, subject to a 1:1 local match, to acquire approximately 30 acres of land to ensure compatible land use adjacent to the Fort Eustis Main Gate.

A recent Joint Land Use Study of Fort Eustis identified the Main Gate as a high priority issue. As currently designed, the Main Gate does not meet the Army’s anti-terrorism and force protection standards. The Army has allocated $15 million in its 2021 MILCON budget for gate construction and has designed the project to rest entirely on land owned by the City. However, there are approximately 30 acres adjacent to the new gate that are privately held. The current assessed value of the parcels is approximately $750,000. Acquisition of the adjacent parcels will prevent encroachment or incompatible use of the property.
3. Witness Resource Program

The City of Newport News respectfully requests that the General Assembly provide $1 million in funding to the Virginia State Police to support the Witness Protection Program established in the Code of Virginia § 52-35.

As stated in the Code, the Superintendent may make the services of this program available to local law enforcement. Both scholarly and anecdotal research support the assertion that witness intimidation adversely impacts investigator’s ability to charge violent perpetrators. The Newport News Police Department and its local government partners have taken steps to protect witnesses and their families through relocation and directed patrol checks. However, these efforts are expensive and pull money away from other needs. In building a coalition of support, the City learned that many other law enforcement and criminal justice agencies face similar issues and although the Code of Virginia allows the State Police to develop and support such programs, no funds have been allocated to do so. Funding of $1 million will allow the Virginia State Police to activate and administer this much-needed program.

4. Costs Associated With Body Worn Cameras

The City of Newport News strongly encourages the General Assembly to minimally (1) provide sufficient funding for existing staffing standards for Commonwealth’s Attorneys offices as established by the Compensation Board, and (2) establish a dedicated funding source to address the needs of other impacted agencies such as public defenders.

Local governments across Virginia have committed significant resources to implementing body-worn camera programs in an effort to meet community expectations of transparency. Body-worn camera programs enjoy broad public support and help to preserve trust in the justice system overall, by documenting law enforcement officers’ encounters with members of the public and providing clear evidence for use by prosecutors and defense attorneys. Concerns about body-worn camera programs in Virginia have largely centered around the need for resources to address the time required for prosecutors and defense attorneys to meet their ethical obligations to review footage generated by the cameras. Language passed in the FY 20 State budget, requires localities to provide for additional Commonwealth’s Attorney positions at a ratio of one Assistant Commonwealth’s Attorney for up to 75 body worn cameras employed for use by local law enforcement officers, and one
Assistant Commonwealth's Attorney for every 75 body worn cameras employed for use by local law enforcement officers, thereafter. This creates a substantial burden for localities that already heavily subsidize the operation of their Commonwealth Attorney. In FY 2020, the Compensation Board authorized 35 positions for the Newport News Commonwealth Attorney, but funds only 32. The total number of positions for the office is 56; the City supports the additional 24 positions and provides over 50% of the office's operating budget.

Although it would by no means be a complete fix, the State must provide sufficient funding for the existing staffing standards for Commonwealth’s Attorneys’ offices as established by the Compensation Board. After funding the staffing allocations needed in accordance with the existing requirements, the State should examine whether these standards should be updated to reflect existing practice, as well as to address anticipated future requirements on Commonwealth’s Attorneys’ offices. Future advances in digital evidence and other criminal justice sciences, while welcomed, will only exacerbate the workload issue for Commonwealth’s Attorneys, Public Defenders, Court Appointed Attorneys and the Courts. The development of a funding source to address these workload impacts would position Virginia well for the future. In the absence of consistent statewide funding, the effects on the justice system of body-worn camera footage and other digital evidence will be addressed by a patchwork of local approaches, with some jurisdictions better able to provide additional resources to Constitutional officers than others.

5. **Commonwealth Support for Jefferson Lab**

The City of Newport News strongly supports the Commonwealth’s investment in Jefferson Lab. Specifically, the City asks that the General Assembly fund 2 budget requests supporting Virginia’s and the Lab’s competition to win the Electron Ion Collider (EIC). The federal government will invest more than $1.5 billion to construct an EIC, the nation’s next major research facility, and it will be located in either New York State or the Commonwealth. Requests: (1) $750,000 in each year of the biennium to fund Virginia-university research projects in the Center for Nuclear Femtography, and (2) $8.3 million each year for three years to accomplish two critical research projects necessary to advance Jefferson Lab’s competitive position for the EIC.

Two years ago, the Commonwealth of Virginia seized a unique opportunity to make Virginia an international center in the emerging field of Nuclear Femtography. Thanks to Commonwealth support, Jefferson Lab successfully established a Center for Nuclear
Femtography (CNF), with multidisciplinary participation by research personnel from 8 Virginia universities. The degree of interest in this multidisciplinary program is very strong so Jefferson Lab is requesting additional funding to build on this initiative. The science of Nuclear Femtography will, in the coming decades, grow into a major thrust of science and technology, both nationally and internationally.

Establishing the CNF strengthened Jefferson Lab’s competitive position as the Department of Energy (DOE) enters the site-selection phase of the E project. However, there are two critical activities needed to further advance Jefferson Lab as the clear choice for the EIC: 1) research to advance the design to maximize scientific output, and 2) preparation of a proposal for DOE evaluation. To advance the design, experiments will be built and operated to strengthen critical aspects of the Jefferson Lab design and reduce the risk associated with them: the interaction of the two beams in collision, and the method for cooling the beams to maximize the physics output of the collider. By building a beam-beam interaction experiment (COMBINE) at ODU’s Center for Accelerator Science (CAS), and a test facility for the beam cooling components (JEDI) at Jefferson Lab’s Low Energy Recirculation Facility (LERF) we can address these two key items. COMBINE, which would be the first facility in the world dedicated to measurements of the beam-beam interaction, will cost approximately $9M, including infrastructure improvements at CAS. It would have wide applications beyond the EIC, even including the Large Hadron Collider in Europe. The JEDI project is somewhat larger at $16M, and would provide a test-bed for all of the EIC cooling component prototypes, ending in a full-scale prototype of the entire cooling facility. By completing the JEDI project, the world’s first circulator ring will be built at LERF and its beam performance measured and quantified. Because the proposal development effort is not part of Jefferson Lab’s funded research program, DOE funds cannot be used to support it, so Commonwealth support is required to help with this final step of the competition.

6. **HB599 Public Safety Funding**

The City of Newport News asks that the General Assembly increase HB599 Public Safety funding in the FY 2021 State budget to a baseline that is equal to the amount of the actual revenue growth between FY 2018 and FY 2019, and then that sum should be increased by the official forecast growth figures for FY 2020 and 2021.

The Code of Virginia (§9.1-165, et seq.) provides for financial assistance to localities with
police departments through the "599" program. When passed in 1979, the so-called House Bill 599 was intended to help equalize State funding between jurisdictions with Police Departments and those with Sheriff’s Offices who engaged in law enforcement. At the time of the adoption, the Commonwealth pledged to grant localities with Police Departments a sum equal to 30% of their department’s costs. This was also funded as a way to discourage annexation of county land by cities, which was previously legal. Although the Code of Virginia sets out a distribution formula for calculating the amounts for eligible localities, in recent years the General Assembly has instead specified in the Appropriations Act that localities’ allocations in a given fiscal year are to be based on a standard, across-the-board percentage increase or decrease from the previous fiscal year’s allocations. The distribution formula has been superseded by the instructions in the Appropriations Act, resulting in funding levels far below what would occur from calculating HB 599 funds on even the anticipated revenue growth since 2000.

7. Fund Stormwater Local Assistance Fund

The City of Newport News supports an allocation of State funding of $50 million annually for the Stormwater Local Assistance Fund (SLAF). Stormwater management is one of local government’s most pressing infrastructure challenges. The SLAF, managed by the Department of Environmental Quality, supports the efforts of local jurisdictions to reduce polluted runoff by providing funding for matching grants. It also provides an effective path forward to improve water quality by maintaining a strong partnership between the Commonwealth and local governments. The SLAF prioritizes cost-effective, low-impact practices and projects which are structured, when possible, to attract additional private investments. From 2014 to 2019, the City of Newport News received SLAF grants totaling almost $4 million to fund 10 projects. Continued investment in SLAF is needed to assist localities in developing effective stormwater controls on urban lands to reduce the flow of excess nutrients and sediments to local streams, rivers and the Chesapeake Bay.

8. Military Community Partnership Grant Fund

The City of Newport News supports the creation in the State budget of a grant program to fund local infrastructure projects deemed to have a positive impact on the military value of installations within the Commonwealth. This funding, along with a percentage match from the requesting municipality, will support local infrastructure projects that improve the
readiness and value of military installations in Virginia and benefit the communities that host them.

In 2016, 13 states, including Florida and Texas, had programs to fund or finance projects that improved the military value of their installations. The creation of a Community Military Partnership Fund sends a clear signal that Virginia values its strong relationship with the military and is willing to support off-base infrastructure improvements that offer “win-win” solutions to both local host communities and military installations. The communities of Hampton Roads collectively support 18 military installations (including two joint bases and the world’s largest Navy base), all 5 branches of the military services, approximately 120,000 active duty, reserve and civilian personnel, over 125,000 military dependents, and over 230,000 veterans. In FY2017 alone, the Department of Defense spent $46.1 billion in Virginia and directly employed 193,589 people. A vital existing economic driver like the military should be a priority for the Commonwealth’s financial support.

9. **OPPOSE LEGISLATION THAT PREEMPTS LOCAL AUTHORITY**

The City of Newport News urges the General Assembly to oppose legislation that preempts the authority of localities to determine the regulatory framework that best serves their community. Although Virginia adheres to the Dillon Rule which gives localities only those powers expressly granted by the Commonwealth, it is a generally accepted principle that “what works” in one City or area of Virginia may not work in others. However, there is a persistent trend in recent legislation to remove or restrict local government authority, particularly in the realm of zoning and land use decisions. Such bills are typically drawn without regard for the local impact or unintended consequences that can occur to the health, welfare, and safety of the community. In some cases, compromises have been reached to balance the interests of all concerned. In other cases, the outcry of multiple stakeholders has been insufficient to prevent the blanket application of one-size-fits-all legislation. Newport News welcomes new and innovative technologies and businesses and tries to do so in a way that best serves the community as a whole. The General Assembly should support localities by not enacting legislation that erodes local authority.
10. **OPPOSE ELIMINATION OF AND EXEMPTIONS FROM LOCAL REVENUE STREAMS**

The City of Newport News urges the General Assembly to reject any legislation that will negatively impact local government revenue streams and/or cause the tax burden to be shifted to the citizens. This includes proposals that exempt developing technologies from current and/or future taxation.

Every year Virginia lawmakers consider the supposed benefits of eliminating business taxes such as BPOL and Machinery and Tool tax. However, these are sources of LOCAL revenue; in Newport News, these two generate approximately 8.5 percent of the City’s General Fund. In FY19 the City collected approximately $23.7 million in Machinery & Tools taxes and $18 million in BPOL. However, the burden 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. To offset the loss of BPOL and M&T revenue, the City would have to increase the real estate tax rate by a minimum of 26.2 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 $180,500 would see increased real estate taxes of about $470 annually. City residents should not be expected to bear the full burden for the cost of City services, such as public safety and education, which equally benefit residents and businesses. Additionally, legislation that is designed to encourage developing technologies or industries should not include blanket exemptions from local taxation. Lessons learned from previous industries show that the developing science of today can become routine tomorrow. Exemptions erode the future tax base by shifting the burden to what become declining revenue streams.

11. **SUPPORT LOCAL AUTHORITY TO PROHIBIT FIREARMS IN PUBLIC BUILDINGS**

The City of Newport News supports legislation that will allow, but not require, localities to prohibit firearms in public buildings. All State office buildings prohibit guns and even the General Assembly allows only those with concealed carry permits to bring firearms into the Capitol. Virginia Code section 18.2-283.1 bans firearms and other dangerous weapons in any Courthouse. There are also Federal laws that ban the carrying of firearms on most Federal properties including any building owned, leased or rented by the Federal government. Seemingly, all of these provisions were put in place to protect people from harm. If both
the State and Federal government feel that it is prudent and acceptable to prohibit firearms in some public spaces, the standard for Local government should be the same.

12. SUPPORT LEGISLATION AUTHORIZING EXTREME RISK PROTECTION ORDERS

The City of Newport News urges the General Assembly to enact legislation that will prevent an individual who is in crisis from possessing or purchasing firearms. Extreme Risk Protection Orders allow families and law enforcement to petition a court to suspend access to firearms if there is documented evidence that an individual is threatening to harm themselves or others. However, before an ERPO may be issued, the person is entitled to a full legal hearing. Persons subject to such an order are required to surrender their guns to police and may be barred from buying, selling or possessing firearms for up to one year. Extreme Risk Protection Orders may prevent tragedies such as mass shootings, domestic and family violence, and suicide by allowing those closest to an individual in crisis to take proactive steps to protect them or others. Temporarily limiting access to firearms in times of crisis is a common sense measure that will improve public safety.

13. MODERNIZE COMMUNICATIONS SALES AND USE TAX

The City of Newport News supports amending the Communications Sales and Use Tax (CSUT) to allow taxation of streaming and post-paid calling services. The City also supports increasing the CSUT to the prevailing State tax rate of 5.3 percent. The CSUT was implemented in 2007 and replaced most of the previous State and local taxes and fees on communications services. The 5% tax is generally collected from consumers by their service providers and remitted each month to the Virginia Department of Taxation who then distributes it to localities. The City of Newport News receives approximately $11 million annually from the CSUT. Since its implementation, revenue each year has generally decreased. The decline may be attributed to the growing popularity of streaming services, which are not subject to the tax, and the exemption for pre-paid calling services. Eliminating these exemptions would not only increase the revenue generated by the tax but would also level the playing field for cable and cell phone service providers. The General Assembly should also consider aligning the CSUT rate, currently 5%, with the State’s tax rate of 5.3% - a change which would generate an estimated $24 million in additional revenue annually.
14. **FUND ECONOMIC DEVELOPMENT INCENTIVE AND GRANT PROGRAMS**

The City of Newport News asks that the General Assembly increase funding for existing economic development/redevelopment incentive funds such as the Commonwealth’s Opportunity Fund, Aid to Local Ports Grant Program, Transportation Partnership Opportunity Fund, and the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund. These incentives and grant programs play a pivotal role in business attraction, retention, and expansion.

Two programs in particular that have been used frequently and with great success in Newport News are the Enterprise Zone Program and the Virginia Jobs Investment Program (VJIP).

**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. Two grant-based incentives are available: Job Creation Grants and Real Property Investment Grants. Newport News consistently ranks as one of top Enterprise Zones in the State, regularly placing at or near the top in grant dollars leveraged and total number of qualifying businesses. In the most recent grant year, Newport News businesses received 17 Real Property Improvement Grants totaling approximately $964,000, which generated over $18 million in private capital investment in real estate. When the General Assembly fails to provide sufficient program funding, grants are then prorated across the board. In the most recent grant year, grants were funded at 74.5% of the original commitment. This proration 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 funding of $5 million for VJIP in each year of the biennium. 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. In Newport News alone, companies such as Huntington-Ingalls, Canon Virginia, Continental...
Automotive Systems, Liebherr, Printpack, Muhlbauer, Fairlead Boat Works, and Target Flavors have all utilized the program to help meet their workforce needs and facilitate their expansion and growth. Given the competitive labor market in Virginia, it is vitally important that the General Assembly fully fund this program.

**15. SUPPORT K-12 EDUCATION FUNDING**

Re-benchmarking - Of special interest during this 60-day session, the General Assembly is scheduled to approve a new, two-year budget that will include “re-benchmarking” of public education costs. The re-benchmarked budget represents the State’s cost of continuing the current Direct Aid programs into the next biennium, with updates to the input data used in the funding formulas that determine the cost of the programs. Input data used in the formulas are updated every two years to recognize changes in costs that have occurred over the preceding biennium. The Newport News City Council encourages the General Assembly to fully fund the cost of re-benchmarking.

Teacher Pay Raises - Last year the General Assembly approved a $72.8 million from the General Fund to increase the FY 2020 teacher salary increase funding by 2 percent to a revised 5 percent increase over two years. The State share equals about half of what it costs to provide a pay raise for all NNPS employees, with the rest of the funding made available primarily by reducing funding to other NNPS programs. Despite the increase, salaries of Virginia teachers still lag behind many other states. According to the National Education Association, Virginia ranks 32nd in teacher pay in the nation. And, teachers are paid 21.4% percent less than similarly educated and experienced professionals, according to a recent Economic Policy Institute (EPI) report. In 2017 the General Assembly voted for legislation that established a goal for Virginia teachers to be paid at or above the national average. The Newport News City Council encourages the State to provide additional pay increases and to develop a timeline for reaching the national average on teacher pay.

School Construction Funding - According to a 2018 report by the General Assembly Subcommittee on School Facility Modernization, it will cost $3 billion to $4 billion to modernize the State’s schools. With many localities unable to provide adequate school construction funding, school divisions struggling to maintain facilities have been forced to divert money that could be used for student instruction to repairing aging roofs, windows, HVAC systems and more. The addition of $80 million to the Literary Fund in 2019 for school facilities may erase a backlog of funding requests, but will do little or nothing for the vast
The General Assembly must establish a funding stream for school maintenance and construction in addition to the Literary Fund that will alleviate the burden on localities.

16. **RESTORE COMMUNITY SERVICES BOARD BASE BUDGETS**

The City of Newport News asks that the General Assembly restore to Community Services Board base budgets $34M in State general fund dollars taken from CSBs as a result of Medicaid expansion. This includes a total of $1.8M reduced from Hampton Newport News CSB’s State General Grant Funds. The Department of Behavioral Health and Disability Services reduced funds across the 40 community services boards with the expectation that CSBs would generate additional revenue from Medicaid billing due to serving more insured clients; therefore, all CSBs’ State general grant funds were reduced to equate to the amount that was predicted to be generated from Medicaid expansion. To date, only a small portion of the additional revenue has been collected, leaving the CSB’s with significant budget challenges.

17. **HAMPTON ROADS REGIONAL JAIL**

As a member jurisdiction of the Hampton Roads Regional Jail, the City of Newport News supports a request for increased funding for healthcare and mental health care in regional jails. Additionally, the City supports HRRJ’s request for 20 additional jail officer positions each year for the next 4 years. Both of these requests come in response to negotiations following an investigation of the HRRJ by the US Department of Justice.

18. **SUPPORT TRANSPORTATION SAFETY INITIATIVES**

The Newport News City Council places a high priority on the safety of its residents and visitors. Given the vast network of roadways in our City and our region, transportation safety initiatives can have a significant positive impact on the overall well-being of the community. The City of Newport News supports these initiatives: (1) enacting a primary enforcement safety belt law by all occupants to include back seat passengers, (2) banning the use of hand held technology while operating a motor vehicle, (3) enhancing penalties for violations of Texting While Driving laws when committed in a school zone or school crossing. The City opposes legislation to allow vehicle loads to exceed the maximum axle
weight limit by 5 percent on locally maintained roads without requiring a super load permit. These positions support the Virginia Department of Transportation’s five strategic goals and the U.S. Department of Transportation’s six principles for roadway safety.

19. **Support Dedicated Funding For Transit**

In order to be competitive in the global marketplace, Hampton Roads needs a fully integrated and optimized regional transit system supported by an adequate, sustainable and dedicated revenue stream. The City of Newport News supports the collaborative development of a viable new regional funding model to support priority regional public transit projects. The localities served by Hampton Roads Transit currently fund more than 40% of its cost. Relying on local general fund revenue puts public transit in competition with education and public safety for limited local dollars and makes it difficult to transcend the existing structure of what are often disjointed localized routes. This has resulted in a collection of individual city transit systems rather than a fully integrated regional transit system capable of connecting major employment, retail, education, medical, and tourism destinations seamlessly.
The City of Newport News is a voting member of the Hampton Roads Planning District Commission, the Hampton Roads Transportation Planning Organization, and the Hampton Roads Transportation Accountability Commission. Unless otherwise stated, the City of Newport News supports the legislative agendas of these organizations.