

Virginia General Assembly

2019 Report from Delegate

Vivian Watts

The state legislature acts on many issues that touch your life. I've tried to give you meaningful background on some of particular significance. Nothing is simple. Please share your thoughts on any of the thousands of other measures we considered (including my bills!) I truly value hearing from you —

Vivian



GUN SAFETY

Every day three Virginians die from gunfire – two are suicides.

It's been 20 years since two Columbine High School students opened fire ... 12 years since Virginia Tech ... 7 years since Sandy Hook. Sacred places of worship have been brutally attacked: Emanuel African Methodist Episcopal Church in Charleston ... Sutherland First Baptist Church in Texas ... Tree of Life Synagogue in Pittsburgh. This summer, Dayton's nightspot and El Paso's Walmart mass shootings came on the heels of Virginia Beach's workplace massacre.

I refuse to accept that Americans are more violent than people in other developed countries. For the most part, in fact, based on the number of guns in circulation, we don't have more homicides. The difference is we have 3 to 4 times more guns.

It's essential that we have common sense laws to address the safe use of firearms. In the regular Session – as in past years – such proposals were summarily killed in subcommittee. After Virginia Beach, the Governor called a Special Session this summer to re-consider:

- ▶ background checks for all sales to non-family;
- ▶ a due process to address “red flags” that someone might be a danger to themselves or others;
- ▶ limits on high-capacity weaponry;
- ▶ restore the limit on buying more than one handgun a month;
- ▶ local control over guns during demonstrations;
- ▶ demonstrated competence for a conceal-carry permit;
- ▶ preventing unsupervised access to guns by children.

After *just 90 minutes*, the July Special Session was recessed until *after the November 5th election*.



In Memory of Mary Read
AHS Band President 2006
Killed 2007

located off Wakefield Chapel Rd

MENTAL HEALTH

Violence has many faces. Most perpetrators are not mentally ill. In fact, people with mental illness are 23 times *more likely to be victims* of violence.

The FBI reports fewer than 25% of mass shooters were diagnosed with mental illness. Mental illness is defined as “a serious functional impairment, which substantially interferes with or limits one or more major life activities.” This is not the profile of a person who can carefully plan out the most lethal possible mass killing.

As a society, we must struggle with the many roots of incomprehensible violence, hatred, and hyper fear. But long overdue help for those suffering from mental illness must not be misdirected.

Passing Medicaid expansion in 2018 gave us \$1.75 billion new federal funds for this year. Solid work by the Joint Mental Health Committee – which was convened after Sen. Deeds' son committed suicide and on which I sit – clearly identified priorities for these funds:

- ▶ \$12 million of the \$36 million it will take to provide one school counselor for every 250 students (as recommended by the American Counselors Assoc);
- ▶ \$7.8 million statewide to provide same-day crisis services;
- ▶ \$6.4 million to fill shortages in mental health hospitals created by requiring them to admit people in eminent danger to themselves or others;
- ▶ \$5.2 million to expand community support for people waiting to be released from state hospitals;
- ▶ \$3 million for permanent supportive community housing for addicts and those with mental illness;
- ▶ \$1.2 million to pilot programs to support schools with integrated mental health services for students needing additional care. *Virginia ranks 3rd from the bottom in services for children under 18.*

VIRGINIA'S FUTURE

GREEN ENERGY

One of the **most critical** and dynamic sources of new jobs is green energy development. Virginia has the 4th highest concentration of STEM-trained workers in the nation. We should be a prime competitor for these jobs.

Last year, the General Assembly directed that significant investments must be made in green energy using revenue from the electricity rates authorized to carry out federal Clean Air Act fossil fuel limits. Federal requirements were abandoned. Virginia chose to proceed.

Wind power... After much planning, this summer Dominion Energy started construction on two massive wind turbines 27 miles off our coast. Sustained ocean winds are much stronger than on land and **Virginia is ideally located** to lease a 112,800 acre site (the first in federal waters) that is only 80-foot deep and out of migratory bird flyways. By next spring, power actually will start being generated. These turbines and transmission lines will pave the way for hundreds of turbines, enough to meet the needs of over 500,000 homes.

Solar power... There are two changes that must take place to utilize the **full potential** of solar power. First, transmission lines must be changed to capture power from many small sites, instead of from just a few large fossil fuel or atomic power plants. Other states have done more to **allow customers to share solar power**. Therefore, legislation this Session permitting localities to generate and share solar power among buildings was important. Fairfax County is advertising for solar companies to install solar at as many as 130 buildings and schools. This could triple the solar power currently produced in all Northern Virginia.



The second change is **storing peak sun energy** to serve evening residential needs. Nationwide, large-scale battery storage projects have more than quadrupled in the last 5 years. The General Assembly's focus on more green energy resulted in Dominion Energy requesting State Corporation Commission approval to invest \$33 million in four battery projects to test different applications.

Coal Ash Contamination... This is **a long-standing toxic hazard** of coal-powered electric generation plants affecting human water supplies and marine species. This year, we finally passed legislation to require that coal ash be removed from all unlined ground enclosures. At least 25% must be encapsulated into solid materials safe for re-use. The remainder must be moved to federally-approved lined storage enclosures.

TOP STATE FOR BUSINESS

For the 4th time in 13 years, Virginia was ranked by CNBC as the #1 State for Business in the combined weighting of ten factors.

Virginia's top rankings were both related to education. We ranked **first in the nation in the quality of our workforce and first in our education program** from kindergarten through research and advanced degrees. Our lowest rankings across the 10 categories were in the cost to do business and the cost-of-living.



In past years, we had dropped to as low as 11th place overall because of the effect of federal budget cuts on our economy. Although recent defense spending is spurring our economy, there's wide recognition that we need to diversify our workforce from being 30% tied to federal spending. Amazon's decision to locate headquarter offices in Virginia underscores two points:

- ▶ Virginia's commitment to enhance higher education STEM degrees was the right incentive, not trying to out-bid others in cash giveaways;
- ▶ Amazon's decision sent a message to other major employers to look closely at Virginia. Strengthening higher education programs only enhances that appeal. Jobs are needed throughout Virginia, especially in urban cores, down-state, and Appalachia.

EDUCATION

We funded a **5% teacher salary increase** by adding \$72.8 million to the 3% increase already in the budget. This finally reverses the drop in state funding per pupil (adjusted for inflation) that began with the 2008 recession. Fairfax County will receive a total increase of \$23.5 million in education funding.

We also set aside up to \$52.4 million that is earmarked for each public college and university that **doesn't raise undergrad tuition**.

We are seeing progress in developing relevant **post-high school professional credentials** through community college and state-certified apprentice programs. However, increased union and trade involvement could bring in more skilled instructors.

Please, let me hear from you . . .

Vivian, my focus in dealing with gun violence is

I'm also concerned about the Economy Transportation Education Health Care Taxes
 Mental Health Environment Personal Freedoms Law Enforcement Other _____

Please cut along the line below to include your name and address, which is printed on the back, with your response.

PERSONAL IMPACTS

TAX REFORM

Federal tax changes caused Virginia taxes increases for 1 out 4 taxpayers. We targeted relief to taxpayers hit the hardest by *increasing Virginia's standard deduction by 50%* and not adopting the federal \$10,000 cap on local tax deductions. We could not apply any of these changes to taxes on 2018 income. Therefore, everyone who paid their 2018 taxes by 7/1/19 will get *a small refund*. Checks will be for up to \$220 (Joint) or \$110 (Single) but not more than what was paid. Checks will be in the mail by October 15th.

JUSTICE REFORM

Driver's licenses can't be revoked *solely* for not paying court fees. Fines and costs will still be charged but persons won't be in the impossible position of not being able to pay because they lose their job because they can't drive.

Mental health needs of people in local jails will get more attention through requiring up-to-date screening, discharge planning for serious mental illness, and giving probation officers medical and mental health records.

PROTECTING CHILDREN

All religious practitioners are now *required to report child abuse*, except for information that cannot be disclosed under religious doctrine.

If a suspected *abused or neglected child lived in another state* in the last 5 years, protective services must determine if the child is on that state's abuse/neglect registry.

Since 2000 in Virginia, there have only been 2 recorded abortions in the last 3 months of pregnancy. *All newborns* have the full protections of the multiple hospital reviews and appeal procedures we passed last year that apply to all patients and especially to those on life-support.

TEENS AND NICOTINE

E-cigarette use by high schoolers almost doubled from 2017 to 2018 reaching over 20% and almost 5% in middle school. (U.S. Centers for Disease Control and Prevention) Concern about effects on the developing brain and nervous system and about marketing targeted at youth, led to *increasing the age to purchase any tobacco product to 21*. Active-duty military are exempted.

VULNERABLE SENIORS

Bank staff who suspect a customer is being *financially exploited* now have explicit authority to refuse or to delay disbursing funds and to notify law enforcement.

REAL ID

To board a plane or enter a secure federal facility, you will need to upgrade your Virginia driver's license to REAL ID by October 2020. *No change is needed in order to drive, vote, or conduct everyday business.*

However, despite that October 2020 federal deadline, the Defense Department began rolling out new security guidance this summer and people without REAL ID were denied access to Quantico and Fort Belvoir. If your lifestyle will require REAL ID don't wait. Go to DMV's website to see the list of original documents you must bring to prove your identity, legal presence in the U.S., social security number, and Virginia residency.



By authority of
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THE CHALLENGE OF DEMOCRACY

400 years ago in Virginia, democracy was established in the New World. A month later, the first slave ship was diverted from the Carribean and landed in Virginia. I attended both commemorations this summer. Here are my thoughts.

The U.S. form of government and our Constitution grew directly from the seeds planted in Jamestown on July 30, 1619. English colonists had arrived 12 years earlier. Few survived but more came. Within 4 years, a royal governor was given complete power which he used with “pitiless severity” to ensure survival and a profit for investors.

By 1619, hard labor had established 11 villages and farms. Those who did the work were determined to have a say. Each village and farm **selected two representatives** that met in a “general assembly” for 6 days. The first Speaker observed, “peace is best preserved by giving ... **information to the people**. [This] is the most legitimate engine of government.”

They passed laws on issues we still debate today: land use, drinking, public safety, and taxes. Most important, they were able to use this first legislature as **a check on unbridled executive authority**.

This was worthy of commemoration.

However, what I found deeply challenging about commemorating representative democracy was facing each step of its history. The first Africans were captured as slaves but they weren’t reduced to enslaved **property** until 1640. That came from laws duly passed by the General Assembly.

Centuries of callous inhumanity wove its tentacles into **law after law legitimizing ever greater inhumanity** in the name of building America. Slowly, very slowly most laws have been erased. Nevertheless, the ingrained prejudice within them challenges us to constantly examine government actions for their effect on African Americans and all people of color.

Since Virginia and later the United States were structured on representative democracy, **who** is allowed to vote for the representatives also has been an epic battle. For the poor, women, and all minorities, gaining **the right to vote and then not being barred from actually voting or not having their vote devalued by gerrymandering** has been essential to gaining equality under laws passed by otherwise narrowly chosen representatives.

Finally, I repeatedly come back to Virginia’s unique state seal with its motto “Thus Ever to Tyrants.” It was designed by George Mason, who also originated the Bill of Rights protecting individual freedoms. The seal champions the legislature in the ultimate balance of power.

The United States constitution, modeled after Virginia’s, gives the same importance to the legislature. We became the first nation whose constitution – beginning with **We the People** – puts the legislature ahead of the executive.



Virginia Museum of Fine Arts
1933 bronze rendering - Photo by Cliff