

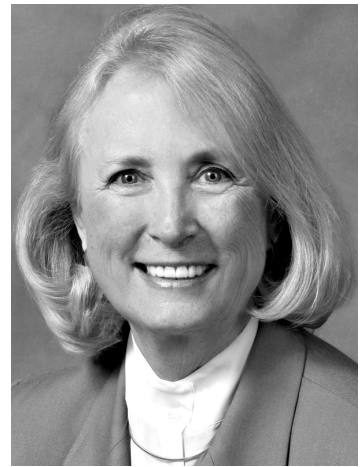
Virginia General Assembly

2013 Report from Delegate

VIVIAN WATTS

After more than a decade of intense effort, I was extremely pleased to be able to work with others, across party lines, to finally produce a means to re-build our over-loaded, seriously deteriorating transportation network. It is the spirit of governing – not politics – that we need in so many areas.

Vivian



Transportation

The Need . .

It's hard to believe anyone in Northern Virginia hasn't been painfully aware for years that congestion and maintenance have gotten worse and worse!! NV rush "hour" is 7 hours long. We spend 67 extra hours a year tied up in traffic at a cost of \$1398 in time and fuel. For the 2nd year, this region has been ranked the most congested in the nation.

Virginia's per gallon gas tax is worth less than half of what it was in 1987 when it was last increased. Only the wide-open states of Alaska and Oklahoma haven't increased their gas tax since then. Gas taxes used to fund over half the state's construction budget – now it's less than 1/6.

The Breakthrough . . .

Finally, the 2013 General Assembly passed a package of new transportation funding that will raise \$1.3 billion a year by 2017. The major driving forces behind this long overdue break-through were:

- ▶ Everything else had been tried, including pushing borrowing to the limit for the next 25 years.
- ▶ By 2017, there would be no state money to get 80-90% federal funding for major projects. Federal gas taxes Virginians had paid would go to other states.
- ▶ Seriously deteriorating maintenance finally got rural legislators to the table.
- ▶ Virginia lost its rank as the best place to do business solely because of congestion in the urban crescent.
- ▶ The Governor acknowledged the need for new funding; however, very wide criticism of his proposal to do away with the gas tax (!) brought legislators together, determined to hammer out a bi-partisan, economically sound solution.

The compromise wasn't simple. I spent many an after-midnight-hour analyzing alternatives to help legislators less familiar with the fine print of transportation funding. The bottom line is: What passed provides the ongoing annual funding that study after study underscored we must have to address the backlog of basic needs. Northern Virginia gets control and serious funding. All road users will continue to pay through the gas tax.

Where It Goes . . .

Over \$300 million a year will be raised in Northern Virginia, which constitutionally must be spent on transportation in Northern Virginia. If it is not, the NV taxes are repealed. The only requirement is that funds must be used for road improvements or transit that reduce congestion.

Northern Virginia – not Richmond – will control what it is spent on. 70% or over \$200 million will go to regionwide projects.

The rest goes back to the locality where it was raised. While this 30% must be spent to address congestion, in addition, each local government also must commit funds (equal to a 12.5¢ real estate tax on business properties) to be spent for any non-maintenance purpose. Fairfax County will control approximately \$100 million a year for transportation – half from the bill we passed and half from the required local funding.

For the last 4 years, the State has spent zero on local improvements. By 2016, state local road construction funds finally will start flowing again. The delay is due to taxes being phased-in and an initial \$300 million in state funds going to fund rail to Dulles.

Indeed, state transit funding was significantly increased across the board. The current \$130 million will more than double.

Transportation Funding – cont'd

Where It Comes From . . .

The 17.5¢ per gallon gas tax will be replaced with a tax on the wholesale price. The new tax rate on diesel fuel will increase taxes on trucking, but diesel cars can get a rebate on the difference.

The bulk of the new state revenue comes from the tax on car sales going from the current 3% to 4.15% by July 2016 and from raising the sales tax on non-food items across Virginia from 5% to 5.3%.

In Northern Virginia and in Hampton Roads, the sales tax increases to a full 6%, with the added amount going to fund transportation just in each region. Northern Virginia also will use an additional 2% hotel tax and a 15¢ per \$100 tax on real estate sales.

Get Involved . . .



From where I sit, the result of all these changes should support better coordination locally to remove bottlenecks, increase transit use, and deal with the impact of land use decisions. I look forward to working with you and our local officials to reach these goals.

Medicaid Funding

There's one thing more complicated than transportation funding and that's healthcare funding. Again, let's start with need:

Virginia is 48th in the nation in Medicaid spending. In most cases, we do the minimum required to get federal matching funds. As a result, we have a very high percentage of low-income adults whose only source of health care is the emergency room. This drives up costs for all hospital patients, as well as not providing basic care to prevent health problems from getting worse and more costly to treat.

The federal poverty level is \$23,050 for a family of four. It's the same for Fairfax as for Billings, Montana. Therefore, at least 75,000 people below the poverty level in Northern Virginia and 400,000 statewide won't be covered under the federal Affordable Care Act, if Virginia doesn't expand Medicaid.

The estimated cost of expansion is \$2 billion, but this will be covered entirely by federal funds for the first 3 years. By 2022, the State must pay 10% of expanded coverage. However, Virginia will save

money on payments to teaching hospitals for indigent care, just as less cost will be passed on in everyone's hospital bill. In addition, many people receiving mental health treatment entirely through state or local taxes could be funded almost entirely by federal funds. It also is possible that we could shift some of the cost of prison and jail inmate care.

Despite this potential, Virginia was about to join the 13 other states who have rejected Medicaid expansion. However, very intense bargaining produced a budget compromise. Instead, we've launched an immediate comprehensive study. Reports thus far support expansion, despite concern about federal cuts to Medicaid. The budget also has money for 14 more Medicaid fraud investigators.

The Rest of the Budget

Caution – Virginia has to pass a balanced budget. Therefore, we have to be conservative. Because so much of Virginia's economy is influenced by federal spending, we added \$128 million to the Rainy Day Reserve and reduced the amount we expect revenue to grow this year.

K-12 Education – State funding per pupil is over 12% less than it was 5 years ago (adjusted for inflation.) The budget didn't deal with this. While Fairfax gets \$4.4 million more this year, this is less than a 1% increase while our enrollment is up 1.2%. Private school funding was significantly strengthened.



Colleges – Funding increases included student aid; strengthening science, technology, engineering, and mathematics (STEM); and covering enrollment growth. In-state tuition still must cover 1/2 the student cost compared to only 1/4 ten years ago. Financial assistance and community colleges are increasingly crucial to keeping higher education open to all capable, hardworking students.

State Employees – Employees will get their first pay raise in 6 years. It includes an adjustment of \$65 for each year of employment (\$70 for state police) to deal with the problem that many new hires are close to making as much as managers.

Mental Health – We approved funding to care for 200 additional intellectually disabled persons, 50 developmentally disabled persons, and increased the level of funding for services to persons with complex medical or behavioral needs.

Seniors

Financial Exploitation – For several years, we’ve struggled to define the crime of taking advantage of elderly persons to bilk them out of whatever wealth they have. It has been difficult to balance the right of the elderly person to make their own decisions versus defining undue influence on those decisions to commit larceny and fraud. The bill we passed this year hinges on whether the victim had the mental capacity to understand what was going on.

This language will permit someone to file charges against family members or companions who are exploiting an elderly person, often for tens of thousands of dollars. However, I still want to go after the door to door “repairmen” Fairfax police brought to my attention, who use physical intimidation or the inability to get to the site of the supposed repair to exploit frail elderly. Some even circulate the victim’s name to others for further exploitation.

Birth Control

This was the 10th year that a bill to simply make it clear that using birth control is not considered an abortion was defeated. The defeat was all the more disturbing since last year the House passed a bill declaring that, at the moment egg and sperm join, a person with full legal rights is created. The bill was only very narrowly defeated in the Senate.

My second child was born the year the Supreme Court ruled that states could not outlaw birth control. Since many forms of birth control (including IUDs and the pill) prevent pregnancy by stopping such a fertilized egg from implanting in the uterus, I refuse to turn back the clock.



Safety

Texting While Driving – I’ve introduced one bill after another over the years to try to break the total resistance of a few key legislators to treating even texting while driving as a serious issue. It took the death of a young man tragically killed by a driver who was texting and never even hit the brakes.

Using your fingers to communicate electronically now carries penalties similar to drunk-driving. It is a primary offense, meaning police can pull you over even if you aren’t breaking any other traffic law. The fine is \$125 for the first offense, \$250 for any that follow, and points on your record. The law also covers un-parked/stopped vehicles on school grounds.



School Security – In response to the serious increase in mass shootings and especially to December's horrifying massacre of children and teachers in Newtown, Connecticut, all schools are now required to work with local law enforcement to adopt security plans and emergency procedures.

However, bills to label certain people dangerous were defeated because they lacked adequate review and due process for the person labeled. Regarding mental health, my biggest concern continues to be that we’ve never funded the treatment and oversight staff we need to carry out the reforms we passed following the Virginia Tech shootings. “Safeguards” are meaningless without personnel to carry them out.

The only gun safety measure that passed increased the penalty for people who buy guns for a person they know wouldn’t pass a background check. (As of last year, regrettably, Virginia gun buyers are no longer limited to one gun a month.) Bills to strengthen and expand background checks or to limit assault weapons and high capacity magazines were soundly killed in committee, most without a recorded vote.

Vivian, the two issues I’m most concerned about are:

- Economy** **Transportation** **Education** **Health Care** **Mental Health**
 Environment **Personal Freedom** **Taxes** **Immigration** **Other** _____

My concerns about #1 are _____

My concerns about #2 are _____

Environment

Uranium Mining – A proposal to lift the 30-year ban on uranium mining was intensely lobbied for 2 years. Nevertheless, the bill was soundly defeated this Session.

The rich deposit in Southside Virginia actually is part of a vein that extends into Pennsylvania. The main reason I opposed lifting the ban was hurricane level rains pushing radioactivity into water supplies. I'm also uncomfortable with Virginia's ability to regulate and oversee mining operations and who will pay for problems that occur many decades after the mining corporation has left.

Care of Developmentally Disabled

The NV Training Center is to close in 2015 as part of a U.S. Justice Department directive. Most intellectually disabled residents who could live in a community setting have already transitioned out. I share strong concerns about what will happen to the rest. I don't accept that the medically fragile residents of Virginia's 4 centers can be cared for in one 75-bed facility down in Chesapeake – nor should they be isolated so far from their families.

We're attempting to attract more community care providers by increasing the amount they're paid. But this partial profile of the residents who range in age from 22 to 88 represents the high level of care required:

- 56% have eipilepsy
- 86% have severe/profound intellectual disabilities
- 53% require assistance with mobility
- 90% require assistance with eating
- 50% have significant behavioral disorders

Voting

The Supreme Court Ruling on the Voting Rights Act removed the protection of preventing changes that might keep a Virginian from voting before they go into effect.

The newest restriction from this Session requires voters to show a government-issued ID with their picture on it starting in 2014. For mostly older voters who don't drive, this means getting to a DMV with their birth certificate to get a photo ID card. If they don't have a birth certificate, they must pay \$12 to get one.

The ID also must have the person's current address. For younger voters this means changing their drivers license as soon as they move.

I opposed these unwarranted requirements as systematic harassment to discourage groups of voters when there is no evidence of any individual in Virginia trying to use the name of a registered voter to cast a ballot.



Hearing and seeing first hand how people, services, and neighborhoods are affected is essential in the struggle to balance priorities. Please call on me.
