Top Legislative Priorities
Summary of Top Legislative Priorities:

**Arkansas**
- Criminal Justice Reform
- 911 funding
- Internet Sales Tax

**Georgia**
- Public safety communications – FirstNet & Next Gen 911
- Regulating the deployment of new wireless broadband infrastructure an incentive for deployment in rural areas
- Tax reform for changing economy
- Strategies for engaging membership in the policy process

**Kentucky**
- CERS Autonomy – independent County Employees Retirement System board
- Pension Spiking – statutory change exempting “spiked” compensation increases
- Tax reform – modernization to be more competitive
- Jails – seek to reduce increased strain
- Road projects & maintenance

**Maryland**
- Reinvest in local roads, bridges and infrastructure
- Strong and smart state funding for school construction
- Energy facility siting
- Balancing release of police body camera video

**Mississippi**
- Adequate long-term infrastructure funding
- Adequate E-911 Funding
- Advocating more flexibility in the county purchasing laws
- County Supervisor pay raise
- Protecting the County Homestead Exemption Reimbursement form a significant cut

**North Carolina**
- Increased funding for public school capital projects
- Repeal authority for school boards to sue county boards of commissioners
- Authorize local option revenue sources
- Increased funding for transportation construction and maintenance needs
- Raise the age of juvenile jurisdiction
Virginia
Increased education funding
Economic development and planning
Water quality improvement funding
Broadband – universal and affordable
Health & Human Services funding

West Virginia
Budget shortfall – current budget crisis cuts across the board
“Tax reform” study proposing to eliminate all personal property tax
Jails & Cost of incarceration
2017-18 TOP 5 LEGISLATIVE PRIORITIES

1. **Annexation, Deannexation and Incorporation**
   While annexation and incorporation may be appropriate, these processes are abused when their primary objectives are circumventing a county's land use plan, zoning or other ordinances, or shifting limited fiscal resources while not assuming appropriate service delivery responsibilities. ACCG seeks meaningful changes to both annexation and incorporation law to remedy these abuses. To further individual property rights, the General Assembly should authorize property owners to deannex from a city under the same conditions as annexation.

2. **Modernization and Balanced Funding of the E-9-1-1 System**
   ACCG calls for the creation of a Local Government 9-1-1 Authority to provide statewide fee collection, coordination, planning, auditing of service providers and enforcement of requirements. ACCG also calls for an increase in available 9-1-1 funding by bringing parity to all 9-1-1 fees collected, $1.50 per month or retail transaction, and the elimination of the cost recovery charges.

3. **Georgia Agriculture Tax Exemption (GATE)**
   ACCG’s platform statement on the Georgia Agriculture Tax Exemption (GATE) program builds from legislation that came close to final passage in the 2016 legislative session. The updated statement calls for further measures to tighten enforcement of eligibility for, and use of, GATE cards, calls for more information sharing between the relevant state departments that administer GATE, and urges the General Assembly to require detailed annual reporting regarding GATE’s fiscal impact.

4. **Title Ad Valorem Tax (TAVT) Reform**
   ACCG’s platform statement on title ad valorem tax (TAVT) reform calls for parity in treatment between new and used cars regarding valuation for tax purposes. The statement also calls for the end to the annual statewide cap on the dollar amount of revenue local governments receive from TAVT.

5. **Single County T-SPLOST**
   ACCG supports reforms to the Single County TSPLOST to make it easier to use and more flexible.
2017-18 LEGISLATIVE AGENDA

ACCG works on behalf of counties and their communities to provide public policy development and legislative advocacy on issues that come before the Georgia General Assembly and the U.S. Congress. As part of ACCG’s policy development process, county officials identify specific, actionable items for the Association’s lobbyists to further. These items, called the Legislative Agenda, are recommended by the ACCG Policy Council, approved by the Board of Managers and voted upon by the ACCG membership at the Legislative Leadership Conference as part of the County Platform.

State

Partner with the State to Ensure Wise Use of Taxpayer Dollars

According to the State Constitution, counties are a political subdivision of the State of Georgia. As such, the State places requirements on counties for many programs and services – often without fully funding their cost. Furthermore, state agencies and authorities establish rules and regulations that can add costly financial and personnel strains on local governments. In recent years, ACCG has worked with the Georgia General Assembly to provide relief from some of these laws and regulations, allowing counties to invest taxpayer dollars into the community’s priorities. ACCG will work to reduce or eliminate additional outdated or unnecessary requirements on counties and to reimburse counties for costs incurred for the administration of state programs by advocating the following:

- **Annexation, Deannexation and Incorporation** - While annexation and incorporation may be appropriate, these processes are abused when their primary objectives are circumventing a county’s land use plan, zoning or other ordinances, or shifting limited fiscal resources while not assuming appropriate service delivery responsibilities. ACCG seeks meaningful changes to both annexation and incorporation law to remedy these abuses. To further individual property rights, the General Assembly should authorize property owners to deannex from a city under the same conditions as annexation.

- **Class Action Litigation Regarding Tax Refunds and Use of Tax Proceeds** - ACCG’s new platform statement on class action litigation calls for parity in treatment between the state and its political subdivisions. State law currently prohibits the use of class actions when bringing a tax refund suit against the Georgia Department of Revenue. In light of the growing use of this mechanism to bring costly tax-related litigation against cities, schools, and counties, ACCG asks the General Assembly to extend the same protection to local governments that the state currently enjoys.

- **Emergency Medical Services (EMS)** – State law should require that CMS and all payors honor the assignment of benefits for EMS services. When a patient signs an assignment of benefits, the payment must be remitted to the EMS provider.
2017-18 LEGISLATIVE AGENDA

- **Georgia Agriculture Tax Exemption (GATE)** – ACCG’s platform statement on the Georgia Agriculture Tax Exemption (GATE) program builds from legislation that came close to final passage in the 2016 legislative session. The updated statement calls for further measures to tighten enforcement of eligibility for, and use of, GATE cards, calls for more information sharing between the relevant state departments that administer GATE, and urges the General Assembly to require detailed annual reporting regarding GATE’s fiscal impact.

- **Medicaid Benefits** - The Department of Community Health and the Department of Human Services should allow for the continuation of Medicaid benefits for offenders prior to conviction, and for the suspension of benefits for those convicted instead of cancellation of benefits.

- **Modernization and Balanced Funding of the E-9-1-1 System** – ACCG calls for the creation of a Local Government 9-1-1 Authority to provide statewide fee collection, coordination, planning, auditing of service providers and enforcement of requirements. ACCG also calls for an increase in available 9-1-1 funding by bringing parity to all 9-1-1 fees collected, $1.50 per month or retail transaction, and the elimination of the cost recovery charges.

- **Regional Transit Governance and Funding** - ACCG supports the creation of new options for funding and financing rural and urban transit. ACCG supports consolidation of transit operations to improve efficiency. ACCG also supports a governance structure that includes the county government proportional to their level of funding.

- **Service Delivery** – With a prominent legislator promising to revisit the Service Delivery Strategy Act, ACCG will work to avoid adverse SDS revisions and close loopholes in order to minimize conflict during negotiations and dispute resolution. ACCG’s proposed changes will mirror definitions and principles detailed in the joint ACCG/GMA SDS handbook.

- **Single County TSPLOST** - ACCG supports reforms to the Single County TSPLOST to make it easier to use and more flexible.

- **Title Ad Valorem Tax (TAVT)** - ACCG’s platform statement on title ad valorem tax (TAVT) reform calls for parity in treatment between new and used cars regarding valuation for tax purposes. The statement also calls for the end to the annual statewide cap on the dollar amount of revenue local governments receive from TAVT.
2017-18 LEGISLATIVE AGENDA

Federal

- **Tax Exempt Municipal Bonds** - Tax exempt municipal bonds are vital tools to local governments seeking to bring economic development and job growth to their communities. ACCG urges Congress to preserve the tax exempt status of municipal bonds and to oppose any attempt to cap or eliminate the exemption, for doing so would increase the borrowing costs of public entities which will ultimately be shifted to the tax payer in the form of rate and tax increases.

- **Marketplace Fairness Act (Sales Tax on Remote Sales)** - ACCG urges Congress to require remote sellers to collect sales tax and distribute the funds back to the consumer's state. Once the state receives the sales tax, the state should be required to remit the appropriate sales tax revenue to local governments within their state. Such legislation to assist state and local governments to uniformly collect existing sales taxes should be expedited and not be tied to broader federal tax reform, as it has no impact on the federal tax burden.
KACo Legislative Issues

CERS AUTONOMY
KACo supports exploration of an independent County Employees Retirement System board for administrative and investment oversight. An independent board will focus on system-specific issues, such as future-hire benefit changes, appropriate investments, retiree cost-of-living adjustments, and greater administrative transparency. KACo supports continued full ARC funding of, and has a vested interest in, a healthy KERS. Three of our affiliate member offices participate in it: Commonwealth's Attorneys, PVA's and County Attorneys. KACo is working with other stakeholders to identify the benefits and shortcomings of separation and collecting feedback from our members.

PENSION SPIKING
KACo supported Senate Bill 2 (2013) but will seek a statutory change exempting 'spiked' compensation increases that occur in the normal course of business, such as FMLA leave or Workers' Comp absences. Pension "spiking" leaves the last participating employer responsible for actuarial costs when an employee's annual creditable compensation exceeds 10% in any of the last five years of active employment (not due to a bona fide promotion or advancement). KACo's suggested changes will address normally occurring circumstances, while preserving the intent of SB2.

TAX REFORM
KACo supports modernization of state and local tax structures. To create a more competitive environment for investment and a more stable system for budgeting, we must take a hard look at how state and local governments levy taxes, what taxes we impose, and necessary General Assembly authorization at the local level. KACo would like the same option to utilize consumption-based tax schemes as the state.

JAILS
Counties continue to honor their commitments agreed upon in HB 463 (2011). Unforeseen circumstances such as the heroin epidemic, and judges who refuse to implement the law's provisions, have contributed to increased strain on county jail and state Corrections budgets. County officials are working to find a balance among reducing correction costs, lowering recidivism rates and maintaining public safety as active participants in the Criminal Justice Policy Assessment Council (CJPAC). In addition, we continue to pursue matching funds for the expansion of programming in jails, support legislation to collect DNA upon arrest, and oppose unfunded mandates.

ROAD PROJECTS AND MAINTENANCE
Although we are grateful the legislature stemmed the bleeding by stabilizing the motor fuels tax floor in the 2015 session, the dramatic reduction in wholesale gas prices left receipts $130 million below the original 2016 estimate. It is irresponsible to divide an ever decreasing pot of money for roads until the General Assembly addresses a funding mechanism for overall infrastructure needs. KACo supports measures that increase revenues to ensure the future integrity of the road fund, and a distribution formula which continues to reflect the unique safety and economic development needs of our rural communities.
Affiliate Legislative Issues

**Ky Association of Circuit Court Clerks**
1. Support enactment of REAL I.D. to ensure KY citizens will be able to gain entry to federal facilities and board airplanes with a KY Driver's License.
2. Support legislation to allow probation fee payments to be made at Probation and Parole offices.
3. Support good faith efforts to work with the Chief Justice for Court of Justice pay equity.

**Ky Magistrates & Commissioners Association**
1. Road Aid Formula/Motor Fuels Fee: Protect the road aid formula, ensuring that Counties are receiving the same percentage of County Road Aid and Rural Road Aid from Transportation Cabinet. Explore increasing the motor fuels fee. Review the diesel tax rate; consider matching the gas tax rate.
2. Jail Costs: Obtain input from Fiscal Courts, AOC, DOC, and the legislature to find ways to reduce jail costs and increase per diem. Review other parties that should be assisting in funding of jails.
3. Drug abuse: Support legislation that addresses the drug problem through criminal penalties or other means, with special emphasis on treatment programs.
4. Coal & Mineral Severance: Re-assess programs funded from “off the top, off the middle, off the bottom” of the Local Economic Development Fund. Modify the formula and return a higher percentage to counties.
5. Occupational Tax Agreement: Share equal revenue between cities and counties.
6. Retirement: Explore separation of KRS and CERS. Review investment policies for each fund. Maintain the inviolable contract.
7. LIFT: Local Option Sales Tax allows local governments to fund essential capital projects through constitutional referendum. Vote of the people required for passage.
8. Misdemeanant Sentence Structure: Obtain input from prosecutors, jailers, legislators, public advocates, and fiscal court members to review mechanisms that would conditionally release non-violent misdemeanants to save county jail expenses.

**Ky Sheriffs Association**
1. Support exploration of CERS separation.
2. State should continue full funding of KERS ARC.
3. County government crucial to tax reform discussions.

**Ky Commonwealth’s Attorneys Association**
1. Penal code reform
2. Sentencing and parole eligibility reform.
3. DNA upon arrest.
4. State should continue to fully fund ARC for KERS.

**Ky County Clerks Association**
1. Election law updates.
Affiliate Legislative Issues

**Ky Jailers Association**
1. Continue to follow the progress of the Criminal Justice Policy Assessment Council.
3. Oppose unfunded mandates at the county level.
4. DNA upon arrest.

**Ky PVA Association**
1. County governments integral partner in Kentucky tax reform effort.
2. State should continue to fully fund ARC for KERS.

**Ky County Judge/Executive Association**
1. Road Fund Legislation: A) Maintain current road fund formula; B) Increase the diesel fuel tax rate by 3 cents making it equivalent to the gasoline motor fuels tax; C) Establish a tax for alternative fuel vehicles; D) Allow TIFs for road projects.
2. Reduce Jail Costs: A) Maximize the use of Medicaid coverage for newly eligible inmates; B) Look at other means to reduce the cost of corrections.
3. Retirement Issues: A) Remedy the spiking problem; B) Investigate separating CERS from KERS.
4. Tax Reform: Ensure any reduction or elimination of taxes (Inventory Tax) is more than offset with addition of local options such as LIFT.
5. Return a higher percentage of coal severance money to counties.
6. Allow the Judge/Executive, with fiscal court approval, to appoint Library Board members.
7. Allow fiscal courts the option to determine whether to maintain or eliminate the office of constable in their respective counties.

**Ky Coroners Association**
1. Support exploration of CERS separation.
2. State should continue full funding of KERS ARC.
3. County governments must be part of any state tax reform efforts.

**Ky County Attorneys Association**
1. State should continue to fully fund ARC for KERS.
2. We support increased jail funding.
Five Priority Goals for 2017-18

1. Seek legislation to establish a new state-county partnership to address statewide public school capital challenges - including but not limited to maintenance, renovation, construction and debt - through a dedicated, stable funding stream that is consistent from county to county and sufficient to meet the school facility needs of all 100 counties.

2. Seek legislation to repeal the statutory authority under N.C. General Statute 115C-431(c) that allows a local school board to file suit against a county board of commissioners over county appropriations for education.

3. Support efforts to preserve and expand the existing local revenue base of counties, and oppose efforts to divert to the state fees or taxes currently allocated to the counties. Oppose efforts to erode existing county revenue streams and authorize local option revenue sources already given to any other jurisdiction.

4. Support increased state funding for transportation construction and maintenance needs, and support legislation to ensure that the STI funding formula recognizes that one size does not fit all and that projects in both rural and urban areas are prioritized and funded.

5. Support legislation and funding to raise the Age of Juvenile Jurisdiction from 16 to 18 with the exception of felony crimes.
VACo 2017 LEGISLATIVE PRIORITIES

OVERARCHING LEGISLATIVE PRIORITY POSITION

Increase Education Funding
To assure each child in Virginia a quality education necessary for his or her success, VACo calls upon the Governor and General Assembly to fully fund the Standards of Quality as recommended by the Board of Education and the Standards of Accreditation. The provision of a quality education for all Virginia’s children is the most important function of state and local government. The infusion of K-12 funding provided in the 2016 General Assembly session was a step in the right direction toward restoring the state’s partnership with localities in fulfilling this critical mission. However, when adjusted for inflation, state per pupil spending on public education is less than funding levels in FY 2006. With increased educational mandates, increased numbers of students, and state policy changes that decreased education funding, local school divisions have had to eliminate important academic programs, cut instructional and support staff, and increase class sizes, despite strong local efforts to improve efficiencies in public education.

ECONOMIC DEVELOPMENT AND PLANNING
Land Use/Growth Management Tools
VACo supports maintaining local authority to plan and regulate land use and opposes any legislation that weakens these key local responsibilities.

VACo supports legislation that grants localities additional tools to adequately meet increasing needs for public services driven by new development without burdening current residents with the cost of new growth through increased real estate taxes. Such additional tools may include broad impact fee authority for all counties, and adequate public facilities provisions in subdivision ordinances.

Proffers
VACo supports changes to the conditional zoning law to allow greater flexibility in the process for determining impacts to be addressed when considering an application for development.

Regulation of Home-based Businesses
VACo opposes any legislation that limits or restricts local authority to regulate home-based businesses, including short-term rentals regardless of whether services or goods are purchased through an online hosting platform.

ENVIRONMENT AND AGRICULTURE
Water Quality Improvement Funding
VACo supports effective partnerships among and across all levels of government to improve water quality.

VACo urges state and federal agencies to consider impacts on local governments of any initiatives intended to reduce loadings of pollutants into state waters from both point and non-point sources. In order for comprehensive, watershed-wide water quality improvement strategies to be effective, major and reliable forms of financial and technical assistance from federal and state governments will be necessary. VACo supports the goal of improved water quality, but will oppose provisions of any strategy that penalizes local governments by withdrawing current forms of financial assistance or imposing monitoring, management or similar requirements on localities without providing sufficient resources to accomplish those processes. VACo opposes the imposition of a state fee, tax or surcharge on water, sewer, solid waste or any service provided by a local government or authority.

FINANCE
Local Finance
VACo supports the authority of county governments to levy and collect revenue from local business taxes.

Meals and Tobacco Tax Authority
VACo supports granting counties the authority to adopt a local meals tax without referendum. VACo proposes the county meals tax rate be raised to a cap of 8 percent, which is consistent with current rates used by cities and towns. VACo also supports equal authority among all counties to levy and collect a tobacco tax.

GENERAL GOVERNMENT
Broadband
VACo urges the Commonwealth and the Federal Government to assist communities in their efforts to deploy universal affordable access to broadband for all areas, particularly in underserved and rural areas. Additionally, VACo opposes mandates that limit or restrict local land use authority for the siting of telecommunications infrastructure or result in a negative fiscal impact to county budgets.

HEALTH AND HUMAN RESOURCES
Health and Human Resources Funding
VACo supports transparent state policies and funding to ensure the Commonwealth’s at-risk families have access to high quality and appropriate services. The Commonwealth should provide full funding to localities for state-mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services.

TRANSPORTATION
Local-State Transportation Funding and Cooperation
VACo believes it is important to closely monitor and evaluate the implementation of “SMART-SCALE” and all other processes employed in recent years for distributing transportation funds. VACo supports the continuation of the state’s investment in Virginia’s transportation infrastructure statewide. While VACo appreciates the additional funding that has been provided in recent years to address the needs of Virginia’s highway system, more funding will be needed in the immediate future for secondary roads, which are vital for economic development for Virginia’s counties.