

December 1, 2010

LWV VA Pre session Roundtable

Capitol Building, Capitol Square, Richmond; 9 AM to Noon; Lunch: noon to 2 PM

Ethel “Chris” Lee and Carol Noggle carpooled.

Moderated by Olga Hernandez eighteen lobbyists spoke, each for about 5 minutes.

Two members of the Governor’s Cabinet also spoke – Dave Tyeryar, Deputy Secretary of Transportation and Ric Brown, Secretary of Finance.

1. J.R. Tolbert, Sierra Club of Virginia, stressed their interest in promoting renewable energy sources for clean energy but also to decrease the hidden costs (“externalities”) such as increases in health care. Each kilowatt of energy produced from coal increases health care costs by 3.2 cents. The Sierra Club advocates for monetary incentives to municipalities and schools to use renewable energy. Schools could even sell energy back as well as gaining in science education.

2. Tripp Pollard, Southern Environmental Law Center

He noted the need for more transportation funds (not likely to be forthcoming from ABC privatization) even though the VDOT audit found available funds. There is a \$4 billion backlog of needed bridge and other repairs. All forms of transportation, not just roads, need more support; what we have needs to be fixed. They advocate for more transparency and citizen input. The government reform commission advocated for abolishing the railroad advisory board but there needs to be a way to determine how to get and use funds. There have been rail successes, ridership predictions were exceeded, but there are funds available for only 3 years. They also advocate for smart land use that links with transportation issues, that improves connectivity and decreases sprawl.

3. HoChong Gilles, Virginia Council of Nurse Practitioners

They are advocating for increasing NPs as equal partners in patient care by changing regulations that now require that NPs work directly under physician supervision in Virginia. Current regulations cause inefficiency, particularly in rural areas where there are few physicians to supervise NPs who need to write prescriptions. They want to establish a Governor’s advisory council with NPs on the task force. There will be a bill to decrease the barriers of independence of NPs.

4. Rob Jones, Virginia Education Association

(During the previous speaker’s presentation someone’s cell phone rang. Mr. Jones quipped that in VEA meetings there is a policy that any cell phone interruption costs the “perpetrator” \$5.00) He listed problem issues in Virginia’s education – 5,100 fewer teachers, less support staff, teacher pay is less than the national average, reading and science are ranked fairly high but Virginia is 16<sup>th</sup> in math, and ranks 38<sup>th</sup> in state financial support, 12<sup>th</sup> in local financial support. There is a critical shortage in many areas.

By 2014 an increase of 50,000 students is expected. Teachers need to be attracted. At this time half come from out of state.

Virginia is 41<sup>st</sup> in taxation in the U.S. so how can there be quality education?

Their legislative agenda includes measures for high school intervention.

5. Lois Smith, Virginia Independent Consumers' and Farmers' Association

Ms. Smith passionately advocated for less regulation of local food producers so that they can compete with big food conglomerates. She stated that if each Virginia household would spend just \$10 on food from local farmers it would contribute one billion dollars to the economy. There is some restriction on selling pickles locally – she mentioned a “pickle bill” to reduce this restriction.

6. Mike Cassidy, Commonwealth Institute for Fiscal Analysis (CIFA)

He described the fiscal crisis in the state budget with revenues down by 20%, increased unemployment, depletion of the rainy day fund, and fewer options for funds in 2011 with less federal aid, the need to pay back to the retirement system. He expects there will be proposals to cut state agencies by 2 to 4 to 6%, and the GA will ask for tax cuts.

He did not have a solution for a source of funds unless there is at least a 7% increase in revenue funds -- but how?

7. Ben Greenberg, Virginia Organizing (formerly Virginia Organizing Project—VOP)

He described their continuing efforts to control predatory lending where there are types of loans that charge excessive interest rates – up to triple digit rates! Payday loans, “open-end” loans and car title loans are still in use. Payday loans are supposed to be paid back at the next payday, some people then have to get a loan from another lender. There have been some decreases in payday offices.

“Open end” loans give a 25 day grace period but the interest rate increases if payback is delayed. “Car title loans” are still in use. If there is clear title the interest can be 25% per month but lower rates are now being charged. He advocates to try to limit this type of loan and cap the interest rate at 36%.

He stated that some of the payday lenders contribute large amounts to election campaigns.

8. Lisa Guthrie and Jeff Painter, Virginia League of Conservation Voters

<http://www.valcv.org/>

VALCV represents the political voice of a wide spectrum of interests. Their website has a “scorecard” of how legislators voted on conservation-related bills in 2010.

One goal is to have contact teams locally for grass roots education and activism so that voters can “spill their knowledge” to legislators. Their 2010 conservation briefing book includes support for bipartisan redistricting.

Their handout listed over ten potential 2011 legislation issues with their position to support or oppose.

Briefly:

Water: ban phosphorus fertilizers, transfer menhaden management to a Virginia Marine Resources Commission, increase funding for agricultural best management practices and wastewater treatment plant improvements.

Energy: SUPPORT these: Reduce excessive energy use by increasing the cost per unit rather than the current way that utilities make each unit cost cheaper as you consume more; certify home energy auditors; require electricity regulators to consider hidden costs on human health when evaluating utilities' plans; offshore drilling resolution that outlines the need for economic,

military and environmental safeguards, and potential impacts; financing mechanisms for home or community green energy improvements.

OPPOSE: HB 1398 Del. Robert Marshall's bill regarding barring the Governor or the General Assembly from enforcing certain measures of the Clean Air Act, and authorizes the Attorney General to bring suit against the EPA if he finds any mandated standards are not scientifically based. <http://leg1.state.va.us/cgi-bin/legp504.exe?ses=111&typ=bil&val=hb1398&Submit2=Go>

Land-use and transportation:

OPPOSE: Allowing private entities to be paid a portion of the state tax and fees attributable to the development of a transportation project; OPPOSE abolition of the rail advisory board.

9. Jill Hanken, Virginia Poverty Law Center

Described a healthcare coalition -- HAV – Healthcare for All Virginians – that includes over 65 organizations, including LWV. Children generally have access, but parents may not so eligibility needs to be changed, and providers need their reimbursements protected. Eligibility for children in Virginia is 43<sup>rd</sup> in the United States. Reimbursements to providers needs to be protected and costs reduced so that doctors will take Medicaid patients.

She discussed some of the challenges to the Affordable Care Act, but said that the Governor and Dr. Hazel are moving forward to implement the law.

In 2011 there are to be changes in private insurance requiring that 80 to 85% of premiums go to **health care** not overhead.

10. Diana Egozcue, National Organization for Women of Virginia

<http://virginiaeranet.com/>

Issues in Virginia are eliminating human trafficking and abduction, stop entrapment (relates to new regulations for abortion clinics), increase sexuality education programs so they are medically accurate, have the Equal Rights Amendment ratified in Virginia (one of 15 states that have not yet ratified the ERA – 3 more states are needed to ratify this amendment that was passed in the 80's. NOW of Virginia argues that there is no cost to act on ratification. Apparently there is some residual fear among legislators that the result will be abortion "on demand". She mentioned that bills may come from Del. Sickles and Senator Ticer.

11. Tarina Keene, National Abortion Rights Action League (NARAL), Virginia

NARAL advocates for a pro-choice agenda and Family Life Education that should include full education on birth control, not just abstinence. They also advocate for funds for birth control for the underinsured and uninsured. Funds for birth control (\$279/year/person) would be far less than for pregnancy and birthing. They are also concerned about the increased regulations of abortion clinics that could cost some units more than a \$1 million to retrofit. The clinics are already regulated by various organizations in Virginia and by Federal regulations. She reports that there are no incidences of problems of care at these units. The House Bill 1428 has been pre-filed by Del. Richard Bell. NARAL argues that it is discriminatory, costly, and maybe unconstitutional. HB 1440 is Del. Marshall's "personhood" bill. It was defeated in the House in 2010, but is prefiled for 2011.

12. Dave Tyeryar, Deputy Secretary of Transportation, Governor's Cabinet

The Secretary has oversight of all types of transportation including the mammoth deep water ports Virginia has. These are extremely important and require a network of export and import means such as importing coal from the SW to the port and distributing incoming goods throughout the state. Maintaining this network is very important to Virginia's economy. He mentioned the success of the Amtrak train from Lynchburg to Richmond to DC and on north. VDOT's recommendation from their audit included many projects. How to fund transportation needs is under study – how to enhance revenues. He stated that increasing the gas tax has limited value in the 10 to 20 year term since there may be less use of gasoline with the increased use of other types of energy. A query was made about improving the interstates especially hazardous I81. He said that actually I81 is safer than the other interstates.

13. Kathy Greenier, Patricia M. Arnold Women's Rights Project, and Tom Fitzpatrick of ACLU's Virginians for Restoration of Voting Rights.

They spoke about the coalition with the ACLU to support the restoration of voting rights of released felons and to increase the rate of restoration by the Governor. He is restored rights so far to about 900 but there are still 300,000 others who may apply. The process for restoration of voting rights in Virginia is a continuation of the legacy of "Jim Crow" and disenfranchises disproportionately – one in 4 black men is disenfranchised. An amendment may be sought so that the General Assembly has the power to change the method of restoration. She said there is definite evidence that recidivism is reduced and responsibility is increased if a released felon has the right to vote.

She also spoke about reproductive rights and the organization's opposition to the move to increase regulation of abortion clinics (TRAP –Targeted Regulations of Abortion Providers). They support complete education about contraceptives in family life programs, and oppose the "personhood" bill: HB 1440.

14. Fran Freimark, Virginia Library Association

The VLA's legislative agenda includes measures to defend public access to information and will oppose bills that restrict that. JLARC studies show that funds can be saved if there is a cooperative for procurement of literature.

They have seen a huge increase in usage between 2007 and 2009.

15. Suesheela Varky, Virginia Poverty Law Center

They advocate on issues of domestic and sexual violence and collaborate with the Crime Commission. They also advocate to end predatory lending with more regulation, against fraudulent foreclosures, for elderly care issues and for children in the foster care system.

16. Claire Guthrie Gastanaga (CG2 consulting), former Deputy Attorney General of VA <http://www.cg2consulting.com/services.html> (Click on the blog.)

Cg2 advocates on immigration issues. There is extensive information on her website which would be better to read yourself than anything reported briefly here. There is an article with two viewpoints in the fall 2010 issue of *Virginia Issues and Answers: A Public Policy Forum* published by Virginia Tech that is definitely worth reading. On her blog she offers a rebuttal to some of author Jack Martin's viewpoints. She believes that the 40 laws in Virginia are enough. Regarding legislative proposals she noted that Del. Albo has filed several bills related to immigration:

<http://leg1.state.va.us/cgi-bin/legp504.exe?111+mbr+H2C>  
HB1420, 1421, 1430, 1468

17. Andrew Goddard, Virginia Center for Public Safety <http://vacps.org/>  
Advocates for “independence from gun violence”.

Mr. Goddard’s son, Colin, was wounded in the VT shooting. Goddard advocates for closing the gun show loophole. He reports that the NRA is lobbying to weaken the background check in Virginia – one reason, of course, is that if gun sales are reduced then sellers get less revenue. <http://supgv.org/alert/2010/september/02/coalition-virgina-based-groups-denounce-nra-action-weaken-states-background->

“In an August 18 alert to its members, the NRA described the VFTP as “obsolete and unnecessary.” The truth, however, is that the VFTP (Virginia Firearms Transaction Program) is indispensable. Not only does it provide a more thorough check than NICS would alone, but it also saves time for law-abiding Virginia residents who purchase firearms.”

He did not state anything about specific bills in the General Assembly for 2011.

18. Redistricting Coalition

The Governor pledged during his campaign to have a bipartisan coalition, and there were people who agreed to be on the commission. Gerrymandering protects seats and decreases the number of challengers. There are still districts where candidates are unchallenged.

19. Doug Smith (an Episcopal priest), Virginia Interfaith Center for Public Policy  
<http://www.virginiainterfaithcenter.org/>

Among many other things they advocate to suppress alcohol consumption and oppose increasing the number of stores selling liquor. They believe that increased costs in social problems would result. Analysis shows that ABC privatization would not be “fiscally neutral”. This is old but shows their position on the effects of increasing liquor stores:

<http://www.learnprayblog.org/topics/poverty-working-poor/abc-privatization-poverty-working-poor/>

(He quipped, “If there are 3 Episcopalians present there is likely to be a fifth (1/5)”

20. Ric Brown, Secretary of Finance, Governor McDonnell’s Cabinet

Spoke during lunch, later than planned because he had been conferring with the Governor all morning.

21. Other issues mentioned:

Transparency of legislators’ votes: In the 2010 GA session a bill (HB778) was introduced to make it easy for the public to determine any legislator’s voting record. A similar bill did not pass in the Senate. Delegates Keam and LeMunyon were patrons in 2010. There is nothing filed by them yet for the 2011 session.

Donna Knicely, of Richmond and a long-time receptionist/aide for legislators in the General Assembly building, told us at lunch that legislators have a method of voting without actually being on the House floor. There is a place where they can register their vote in writing, even after the vote is taken. She said, however, that even though their yea or nay is recorded it cannot affect

the result of the vote. She has retired from that job and would now have time to join LWV activities. She seemed to be happy to retire. Most recently, during the 2010 session, she worked at a desk for Del. Bob Marshall.

Lunch speakers:

Christina Nuckols, an editorial writer for the *Virginian-Pilot*, and Michael Sluss with the *Roanoke Times*. Their topic was “How does the Press see the 2011 Session and What do Other Regions Want?”

LWVVA Board Meeting followed lunch. I attended as an observer. Primarily this was designated as a “site visit” by LWVUS personnel – Maggie Duncan and Tim (?). Discussion included grants available to state LWVs, some LWVUS services such as webinars, list of media outlets, seeking of funders for grants, seeking of funders for the candidate section of VOTE411, possible grants for travel and lodging in Virginia to impact the redistricting process.

Redistricting: There is a contest in Virginia where student teams are designing redistricting plans.

<http://hamptonroads.com/2010/10/overdue-contest-fair-districts>

<http://www.varedistrictingcompetition.org/>

<http://www.coopercenter.org/publications/redistricting-virginia> Very interesting analysis including the changes in the 3<sup>rd</sup> Congressional District required by a 1997 judgment that the boundaries as drawn were an unconstitutional racial gerrymander.

About the movie, *Gerrymandering*: This includes a “teaser trailer” but much more:

<http://www.gerrymanderingmovie.com/content.php?section=film&page=about>