AGENDA ITEM #6: DEVELOPMENT OF STRATEGY FOR THE 2015 GENERAL ASSEMBLY SESSION

In preparation for the 2015 General Assembly (GA) session, the HRTPO and HRPDC Boards adopted legislative agendas (attached) in October 2014.

During the December 18th meeting, the HRTPO/HRPDC Joint Legislative Ad-hoc Committee will discuss strategies on how to best advance the Region's most important priorities during the 2015 GA session.

Chair Johnson will initiate discussion on this item.

Attachment 6

RECOMMENDED ACTION:

Draft a strategy for advancing the Region's most important priorities, as outlined in the HRTPO and HRPDC 2015 Legislative Agendas.

the heartbeat of HAMPTON ROADS TPO
TRANSPORTATION PLANNING ORGANIZATION

HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION
BOARD RESOLUTION 2014-06

A RESOLUTION OF THE HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION ENDORSING THE HRTPO 2015 LEGISLATIVE AGENDA.

WHEREAS, the Hampton Roads Transportation Planning Organization (HRTPO), designated by the Governor of the Commonwealth of Virginia in accordance with Section 134, Title 23, United States Code (23 USC 134) and applicable federal and state regulations, is the policy body responsible for the urban transportation planning and programming process of the Hampton Roads metropolitan planning area;

WHEREAS, the Hampton Roads metropolitan planning area includes the cities of Chesapeake, Hampton, Newport News, Norfolk, Poquoson, Portsmouth, Suffolk, Virginia Beach, and Williamsburg; the counties of Isle of Wight, James City, and York; and a portion of Gloucester County;

WHEREAS, the HRTPO Board is comprised primarily of local elected officials and General Assembly members, representatives from the regional transit authorities as well as from state agencies such as the Virginia Department of Transportation, Department of Rail and Public Transportation, Virginia Port Authority, and Virginia Department of Aviation, and federal agencies such as the Federal Highway Administration, Federal Transit Administration, and Federal Aviation Administration;

WHEREAS, the HRTPO Legislative Ad-hoc Committee developed a list of legislative priorities to aid in the preparation of the HRTPO Legislative Agenda for the 2015 General Assembly session;

WHEREAS, the HRTPO has compiled the following legislative priorities to form the HRTPO 2015 Legislative Agenda for the purpose of conveying the information to the General Assembly for its review and consideration for the 2015 General Assembly session:

- The HRTPO supports pursuit of federal funding by the Commonwealth of Virginia for preparation of a Tier II Environmental Impact Statement (EIS) for the continuation and expansion of intercity and high-speed passenger rail service from Richmond to Hampton Roads. The estimated cost for the Tier II EIS is $25 million.

Attachment 6

- The HRTPO supports reconstitution of the representation on the Commonwealth Transportation Board (CTB) based on congressional districts so that representation on the CTB would be aligned with the population of the Commonwealth. Specifically, to have one CTB member appointed for each Congressional district, while retaining the current number of At-Large members.

- The HRTPO supports requiring the CTB and the Virginia Department of Transportation (VDOT) to distribute Highway Maintenance and Operations Funds to public and private operators of toll roads on an equitable basis, in order to reduce the reliance upon toll dollars for the funding of maintenance of toll roads. In addition, the HRTPO supports encouraging the CTB and VDOT to re-examine state maintenance commitments on existing contracts for private toll road operators.

- The HRTPO supports the identification of a dedicated source of funds to support public transportation for the Hampton Roads region. As transit services continue to grow statewide, funding from all sources continues to decline.

- The HRTPO supports that transit be an eligible investment category of the Hampton Roads Transportation Fund (HRTF). Transit is currently an eligible use of regional funds in Northern Virginia.

- The HRTPO supports the Commonwealth of Virginia to pursue funding options to cover the loss of state transit capital funding that will result from the expiration of Capital Projects Revenue (CPR) Bonds.

- The HRTPO supports a Joint Legislative Audit and Review Commission (JLARC) review of the equity of transportation funding, similar to the 1984 JLARC Study #64, to provide an updated examination of the adequacy of funding for transportation.

- The HRTPO supports the full implementation of the recommendations of the 2010 HB42/SB201 Transportation Programs Performance Audit.
    - Background: JLARC was directed by the Virginia General Assembly, in its 2010 session (HB 42 and SB 201), to assess Virginia's approach to transportation planning and programming. This assessment was an attempt to "*address the alignment of Virginia's processes with federal requirements, collaboration between the State and Metropolitan Planning Organizations, and staffing issues.*"

- The HRTPO supports continued funding of the Virginia Intercity Passenger Rail Operating and Capital Fund (IPROC) at the level set forth in the Virginia Transportation Act of 2013.

- The HRTPO supports amending the enabling legislation for the Hampton Roads Transportation Accountability Commission (HRTAC) and the Hampton Roads Transportation Fund (HRTF) to allow for the use of HRTF moneys to fund HRTAC staff and administration.
    - Background: The legislation that established the Hampton Roads Transportation Accountability Commission (HRTAC) states that the "*Commission may employ a chief executive officer and such staff as it shall determine to be necessary to carry out its duties and responsibilities under this chapter*", however, neither this legislation nor the legislation that created the Hampton Roads Transportation Fund (HRTF) allows for the use of HRTF revenues to be used to pay for HRTAC staff and administration. Several General Assembly members serving on the HRTPO and/or HRTAC Boards, as well as the Secretary of Transportation, have expressed support for the use of HRTF moneys to fund HRTAC staff and administration.

- The HRTPO supports amending the enabling legislation for the HRTAC to allow the Chief Elected Officer (CEO) of a locality to designate another member of the council or board of supervisors to cast votes for the CEO on behalf of the locality at HRTAC meetings. The Chair of the HRTAC shall be notified of such a designation, in writing or electronically, and such a designation shall only be for the upcoming meeting that the CEO is unable to attend.
    - Background: The legislation that established the Hampton Roads Transportation Accountability Commission (HRTAC) specifies that the voting member for each of the cities and counties embraced by the Commission shall be the Chief Elected Officer (CEO) of the city or county. Most CEOs have careers that require their attention and it is reasonable that full-time employment requirements may occasionally take priority over attendance at an HRTAC meeting. Furthermore, in the event a CEO was incapacitated for many months, the CEO's locality would not be represented at HRTAC meetings and could be disenfranchised.

- The HRTPO Board supports amending the enabling legislation for the HRTAC to use the decennial census population figures for the year of the census and to use the population estimates (not projections) developed by the Weldon Cooper Center for each year between census years.
    - Background: The legislation that established the Hampton Roads Transportation Accountability Commission (HRTAC) stipulates that the "*population of the counties and cities embraced by the Commission shall be the population that is determined by the most recently preceding decennial census, except that on July 1 of the fifth year following such census, the population of each county and city shall be adjusted, based on population projections made by the Weldon Cooper Center for Public Service of the University of Virginia.*"

- The HRTPO supports that additional revenues from an increase in Virginia's wholesale gas tax from 3.5 percent to 5.1 percent, stipulated to go into effect if Congress does not pass the Marketplace Fairness Act (MFA) by January 1, 2015, be allocated the same way that MFA revenues would have been allocated under HB2313.
    - Background: In this way revenues will accrue to the Transportation Trust Fund and be allocated by existing formula, in addition to providing funding to support K-12 public education, local transportation and other local needs.

WHEREAS, upon approval, this resolution will be transmitted to local governments and the Hampton Roads Delegation of the General Assembly.

NOW, THEREFORE, BE IT RESOLVED that the Hampton Roads Transportation Planning Organization hereby endorses the HRTPO 2015 Legislative Agenda.

APPROVED and ADOPTED by the Hampton Roads Transportation Planning Organization Board at its meeting on the 16th day of October, 2014.

McKinley L. Price
Chair
Hampton Roads Transportation
Planning Organization

Linda T. Johnson
Vice-Chair
Hampton Roads Transportation
Planning Organization

HAMPTON ROADS PLANNING DISTRICT COMMISSION
2015 LEGISLATIVE AGENDA

In preparation for the 2015 Session of the Virginia General Assembly, the Hampton Roads Planning District Commission has adopted this 2015 Legislative Agenda. It outlines, based on ongoing HRPDC projects, prior HRPDC legislative positions and work of the region's localities, a series of issues that warrant regional attention during the upcoming legislative session.

WATER RESOURCES

Water Quality Funding

The HRPDC urges the General Assembly to maintain its commitment to water quality through dedicated and adequate state appropriations to the Water Quality Improvement Fund and to make full and timely payments under point source upgrade contracts with local governments.

Chesapeake Bay Watershed Improvement Plan (WIP) Funding

The HRPDC urges the General Assembly to increase funding to meet the goals established by Virginia's Chesapeake Bay WIP. HRPDC encourages the General Assembly to approve a third appropriation for the Stormwater Local Assistance Fund and increase the funding to $50M for FY16. The Fund should set aside up to 10% of the appropriation to support research and innovative BMPs to identify more cost effective methods of meeting the Chesapeake Bay TMDL requirements.

In addition, HRPDC requests that the General Assembly issue a legislative directive to evaluate voluntary water quality programs for effectiveness and to assess whether or not they are adequately funded to meet the WIP goals.

Sea Level Rise & Climate Change

The HRPDC supports the efforts of the General Assembly study committee regarding climate change and recurring flooding issues and requests that the Governor create a cabinet level position of Resiliency Officer to coordinate efforts relating to sea level rise and climate change.

Stormwater Fees and Religious Groups

The HRPDC and Regional Environmental Committee oppose two items pre-filled for the 2015 General Assembly Session. Those include:

(1) Stormwater fees, exemptions for religious groups: Requires the State Water Control Board, in establishing a statewide fee schedule for stormwater management programs, to waive permit fees for land-disturbing activities undertaken on property owned by certain churches, religious associations, or denominations. The bill also requires localities to waive stormwater management program service charges for properties owned by such organizations.

(2) Churches and other religious bodies: Exempts churches, religious associations, and religious denominations from all state and local taxes, fees, and other charges.

Uranium Mining

In September 2012, the HRPDC adopted Resolution 2012-02 reaffirming its opposition to uranium mining and to the lifting of the moratorium on uranium mining. Based on review of the several scientific studies that have been completed and the ongoing work of the state's Uranium Mining Work Group, the HRPDC does not believe that an adequate regulatory framework to address mining operations and waste disposal is either in place or likely to be developed and funded. The Hampton Roads region is dependent upon water from Lake Gaston as an integral component of the region's water supply. A catastrophic incident associated with uranium mining upstream from Lake Gaston, while of small probability, would result in enormous and unacceptable adverse consequences to this region.

The General Assembly of Virginia is requested to maintain the existing moratorium on uranium mining in Virginia.

Virginia Stormwater Management Program

The HRPDC supports adequate funding to enable local governments to meet ongoing costs associated with local stormwater management programs. The HRPDC believes it will be critical to evaluate the effectiveness of the fee structure in the Virginia Stormwater Management Permit regulations as the chief source of revenue for funding local stormwater management programs.

- Amend Virginia Stormwater Management Law to distribute a maximum of 10% to the statewide stormwater fees revenue to the Virginia Stormwater Management Fund, with 90% remaining with local governments.
- HRPDC supports an amendment to Virginia's Stormwater Management Program that would authorize a local government to fund its VSMP through such sources

deemed appropriate by the local governing body without approval from the State Water Control Board.

- Localities have been unable to receive approval for certain innovative stormwater treatment protocols that they believe are less expensive and more effective (oyster reefs, phragmites harvesting, etc.) than those protocols currently allowed. The General Assembly is requested to amend the Code of Virginia to establish a regulatory framework, including timeline and appeals procedures for localities to obtain approval for innovative stormwater treatment protocols to meet TMDL requirements.

Well Construction Data

The HRPDC supports DEQ's proposal that VDH provide well construction data for private wells that require a VDH permit. VDH would be required to provide data for new wells and historic data for wells installed from 1992 to 2014. This information will allow DEQ to more effectively manage the groundwater resource. DEQ only permits groundwater users that withdraw more than 300,000 gal per month which is enough water for a 100 home subdivision. DEQ does not have a good estimate of the number of individual homes and businesses that have wells that use less than 300,000 gal per month.

Groundwater Permitting

The HRPDC supports DEQ's proposal to require groundwater permits for subdivision withdrawals which collectively exceed 300,000 gallons/month. DEQ has proposed significant cuts to municipal and industrial groundwater permits based on concerns that the system is over allocated. DEQ's proposal would provide a mechanism to better manage the resource and closes a loophole that allows a subdivision to install wells at each home to avoid the permit required if one well was installed to serve the whole subdivision.

Water Resources Study

The HRPDC supports the proposed a JLARC study exploring the management of state water resources. The proposed study would address the following 5 areas:

(1) Extent to which ground and surface water consumption is unsustainable, the impact of any unsustainable consumption, and the risk for overconsumption in the future;

(2) Effectiveness of the state's permitting process for ground and surface water withdrawals;

(3) Effectiveness of state and local water resource planning;

(4) Adequacy of the funding and staff for managing Virginia's water resources; and

(5) Need for strategies and practices to increase current ground and surface water available for consumption.

Lower groundwater permit threshold (300,000 gal per month to 100,000)

The HRPDC supports lowering the permit threshold for groundwater withdrawal permits from 300,000 gallons per month to 100,000 gallons per month. A withdrawal of 100,000 gallons per month would provide water for approximately 20-30 homes. Requiring a permit for these withdrawals will allow DEQ to track these withdrawals and consider them in the management of the resource.

Installation of chloride monitoring network for groundwater

HRPDC supports the installation of monitoring stations to detect changes in the salinity of groundwater in the Coastal Plain aquifer system. Existing monitoring wells are inadequate to track saltwater intrusion and assess impacts to drinking water wells. DEQ and USGS are currently designing a sentinel monitoring network to install stations in locations that would provide early detection of threats to drinking water wells. The HRPDC recommends that funds be added to DEQ's budget to support the installation of monitoring wells in FY16.

Establish land subsidence monitoring program

Land subsidence contributes to recurrent flooding and the impacts of sea level rise. There are very few measurements of land subsidence in Hampton Roads. The USGS study "Land subsidence and relative sea-level rise in the southern Chesapeake Bay region" reviewed the existing data and estimated that the rate of land subsidence is roughly equal to historic sea level rise. HRPDC recommends that the Commonwealth establish a program to measure or monitor land subsidence with the goal of developing tools to improve future projections of land subsidence in flood prone areas.

Agriculture Programs

The HRPDC supports a well-financed and fully staffed state program to address the problem of non-point source runoff from agricultural operations. The program continue to include cost-share assistance to agriculture and should effectively encourage and incentivize implementation of priority best management practices such as nutrient management planning, use of cover crops, continuous no-till farming, development of forested riparian buffers, livestock stream exclusion and other practices essential to meeting agriculture's share of the Chesapeake Bay TMDL and Virginia Watershed Implementation Plan.

- Specifically, funding should be provided to meet the goals for the agricultural SL-6 practice to exclude livestock from streams. Agricultural practices are the most cost effective method to reduce nutrients and Virginia needs to provide financial support to encourage implementation and minimize costly urban retrofits. Continue to fund SLAF and allocate at least 10% for urban/innovative BMPs.

- Maintain funding for agricultural best management practices in the Chesapeake Bay Watershed
- Increase funding for agricultural best management practices via the Southern Rivers Watershed Enhancement Program.
- Require Soil & Water Conservation Districts to report installation of agricultural BMPs to localities to assist in meeting TMDL requirements.

Septic Tanks

The Chesapeake Bay TMDL establishes limits on the amount of nitrogen, phosphorus, and sediment that can enter the Bay. As part of the effort to meet the nitrogen limits set forth in the TMDL, reductions in the nitrogen load from the onsite sewage system sector must be achieved. Monitoring of septic tank pump out (once per 5 years), as required by the Chesapeake Bay Preservation Act, should be conducted by the Virginia Department of Health not by localities.

The HRPDC supports the following recommendations:

- Seek legislative changes necessary to establish state tax credits for upgrade/replacement of existing conventional systems with nitrogen reducing systems, or connection to existing sewer.
- General Assembly should grant all counties the authority to require hook-ups to existing sewer lines when appropriate.
- Provide additional funding for the cost share program supporting septic tank owners to hook up to sewer systems.
- Amend the Chesapeake Bay Preservation Act to require that regulation and enforcement of septic tank pump out requirements be conducted by the Virginia Department of Health. At a minimum, VDH should develop an annual report identifying septic tank owners that have not complied with pump out requirements. Localities would continue to maintain an inventory and tracking system for septic tank locations.

State Fees on Local Government Services (water, sewer, solid waste)

The HRPDC strongly 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 to finance the nutrient reductions imposed by the Chesapeake Bay TMDL.

EMERGENCY MANAGEMENT

Emergency Management Funding

Virginia's vulnerability to an increased number and variety of threats, a greater frequency of actual emergency events, and a growing population base, severely strain and threaten to overwhelm the budgets and capacities of local emergency management programs. HRPDC,

in agreement with the Virginia Emergency Management Association, supports the establishment of dedicated funding to enable localities to adequately prepare for, respond to and recover from emergencies and disasters.

Emergency Planning

HRPDC, in agreement with the Virginia Emergency Management Association, supports the establishment of minimum criteria as part of the certification requirements for nursing homes, assisted living facilities, adult day care centers, and child daycare centers to include the development of emergency plans, coordination of emergency plans with local emergency management agencies, and provision of alternate power (generators) to support essential facility functions (emergency lighting, medical equipment, communications).

State Support for Readily Deployable Assets

The HRPDC supports efforts to provide liability coverage, hold harmless, and workers compensation to emergency responders. Additionally, the HRPDC supports the use of State resources for sustaining and replacing used/damaged equipment and supplies for the Hampton Roads Medical Metropolitan System Strike Team (HRMMST), Hampton Roads Incident Management Team (HRIMT), and other regional readily deployable assets, without activating the State Mutual Aid agreement and/or obtaining a federal emergency declaration.

Alternate Power for Commercial Fueling Sites

Commercial fueling sites are essential to support major evacuations as well as post-disaster transportation, however, loss of power would disable their pumps. The HRPDC supports legislation to provide incentives for commercial fueling sites located on or adjacent to primary evacuation and transportation routes to acquire generators in order to maintain their ability to pump gas when standard power is lost.

Emergency Shelters

Emergency shelter capacity throughout Virginia is insufficient to meet the demand for shelter space in major disasters. In order for localities to increase current shelter capacity, engineering assessments of current and proposed hurricanes shelters need to be conducted to determine their wind rating, and additional staff and essential supplies must be acquired to support new shelters. The HRPDC supports legislation to provide funding to localities to enable them to conduct engineering assessments and acquire resources necessary to increase current shelter capacity.

Flooding & Sea Level Rise

Flooding and Sea Level Rise pose a substantial risk to the Commonwealth of Virginia. The geographic extent of the impact, and the potential and perpetual loss of land and revenue,

touch the entire coast of the Commonwealth and beyond. The breadth of impact among localities, individual homeowners, the environment, businesses, the economy and national security is formidable. As such, the HRPDC supports recommendations as listed in the "Recommendation to the Secure Commonwealth Panel on the Issue of Sea Level Rise and Recurrent Flooding in Coastal Virginia Report."

ECONOMICS & HOUSING

Economic Development

- Support continued state and federal funding and technical assistance for infrastructure investments and economic development programs as effective means for enhancing business development.
- Support economic development policies that bolster local and regional efforts.

Virginia Housing Trust Fund

Housing trust funds are distinct funds established by city, county, or state governments that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing opportunities for families and individuals to access decent affordable housing. The HRPDC supports legislation that would appropriate a dedicated funding stream to the VHTF for future housing programs and projects.

FREEDOM OF INFORMATION ACT ISSUES

Advertising of Required Public Notices

Many provisions of the Code of Virginia require the advertising of public notices in a "newspaper published or having general circulation in the locality." As newspaper circulation continues to decline and citizens look increasingly to the internet for news and information, it appears that alternative means of providing public notice would be appropriate. Increasingly, state agencies are using their websites and other electronic media to handle public notice requirements. The HRPDC supports legislation that would allow local governments, planning district commissions and other regional agencies to publish legal advertisements and public notices on their website and to use other media outlets, such as local public access channels, in order to meet legislative requirements for public notices.

FOIA Requirements

The Virginia FOIA Council is currently reviewing FOIA requirements and exemptions. The HRPDC opposes any changes to the Virginia Freedom of Information Act that would impose additional burdens on localities.

FEDERAL FACILITIES

The Hampton Roads region relies significantly on the defense sector. Proposals are moving forward from Hampton Roads localities to maintain state support for the industry and for protection of existing facilities.
To assist its member localities to ensure the continued viability of the defense presence in Hampton Roads, the HRPDC supports proposals to:

- Maintain state funding for the land acquisition program supporting mitigation of encroachment around NALF Fentress in Chesapeake and Joint Base Langley-Eustis in Hampton.

- Amend legislation governing the Federal Action Contingency Trust (FACT) Fund to clarify that such funds are to be used to encourage business growth and protect existing military resources and use of these funds is not contingent upon a new Base Realignment and Closure (BRAC) round or BRAC-like action.

- Ensure that DoD encroachment concerns are given full consideration when making onshore and offshore land use decisions affecting military bases in Hampton Roads. Specifically, carefully monitor all onshore and offshore energy proposals; support the development of any needed JLUS and all anti-encroachment activities.

EDUCATION

Higher Education

The HRPDC recognizes the important role that public institutions of higher education play in contributing to the economic vitality of the Commonwealth and the well-being of its citizens. Hampton Roads is home to several public institutions with clear commitments to providing access to a top-quality and affordable higher education experience. The HRPDC supports proposals to ensure adequate funding to hire enough full-time faculty to bring the faculty student ratios in line with the average of 17-1. In addition, the HRPDC supports elevating the Base Adequacy Funding percentage of all institutions in the region.

K-12 Education

The lack of adequate state funding support for K-12 public education has placed an inordinate burden on localities. A strong public school system is essential to economic development and prosperity. The HRPDC opposes legislative efforts to further shift K-12 per pupil funding responsibility away from the Commonwealth and onto local

governments. Specifically, the HRPDC urges a realistic alignment of Standards of Learning and Standards of Accountability with state Standards of Quality funding levels.

MISCELLANEOUS

Recycling Requirements

Each locality in the Commonwealth, individually or through a regional collaboration, is required to achieve a 25% recycling rate. A key constraint to local ability to achieve or exceed this recycling rate has been the lack of markets for the materials as well as access to industries that recycle or reuse the material. Recycling is an economic development tool as well as an environmental tool. Despite increased public awareness of the benefits of recycling, beverage container recycling has been declining in recent years, while the amount of beverage containers that are being sold and consumed has increased over time.

The HRPDC supports legislation that would:

- Grant localities the authority to require certain businesses to recycle glass.
- Prioritize incentives to businesses that recycle materials, such as glass, paper and electronics, while concurrently providing new employment opportunities.

Plastic Bags

Plastic bags that are not properly disposed of contribute to unsightly littering of Virginia's landscape, contaminate various agricultural crops, contribute to mortality of aquatic species and birds and contribute to urban stormwater problems. While voluntary recycling programs and substitution of reusable shopping bags has had some success in reducing the volume of plastic bags that must be disposed of, improper disposal of plastic bags appears to be increasing. In reaction to the problems associated with improper disposal of plastic bags, restrictions on the use of plastic bags by localities throughout the country is becoming more widespread. The HRPDC supports legislation that would provide localities the option of restrictions on the use of plastic bags through increased voluntary programs, incentives, taxes or outright bans.

Balloon Releases

The Virginia Code currently allows the release of up to fifty (50) balloons an hour; however, balloons present a significant threat to wildlife and the environment and are a significant part of the litter collected from area waterways.

- The General Assembly is requested to prohibit the limit the release of balloons.

- Further, the HRPDC requests that any persons in violation be liable for a civil penalty no to exceed five dollars per balloon, which shall be paid to the Lifetime hunting and Fishing Endowment Fund.
- These provisions shall not apply to any balloons released for scientific or meteorological purposes or hot air balloons that are recovered after launch.

Increase Funding to PDCs

In FY 2001, HRPDC received $366,628 or $0.24 per capita in basic funding from the Commonwealth's budget through the Department of Housing and Community Development. The legislative agenda of the Virginia Association of Planning District Commissions supports overall funding of Virginia's Planning District Commissions at a level of $0.35 per capita or a minimum of $100,000 per commission, whichever is greater.

Unfunded Mandates

The HRPDC opposes unfunded mandates by the Commonwealth. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the state, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided. Furthermore, HRPDC opposes the shifting of fiscal responsibility from the state to localities for existing programs. Any unfunded mandate or shifting of responsibility, such as maintenance of state transportation facilities or litter control, should be accompanied by a full fiscal and program analysis to determine the relative costs to the state and to the locality and to assure the state is meeting its full funding responsibility before taking effect.