



VA GENERAL ASSEMBLY

WHO ARE THEY & WHAT THEY DO



James Madison Center
for Civic Engagement

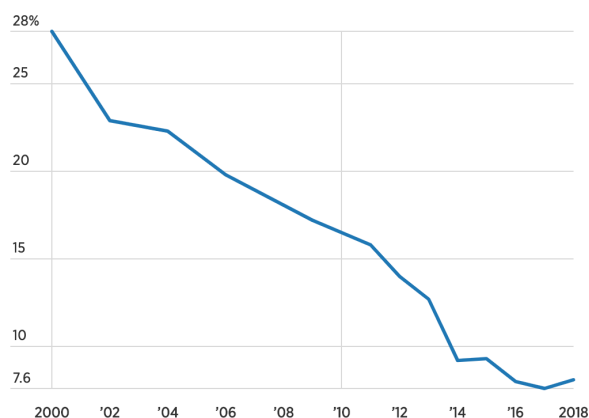
RAISING TOBACCO PURCHASING AGE TO 21

BACKGROUND

- Teen smoking had been nearly eradicated until the explosion in popularity of e-cigarette alternatives to smoking, such as Juul and Vape products
- The CDC reported that the percentage of high-school seniors who reported using e-cigarettes in the last 30 days has rise to over 20 percent, up from 11 percent in 2017
- Speaker of the House of Delegates Kirk Cox said that “I’m hearing this is a major problem in schools” and “we’re seeing more and more 8th, 10th, 12th-graders vaping.”

Teen smoking rates have steadily declined

The percent of high school students who regularly smoke cigarettes has decreased since the CDC started conducting the National Youth Tobacco Survey.



Source: [Centers for Disease Control and Prevention](https://www.cdc.gov/tobacco/data_trends/youth/)

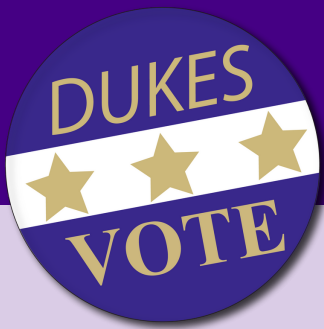


LEGISLATION

- Legislation banning purchase of tobacco and nicotine products by people under the age of the 21 passed both chambers, the House of Delegates and Virginia Senate with veto-proof majorities including members of both parties. Gov. Northam signed the legislation
- The legislation was sponsored by State Senator Tommy Norment, who said that “There’s been a black market develop in schools, where 18- and 19-year old seniors are buying these lawfully and then selling them to younger students” and that it is meant to be a “deterrent.”
- California, New Jersey, Massachusetts, Oregon, Hawaii, Maine and Virginia– have raised the tobacco age to 21, along with at least 440 localities

Nationally, teen smoking rates have declined for decades. In 2018 though, the CDC found that the rate of high schoolers who regularly smoke had risen for the first time in years.

While a small increase, this statistic, coupled with the rise in popularity of e-cigarettes has heightened worries of teen smoking



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I-81 CONSTRUCTION DECISIONS

INTERSTATE 81

- Virginia holds a 325-mile portion of I-81
- I-81 travel makes up 42 % of statewide interstate truck traffic
- I-81 is in need of **\$4 billion construction, \$2.2 billion in priority projects**, according to the Commonwealth Transportation Board cost estimates in December of 2018
- A \$30 annual pass to ride I-81 was discussed
- The need to pass funding legislation was a largely bipartisan attempt

LEGISLATIVE ATTEMPTS

Governor Northam announced to legislators bipartisan support to find improvements on VA's portion of I-81

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The VA General Assembly filed six bills trying to address the problem.

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Two bills proposed tolls on I-81 in order to pay for the road improvements, but only passed after tolls removed:

- HB 2718 sponsored by Delegate Steven Landes
- SB 1716 sponsored by Senator Mark Obenshain

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Other legislative attempts that did not pass as first introduced:

- SB 1322 introduced by Senator Emmett Hanger to increase the wholesale motor fuel tax sold in localities along the I-81 corridor.

- SB 1470 introduced by Senator John Edwards wanted to raise the statewide wholesale motor fuels tax by 5 percent, bringing it to 10 percent. On estimations it would set aside \$200 million to fix I-81.

- SB 1770 introduced by Senator Creigh Deeds would repeal the regional sales tax and gas tax enacted in 2013 to fund transportation initiatives in Hampton Roads and Northern Virginia, and raise the statewide gas tax by three percent to fund transportation generally.

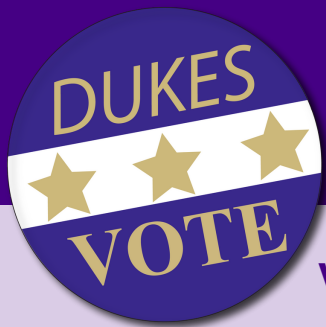
- HB 2571 introduced by Delegate David LaRock proposed creating a dedicated commission that would work out the funding and infrastructure needs of I-81.

WHERE IT STANDS

HB 2718 and SB 1716 were reworked to remove all language about tolls and instead created an Interstate 81 Corridor Improvement Transportation Committee and an unfunded Interstate 81 Corridor Improvement Fund.

The committee will hold regional public meetings to research options and provide recommendations to the governor and the General Assembly by December 15th of 2019

SB 1470 passed with a reworking to remove the enforcement of a tax increase. Instead it directs the Secretary of Transportation to evaluate the impact of increased fuel efficiency and increased use of hybrid and electric vehicles on transportation revenues, and to report to the General Assembly no later than December 10, 2019.



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VOTE ON RATIFYING THE EQUAL RIGHTS AMENDMENT

HISTORY OF THE ERA

- The Equal Rights Amendment would add a guarantee of equal rights regardless of your sex, to the Constitution
- The Equal Rights Amendment was first proposed in Congress by the National Women's Party in 1923
- Feminists of the late 1960s and early 1970s saw ratification of the amendment as the only clear-cut way to eliminate all legal gender-based discrimination in U.S
- Fight against was animated by the idea that ratification would lead to the complete unraveling of traditional American society
- Wason Center Poll in 2019: 81% of Virginians support ratification while 12 % oppose.
- The VA Senate passed it five times in the past eight years, but it has never cleared the House.

THE LEGISLATIVE DETAILS

- In order to amend the Constitution Congress must propose the amendment by a two-thirds majority in both the House and Senate. Then, it must be ratified by three-fourths of the state legislatures.
- The U.S House of Representatives approved the measure in 1970 and the Senate as well in 1972.
- 38 states need to ratify.
- 30 of 38 states ratified by 1973.
- 37 states have ratified to date. **Virginia would have been the 38th state needed to ratify.**
- The Virginia Senate voted with bipartisan support to ratify the ERA.
- The Virginia House of Delegates deadlocked at 50-50 on the bid to have a full floor vote on the bill. Thus, **it failed and the bill died in committee.**

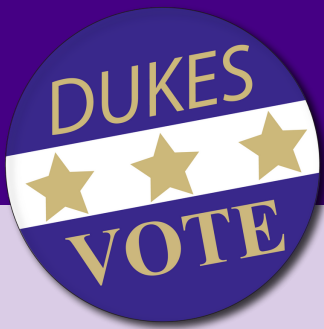
WHAT DOES THE ERA SAY?

The original 1923 version: "Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction. Congress shall have power to enforce this article by appropriate legislation."

Current version, rewritten in 1943: Section 1: Equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Section 2: The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3: This amendment shall take effect two years after the date of ratification.



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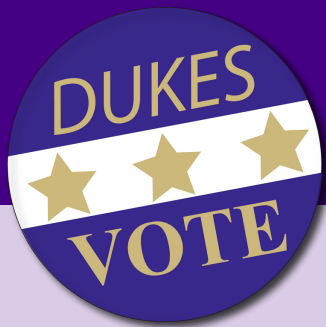
JMU'S FINANCIAL AUTONOMY LEVEL

BACKGROUND

- **A 2005 law restructured the Virginia higher education system, assigning an "autonomy level" to colleges and universities.**
- Roughly, higher levels of autonomy are granted in exchange for commitment to meet state higher education policy goals and performance measures.
- **State goals outlined in 2005 bill:**
- Provide access to higher education for all Virginia residents, including underrepresented populations,
- Ensure that higher education remains affordable regardless of family income,
- Offer a broad range of programs that address Virginia's needs for sufficient graduates in particular shortage areas,
- Maintain high academic standards,
- Improve student retention and raise graduation rates,
- Allow smooth transition for students moving from two-year to four-year institutions,
- Contribute to efforts to stimulate the state's economic development,
- Increase externally funded research and facilitate technology transfer to the private sector,
- Help elementary and secondary schools improve student achievement,
- Prepare six-year financial plans for submission to the state,
- Increase financial and administrative management standards.

PROCESS TO LEVEL 3

- Level 2 schools that meet additional criteria can elect to negotiate a management agreement with the state "to assume full responsibility" for managing their financial operations, capital projects, leases, procurement, and employment. The legislature must approve each agreement and can revoke it if the school fails to meet its performance targets or the agreement's requirements. The governor can also void an agreement for the same reasons, but he must first give the school a chance to take corrective action.
- To receive level 3 designation, a school's board of visitors must pass a resolution seeking autonomy by an absolute two-thirds majority. The school must have a minimum AA-bond rating or have demonstrated management competency in: 1) a decentralized finance and capital outlay pilot program (which the state established as a precursor to restructuring) and 2) at least one level 2 autonomy area for at least two years. Only the University of Virginia, Virginia Tech, and William and Mary currently have an AA- bond rating.
- The management agreements could: 1) exempt Level 3 schools from state information technology requirements; 2) allow them to issue their own bonds and borrow money from state quasi-public agencies; 3) set and keep tuition, fee, rental, and other charges; and 4) establish their own personnel systems. If they do the latter, they must allow classified staff who are employed when the management agreement takes effect to choose to remain state employees, and they cannot change retirement, health insurance, or workers' compensation benefits or the grievance system.
- JMU now has a Level 3 rating, along with University of Virginia, Virginia Tech, the College of William and Mary, and Virginia Commonwealth University.



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BIPARTISAN COMMISSION TO REDRAW DISTRICT LINES

PROPOSED COMMISSION

- In advance of the 2020 Census, which will trigger redrawing legislative maps in Virginia, both chambers in the General Assembly voted on a state Constitutional amendment that would create a bipartisan redistricting commission
- 16-member commission, split equally among legislators and citizens.
- Eight legislators: 4 from the House of Delegates and 4 from the State Senate, equally split between two major parties.
- Eight citizens: Leaders of both parties in each chamber of the General Assembly puts forward a list of at least 16 citizen nominees. Selection committee of five retired judges of the Circuit Courts of Virginia will choose two citizen members from each list.
- Members will create and vote on maps for the House of Representatives, House of Delegates, and State Senate. Each map needs the vote of 6 of the 8 citizen members and 6 of the 8 lawmakers on the commission. The House of Delegates and Virginia Senate maps also need the support of at least 3 of the 4 lawmakers from those chambers.
- Once voted on by the commission, the map will go to a vote in the General Assembly, where it will not be subject to any amendments or revisions. If the General Assembly rejects the plan, the commission has 14 days to submit new maps. If the measures fail a second time, then the Supreme Court of Virginia will establish legislative maps.
- All meetings are required to be open to the public and at least three public hearings must be held in different parts of the state during the process of creating the maps.

PROCESS FOR CONSTITUTIONAL AMENDMENT

- As an amendment to the state Constitution, the process requires multiple steps and votes.
- It passed both chambers in the 2019 General Assembly session. It must be reintroduced in the 2020 session and passed by both chambers again.
- The amendment must then be voted on in a referendum, which will be on the ballot in the 2020 election, giving registered Virginia voters the opportunity to accept or reject the proposed commission.

GERRYMANDERING AND REDISTRICTING BASICS

What is Redistricting? Every ten years, the US Census is conducted to count every person living in the United States. After the Census is released, state governments redraw district lines to apportion voters into equally populous districts. Redistricting is the process by which Congressional and State Legislative maps are drawn and passed.

What is partisan gerrymandering? Drawing electoral district boundaries in such a way that one party gains an unfair advantage over the opposing party.