

REPORT OF THE
JOINT SUBCOMMITTEE ON RURAL AFFAIRS
TO
THE GOVERNOR
AND
GENERAL ASSEMBLY OF VIRGINIA



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**Report of the
Joint Subcommittee on Rural Affairs
to
The Governor and the General Assembly of Virginia
Richmond, Virginia
December, 1981**

To: Honorable John N. Dalton, Governor of Virginia
and

The General Assembly of Virginia

I. Introduction

The changes that have occurred in rural Virginia over the past decade were directly related to a concerted effort by rural legislators a decade ago to set policies that would be beneficial to the areas. Virginia is rich in rural traditions and has many diversified rural communities with differing needs. As I studied the recommendations of the 1970 Rural Affairs group headed by Woodrow Bird, I was impressed with the foresight and insight into trends that have shaped policy in the State.

Although we operated on a much shorter time frame and with limited resources, I believe the 1981 Rural Study Group achieved the objectives of identifying new directions; understanding developments over the past decade; and shaping new policies that will guide state and local governments for another decade.

We hope that this report will serve as a guide to legislators and citizens who are in policy making positions in recognizing the unique needs of rural Virginians and translating them to action.

James A. Davis
Chairman, Joint Subcommittee
on Rural Affairs

II. Background

Virginia is a state which prides itself on its diversity. This diversity is represented in its land, people, employment, and other activities. There are few Virginians who would not be upset should the State lose this diversity.

One aspect of this diversity which is not so apparent now as it was earlier in this century is the rural character found in different areas of the State. A number of people are concerned not only about the loss of this rural character in many areas, but also about the quality of life in those areas which remain rural. This concern is not a new one. It resulted, in 1969, in the creation of a Rural Affairs Study Commission. This Commission studied the problems of rural areas for several years and developed a number of policy statements and recommendations to guide state actions vis-a-vis rural areas.

Enough time has elapsed since the completion of the 1969-72 study to stop and review what has occurred since then. Has development, for instance, shifted to rural areas during the last decade? Are rural areas getting their fair share of state services? How much and what kind of development is desirable in rural areas? What are the current needs of rural areas? Questions such as these led to this study.

House Joint Resolution No. 21, introduced in the 1980 session of the General Assembly, then carried over to and passed during the 1981 session, authorized this study. It established a joint subcommittee, composed of five Delegates from the Agriculture Committee, three Senators from the Agriculture, Conservation and Natural Resources Committee, and two citizen members. The text of this resolution is printed below.

HOUSE JOINT RESOLUTION NO. 21

Requesting a joint subcommittee of the Conservation and Natural Resources Committee and the Agriculture Committee of the House of Delegates and the Agriculture, Conservation and Natural Resources Committee of the Senate to study rural affairs.

Agreed to by the House of Delegates, February 16, 1981

Agreed to by the Senate, February 12, 1981

WHEREAS, Virginia is the third fastest growing State in the South, and an examination of population data supplied by the Tayloe-Murphy Institute of Virginia and the United States Bureau of the Census, as well as the Population Reference Bureau, Inc., of Washington, D. C., illustrates the rural areas to be the fastest expanding areas of the Commonwealth; and

WHEREAS, in the period 1970 through 1976 more than 42,000 people were annexed by cities in annexation suits involving five cities and seven counties; and

WHEREAS, more of Virginia's agriculture and natural resources are being developed in a fashion that affects the lives of individual businessmen, farmers, or other rural inhabitants; and

WHEREAS, the need for planning for the best utilization of our rural resources, both human and physical, is seen to be a vital step toward the wise preservation of a State rich in resources and history; and

WHEREAS, the last Rural Affairs Study Commission made its report to the General Assembly in 1969; and

WHEREAS, when the results of the 1980 census are available, additional study will be needed to examine the effects of the population changes, and to investigate a program of preventive, rather than rehabilitative, measures to aid the Commonwealth in preserving its rural heritage; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That there is hereby created a joint subcommittee to study the needs of, and services to, rural Virginia.

The joint subcommittee shall consist of ten members, five of whom shall be members of the House Committee on Conservation and Natural Resources and the House Committee on Agriculture, appointed by the Speaker of the House of Delegates; three of whom shall be members of the Senate Committee on Agriculture, Conservation and Natural Resources, appointed by the Chairman thereof; and, two of whom shall be citizen members, appointed by the Speaker of the House of Delegates.

All members of the subcommittee shall be reimbursed for actual expenses incurred in the performance of the work of the Commission and legislative members shall receive such compensation as is provided in § 14.1-18 of the Code of Virginia.

The cost of this study shall not exceed \$5,000.

This joint subcommittee shall continue for a period of one year and shall make a report of its findings and recommendations to the Governor and the General Assembly prior to the 1982 Session.

Appointed to the Subcommittee from the House of Delegates were George P. Beard, Jr., James A. Davis, William F. Green, Alson H. Smith, Jr., and Mary Sue Terry. Richard J. Holland, Frank W. Nolen, and Eva F. Scott were named to the Subcommittee from the Senate. Citizen appointees were Grady Dalton and W. E. Skelton. The Subcommittee elected Delegate Davis and Senator Holland, respectively, as its Chairman and Vice Chairman.

The Subcommittee met a number of times from May through November. Included in these meetings was a series of public hearings which attracted more than 150 people. About half of those who attended the hearings spoke, addressing topics such as roads, planning district commissions, water supplies, the Extension Service, and community education.

The Subcommittee also received testimony, comments, and information from representatives of the following agencies:

Department of Agriculture and Consumer Services

Commission for the Arts

Department of Education

Extension Division, VPI & SU

Department of Health

Department of Highways and Transportation

Department of Housing and Community Development

Division of Industrial Development

Commission of Outdoor Recreation

Department of Planning and Budget

Virginia Museum of Fine Arts

Virginia Soil and Water Conservation Commission

A number of interest groups also followed the progress of the Subcommittee. Several of them lent their expertise when needed.

Given the brief period for this study, the Subcommittee sought to focus only on those needs of particular concern to rural areas at this time. Having worked diligently to identify these, the Subcommittee submits the following findings and recommendations.

III. Findings and Recommendations

A. Human Resources Policy

1. Health Services

a. General Findings

During the course of its deliberations ten years ago, the Rural Affairs Study Commission identified health care as an area in need of great attention and increased resources in rural areas. It found that there were not enough family physicians, nurses, and other paraprofessionals in rural areas. Medical services which did exist in rural areas, it noted, were unevenly distributed.

The Commission recommended that health services be regionalized, that adequate health care be available uniformly throughout the State, and that the number of health care professionals in rural areas be increased.

The Subcommittee is favorably impressed with measures undertaken to implement these recommendations. Health care available to rural Virginia has improved greatly since the Commission completed its work. The Subcommittee commends those responsible for these improvements and urges them to continue their efforts at improving the health of Virginia's rural citizens. The Subcommittee also urges state social service and health agencies to develop a closer relationship with regard to the services they help provide older rural Virginians (e.g., homes for adults and nursing homes).

The Subcommittee has found, though, that there still are unmet needs in rural areas. More family physicians, for instance, are required, and more attention should be paid to the needs of the impaired elderly and others requiring in-home care. The General Assembly and the appropriate state agencies should be aware of these needs and constantly search for new ways to meet them.

The Subcommittee also notes with concern the shortage of professional nurses in many rural areas. In response to this problem, some community colleges have begun nursing education programs in cooperation with local community hospitals. *The Subcommittee encourages such programs and recommends that the State Board for Community Colleges and the State Council of Higher Education give priority to the establishment of such programs.*

b. Emergency Medical Services

Rural areas are among those most in need of emergency medical services and well-trained emergency medical personnel. Many rural areas have no access to community hospitals; rather, patients must travel long distances to hospitals in other areas. Because of this, it is important that their emergency medical personnel be very well trained, and regulations have been enacted by state agencies in recent years to ensure this. At the same time, the lack of hospital facilities is among the factors that make such training difficult. This Subcommittee urges state agencies to be aware of this conflict, and be sure that regulations are not so stringent that they prevent rural areas from having adequate numbers of emergency medical volunteers.

A related problem rural areas face concerns the location of ambulance and fire services. Some rural areas are well-served; others are not. The Department of Health should study this problem and see what can be done to solve it.

In 1978, the Rescue Squad Assistance Fund was established. Many of the grants from this fund have gone to rural counties. Other efforts of the General Assembly and the executive branch have helped improve the delivery of emergency medical services to rural Virginia.

The Subcommittee endorses these efforts. Furthermore, it urges the appropriate committees of the House and Senate, the Department of Health, and other agencies with responsibility for emergency medical services to continue their efforts to improve the delivery of these services to rural Virginia.

We recommend these guidelines for further state regulation of and assistance to providers of emergency medical services: (1) state assistance should be maximized; (2) state interference should be minimized; and (3) volunteerism should be encouraged and protected.

A specific source of assistance, we noted above, is the Rescue Squad Assistance Fund. *We urge the General Assembly to continue funding this program at its current appropriation level (\$1.5 million in the 1982-84 biennium) or, if possible, to increase this funding.*

2. Education

a. Teachers' Salaries

Salaries paid to teachers in rural areas have traditionally been lower than those of urban and suburban localities. The payment of high salaries in no way guarantees that a school will have good teachers, but it does give good teachers more incentives to come to and stay at such a school.

Ten years ago, the Rural Affairs Study Commission, noting the disparity between rural and non-rural teachers' salaries, recommended that a means of equalizing this disparity be found. Testimony received by this Subcommittee, however, indicates that a large gap still exists here, and that the average salary in the locality with the highest pay is twice that of the locality with the lowest pay.

The Subcommittee recommends that appropriate measures be taken to narrow the difference in rural and non-rural teachers' salaries.

The Subcommittee also recommends that the current formula used to determine the state level of financing for local schools be retained. It is advantageous to those localities with lower tax bases, most of which are rural. Furthermore, it has helped prevent the disparity among localities with regard to teachers' salaries and other expenditures from growing larger than it is.

b. Community Education

Community education refers to full use of public school facilities by various social service

organizations, community groups, and individual citizens; it is, in effect, a partnership between a school system or a school and the community in which it is located. A school used for community education purposes makes its facilities available outside regular school hours on a year-round basis. In so doing, a community receives more benefits from the financial investments it makes in its school buildings. Furthermore, bringing different groups together into a central place can help foster a sense of community.

The cost of a community education program is minimal. The greatest expense involves personnel, and often only one person is needed to schedule events and coordinate after-school programs. Taxpayers seldom have the opportunity to earn so great a return on their tax dollars.

The 1972 report of the Rural Affairs Study Commission included several recommendations supportive of community education. Among them was the recommendation that statutes be enacted to remove any liability problems with respect to community education programs. This recommendation was implemented. The members of this Subcommittee believe that liability problems no longer exist, but if any are found in the future, we urge the General Assembly to eliminate them.

The 1972 report also urged the State to assist localities in implementing community education programs. We do not believe, however, that enough has been done in this regard.

The Subcommittee therefore recommends that the Board of Education increase its assistance to localities interested in developing community education programs.

3. Cultural Programs

Not long ago, people in rural areas received few benefits from state-supported cultural programs. Cultural opportunities in general were far more plentiful in the major metropolitan communities than in the towns and rural counties of Virginia.

In more recent years, the number of cultural offerings available to rural Virginia has grown. Much of this growth has resulted from attempts by state agencies to offer more cultural opportunities to rural Virginia. The Virginia Museum of Fine Arts has chapter affiliates throughout the State that make use of the Museum's offerings for various programs. The Museum also operates a touring artmobile and sponsors a number of traveling exhibitions and media services.

Rural cultural programs are also aided by the Virginia Commission for the Arts. This agency was established in 1968 to encourage public interest and participation in the arts. While no funds are set aside by the Commission specifically for rural areas, its services do reach almost every city and county in Virginia, both rural and non-rural.

The Subcommittee received information from the Museum and the Commission on ways they serve rural areas. It was favorably impressed. We commend these agencies on the work they have done and urge them to continue their efforts at bringing cultural programs to all parts of the State.

The Subcommittee does wish to suggest for further study one novel approach for extending cultural opportunities to rural areas. Many states have established residential educational programs for children who are culturally gifted. A child might spend several months or a summer in such a program and then return to his community to share what he has learned. Consideration might be given to starting such a program on one or more of Virginia's community college campuses.

B. State Development Policy

1. Highways and Roads

Good highways and roads are of utmost importance to citizens in rural areas. Farmers need them to get their crops to the processor or market, and industry must be assured of them before deciding to locate in rural areas. They are also required so that rural residents can get to the health, educational, social, and cultural facilities unavailable where they live.

The Commonwealth has done a better job than many other states in developing and maintaining highways in rural areas. Even so, many rural counties still have large numbers of unpaved roads. Citizens addressing the Subcommittee at its meetings and public hearings complained that too much

money was being earmarked for the interstate system and for unnecessary "frills" in the primary and secondary system.

The Subcommittee also believes that some standards required by the Highway Department in road design are more stringent than necessary. These in effect serve to delay needed improvements on some roads, since money that could be used for them is siphoned off for the unnecessarily stringent standards noted above. The Subcommittee is aware that the Joint Legislative Audit and Review Commission has been examining these problems and reviewing departmental policies to determine changes which should be implemented. The Subcommittee commends and encourages JLARC in these efforts.

The Subcommittee is well aware that, even with the recent increase in the excise tax on gasoline, there is less money available for highway construction and maintenance than there has been in the recent past. Because of this, special care has to be taken in setting priorities for the use of this money. If rural industrial and economic development is to continue, the highway system in many rural areas must be improved. New access roads will have to be built in some cases, and unpaved roads must be paved. A high priority should be given to maintaining secondary roads in rural areas.

This Subcommittee recommends that special care be taken to ensure that rural areas receive adequate funds for highways and roads.

As a partial means of ensuring that such funds are available, the Subcommittee also recommends that the percentage of highway money available for paving unpaved secondary roads under § 33.1-23.1 B1, B2, and B3 of the Code of Virginia be increased from three and three-quarters to five.

At one of the Subcommittee's early meetings, there was discussion of problems encountered in rural areas when passing zones are removed from state roads. Many rural areas, especially those with hilly or mountainous roads, have long stretches of two-lane highways where it is desirable to be able to use both lanes for passing slow-moving vehicles. Several years ago, the Highway Department began repainting the dividing lines on some roads and, in so doing, abolished a number of these passing zones. This caused great, and some believe unnecessary, inconvenience for many rural residents.

The Subcommittee was informed that the Department of Highways and Transportation commissioned a study on passing zones and where they should be used several years ago. This study was delayed for some time but, the Subcommittee understands, is now in the process of being finished. The Subcommittee encourages the Department to ensure that it is completed in as timely a manner as possible.

2. Extension Services

In the public hearings and other meetings held by this Subcommittee, a number of people asked that the Extension Division of Virginia Polytechnic Institute and State University remain a viable service agency. They noted that in addition to offering advice on farming in rural areas, it also promotes leadership and community spirit within these areas.

Two major concerns about the Division were voiced to the Subcommittee: that some state government officials will attempt to narrow the types of services offered by the Division, and that funding restrictions will result in the elimination of some programs.

This Subcommittee is aware that other legislative and executive bodies are studying different aspects of the Extension Division. The Subcommittee wishes to express its support for the Division and suggests that careful consideration be given prior to the implementation of any major changes affecting the way the Division functions. The Subcommittee also recognizes the leadership role played by the Division and its employees in many of the State's rural communities. While it is sympathetic to periodic evaluations of all state agencies, the Subcommittee is also mindful of the fact that the needs of the people of Virginia vary from one area to another. *It therefore recommends that any redefinition of the role of the Division continue to allow it to work fully with local governing bodies in determining and implementing programs which will best serve the rural areas of the Commonwealth.*

3. Intergovernmental Relations

a. General

This Subcommittee spent a considerable amount of time studying relations between towns and counties, small cities and counties, planning districts and their member governments, and regional entities in general. So much testimony was received, and so many recommendations suggested, with respect to planning districts that they will be dealt with separately below.

With regard to relations between the other levels of government mentioned above, however, several studies have been done in the recent past. The best known of these involved annexation.

The Subcommittee does not suggest that any of these studies be redone. It would, however, support further investigation of some questions that have not been adequately treated such as these:

- Are there areas of contention and issues (e.g., tax policies) over which towns and counties differ that should be addressed by the General Assembly?

- Does the annexation legislation passed in 1979 sufficiently deal with small cities and rural counties?

- Are there too many single-member (e.g., Title XX) regional organizations? If so, is there some way that the number of these can be decreased?

The Subcommittee believes that the appropriate committees of the House and Senate should consider addressing these questions.

b. Planning District Commission

As noted above, this Subcommittee heard a great deal of testimony at the public hearings and other meetings it held about planning district commissions (PDC's). Those who spoke about them were almost unanimously supportive of them. They described services rendered them by the PDC's, ranging from local planning to grant preparation. Also mentioned were the services PDC's are required to perform for different state agencies.

PDC's have experienced drastic budget cuts in recent years. This has resulted in staff reductions. Some PDC's which employed as many as twenty to twenty-five people several years ago now have only half a dozen or fewer employees on their staffs. Most, if not all, of this decrease can be traced to cutbacks in federal funding. If current Reagan administration plans are implemented, it is possible that many PDC's will receive no federal appropriations beginning next year. State and local money would then be the only source of funding for PDC's. These financial problems have been considered at great length by the Subcommittee.

The Subcommittee also heard testimony about the lack of representation for many towns on PDC's. Currently, any town with a population of 3,500 or more is automatically eligible for membership on the PDC within which it lies.

Finally, the Subcommittee heard that PDC's are stilled in any attempts they might wish to make to implement proposals they have been asked to develop. Some of these who talked about this suggested that some form of implementation authority be given to PDC's.

The Subcommittee has reflected on these concerns and makes the following recommendations:

1. *PDC's perform important functions for both the State and its localities. This is especially true in many rural areas. In order to aid them in these endeavors, the minimum level of state support, which is now budgeted at \$20,000 per year, should be increased to \$50,000 per year. If this is not done, the smaller PDC's in Virginia will likely cease to function altogether.*

The Subcommittee is aware of the budgetary constraints facing the Commonwealth at this time. Consequently, it does not recommend an increase in the total amount of state aid earmarked for PDC's. Rather, it proposes a funding formula which redistributes funds given by the State, shifting some of this money from the large PDC's (which have much greater funding and far more resources than small ones) to the Commonwealth's smallest PDC's.

The Subcommittee recommends that the following formula be used to apportion state aid to PDC's:

1. Any PDC having a population of less than 500,000 shall receive \$.25 per capita or \$50,000, whichever is greater.

2. Any PDC having a population of 500,000 or more shall receive \$.1457 per capita.

3. In regard to the 3,500 limit with respect to town eligibility for representation on PDC's, the Subcommittee recommends amendments which would make any town offering water and sewer services outside its corporate limits eligible for PDC membership. We urge this change because of the role which PDC's often play in planning for water and sewer services.

4. The Subcommittee also has followed with interest the development of the federal block grant program. It is mindful of the good record that many PDC's have amassed and anxious to avoid further proliferation of single purpose regional government units in the Commonwealth. The Subcommittee therefore recommends that, if a regional body is to be used in any block grant programs, PDC's be given this role.

C. Natural Resources Policy

1. Water Resources

In its report to the 1972 General Assembly, the Rural Affairs Study Commission noted the need for more money to provide water and sewage services to rural areas. Without such services available, it is difficult to attract the industrial development which is so critical to the economic well-being of rural areas. Furthermore, agriculture, which is a mainstay of the state's economy, cannot exist without adequate water resources.

For many years, now, large metropolitan areas have benefited from grant moneys they received from the Environmental Protection Agency. These funds have allowed them to upgrade and enlarge their sewage treatment facilities.

Rural areas have not had such resources to which they could turn. Nonetheless, they have faced many of the same pressures imposed by federal officials and others with respect to the improvement of their water and sewer resources. If rural Virginia is expected to develop its water resources, the Subcommittee believes that it must have access to financial assistance.

The Commission recommends the establishment of a state assistance program to help rural Virginia develop its water resources. This program should be administered by the Department of Housing and Community Development, with the cooperation of the Department of Health; these are the agencies most directly involved with water programs. The estimated cost of such a program in 1981 dollars is \$45.33 million. Since this is a pressing problem, we recommend that this program begin as soon as possible. Recognizing both the need and the limited resources of the State, we suggest that this program be given ten years to bring rural public water supply systems up to acceptable standards.

The problems that rural areas face with respect to water are not only financial. Many citizens and officials who have testified before this Subcommittee questioned the value of many of the water-related regulations which have been enacted in recent years. Some suggested that while a number of the rules might be needed for large municipal water systems, they were unnecessary for small community systems. Some particularly burdensome regulations require operators of community water systems to observe certain notification practices when they fail to meet, even temporarily, water quality standards. The Subcommittee was given examples of some of these notification requirements which, admittedly, seem difficult to justify.

The Subcommittee was informed that federal rules require the State to impose most of these burdensome regulations.

This Subcommittee therefore recommends that the General Assembly memorialize Congress to amend the federal statutes which directed the development of such unnecessary regulations.

2. Soil Survey and Mapping Program

In both its 1969 and its 1972 reports, the Rural Affairs Study Commission noted the importance of the Soil Survey Mapping Program in planning for the efficient and effective use of our land resources. Soil studies are needed for many kinds of planning purposes. The Commission consequently recommended that this mapping program be accelerated so that it could be completed by 1990.

It is now estimated that if funding remains at current levels, this program will not be completed until 1996.

The Subcommittee agrees with the earlier Commission's recommendation that this program be completed by 1990. Funding levels should therefore be increased to accomplish this.

3. Agriculture

Agriculture, and agribusiness as a whole, is of prime importance to the Commonwealth. It is responsible for jobs for many people not only in Virginia's rural areas, but in its urban areas as well. There is no doubt that agriculture will continue indefinitely as one of the most important factors in the State's economy.

In the late 1970's, the Agricultural Opportunities Commission undertook a careful and detailed study of the entire agriculture industry. It made a number of far-reaching recommendations aimed at improving this industry within the Commonwealth. We endorse its work, but also wish to note these findings of our own.

Agriculture, like all industries, has suffered as a result of the high interest rates and inflation of recent years. The Commonwealth has taken note of this problem and, through creation of the Agricultural Development Authority and similar initiatives, sought to help farmers with these problems. The Subcommittee urges all levels of government and private industry as well to continue these efforts to aid the agriculture industry.

If new ways can be found to combat inflation and high interest rates, farm income will as a result be enhanced. The Subcommittee also encourages state agencies and institutions to look for other means of increasing farm income. We support the development of pilot projects to demonstrate new technologies and marketing techniques. Where budgetary considerations allow, we also urge the State to develop new marketing programs and services.

A means emphasized in recent years for strengthening Virginia's agricultural industry is the development of foreign markets for Virginia's farm products. We recommend that the Commonwealth continue to promote strongly the State's agricultural industry abroad.

The Subcommittee also wishes to make recommendations with regard to several specific agricultural problems in Virginia:

1. A legislative subcommittee has been studying ways to preserve the state's farmland. Several bills pertaining to this were passed by last year's General Assembly. *We endorse this legislation and encourage the subcommittee in its continuing efforts to find new means of preserving Virginia's agricultural lands.*

2. In recent years the gypsy moth, a pest causing severe damage to trees in the northeast portion of our country, has infested several areas of northern Virginia. If complete infestation of the State occurs, commercial timber losses estimated at \$86 million or more will occur. *We suggest that the General Assembly familiarize itself with this problem and be prepared to extend whatever support is necessary to minimize its adverse impact on Virginia.*

3. The availability of adequate water supplies in some areas of the State has become a critical problem. Since water is critical to agricultural production, it is imperative that agricultural needs be taken into account when any new State policies to deal with water resources are adopted. *We urge, in the development of any new state water programs, that agriculture be considered a high priority use of this resource.*

4. The presence of brucellosis among Virginia livestock herds has increased recently. The 1981 General Assembly appropriated \$325,000 for the eradication of this disease. A like amount will

probably be sought in 1982. *We support the appropriation of sufficient funds to assure success in the control of this disease.*

5. In order for Virginia's agricultural industry to continue to grow and prosper, research is constantly needed in order to find new and better farming and processing techniques. State funds supporting such research have not grown fast enough even to keep up with inflation. *The Subcommittee recommends, mindful that investments in agricultural research are repaid by growth within the industry, that more state funds be earmarked for this purpose.*

Respectfully submitted,

James A. Davis, Chairman
Richard J. Holland, Vice Chairman
George P. Beard, Jr.
Grady W. Dalton
William F. Green
Frank W. Nolen
Eva F. Scott
W. E. Skelton
Alson H. Smith, Jr.
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APPENDICES

A. Legislative Proposals

Funding for Unpaved Secondary Roads

A BILL to amend and reenact § 33.1-23.1:1 of the Code of Virginia, which creates a special fund for the paving of unpaved secondary roads.

1. Funding for Unpaved Secondary Roads

Be it enacted by the General Assembly of Virginia:

1. That § 33.1-23.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 33.1-23.1:1. Unpaved secondary road fund created; allocations.—A. Before funds are allocated for distribution for highway construction pursuant to § 33.1-23.1 B 1, B 2, and B 3, a fund shall be established for the paving of nonsurface treated secondary roads which carry fifty vehicles or more per day ~~(V.P.D.)~~. Such fund shall contain ~~three and three-fourths~~ *five* percent of the total funds available for highway construction under § 33.1-23.1 B 1, B 2, and B 3.

B. Such funds shall be distributed to counties in the secondary system based on the ratio of nonsurface treated roads in each county carrying fifty or more ~~V.P.D.~~ *vehicles per day* to the total number of such nonsurface treated roads in the State for the paving of such nonsurfaced treated secondary roads.

2. State Aid for Planning District Commissions

A BILL to amend and reenact § 15.1-1412 of the Code of Virginia and to repeal § 15.1-1414 of the Code of Virginia, the amended and repealed sections relating to state aid to planning district commissions and membership in both district and regional planning commissions.

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-1412 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-1412. State aid.—Upon the organization of a planning district commission, it shall be entitled to receive *State state* financial support to assist it in carrying out its purposes. Such *State state* aid shall be ~~in an amount not in excess of five thousand dollars for each twenty-five thousand based on the number of persons residing in the governmental subdivisions which are parties to the charter agreement ; but, in any event, not less than ten thousand dollars for any such planning district commission~~ *computed as follows: (i) for a planning district commission with a population of 500,000 persons or less, 25¢ per capita or \$50,000, whichever is greater; or (ii) for a planning district commission with a population in excess of 500,000 persons, 14.5736¢ per capita*. In order to be allocated such *State state* aid, each planning district commission shall prepare and submit annually to the Governor, in such manner as he shall direct, a budget showing its estimated receipts and expenditures during the next fiscal year. After the review of such budget, the Governor with the assistance of the Department of Housing and Community Development shall, subject to the availability of funds, allocate such amount as will, in his judgment, be sufficient to enable the planning district commission to carry out its functions. The fiscal year of the planning district commission shall end June ~~thirtieth~~ *30*.

2. That § 15.1-1414 of the Code of Virginia is repealed.

3. Town Membership on Planning District Commissions

A BILL to amend and reenact § 15.1-1403 of the Code of Virginia, relating to organization of planning district commissions.

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-1403 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-1403. Organization of planning district commission.—(a) At any time after the establishment of the geographic boundaries of a planning district, pursuant to § 2.1-63.5 of the Code, the governmental subdivisions embracing at least forty-five percent of the population within the district acting by the governing body may organize a planning district commission by written agreement among them. Any governmental subdivision not a party to such charter agreement shall continue as a part of the planning district but, until such time as such governmental subdivision elects to become a part of the planning district commission as hereinafter provided, shall not be represented in the composition of the membership of the planning district commission. ~~Provided, however,~~ Whenever a planning district is created which contains only two counties, the governing body of either county may organize a planning district commission in accordance with the provisions of this chapter if the governing body of the other county does not agree to organize such a planning district commission.

(b) The charter agreement shall set forth:

(1) The name of the planning district.

(2) The governmental subdivision in which its principal office shall be situated.

(3) The effective date of the organization of the planning district commission.

(4) The composition of the membership of the planning district commission ; ~~provided, however, that .~~ At least a majority ; ~~but not substantially more than a majority,~~ of its members shall be elected officials of the governing bodies of the governmental subdivisions within the district , with each county, city and town of more than ~~three thousand five hundred~~ 3,500 population and each town of 3,500 or less population when such town provides water and sewer service outside its corporate boundaries having at least one representative ; ~~and the .~~ Other members being shall be qualified voters and residents of the district ; who hold no office elected by the people ; ~~and provided further, however, .~~ Should the charter agreement, as adopted, so provide, an alternate may serve in lieu of one of the elected officials of each of the governing bodies of the participating governmental subdivisions.

(5) The term of office of the members, their method of selection or removal and the method for the selection and the term of office of a chairman.

(6) The voting rights of members, and such voting rights need not be equal and may be weighed on the basis of the population of the governmental subdivision represented by the member, the aggregation of the voting rights of members representing one governmental subdivision, or otherwise.

(7) The procedure for amendment, for addition of other governmental subdivisions within the planning district which are not parties to the original charter agreement, and the withdrawal from the charter agreement by governmental subdivisions within the planning district electing to do so.

(c) The governing body of any governmental subdivision which is a member of the planning district commission may provide for compensation to be paid by it for its commission members, except for any full-time salaried employees of the subdivision ; ~~provided that~~ The amount of such compensation shall not exceed the amount fixed by the planning district commission.

4. State Assistance for Public Water Supply Systems

A BILL to amend and reenact § 36-139 of the Code of Virginia, relating to the powers and duties of the Director of Housing and Community Development.

Be it enacted by the General Assembly of Virginia:

1. That §36-139 of the Code of Virginia is amended and reenacted as follows:

§ 36-139. Powers and duties of Director.—The Director of the Department of Housing and

Community Development shall have the following responsibilities:

A. Collecting from the governmental subdivisions of the Commonwealth information relevant to their planning and development activities, boundary changes, changes of forms and status of government, intergovernmental agreements and arrangements, and such other information as it may deem necessary.

B. Making information available to communities, planning district commissions, service districts and governmental subdivisions of the Commonwealth.

C. Providing professional and technical assistance to, and cooperating with, any planning agency, planning district commission, service district, and governmental subdivision engaged in the preparation of development plans and programs, service district plans, or consolidation agreements.

D. Assisting the Governor in the providing of such *State state* financial aid as may be appropriated by the General Assembly in accordance with § 15.1-1412 of the Code of Virginia.

E. Administering federal grant assistance programs, including funds from the Appalachian Regional Commission, the Economic Development Administration and other such federal agencies, directed at promoting the development of the Commonwealth's communities and regions.

F. Developing *State state* housing and community development policies, goals, plans and programs for the consideration and adoption of the Board with the ultimate authority for adoption to rest with the Governor and the General Assembly.

G. Determining present and future housing requirements of the State and designing programs to coordinate the elements of housing production which programs shall be designed to assure the availability of housing where and when needed.

H. Assuming administrative coordination of the various *State state* housing programs and cooperating with the various *State state* agencies in their programs as they relate to housing.

I. Establishing public information and educational programs relating to housing; devising and administering programs to inform all citizens about housing and housing-related programs that are available on all levels of government; designing and administering educational programs to prepare families for home ownership and counseling them during their first years as homeowners; and promoting educational programs to assist sponsors in the development of low and moderate income housing as well as programs to lessen the problems of rental housing management.

J. Administering the provisions of the Urban Assistance Incentive Fund as set forth in §§ 15.1-1500 through 15.1-1505 of the Code of Virginia.

K. Administering the provisions of the Industrial Building Unit and Mobile Home Safety Law.

L. Administering the provisions of the Uniform Statewide Building Code.

M. Administering the provisions of the Virginia Fire Safety Law.

N. ~~To administer~~ *Administering* design standards promulgated by the Board pursuant to § 36-137 F.

O. ~~To establish~~ *Establishing* and ~~operate~~ *operating* a voluntary training program for the instruction of the personnel of local building departments concerning the content, application and intent of the Uniform Statewide Building Code.

P. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department.

Q. ~~To administer~~ *Administering* , in conjunction with the federal government , and ~~promulgate~~ *promulgating* any necessary rules and regulations regarding energy standards for existing buildings as may be required pursuant to federal law.

R. Identifying and disseminating information to local governments about the availability and utilization of federal and *State state* resources.

S. Administering, with the cooperation of the Department of Health, state assistance programs for public water supply systems.

5. Memorialization of Congress to Change Certain Statutes Affecting Public Water Supply Systems

SENATE JOINT RESOLUTION NO....

Memorializing the United States Congress to change certain notification regulations required of public water systems.

WHEREAS, owners and operators of public water systems are compelled by § 1414 of the Safe Drinking Water Act to notify customers any time a system fails to comply with certain standards with respect to contaminant levels, monitoring requirements, and treatment techniques; and

WHEREAS, this notification must be included in the water bills of a system's customers and published in a newspaper of general circulation in the same area which the system serves; and

WHEREAS, these notification requirements are the same for all public water systems, whether large or small; and

WHEREAS, customers served by local public water systems in small towns and other rural areas often do not need such formal means of notification; and

WHEREAS, such notification for many of these rural systems is costly and otherwise burdensome; and

WHEREAS, federal laws requiring such notification should allow for other means of notification, such as the posting of a public notice at a town, county, or other government office building; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the General Assembly of Virginia urges the Congress of the United States to amend the Safe Drinking Water Act to allow public water systems to use means other than newspaper publication, when appropriate, to comply with public notification requirements; and, be it

RESOLVED FURTHER, That this body memorializes the United States Congress to pass legislation necessary to enact such amendments; and, be it

RESOLVED FINALLY, That the Clerk of the Senate is directed to send copies of this resolution to the members of the Virginia Delegation to the United States Congress, the President of the United States Senate, the Speaker of the House of Representatives, and the President of the United States.

APPENDIX B

1972 RECOMMENDATIONS

OF THE

RURAL AFFAIRS STUDY COMMISSION

The following pages summarize how the recommendations of the 1972 Rural Affairs Commission have been implemented.

A. HUMAN SERVICES POLICY

1. Community Services

(a) Water and Sewerage

-The Commission recommends that the State create a Virginia Water and Sewerage Facilities Priority Advisory Committee.

The above recommendation was not acted on, and the Committee was never formed.

-The Commission recommends that the Water and Sewerage Facilities Priority Advisory Committee advise the Division of State Planning and Community Affairs concerning needs and priorities and how to provide advice and assistance to rural communities to effectively meet such needs.

Due to the fact that the above committee was never formed, the remainder of the recommendation could not be followed through.

(b) Cultural Opportunities

-The Commission recommends that the standards of educational quality in Virginia include state aid for additional teaching positions specifically designated for the teaching of music and art.

According to Dr. Richard Boyer of the Department of Education, the funding formula for teachers has been revised in the last ten years, and the Department no longer funds specific positions. Consequently, there is no State aid which is allocated specifically for the hiring of music or art teachers.

The Standards of Quality call for a ratio of 48 full-time instructional personnel per 1,000 students in average daily membership. This ratio is the basis for the current Basic School Aid Formula.

-The Commission recommends that every elementary school in the State have special teachers for art and music in such supply as to have a class with each pupil a minimum of ninety minutes each week.

To date, the Standards of Quality contain neither a specific requirement for the number of art and music teachers in schools, nor do they stipulate a given number of hours for the teaching of art and music.

-The Commission recommends that the role of the Commission on the Arts and Humanities be strengthened to enable that office to handle the funding, the coordination, and the communication of the overall plan of cultural enrichment for the Commonwealth and that additional efforts be made by the Commission to provide more opportunities for the rural areas of Virginia.

The Commission for the Arts, as shown by materials supplied the Subcommittee, expanded its cultural programs so that those in rural localities would have the opportunity to benefit from them as well. They also further strengthened their role in terms of funding, coordinating, and communicating their program of cultural enrichment.

-The Commission recommends that the Commission of Arts and Humanities prepare and circulate an annual plan describing programs and locations where they will be presented.

Services now provided by the Virginia Commission for the Arts were rendered by the Virginia Museum of Fine Arts at the time of this recommendation. Both the Commission and the Museum provided the Subcommittee with plans describing programs and locations for those programs.

-The Commission recommends that additional funds, totalling approximately \$80,000, be appropriated to the Museum of Fine Arts to use (1) for providing five regional directors to work with its confederation of organizations and the Planning District Commissions, and (2) for developing additional slide and film programs on cultural subjects of interest for use by organizations

throughout the State.

The legislation which would have provided additional funds for the appropriation to the Museum of Fine Arts was not passed. Although private donations have increased the number of such services provided by the Museum, additional public funds for these purposes still have not been appropriated.

(c) Library Services

– The Commission recommends that access to library services be promoted through the Planning District and, in those localities where population is not sufficient to support a local public library, that regional libraries be established, staffed, and provided financial support.

Only sixteen counties representing four percent or less of the Virginia population still have no library service. As of 1980-81, 22 regional libraries serve one or more localities. All county, city, and regional libraries, which must be created by localities, are funded through a specific state formula. The funds are distributed to them by the State Library from appropriations it receives. The total sum appropriated to regional, state, and county libraries in 1981 was 4.3 million dollars.

–The Commission recommends that both State and local governments accelerate financial support so that creditable public library services become available to the total population.

Some counties are still without public libraries (see preceding page). Public libraries are better funded now, both at state and local levels. The formula used for libraries is currently funded at 60 percent. The 1979 General Assembly had a joint subcommittee consider funding of local libraries; it recommended increases in funding. Last session, a committee was appointed to study a state library networking system.

(d) Occupational Education

–The Commission recommends enhancing the Occupational Education Program by encouraging the construction of necessary facilities for secondary school students by 1980.

Testimony given at public hearings held by the Subcommittee on Vocational and Technical Education indicates that a need still exists in this area.

–The Commission also recommends that funds for the construction of facilities for occupational education be distributed according to criteria developed by the State Board of Education in consultation with the Division of State Planning and Community Affairs. Such criteria should take into account local need, economic development strategy, local effort, and planning district boundaries.

Funds for the construction of vocational (the term now used in place of “occupational”) education facilities are distributed through categorical grants. All school funds are distributed in two ways: either as categorical grants or basic educational grants. Vocational education falls under the categorical grant type because these grants are given to those education programs which perform specific functions.

–The Commission recommends that educational programs generally contain measures designed to elevate the view held by the public with respect to occupational education to a level equal with academic education, and that to ensure the general effectiveness of this effort every secondary school should have vocational counseling and placement services.

The Standards of Quality require that every school division provide career guidance for everyone, and academic and vocational preparation for those who plan to continue their education beyond high school. They further require vocational preparation for those who are entering the working world. However, placement services are not included in the Standards of Quality's career guidance program.

–The Commission also recommends that the community college system continue its emphasis on occupational education for post-secondary school age students.

The role of the community college in Virginia is primarily vocational (occupational) education and training of students for work in industry. This role is fulfilled through lectures, labs, and practical applications using technical equipment in the majority of courses. The emphasis in the last ten years has shifted toward more specialized scientific and technological courses, e.g., computer programming, forensic science, etc.

2. Health Services

(a) Regional

-The Rural Affairs Study Commission recommends that Virginia adopt the regional concept of providing equality of access to health services and diligently proceed to develop and implement plans to deliver reasonably uniform health care services to rural areas and other areas of the State lacking adequate services.

Local health districts have been organized to coincide with Planning Districts. The State Health Department has decentralized the administration of the local departments into five regions with a health director (who has an M.D.) and specialized staff in each regional office.

With revision of the Federal Health Planning Act in 1975, the Health Systems Agencies (HSA's) and the Professional Standards Review Organizations (PSR's) were organized along lines identical to health regions. The State Health Plan, the Medical Facilities Plan, the Emergency Medical Services Plan, and similar documents are being drawn up in cooperation with local planning district commissions and health service regions.

The Department of Health and professional health licensing boards have developed a data bank of health professionals by type of practice, office location, practice specialization (if any), and number of hours devoted to patient care versus administration or teaching.

The development of satellite clinics and facilities has begun. Richmond Memorial Hospital, for example, has clinics in the Ashland and Mechanicsville areas, and St. Mary's Hospital in Richmond is building a facility in Amelia.

(b) Manpower

-The Rural Affairs Study Commission recommends that enrollment in Virginia's medical and dental schools be expanded as rapidly as possible and that priority go to applicants showing interest and aptitude for family practice.

The University of Virginia and the Medical College of Virginia have expanded enrollment, and the Eastern Virginia Medical School is now in operation. According to the latest figures from U.Va., twenty percent of their graduates enter family practice. In the MCV residency program, 70 percent remain in Virginia and 65 percent of those choose non-metropolitan areas. In 1980, there were 365 physicians and 104 dentists graduated as compared with 202 physicians and 75 dentists in 1971.

Family practice departments were started at MCV and UVA in 1970. Eastern Virginia was established primarily to provide family practice training.

Three-year family practice residency programs have been developed in Lynchburg, Roanoke, and Charlottesville under U.Va.; in Blackstone, Chesterfield County, Virginia Beach, Newport News, and Fairfax in conjunction with MCV; and in Norfolk on the Eastern Virginia campus.

-The Commission recommends that the medical schools in the Commonwealth establish a system that provides applicants from rural areas an equitable opportunity for acceptance into schools of medicine.

MCV and U.Va. have an affirmative action policy for applicants from rural counties in Virginia. The number of applicants from rural areas is small. Some have suggested that if these schools reduce their enrollment, special admissions policies for rural applicants may be changed or eliminated.

-The Commission further recommends that the number of scholarship loans for medical students

be increased and that students preparing for family practice and specifically indicating a willingness to serve for a period of time in a geographic area of priority need be chosen as recipients of these additional scholarships.

The Commission's recommendation coincided with the completion in 1972 of a separate legislative study on the shortage of family physicians. Following that study, the State Scholarship Law was amended, and the number of scholarships in this program increased from 50 to 60, with 33 awarded annually at MCV and 27 at the University of Virginia. The 1972 amendment also increased the number of dental scholarships from 8 to 10. In 1978, 10 additional medical scholarships were authorized for Eastern Virginia Medical School.

According to information provided by the Department of Health, of the MCV recipients who have graduated since 1974, 55 percent have gone into family practice in areas of need.

-The Commission recommends that the proper authorities within the Commonwealth proceed immediately with planning and initiating the educational programs necessary to provide nurses, dental assistants and other paraprofessional practitioners.

In 1970, the Council of Higher Education was given the authority to coordinate post-secondary health education in Virginia.

In 1972, the Council completed a report on paramedical health professions, current training programs in Virginia, and the need for expanding these programs.

Utilizing the services of a Health Education Advisory Committee established in 1972, new training and education programs have been initiated, and the number of graduates in allied health fields has risen considerably.

(c) Legal Issues

-The Commission recommends the enactment of legislation that will provide for the licensing of qualified nurse practitioners and other types of assistants to physicians and dentists and that will clarify the legal liability of both the assistants and the supervising dentist or physician.

In 1973, the General Assembly enacted legislation which provided for the licensure of physician's assistants; in 1978, the law was amended to provide a second category of physician's assistants for use in penal institutions.

In 1973, 21 physicians' assistants were licensed in Category I; currently there are 51 physicians' assistants in Category I and 102 in Category II.

In the same year, the law was amended to provide for the licensure of nurse practitioners under joint regulations of the Boards of Nursing and Medicine. In 1973, 100 nurse practitioners were licensed; currently, there are 1,042.

Training of dental hygiene is now offered at Old Dominion, MCV, and two of the community colleges. Dental hygienists are licensed by the State Board of Dentistry and there are now about 1,000 in practice. The Dental Board in its regulations has expanded the duties which a dental assistant may perform under supervision of the practicing dentist.

-The Rural Affairs Study Commission recommends the enactment of legislation that will further clarify legal issues associated with the practice of medicine and provide greater protection for physicians against liability suits.

Malpractice legislation was first enacted in 1975, and provides for peer review and a hearing process for such suits. In 1977, a medical risk management law was passed.

(d) Consumer Education

-The Commission recommends that a concentrated joint educational effort be made by the health agencies and the educational agencies to achieve consumer health education directed toward illness prevention and encourage early entry into the health care systems when the need arises.

-The Commission recommends that there be a continuous program of evaluation, experimentation, and planning in order to move Virginia toward an efficient and effective endeavor to provide all Virginians access to dependable health care services.

Following the recommendation of HJR 124 in 1972, a Health Education Advisory Committee was established; it remains active. The Health Department currently has a grant program to promote Health Education-Risk Reduction in selected schools. The Health Department has been experimenting in special arrangements for the delivery of health care in rural areas.

The State Health Commission has been involved in planning for a regionalized system of perinatal care, and prenatal services have been arranged in four rural areas through federally funded Improved Pregnancy Outcome Projects.

Pediatricians have been recruited from urban areas to hold clinics on a regular basis in rural health departments. The State Health Commission is sponsoring a program which funds five neonatologists who give continuing education programs in 11 community hospitals.

Family planning services are available in every city and county of the State, and family planning programs provide outreach services to citizens unable to visit local health departments. Home health services are also available on a statewide basis.

The use of certified nurse practitioners in local health departments has increased dramatically from one in 1973 to forty-five in 1981. Approximately one-half of these function in rural areas.

The Special Supplemental Food Program for Women, Infants, and Children (WIC) provides supplemental food and nutrition education through local health departments to low-income pregnant, postpartum, or breast-feeding women, and children up to age five.

In an effort to promote dental health, a fluoridation grant from the federal government will be providing money to rural communities to purchase and install fluoridation equipment for prevention of dental caries. Nine communities will be granted funds this year and eleven next year.

The State Health Commission is promoting weekly fluoride mouth-rinse programs in rural school districts where community water fluoridation is not available. In Amelia, Cumberland, and Mathews Counties, it has initiated demonstration projects which provide for the instillation and operation of equipment to fluoridate school water supplies.

The State Health Department also provides, on a regular basis, x-ray service to rural health departments which do not have on-site x-ray machines.

Dental care, especially for school children, is provided in many areas by 27 mobile dental trailers.

The provision of Emergency Medical Services has a direct effect on the quality of care available to Virginia's rural residents. The State Health Department is working continuously with rural rescue squads to upgrade training and equipment. Many rural rescue squads now have advanced life-support capability. Grants from the Virginia Rescue Squad Assistance Fund have enabled squads to purchase equipment as well as upgrade their communications and medical care capabilities. This fund has also been used to purchase training equipment for 20 community colleges.

3. Education

(a) Policy

-The Commission reaffirms its 1969 recommendation that the General Assembly adopt a policy statement that it is the goal of the state government that no child should be disadvantaged by lack of access to quality education merely because of where he was born.

This policy statement was not included in the 1972 revision of the Standards of Quality. However, the 1971 Virginia Constitution contains a similar statement in Article 7, Section 1. It was the intent of the legislature when the constitution was approved to seek to provide quality education to all children.

(b) Use of Facilities

-The Commission recommends that the General Assembly adopt a resolution stating that it is state policy to encourage and assist localities in expanding access to public school facilities for community-wide educational uses, to enable the community school concept to be initiated in any community where the citizens may voluntarily act to utilize their school facilities for total community benefit.

-The Commission recommends that non-profit organizations created specifically for purposes of carrying on educational programs for the community's benefit be granted access privileges to public school facilities and that questions concerning financing, supervision, and liability be negotiated directly with local school boards.

A resolution was passed in the 1980 General Assembly calling for a study of community education to be conducted by a joint legislative subcommittee. The resolution stated that the General Assembly has endorsed the idea of community education and adopted it as the policy of the Commonwealth. The concept has received widespread public support, as it encourages more efficient use of school facilities by the entire community. The subcommittee has not yet met this year, but is scheduled to report to the General Assembly in 1982.

-The Commission recommends the enactment of legislation designed to protect local school boards from tort liability in case of injury when school facilities are used by non-profit organizations to conduct educational programs for the community's benefit.

The above recommendation was enacted in 1977. The statute allows school boards to purchase tort liability insurance; every school board in Virginia now insures itself against errors and omission.

(c) Regional Educational Cooperatives

-The Commission recommends that legislation be enacted to assure that the Regional Education Service Agencies have legal entity status and to provide that such agencies be eligible for the same level of state matching funds per dollar for programs cooperatively carried on as would be provided a school district.

In 1975, legislation was passed which gave the Regional Education Service Agencies legal entity status. However, this statute was repealed in 1979 when it was found that the same goal could be met without legal entity status. In fact, cooperative efforts between two or more school boards moved more quickly and efficiently without RESA.

B. STATE DEVELOPMENT POLICY

1. Highways and Roads

-The Commission recommends that Virginia adopt the general policy that funds for the construction of highways of all classes be allocated to encourage economic development in rural areas of the State.

The funding formula for highways has been revised and simplified. Funds are allocated on a primary and secondary basis; maintenance needs are paid for first, and any remaining funds are allocated among the various systems for construction.

In the 1970's, the state highway system sought to link all areas of the state with the modern highway system; however, there is no specific construction policy which would encourage economic development in rural areas.

-The Commission recommends an increase in the present allocation of the Industrial Access Road Fund.

The Industrial Access Road Fund has been amended twice, once in 1978 and most recently in 1980. The Fund was formerly limited to 1.5 million dollars, but is no longer limited as of 1980 (see § 33.1-221 et seq.). Also, as of 1980 the Fund can be used to provide access roads to airports.

-The Commission recommends that an increased effort be made to assist the members of every county Board of Supervisors to obtain a full understanding of how money is allocated for existing secondary roads and those newly added to the secondary system.

The formula for allocating state funds for highways has been simplified. A six-year plan is required of every county, and each regional highway engineer is required to consult with the County Board of Supervisors on the development of the plan. Furthermore, the County Supervisors Manual, published by the Institute of Government at U.Va., explains this procedure.

-The Commission recommends that members of Boards of Supervisors request the Commonwealth's Attorney within their county to fully inform the Board about the responsibilities of local government that must be met before new secondary road improvements can be made and how these responsibilities can be met under the provisions of Chapter 2, Article 2 of Title 33.1 of the Code of Virginia, sections 33.1-229 through 33.9-246.

This recommendation was made to the various Boards of Supervisors throughout the State; its implementation was dependent on them.

-The Commission recommends that in cases where funds available within a county for new additions to the secondary system are not being used, due to difficulty in obtaining right(s)-of-way, localities be allowed to hold such funds over for one year for such use.

According to the Department of Highways and Transportation, this recommendation has been implemented.

-The Commission recommends that changes in the present highway fund formula be considered.

The above recommendation has been followed through, and the formula was revised and simplified. Funds are allocated on a primary and secondary basis, with maintenance needs paid first, and remaining funds used for the construction of highways.

-The Commission recommends that the procedures for making traffic counts be made to more accurately reflect week-end traffic and potential development areas.

The Highway Department believes its procedures fairly take these factors into account.

-The Commission recommends that the Virginia law governing movement of mobile and modular homes be amended to change the conditions, including permit requirements, under which such homes are moved to their destination. Specifically, it is recommended that the regulation dealing with exit distance from approved roads be changed to read "not to exceed ten (10) miles," instead of the present limit of five miles for routes having a capacity of 1,000 or more vehicles per day, and that the issuance of annual permits on specified routes for movement of mobile and modular homes be authorized.

According to the Department of Highways and Transportation, this recommendation has been implemented.

2. Housing

-The Commission recommends that the General Assembly give careful consideration to the findings of the Housing Study Commission.

Following a recommendation of the Housing Study Commission, the General Assembly created the Office of Housing, which is currently a part of the Department of Housing and Community Development. The General Assembly also created the Virginia Housing Development Authority, which has assisted in financing housing units for low to moderate income Virginians. The General Assembly also enacted the Uniform Statewide Building Code and the Industrial Building Code, which ensure that minimum health and safety standards are maintained in the construction or rehabilitation of structures.

3. Fiscal Resources of Local Government

-The Commission reiterates its recommendation that the General Assembly should adopt a resolution establishing a study group with authority to undertake an in-depth analysis of the complete range of tax structure relationships existing in Virginia and to make recommendations based on the analysis, and that the General Assembly should make available adequate funds for the purpose of carrying out the analysis. The Commission recommends that this study be carried out, fully realizing that actions the General Assembly finds it necessary to take to meet the pressing demand for public services during the course of the study may later need adjustment.

Although a number of tax studies were undertaken by the General Assembly's Finance Committees and the Revenue Resources and Economic Commission during the 1970's, no single comprehensive analysis of this type has been done.

-The Commission recommends that the Commonwealth take steps to amend the Constitution to abandon its unique position of being the only State which creates cities wholly and completely separate from the county in which they exist.

The Virginia Constitution was not amended to implement the above recommendation. The Commonwealth still maintains its separation of cities and counties.

-The Commission strongly recommends that every county, singly or in conjunction with one or more other counties, hire at least a general administrative officer to perform such duties as may be prescribed by the governing body, exclusive of the duties of Constitutional officers that are set by law.

Eighty-nine of nine-six counties in Virginia have hired county administrators. Several of the counties which have not hired them indicate they are considering doing so in the near future.

C. NATURAL RESOURCES POLICY

1. Water Resources

(a) Ground Water

-The Commission recommends that legislation be enacted that will provide protection for the ground water table within an area.

This recommendation was followed through with passage of the Groundwater Act of 1973. This Act was passed to protect groundwater resources in the State. Under the statute, certain critical areas can be declared "ground water management areas." Permits must be acquired for water use within such an area. There are two such areas: Eastern Shore and Southwestern Virginia. This Act, for various reasons, has not worked extremely well. The Water Study Commission is currently studying this problem.

(b) Surface Water

-The Commission recommends the appropriation of adequate funds to meet the development needs of those projects which can be funded through the "Conservation, Small Watersheds Flood Control and Area Development Fund" and specifically recommends the appropriation of \$4,500,000 for the 1972-74 biennium.

An appropriation of \$150,000 was made to the Fund in 1973. The Fund has a present balance of \$375,000 available for loan to water resource projects. In addition, \$190,000 in outstanding loans by two localities will be repaid over the next twelve years. Currently, the Commission has a request for a loan of \$500,000 to assist a locality with the development of a water supply reservoir.

-The Commission also recommends that the Soil and Water Conservation Districts Law, Article 2.1 of Chapter 1 of Title 21, the Conservation, Small Watershed Flood Control and Area Development Fund, be amended to remove the limits on loans and investments.

The 1972 General Assembly increased the loan limit from \$150,000 to \$500,000 and the investment limit from \$200,000 to \$500,000. Limits on loans and investments may be exceeded with written approval of the Governor.

(c) Role of State in Water Management

-The Commission recommends support for the Board of Conservation and Economic Development's recommendation to establish a special study commission to concern itself with providing Virginia a course for policy and action needed to ensure that the state's future water resource needs are met. This study should include reviewing and revising the state's water laws to put them in line with present water resources policy.

The Water Study Commission has been in existence since 1977. It has taken a thorough look at the State's water laws and has considered several different revisions to these laws. The Commission expects to make its final report to the 1982 General Assembly.

2. Soil and Survey Mapping

-The Commission recommends that the required funds be appropriated to accomplish the master plan submitted to the Virginia Soil and Water Conservation Commission for completing the soil survey and mapping program in Virginia by 1990.

A master plan to complete the soil survey of Virginia by 1990 was prepared and submitted to the Governor and the General Assembly on November 1, 1971. The soil survey master plan outlined the fiscal and personnel resources needed to complete the soil survey by 1990. The initial funding level of \$233,100 was continued from July 1, 1973 to July 1, 1978; at that time, it was increased to \$600,000 per year. The 1978-79 level of funding has continued to the present time. Over a nine year period, nearly \$4 million of state general funds have allowed for an acceleration of the soil survey program. It has now mapped approximately one-half of the State. If funding remains at the current level, the program would be completed around 1996.

3. Shoreline Erosion

-The Commission recommends that the Virginia Soil and Water Conservation Commission be charged with the responsibility for providing the leadership and coordination needed to resolve Virginia's shoreline erosion problems.

The responsibility for coordinating shore erosion control programs to protect waterfront property from destruction was assigned to the Virginia Soil and Water Conservation Commission by the 1972 General Assembly. However, no funding was made available for this program until 1980-81. The Coastal Erosion Abatement Commission's report to the 1980 General Assembly further recognized the need for technical assistance for waterfront property owners in dealing with shoreline erosion. Funds were appropriated by the 1980 General Assembly to establish a Shoreline Erosion Advisory Service within the Soil and Water Conservation Commission. In September, 1980, the Service opened an office in Gloucester, Virginia, staffed with three engineers to provide advice on shoreline erosion problems. Since the office opened, technical advice has been given to owners of 65 waterfront properties.

4. Agriculture

-The Commission recommends full support for the continued operation of the Agricultural Opportunities Development Program recommended in the study of the Commission of the Industry of Agriculture, and the budget request by the Virginia Department of Agriculture and Commerce to provide for its coordination and implementation, at \$25,000 per year for the 1972-74 biennium.

The Commission's responsibilities were transferred to the Department of Agriculture following passage of Senate Bill No. 240 (1977). A legislative commission was created by the 1978 General Assembly to study Agricultural Opportunities. It made its recommendations to the 1980 General Assembly. These were many and varied, and pertained to things such as new enterprises (grape and wine production, aquaculture, and use of wood for energy), transportation focused on marketing, and suggestions for better facilities, farm equipment, and greater yields.

5. Land Use

-The Commission recommends the formation and funding of a State Land Use Study Commission to determine and recommend to the State and its political subdivisions their proper responsibility in

long-range land use.

A Land Use Study Commission was formed which reported to the 1976 General Assembly. The Committee made the following recommendations: that broad legislation on critical environmental areas not be enacted; that localities be permitted to identify and protect areas of historical, scenic, industrial, and economic significance; and that legislation be enacted to create the Virginia Agricultural and Forestal Districts Act.

During its 1976 Session, the General Assembly refused to authorize state land use planning and control. In the Assembly's view, land use planning is the jurisdiction of local government and should remain that way.

-The Commission recommends to all counties that they develop a comprehensive land use plan and adopt subdivision regulations and a zoning ordinance.

Virginia law requires all counties to have a comprehensive land use plan and a subdivision ordinance. It does not, however, require zoning.

