

VACo Preliminary Legislative Program



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SEPTEMBER 20, 2024

1 **2025 Draft Legislative Program**
2 **Virginia Association of Counties**

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32 **EDITOR’S NOTE**

33 *The draft steering committee positions in this packet consist solely of*
34 *language that was previously reviewed and discussed by each steering*
35 *committee during VACo’s August meetings at the VACo County Officials*
36 *Summit. Any additional policy statements requested by members of the*
37 *steering committees or proffered by counties during the VACo Regional*
38 *Meetings will be presented to the Committees for further review at the*
39 *November VACo Annual Conference.*
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43 **AGRICULTURE AND RURAL**
44 **AFFAIRS**

45 **Priority**

46 **Farm and Forestland Preservation**

47 VACo supports increasing state allocations to the Office of Working Lands
48 Preservation Purchase of Development Rights (PDR) locality matching funds
49 program. VACo also supports increasing allocations to the newly established
50 Forest Sustainability Fund, created as an incentive for the establishment and
51 maintenance of local forest land use valuation programs. Such programs preserve
52 prime soils for food production and protect important forest land and
53 environmentally sensitive areas in the Commonwealth.

54 VACo supports preserving and enhancing the ability for counties to
55 balance growth and development, as it pertains to farm and forestland, within
56 their jurisdiction.

57 **Positions**

58 **Agriculture and Forestry Best Management Practices**

59 VACo supports voluntary state and federally-funded conservation programs,
60 including the United States Department of Agriculture’s (USDA) Environmental
61 Quality Incentives Program and the Conservation Stewardship Program, to assist
62 producers with the implementation of best management practices.

63 **Biosolids**

64 VACo supports an effective statewide regulatory program governing land
65 application of biosolids. Such a program should not infringe upon the authority
66 of local governments to monitor compliance. VACo supports the ability of local
67 governments to propose amendments to biosolids permits as they are considered
68 by Department of Environmental Quality (DEQ). VACo supports a study to
69 determine the impact of biosolids on agriculture and forest land.

70 **Invasive Species and Noxious Weeds**

71 VACo supports funding for, and the complete implementation of, the Virginia
72 Invasive Species Management Plan. VACo supports an amendment to the term,
73 “noxious weeds,” enabling additional invasive plants to be considered for
74 regulation. All programs and proposals should be evaluated for their commercial
75 impact, allowing no more than a negligible impact on Virginia’s agricultural
76 industry. Finally, VACo supports state prevention and mitigation practices,
77 including coordination with the Virginia Department of Transportation (VDOT)
78 to assist counties in species control.

79 **Predator Control**

80 VACo urges state and federal agencies to support the agricultural industry by

88 allowing farmers and producers sufficient flexibility when protecting livestock
89 and crops against predatory animals. VACo encourages the USDA Wildlife
90 Services Division, the Virginia Department of Wildlife Resources and the Virginia
91 Department of Agriculture and Consumer Services to allow producers access to
92 the predator control tools required for the continuation of effective livestock and
93 crop production. VACo also supports continuing and sufficiently funding the
94 USDA’s Livestock Indemnity Program and the financial relief it provides to
95 producers who have lost livestock to the attacks of federally protected predators.
96 Furthermore, VACo supports the USDA’s various crop and livestock insurance
97 policies as well as the Noninsured Crop Disaster Assistance program (NAP) as
98 these programs seek to provide financial assistance to producers who have
99 undergone crop or livestock loss.

100
101 **Technical Assistance**

102 VACo supports increased state funding for entities that provide critical resources
103 and technical assistance to localities in their efforts to comply with
104 environmental policies and regulations. This includes, but is not limited to,
105 organizations such as Soil and Water Conservation Districts, the Virginia
106 Cooperative Extension, and Planning District Commissions (PDCs).

107
108 **Water Usage**

109 VACo supports streamlined permitting and application processes for water usage.
110 VACo also supports a review of regulations and supports education initiatives
111 that promote reclamation of water on a local level for industrial and irrigation
112 uses to offset future demands on all ground and surface water used for human
113 consumption. VACo supports water use and water rights decisions be made at
114 the local level.

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116 **Solid Waste**

117 VACo supports maintaining local authority to regulate solid waste and opposes
118 any effort to interfere with local “flow control” ordinances.

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COMMUNITY, ECONOMIC, AND WORKFORCE DEVELOPMENT

Priorities

Broadband

VACo requests that the Commonwealth provide 100 percent match funding to counties to build the necessary telecommunications infrastructure to deploy universal affordable access to the internet for all areas, particularly in underserved and rural areas, and streamline the application process for both the Broadband Equity Access and Deployment (BEAD) and Virginia Telecommunication Initiative (VATI) grants. Additionally, VACo supports legislation that provides additional tools for counties to finance, build and operate open access networks in partnership with commercial internet service providers. VACo also supports efforts to streamline the permitting of broadband infrastructure in the VDOT right-of-way, at railroad crossings, and within utility easements.

Affordable and Workforce Housing

VACo supports increasing federal and state funding and appropriate incentives to assist localities to create and sustain more affordable housing.

Positions

Economic Development

VACo supports economic development policies and programs that bolster local and regional development efforts by maintaining and expanding state funding, streamlining state and federal grant application processes, and granting additional funding and authority to promote local and regional initiatives. VACo also supports the provision of state funding to support the mission of regional economic development organizations (REDOs) to foster regional cooperation in expanding business and job opportunities.

Impacts of Federal and Military Facilities

VACo supports maintaining federal and state funding and technical assistance to mitigate the impacts on counties affected by federal budget cuts and to sustain current and future federal facilities in Virginia. VACo supports state and local partnerships that work to prevent encroachment and non-compatible land uses next to military installations. VACo also supports workforce training and retraining for programs that support defense activities in Virginia.

177 **Impacts of State Facilities**
178 VACo recommends that prior to the proposed closure of any state facilities, the
179 Department of General Services shall provide a detailed plan to the locality
180 regarding removal, demolition, rehabilitation and/or adaptive reuse of buildings.
181 VACo also recommends that the state provide technical and financial resources to
182 assist localities in ameliorating the impacts any closure will have on the local
183 economy. Additionally, VACo supports measures to ameliorate the effects of state
184 tax-exempt property on the local tax base.

185
186 **Maintain Public Sector Role in Onsite Sewer Program**
187 VACo supports an onsite sewage program at the Virginia Department of Health
188 (VDH) that protects public health and the environment in all regions of the
189 Commonwealth. The Commonwealth should give special focus to addressing the
190 challenge of failing septic systems and allow localities authority to develop and
191 implement policies that support the state's program. VACo supports the private
192 sector providing onsite sewage system design, installation, and repair services, as
193 long as the services can be provided at affordable rates and in a timely manner,
194 and as long as VDH continues to provide these direct services as well.
195 Additionally, VACo supports legislation ensuring that potential buyers of real
196 property are told about the type, size and maintenance requirements and
197 associated costs of the wastewater systems on the property prior to the signing of
198 the initial sales contract and the recordation of engineered systems plat and deed
199 at the time of sale.

200
201 **Workforce-Ready Students**
202 VACo supports changes in curriculum and funding that will increase the number
203 of students leaving the K-14 system with workforce-ready credentials. VACo
204 supports incorporating career and technical education curriculum at the
205 elementary and middle school levels. VACo supports high school students
206 earning academic credit for participating in an internship, apprenticeship,
207 credential, and other work programs. VACo supports innovative models for
208 schools to give academic credit for students that earn industry workforce skills
209 through certifications, or licensure from an approved education or training
210 provider.

211 VACo supports establishing partnerships to strengthen the school-to-
212 workforce pipeline in a variety of ways including guaranteed employment
213 opportunities with local businesses and learning opportunities shared between
214 local community colleges and high schools. VACo supports opportunities for
215 students to physically visit and train at actual work sites in cooperation with local
216 employers and economic development entities.

217 VACo supports the expansion and funding of workforce training programs
218 such as the Virginia Talent Accelerator Program and the Virginia Jobs
219 Investment Program to leverage federal grant programs with state funding.
220 VACo supports the mission and activities of local Workforce Development Boards
221 across the Commonwealth of Virginia to assist businesses in securing a qualified
222 workforce that meets current and future job demand, including efforts to

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coordinate actions across state agencies within Virginia under the
Commonwealth Workforce Innovation and Opportunity Act (WIOA) plan.

PRELIMINARY

EDUCATION

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Priority

Education Funding

VACo supports full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education, the Joint Legislative Audit & Review Commission (JLARC), and Joint Subcommittee on Elementary and Secondary Education Funding. As long as these recommendations coincide with prevailing local practice, VACo supports targeted incentive programs, capital, and maintenance support, and teacher salaries. Full state funding should be achieved without reduction to other parts of state public education budgets or to other core services.

VACo supports additional state resources and additional statewide funding options for localities for capital and school construction costs, including expanding dedicated local sales and use tax authority first given to select counties by the General Assembly in 2019 as well as continuing to fund the School Construction Grant Program and School Construction Assistance Program.

VACo supports state incentives that encourage localities to increase teacher salaries to reflect the national average in compensation, as long as this is done without a required minimum local match. The state share of compensation for the base rate of salaries should reflect the actual average salary as determined by prevailing local practice.

Positions

Appointed School Boards

VACo supports local authority to choose the selection process for school board members.

Charter Schools

VACo supports the continuation of local authority to establish charter schools.

Federal Bureau of Investigation’s Record of Arrest and Prosecution Back (Rap Back) Service

VACo supports the acceleration of Virginia’s implementation of the Federal Bureau of Investigation’s Record of Arrest and Prosecution Back (Rap Back) service, which provides ongoing, real-time updates on arrests, convictions, or other relevant information about employees in safety-sensitive positions to help safeguard vulnerable populations and the community. Rap Back is currently expected to go live in July 2025 and should be accompanied by sufficient state funding to ensure localities and school divisions have full access to this essential service.

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Laboratory Schools

VACo supports innovative approaches to K-12 education as long as they do not divert state or local funds away from local public schools.

Childhood Development and School Readiness

VACo supports efforts to increase at-risk children’s access to high-quality, enriching learning environments, including more resources and flexibility for localities participating in programs like the Virginia Preschool Initiative and Head Start.

VACo supports additional federal and state funding for programs such as the Child Care and Development Block Grant (CCDBG) to support increased demand for childcare services. VACo supports local flexibility to administer or expand support services for childcare.

VACo supports the work of and local government representation on the Commission on Early Childhood Care and Education to provide recommendations for and tracking progress on the financing of Virginia’s comprehensive birth-to-five early childhood care and education system.

Critical Thinking Skills

VACo supports changes to educational programs and standards that rely less on standardized testing and more on critical thinking skills such as performance-based assessments. VACo opposes efforts to impose additional standardized testing burdens on students and school staff.

Funding Support Personnel

VACo supports full restoration of budget cuts, including the elimination of the funding cap on support positions, and full reinstatement of the Cost of Competing Adjustment “COCA” for support staff. In addition to meeting its obligations to fully fund instructional staff, the Commonwealth should meet its obligation to fully fund K-12 support staff.

Library System

VACo supports additional state resources for the funding of the local library system.

Reversion of Funds

VACo supports the current practice whereby all year-end funds appropriated to the school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve the reallocation of year-end fund balances.

School Consolidation and Regionalism

VACo supports additional state incentives that allow counties to voluntarily consolidate or regionalize K-12 services to increase operational efficiencies.

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School Safety and Security

VACo supports efforts to improve school safety and preparedness. VACo supports continued local authority and state funding to implement appropriate security, preparedness, and health measures. VACo supports dedicated state funding that may include capital and operational costs, including ongoing support for School Resource and School Security Officer positions.

Special Education Regional Tuition Reimbursement Program

VACo supports enhancing local capacity to serve children with high-level support needs in the least restrictive environment, including regional special education programs. VACo supports local flexibility in the structure of such programs.

K-12 Staff Shortage and Retention

VACo urges the General Assembly to approve and fund strategies addressing the teacher shortage in the Commonwealth. VACo supports a targeted approach to teacher shortage by prioritizing areas in critical need, as recommended by the Virginia Department of Education. VACo supports using district-level data to determine how to best fill shortage gaps, especially in hard-to-staff divisions.

VACo supports reducing burdens on the teacher workforce in the Commonwealth. VACo supports programs aimed at reducing student debt for teaching in public schools. VACo also supports programs that encourage teachers to stay in the profession including measures that provide mentorship, guidance and other forms of support for teachers in their first five years in the profession.

VACo also supports similar efforts to address the shortage of school bus drivers at both the state and federal level including incentives to recruit and retain drivers and additional flexibility regarding driver requirements.

408 **ENVIRONMENT, ENERGY, AND**
409 **LAND USE**

410 **Priorities**

411
412 **Energy Policy**

413 VACo supports energy policies and goals that reduce greenhouse gas emissions
414 without compromising reliable and affordable access to electricity, and that
415 address potential environmental impacts and life cycle costs for the manufacture,
416 disposal, re-use, or recycle of material inputs. New sources of potential energy
417 generation should include a range of technologies such as solar, wind,
418 hydroelectric, hydrogen, geothermal, and nuclear, including small modular
419 nuclear reactors. Such policies should allow for responsible coal and natural gas
420 extraction, processing, and transport while protecting agricultural interests and
421 natural resources.

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423 **Water Quality Funding**

424 VACo supports sufficient and sustained financial and technical assistance to
425 counties to improve water quality and meet all federal and state standards to
426 reduce pollution.

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428 **Positions – Environment**

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430 **Chesapeake Bay**

431 VACo supports efforts to continue to restore and protect the Chesapeake Bay but
432 opposes additional nutrient regulations on wastewater treatment facilities that
433 are scientifically unsound, economically infeasible, or unnecessary for meeting
434 the Commonwealth's goals.

435
436 **Dam Safety**

437 VACo supports programs that keep downstream owners and developers aware of
438 potential inundation zones. VACo also supports sufficient state and federal
439 funding for the repair and maintenance of dams.

440
441 **Flood Preparedness**

442 VACo supports continued funding and resources that assist localities in
443 preventing and reducing the impacts of flooding. VACo supports greater
444 flexibility in these programs and funding sources that best suit local and regional
445 needs.

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447 **Southern Rivers Watershed**

448 VACo supports continued funding for the Southern Rivers Watershed
449 Enhancement Program to improve water quality in non-Chesapeake Bay
450 watersheds.

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Stormwater Programs

VACo supports state funding that enables local governments to fully satisfy the resource and funding needs to comply with stormwater standards, including standards for implementation of local stormwater programs, in ways that promote economic development while achieving water quality goals. VACo also supports initiatives that clarify and modernize stormwater regulations and permitting processes, including measures that make permitting more efficient, reevaluate the fee structure system, and allow for consideration of factors such as long-term maintenance costs.

Tree Conservation and Replacement

VACo supports strengthening and expanding tree replacement and tree conservation statutes to include all localities in Virginia. VACo supports providing greater flexibility to all local governments to achieve their specific goals.

Technical Assistance

VACo supports state funding for entities that provide critical resources and technical assistance to localities in their efforts to comply with environmental policies and regulations. This includes, but is not limited to, organizations such as Soil and Water Conservation Districts, the Virginia Cooperative Extension, and Planning District Commissions (PDCs).

Water Supply

VACo supports appropriations adequate to ensure full funding by the state for the ongoing development and implementation of state-mandated water supply plans. VACo supports streamlining permitting processes or applications for water usage. VACo supports initiatives by the state to assure adoption of actions to reduce high chloride concentrations and loss of artesian head pressure in Virginia’s aquifers. VACo also supports a review of regulations and supports education initiatives that promote reclamation of water for industrial and irrigation uses to offset future demands on all ground and surface water used for human consumption.

Positions – Energy

Local Tax Revenue

VACo opposes any imposition, expansion, or extension of state-mandated exemptions on local property taxes for energy generating and storage equipment.

Regional Energy Planning

VACo supports state funding and technical assistance for the development of local and regional energy plans to address the production, transmission, and deployment of new resources to meet statewide goals that reduce greenhouse gas emissions. VACo also supports legislation and policy that requires electric grid operators to continually share with localities where current and planned infrastructure to transmit and store energy exists that may feasibly accommodate

499 the development of large-scale renewable energy facilities. Additionally, VACo
500 supports requiring utilities to seek input from localities and property owners
501 before any actions to construct, modify or enlarge transmission facilities.

502

503 **Renewable Energy Production and Energy Efficiency**

504 VACo supports legislation allowing counties to implement renewable energy and
505 energy efficiency goals. This includes the allowance of third-party power
506 purchase agreements (PPAs) to serve local electric accounts, as well as other
507 creative financing mechanisms that enable the development of renewable energy
508 sources and energy efficiency programs and measures.

509

510 **Utility-Scale Renewable Energy Generation and Energy Storage**

511 VACo supports maintaining local authority to address all impacts and all choices
512 associated with utility-scale installations of solar power, wind power, and energy
513 storage facilities.

514

515 **Utility-Scale Energy Generation and Transmission Projects**

516 VACo supports the provision of adequate direction and resources at the state
517 level to improve monitoring and enforcement of erosion and sediment control
518 (ESC) and stormwater (SWM) requirements by entities constructing utility-scale
519 projects for energy generation or transmission (including fuel). The state should
520 have relevant agencies conduct an annual review of the standards, specifications,
521 and construction general permit requirements to determine adequate protection
522 of water quality, water supply, and natural resources.

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524 **Positions – Land Use**

525

526 **Local Authority**

527 VACo supports maintaining and expanding local authority to plan and regulate
528 land use and opposes any legislation that weakens these key local responsibilities.
529 VACo also supports legislation that grants localities additional tools to adequately
530 meet increasing needs for public services driven by new development without
531 burdening current residents with the cost of new growth through increased real
532 estate taxes. Such additional tools may include broad impact fee authority for all
533 counties, and adequate public facilities provisions.

534

535 **Regulation of Event Spaces**

536 VACo opposes exemptions to local review and enforcement of building, fire, and
537 other health and safety regulations for event and assembly spaces.

538

539 **Regulation of Home-based Businesses**

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

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FINANCE AND ELECTIONS

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Priority

Local Finance

VACo supports preserving the authority of county governments to collect revenues necessary to provide local public services.

VACo appreciates the General Assembly’s action in 2022 to stipulate in statute that local revenue losses associated with the elimination of the state sales tax on food purchased for human consumption and essential personal hygiene products would be replaced and strongly advocates for the state to maintain this commitment. VACo urges that no further changes be made that would negatively affect this important local funding source.

Positions

Appeals of Tax Assessments

VACo supports preservation of the current appeals processes for real or tangible personal property assessments, including the assessor’s presumption of correctness and the role of the state Tax Commissioner with respect to valuation of property.

Election Administration

Conducting accessible, transparent, secure, and accurate elections is a fundamental responsibility of government and a shared funding obligation of the state and local governments.

Recent changes to offer more robust voting options have not been accompanied by additional ongoing state support for this fundamental function of government, and VACo supports a more balanced state/local funding partnership in election administration.

Areas in which the state could provide additional support to localities include:

- adequate funding for voting equipment and registrar costs
- resources necessary to implement state requirements, such as meeting election security standards.

VACo also supports legislation that would assist localities in minimizing or eliminating split voting precincts. Additionally, VACo supports a streamlined process to address situations in which census boundaries do not align with locally drawn or commonly adhered to boundaries. VACo supports additional flexibility for localities in the requirements for drawing precinct and district boundaries. VACo supports reentry into the Electronic Registration Information Center in addition to working with neighboring states to exchange voter data in order to ensure accurate voter lists.

592 **Federal Relief and Infrastructure Funds**

593 VACo encourages coordination with local governments in deployment of
594 American Rescue Plan Act and Infrastructure Investment and Jobs Act funds so
595 that each federal dollar can be maximized for the benefit of the residents of the
596 Commonwealth.

597
598 **Funding for State Mandated Positions and Jails**

599 The Commonwealth must meet its obligations to fund appropriate staffing, to
600 include competitive salaries, for the state’s system of justice, to include clerks,
601 magistrates, Commonwealth’s Attorneys, public defenders, district court
602 employees, and probation office employees. Similarly, VACo urges the
603 Commonwealth to meet its full funding obligations for Constitutional offices, to
604 include realistic levels of staffing to enable these offices to meet their
605 responsibilities and limit the need for localities to provide additional locally-
606 funded positions or salary supplements.

607
608 **Constitutional offices:** VACo supports flexibility in the use of state
609 funds for compensation of constitutional officers and state-supported local
610 employees. VACo supports state funding levels for compensation increases that
611 more closely reflect the true cost of providing such increases across the state-
612 supported local workforce. For example, state-funded salary increases typically
613 provide funding only for Compensation Board-funded positions for employees in
614 Constitutional offices and for instructional and support positions recognized in
615 the Standards of Quality for school divisions. In these instances, in addition to
616 any required local matches for state-recognized positions, localities must provide
617 comparable salary increases for locally-funded positions purely from local dollars
618 in order to preserve parity between state-funded and locally-funded positions in
619 the workforce.

620
621 **Jail per diems:** VACo supports a more robust state-local partnership in
622 funding local and regional jails. In FY 2022, the Compensation Board reported
623 \$1.08 billion in total expenditures, including capital costs, to house inmates in
624 local and regional jails – localities contributed \$623.8 million of these costs, and
625 an additional \$15.9 million to house inmates in other jurisdictions, while the
626 state contributed \$367.8 million.

627 A key mechanism through which the state assists with operating costs is
628 per diem payments. Prior to action by the 2022 General Assembly, per diem
629 rates had not been adjusted since FY 2011, when the payment of \$8 per day for
630 local-responsible inmates was reduced to \$4 per day, and the state-responsible
631 rate was adjusted from a bifurcated rate of \$8 per day for the first 60 days and
632 \$14 per day thereafter to a standard rate of \$12 per day. Legislative action in
633 2022 increased the state-responsible rate by \$3 (from \$12 to \$15) and in 2023
634 increased the local-responsible rate by \$1 (from \$4 to \$5), both steps toward
635 more realistic funding levels. VACo supports continued efforts to increase per
636 diem rates to levels that better represent the costs of housing inmates and to
637 adjust the rates in the future so that payments keep pace with rising costs. While
638 the increase in the state-responsible rate is an important step in the right

639 direction, and the numbers of state-responsible inmates in local jails have
640 declined significantly, the current rates remain inadequate and require counties
641 to subsidize care for individuals who should be housed at the Department of
642 Corrections. The Compensation Board estimated a total average daily cost of
643 operating local and regional jails at \$125.37 per inmate in FY 2022, of which
644 \$69.71 was contributed by localities.

645
646 **State-responsible inmates in local or regional jails:** VACo
647 supports a requirement for the Department of Corrections to accept state-
648 responsible inmates into the state correctional system unless a local or regional
649 jail agrees to continue holding such inmates at the applicable per diem rate.

650
651 **Medical and behavioral health care for incarcerated**
652 **individuals:** VACo supports expanded flexibility to cover payment of the
653 medical costs of inmates through Medicaid.

654 The state must provide sufficient funding to enable local and regional jails
655 to meet any new standards for the provision of health care, including behavioral
656 health care, for individuals incarcerated in these facilities. Funding for additional
657 case management and medical/treatment positions first provided in 2022
658 represents a significant investment in helping jails to comply with proposed
659 behavioral health standards. VACo supports a continued state partnership with
660 localities in ensuring that jails are able to meet state standards in caring for these
661 vulnerable individuals.

662
663 **Mitigation of the Effects of State-Mandated Property Tax Exemptions**
664 **on the Local Tax Base**

665 VACo supports reinstating state payments (PILT) to counties that mitigate the
666 impacts of state correctional and behavioral healthcare facilities on county
667 revenue. VACo supports measures to ameliorate the effects of large amounts of
668 other tax-exempt property on the local tax base, including state assistance with
669 the costs of state-mandated property tax exemptions.

670
671 **Legislation with Local Fiscal Impact**

672 VACo supports legislation or other measures providing additional time for
673 localities to review legislation that may have an impact on local revenues or
674 expenditures, as well as improvements to the process of local mandate review at
675 the Commission on Local Government to capture the effects of mandates on
676 localities more accurately.

677
678 **Modernization of Communications Sales and Use Tax Structure**

679 VACo supports updating the Communications Sales and Use Tax (CSUT) to
680 ensure that it reflects the modern telecommunications landscape, which has
681 evolved since the CSUT took effect in January 2007.

682 VACo opposes any further diversion of Communications Sales and Use Tax
683 Trust Fund dollars beyond the uses already specified in statute. These revenues
684 should be held in trust for localities and not diverted for general state purposes.
685 Currently, funds from the Communications Sales and Use Tax Trust Fund are

686 taken “off the top” for the Department of Taxation’s costs to administer the tax,
687 the telephone relay center operated by the Department for the Deaf and Hard of
688 Hearing, and any franchise fees owed to localities. Language adopted in the
689 2018-2020 biennium budget and continued in the 2021 Appropriations Act
690 provides for an additional diversion of funds to the state General Fund from
691 assumed savings in the telephone relay contract; these funds would otherwise
692 flow to localities.
693

694 **Real and Personal Property Tax Exemptions Enacted Prior to 2003**

695 VACo supports providing localities the ability to decide whether to maintain
696 property tax exemptions granted by the General Assembly prior to passage of the
697 Constitutional amendment vesting the authority to grant such exemptions with
698 localities. The Constitutional amendment which was passed by the voters in
699 2002 and took effect in January 2003 placed decision-making authority about
700 local tax exemptions with local governing bodies, within certain limits, and this
701 authority should apply to exemptions granted before 2003 as well.
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GENERAL GOVERNMENT

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Priorities

Local Authority

VACo supports relaxation of the Dillon Rule by enhancing local authority and autonomy in matters including land use, revenue measures, procurement, and other issues of local concern. VACo supports extending powers currently granted to some local governments to all local governments. VACo opposes legislation that erodes local authority.

Unfunded Mandates

VACo opposes unfunded mandates and shifting fiscal responsibility for existing and new programs by the Commonwealth from the state to localities. When funding for a mandated program is altered, the mandate should be suspended until full funding is restored. When legislation with a cost to localities is passed by the General Assembly, the cost should be borne by the Commonwealth, and the legislation should contain a sunset clause providing that the mandate is not binding on localities until funding by the Commonwealth is provided.

Positions

Collective Bargaining for Public Employees

VACo opposes any effort to mandate collective bargaining for public employees.

Emergency Management

VACo supports efforts to study emergency management needs and associated funding, evaluate the sustainability of present funding models, and assess alternative funding strategies employed in other states.

Ethics Reform

VACo supports common sense efforts to strengthen Virginia's public ethics and conflict of interest laws that are applicable and practical at the local level.

First Responder Recruitment, Retention, Training, and Support

VACo urges the General Assembly to provide additional resources that would assist local governments with the recruitment, retention, training, and support of first responders such as law enforcement, fire and EMS personnel, and 9-1-1 dispatchers.

Freedom of Information Act (FOIA)

VACo opposes changes to the Virginia Freedom of Information Act that would impose additional burdens on localities. VACo supports the option for local and regional bodies to meet electronically. VACo supports protecting the

777 confidentiality of citizen complainants' personal information from disclosure
778 under FOIA.

779

780 **Grievance Hearings**

781 VACo supports legislation authorizing localities to use an administrative hearing
782 officer and existing grievance panels and procedures, and opposes the mandate of
783 a three-member panel. VACo also supports providing immunity to local
784 government employees, officers, volunteers, administrative hearing officers and
785 panel members for claims arising out of participation in personnel grievance
786 procedures.

787

788 **Interoperability**

789 VACo supports the state's goal that agencies and their representatives at the local,
790 regional, state and federal levels be able to communicate using compatible
791 systems to respond more effectively during day-to-day operations and major
792 emergencies.

793 VACo supports increased interoperability and the Commonwealth's transition to
794 Next Generation 9-1-1 (NG9-1-1) in a way that does not unfairly burden localities,
795 financially or otherwise.

796

797 **Local EMS Involvement**

798 VACo supports increased local involvement in state EMS planning to ensure
799 statewide needs are met and to avoid imposing unnecessary barriers to
800 volunteerism.

801

802 **LODA Participation by State Authorized and Trained Private Law 803 Enforcement Agencies**

804 VACo supports changes to the Line of Duty Act (LODA) that would allow state
805 authorized and trained private law enforcement agencies to participate in and
806 contribute to the LODA program in a manner that does not create an unfunded
807 mandate to local government.

808

809 **Photo Speed Monitoring Devices**

810 VACo supports enhanced authority for counties to deploy and administer photo
811 speed monitoring devices within their jurisdiction in the interests of public
812 safety.

813

814 **Pretrial Services**

815 VACo supports increased funding for and expansion of pretrial services. If the
816 Commonwealth adopts a funding formula for pretrial services, it must hold
817 harmless the localities currently participating.

818

819 **Public Notice, Public Hearing and Public Procurement**

820 VACo supports legislation to streamline required newspaper advertising for
821 public notices, public hearings and public procurement including legislation to
822 give localities the option to use electronic or other forms of notification as an
823 alternative to newspaper advertising.

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Public Safety – Body Worn Cameras

VACo supports maintaining the ability of local governments to adopt policies and practices regarding body worn cameras that reflect local needs and fiscal realities.

Public Safety – Regulatory Overreach

VACo opposes any federal or state regulatory action that hinders the provision of emergency services by increasing costs of operations or deterring recruitment and retention of emergency services employees. This includes the Occupational Safety and Health Administration proposed rules change to Fire Brigades Standards and the Food and Drug Administration’s proposed rule changes impacting prescription drug box programs.

Reimbursement of Expenses in False Reporting Incidents

VACo supports legislation that would allow local governments to collect restitution for reasonable expenses from an individual convicted of false reporting.

Sovereign Immunity

VACo opposes any substantive change in local governments’ present defense of qualified immunity and sovereign immunity. VACo opposes bringing counties under the Virginia Tort Claims Act.

State Assistance for Police Departments

VACo supports increasing state assistance for police departments through “599” Aid to Localities. This funding is designed to equalize state funding between counties in which the sheriff department provides law enforcement and those cities, counties, and towns with a police department.

Workers’ Compensation Presumptions

VACo opposes any effort to expand workers’ compensation presumptive illnesses eligibilities for public employees that is not done in concert with additional state funding assistance to local governments to offset additional insurance liabilities.

Cybersecurity

VACo supports dedicated state and federal funding for local governments to acquire and maintain advanced cybersecurity to protect vital systems and sensitive data. Incident reporting requirements should not impose an undue burden or interfere with local incident response.

HEALTH AND HUMAN RESOURCES

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Priorities

Health and Human Resources Funding

VACo supports transparent state policies and funding to ensure the Commonwealth’s at-risk families have access to high quality and appropriate services. The Commonwealth should provide full funding to localities and their state administrative entities for state-mandated human services and provide the necessary program flexibility to enable localities to provide comprehensive and case-tailored services.

VACo supports resources necessary for behavioral health and mental health facilities to ensure the protection of residents’ and staff health and safety, such as appropriate staff qualifications, training, compensation, and condition of the facilities.

Crisis Services and State Hospital Capacity to Accept Individuals Subject to Temporary Detention Orders

VACo supports efforts to address census pressures at state hospitals through near-term funding measures, to include efforts to stabilize staffing, that will ensure that all state hospitals have the capacity to receive admissions of individuals subject to temporary detention orders without delays. VACo supports competitive salaries and training for state hospital direct care staff, as well as support staff. In addition, ongoing efforts to support community-based crisis services must continue.

Positions

Aging/Long-Term Care

VACo supports efforts that allow seniors to remain at home in a safe and secure environment. VACo urges the General Assembly to provide sufficient funding for companion services, in-home services, and home-delivered meals. Due to the increasing number of older adults in Virginia and the rise of Adult Protective Services (APS) cases, VACo supports additional state resources to ensure adequate training for APS workers on topics such as financial exploitation.

Behavioral Healthcare

Funding for Community Services Boards or equivalent county

agencies: VACo supports continued funding by the Commonwealth sufficient to allow Community Services Boards (CSBs) (or equivalent county agencies)¹ to meet the charge of providing services through a community-based system of care. State support must enable CSBs to provide the services mandated by the General

¹ The term “Community Services Boards” is used here to encompass the operating or administrative policy Community Services Boards, behavioral health authority, and local government departments with policy-advisory Community Services Boards.

913 Assembly as part of the STEP-VA initiative, as well as any additional
914 requirements that may be added. Funding must be sufficient to ensure adequate
915 staffing in a competitive market.

916 Any changes to CSB funding should involve meaningful consultation with
917 localities as key funding partners in the behavioral health system.

918 Proposed changes to the funding structure, such as the creation of new
919 funding formulae, should apply only to new funding. As an alternative, hold-
920 harmless funds must be provided to those CSBs that would stand to lose state
921 funding under any new funding structure.

922 VACo supports maintaining the ability of the Department of Behavioral
923 Health and Developmental Services to waive local matching requirements for
924 CSB funding for localities experiencing financial hardships.

925 Realignment of the behavioral health funding structure to incentivize
926 community-based treatment rather than use of state hospitals will require
927 additional state dollars and must not rely on local funding to backfill
928 unanticipated costs for hospitalization.

929
930 **Services for justice-involved individuals, individuals with cognitive**
931 **impairments, and individuals with intellectual and developmental**
932 **disabilities:** VACo supports the provision of additional resources to meet the
933 behavioral health needs of justice-involved individuals, such as mobile crisis
934 services and other diversion programs that may be appropriate substitutes for, or
935 supplements to, law enforcement responses. Such work should be coordinated
936 with existing local and state efforts. A sustained commitment of resources from
937 the state will be necessary to ensure successful implementation of the Marcus
938 Alert system; these resources must be in addition to, and not at the expense of,
939 the funding needed to provide the array of community-based services established
940 under STEP-VA.

941 VACo recognizes the need for specialized services for individuals with
942 cognitive impairments who may experience behavioral health challenges, and
943 supports the provision of resources to enable these individuals to remain in the
944 community, such as continued funding for dementia behavioral specialists and
945 other supports for caregivers.

946 VACo supports the creation of additional Medicaid waiver slots to serve
947 individuals with intellectual and developmental disabilities in the community,
948 approximately 15,283 of whom were on a wait-list as of July 2024. Funding for
949 3,440 additional waiver slots in the 2024-2026 biennium aimed at eliminating
950 the Priority 1 waitlist represents a major investment toward meeting this need.

951
952 **Children's Services Act**

953 VACo supports equitable cost-sharing between the state and localities for the
954 costs involved in the placements of children in residential treatment facilities for
955 non-educational reasons. VACo opposes proposals to limit state participation in
956 funding services for children and youth who are mandated to be provided with
957 special education and foster care services.

958 VACo supports enhancing the ability of local school divisions to serve
959 children with disabilities, to include flexibility in use of state pool funds to serve

960 children with high-level needs in local or regional programs tailored to meet
961 those needs, at local option; exploration of enhancements to the Students with
962 Intensive Support Needs Application (SISNA) or a similar funding mechanism
963 within the Department of Education to enable more children to be supported
964 within the public school environment; and additional support for special
965 education wraparound services to help support children in their communities.

966 VACo supports state assistance to localities with contracting for CSA
967 services to improve localities' ability to negotiate with providers of these services,
968 such as private day placements. Rate setting by the state must not limit the
969 state's funding obligation at the expense of localities if a provider refuses to
970 accept the negotiated rate.

971 VACo appreciates the recent investment of an additional \$500,000 per
972 year in state administrative funds and supports continued investment of state
973 resources to assist in the local administration of CSA programs. As CSA becomes
974 increasingly complex and the Office of Children's Services is charged with
975 ensuring effective implementation, the state should provide funding and other
976 resources to support local programs.

977 **Early Intervention**

978 VACo supports sustainable funding for Part C Early Intervention, which is an
979 entitlement program that provides services for Virginia's infants and toddlers.
980 VACo requests that the General Assembly continue to increase state general
981 funding to address growth in caseloads and fund rates that address the costs of
982 providing the services. Underfunding this entitlement program puts pressure on
983 local revenues to fill funding gaps for this mandated service.

984 **Foster Care and Social Services**

985 VACo supports continued state efforts to ensure successful implementation of
986 federal legislation governing federal funding for children placed in foster care, to
987 include improving access to the evidence-based prevention services that may be
988 funded by Title IV-E dollars and ensuring that congregate care providers are able
989 to meet new standards required in the law. This legislation will allow federal
990 participation in prevention services that previously have been funded by state
991 and local dollars, but services must meet certain standards in order to qualify for
992 federal funding.

993 VACo supports state assistance in recruiting appropriate foster families to
994 care for children who must be removed from their homes. Continued state
995 assistance with finding placements for youth with high-acuity needs is
996 particularly important in building on the progress made by the Safe and Sound
997 Task Force. VACo supports state assistance in recruiting and retaining child
1000 welfare workers to address high rates of turnover in local departments of social
1001 services, such as by increasing the number of partnerships with universities in
1002 Virginia, improving training for child welfare workers, and expanding the Child
1003 Welfare Stipend program. VACo supports building on investments in the 2024
1004 session and providing the full funding necessary to replace the current benefits
1005 management IT system (VACMS and CommonHelp) with a new integrated
1006 Benefits System in order to provide staff in local departments of social services

1007 the appropriate technology and training to carry out their responsibilities
1008 efficiently and effectively.

1009

1010 **Healthcare**

1011 VACo supports continued state funding for dental care, school nurses and
1012 preventive services and maternal and child health programs offered through local
1013 health departments and local school systems. VACo encourages the state to
1014 prepare for emergency health services access to care and to develop and fund
1015 incentives that would alleviate the nursing shortages felt in many communities.

1016 VACo supports efforts to reduce the cost of prescription drugs for
1017 individual consumers as well as for local governments' health insurance plans for
1018 county employees, such as through an affordability review process and the
1019 establishment of Upper Payment Limits for high-cost prescription drugs,
1020 provided there is an opportunity for local representation in such a process.

1021

1022 **Human Trafficking**

1023 VACo supports treating survivors of human trafficking as victims, not criminals,
1024 and supports additional state resources to assist in providing access to services
1025 available to other trauma victims, such as job placement services, housing
1026 assistance, access to education, legal services, and mental health services.

1027

1028 **Implementation of Medicaid Expansion**

1029 VACo supports continued state funding for the local costs associated with
1030 Medicaid expansion, such as local eligibility workers.

1031

1032 **Prevention Services**

1033 VACo supports increased stable, predictable funding, through state general fund
1034 appropriations or federal funding streams, for voluntary home visiting programs.
1035 Investments in programs that ensure a strong start for children can help reduce
1036 the need for costlier interventions later in life.

1037

1038 **Substance Use Disorder**

1039 Efforts to address substance dependency must be comprehensive and
1040 coordinated with localities. The state should develop and support evidence-based
1041 prevention initiatives and should continue to improve access to treatment.

1042

1043 **Telehealth**

1044 VACo supports the use of electronic information and telecommunications
1045 technologies to support long-distance clinical health care, patient and
1046 professional health-related education, public health and health administration.
1047 Flexibility in the delivery of these services is essential in meeting the needs of
1048 residents.

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TRANSPORTATION

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Priorities

Transportation Funding

The Virginia Association of Counties (VACo) is committed to advocating for a robust and sustainable transportation funding framework that effectively addresses the evolving needs of our communities across the Commonwealth. We recognize the critical role transportation infrastructure plays in connecting our counties, supporting economic growth, and ensuring the safety and well-being of our residents.

VACo supports continued study and action to address the causes for declining growth in transportation revenues and to develop recommendations to grow revenue over time to meet increasing demands for new construction and maintenance for existing transportation infrastructure. Such actions must, without impacting other transportation funding, address the secondary road needs of counties as well as unpaved roads.

VACo supports simplifying the Smart Scale process and maintaining transit capital state match rates.

VACo supports fully replacing redirected regional funds from the Northern Virginia Transportation Authority and recovering lost grocery tax revenue without impacting other transportation funding.

While VACo supports the 2021 Infrastructure Investment and Jobs Act (IIJA), this funding should supplement, not replace, funding the Commonwealth should provide for localities and regional bodies regarding their transit and infrastructure needs. VACo supports flexible funding for transportation, transit and infrastructure projects across the Commonwealth.

VACo remains dedicated to advocating for transportation funding policies that empower counties to address their evolving infrastructure needs effectively and is committed to working collaboratively with stakeholders to ensure the continued growth, safety, and prosperity of Virginia's counties and their residents.

Local-State Cooperation

VACo is committed to the protection of local government authority to regulate land use. This authority must be recognized by the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) when evaluations are conducted to determine the consistency between local transportation plans and the Commonwealth's transportation priorities.

1097 VACo opposes the reduction of local control that is associated with the CTB's
1098 process of designating Corridors of Statewide Significance and the
1099 implementation of Arterial Preservation.
1100

1101 VACo supports additional flexibility within the VDOT project approval process
1102 and standards to be responsive to localities' individual needs. VACo supports the
1103 expansion of authority and discretion of Resident Administrators of VDOT to
1104 approve modifications to design standards where appropriate with local needs,
1105 including reduction of speed limits. VACo supports preservation of local
1106 authority to reduce speed limits below 25mph in certain business and residential
1107 districts.
1108

1109 **Positions**

1110 **Airports**

1111 VACo supports additional state and federal funding for the maintenance and
1112 expansion of airports to foster regional economic development.
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1115 **Autonomous Vehicles**

1116 VACo supports continued collaboration with local governments on the
1117 development, deployment, and restrictions of use for autonomous vehicles, aerial
1118 systems, and related support infrastructure.
1119

1120 **Electric Vehicle Charging Stations**

1121 VACo supports increased state and federal funding that provides for the
1122 availability and installation of interoperable, electric vehicle charging stations in
1123 collaboration with localities.
1124

1125 **Devolution of Secondary Roads**

1126 VACo opposes legislative or administrative initiatives that would transfer to
1127 counties the responsibility for the construction, maintenance or operation of new
1128 and existing roads.
1129

1130 **Maintenance Priorities**

1131 VACo supports a requirement imposed upon VDOT to implement a notification
1132 plan with the local governing body to establish maintenance priorities.
1133

1134 **Orphaned Drainage Outfalls**

1135 VACo supports the recommendations of the 2021 Evaluation of Drainage Outfalls
1136 Final Report to mitigate the impacts of drainage outfalls with no assigned
1137 maintaining entity across the Commonwealth.
1138

1139 **Parking**

1140 VACo supports general authority for counties to adopt ordinances regulating,
1141 including prohibiting, the parking of boats, RVs, utility trailers, campers, etc. on
1142 residential streets. In addition, VACo supports additional authority that would
1143 allow localities with parking ordinances the ability to enforce such ordinances

1144 using law enforcement, uniformed local employees, or uniformed personnel
1145 under contract with the locality.

1146

1147 **Photo Speed Monitoring Devices**

1148 VACo supports, as a local option, enhanced authority for counties to deploy and
1149 administer photo speed monitoring devices within their jurisdiction in the
1150 interest of public safety.

1151

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1152 **Railways**

1153 VACo supports efforts by the Commonwealth to expand sustainable passenger
1154 and commuter rail service, including Transforming Rail in Virginia, to currently
1155 unserved areas of the Commonwealth as well as areas where demand exceeds
1156 available service. VACo supports continued collaboration with local governments
1157 regarding Commonwealth Rail Fund projects funded by the state and constructed
1158 within their jurisdictions. VACo supports efforts to safely improve mobility issues
1159 on roads that cross railway lines.

1160

1161 **Recordation Tax Distribution to Localities**

1162 VACo supports the restoration of state recordation tax revenues distributed to
1163 counties and cities for use of transportation or public education purposes.

1164

1165 **Regional Transportation Funding**

1166 VACo opposes any efforts to divert existing dedicated regional transportation
1167 revenues to areas and purposes outside of that region unless additional dedicated
1168 funding sources are provided to hold such funding harmless.

1169

1170 **Truck Size and Weight**

1171 VACo opposes any legislation that seeks to increase truck size or weight beyond
1172 the current federal standards, thereby stressing the capacity of the
1173 Commonwealth's road systems and putting highways, roads and bridges at risk of
1174 increased damage or deterioration.

1175

1176 **Transit**

1177 VACo supports additional state and federal funding for transit that accounts for
1178 the needs of each region and community to foster regional economic
1179 development.

1180

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