

## Key House and Senate Budget Amendments for Fairfax County 2021 General Assembly

### 2020-2022 BIENNIUM BUDGET

#### Support

##### COVID-19 Vaccination Funding

###### *House Item 299 #3h*

Provides approximately \$18 million NGF in FY 2021 in addition to the approximately \$30.2 million GF in FY 2021 included in the introduced budget for COVID-19 mass vaccination efforts. It also supplants the approximately \$59.1 million GF in FY 2022 dedicated for vaccination efforts with equivalent NGFs from the federal Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123).

###### *Senate Item 299 #2s*

Similarly supplants GF dollars with NGF dollars from the federal Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123) in FY 2022 for mass vaccination efforts. Additionally, for FY 2021, approximately \$30.2 million GF is supplanted with approximately \$18 million NGF and approximately \$12.2 million unspent Coronavirus Relief Funds previously allocated to the Department of Medical Assistance Services (DMAS).

##### Cost of Competing Adjustment (COCA) for K-12 Support Positions

###### *House Item 145 #11h*

Provides approximately \$13.2 million in FY 2022 for partial restoration of COCA for Planning District 8 school divisions, increasing the rate from 10.6% to 18%. The funds are also dedicated to adjusting the rates for the nine adjacent school divisions from 2.65% to 4%. This restores funding that was eliminated during the 2020 Special Session I that would have increased the rate from 10.6% to 16% and 2.65% to 4%. *Restoring funding for COCA is included in the County's 2021 Legislative Program.*

##### WMATA Capital Fund One-Time Support

###### *Senate: #442 #1s*

Allocates \$22.4 million in NGF fund revenues from public funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act to fulfill the Commonwealth's portion of the \$500 million annual commitment to the WMATA Capital program. Virginia's share is \$154 million per year, and the Department of Rail and Public Transportation (DRPT) has informed the Senate Finance and Appropriations Subcommittee on Transportation of reduced projections to the WMATA Capital Fund by about \$15-20 million annually over the next several years.

##### Commonwealth's Attorneys Staffing Study

###### *Senate Item 75 #2s*

Directs the Compensation Board to work with the Virginia Association of Commonwealth's Attorneys to examine the staffing standards used to determine the number of positions allocated to each office, expanding the standards to include workload elements that are not solely based on metrics related to

felony charges and convictions. Provides \$250,000 in FY 2022 for the Compensation Board to contract with the National Center for State Courts to perform a time study to determine the comprehensive duties and responsibilities of Commonwealth's Attorneys' offices, including the use of diversion programs and specialty dockets. *The amendment directs and funds a study to address important criminal justice reform issues raised in SB 1266 (Boysko), a County legislative initiative.*

#### Stormwater Local Assistance Fund (SLAF)

##### *House Item 379 #1h*

Provides \$26 million GF in FY 2022 to SLAF for stormwater quality retrofits and upgrades. *Support for increased SLAF funding is included in the County's 2021 Legislative Program.*

#### Salary Increase for Teachers and Support Staff

##### *House Item 145 #10h*

Provides approximately an additional \$151.6 million in FY 2022 to fund the state share of a payment equivalent of a five percent salary increase for Standards of Quality (SOQ) instructional and support positions, effective July 1, 2021. This funding converts the two percent bonus payment in the introduced budget into a five percent salary increase for a total of approximately \$231.4 million GF and approximately \$759,000 in Lottery Proceeds for FY 2022. The amendment requires that school divisions certify to the Department of Education that salary increases of a minimum average of five percent have been or will have been provided during FY 2020-2022. The state funds which the division is eligible to receive are required to be matched by localities based on the composite index of local ability-to-pay, which will be calculated using July 1, 2021 as the effective date. *The County supports state funding for salary increases for K-12 staff, but also supports a suspension of the local match requirement for the 2020-2022 biennium budget.*

##### *Senate Item 145 #6s*

Provides approximately an additional \$59.3 million in FY 2022 to fund the state share of a payment equivalent of a three percent salary increase for Standards of Quality (SOQ) instructional and support positions, effective August 1, 2021. This funding converts the two percent bonus payment in the introduced budget into a three percent salary increase for a total of approximately \$139.8 million GF and approximately \$456,000 in Lottery Proceeds for FY 2022. The amendment requires that school divisions certify to the Department of Education that salary increases of a minimum average of three percent have been or will have been provided during FY 2020-2022. The state funds which the division is eligible to receive are required to be matched by localities based on the composite index of local ability-to-pay, which will be calculated using August 1, 2021 as the effective date. *The County supports state funding for salary increases for K-12 staff, but also supports a suspension of the local match requirement for the 2020-2022 biennium budget.*

#### Temporary Assistance to Needy Families (TANF) Benefits

##### *House Item 350 #4h*

Provides approximately \$335,000 GF and approximately \$3.8 million NGF in FY 2022 to increase TANF benefits by five percent. The General Assembly provided a 15 percent increase beginning July 1, 2020, bringing the average monthly payment for a TANF family to \$361. The GF reflects the increase for the TANF Unemployed Parent program which is state funded. *Support for increases in TANF reimbursement rates is included in the County's 2021 Human Services Issue Paper.*

*Senate Item 350 #1s*

Provides \$1.4 million GF and approximately \$15.9 million NGF in FY 2022 to increase standards of assistance by 18%. It also requires that the Department of Social Services develop a plan to increase the standards of assistance by 18% annually until the standards equal 50% of the federal poverty level. *Support for increases in TANF reimbursement rates is included in the County's 2021 Human Services Issue Paper.*

Child Care Subsidy Program

*House Item 137 #2h*

Provides approximately \$52.5 million NGF in FY 2022 from the federal Child Care and Development Fund (CCDF) to implement the provisions of **HB 2206** (Filler-Corn), which temporarily expands the Child Care Subsidy Program. Recently, additional CCDF funds became available to states through the Coronavirus Response and Relief Supplemental Appropriations Act of 2021. (P.L. 116-260). *The County supports HB 2206 (Filler-Corn). Additionally, support for state child care funding for economically disadvantaged families not participating in TANF/VIEW is included in the County's 2021 Human Services Issue Paper.*

Medicaid Waivers

*Senate Item 313 #4s*

Provides approximately \$10.7 million GF to match equivalent federal Medicaid matching funds in FY 2022 to increase the number of Family and Individual Support (FIS) waiver slots by 650, bringing the total number of waiver slots in FY 2022 to 1,200 to address the Priority One Waiting List. *Support for increases in state funding and the expansion of Medicaid waivers is included in the County's 2021 Human Services Issue Paper.*

Medicaid Waiver Provider Rates

*House Item 313 #11h*

Provides approximately \$36.7 million GF and approximately \$38.1 million in federal Medicaid matching funds in FY 2022 to increase provider rates by five percent for personal care, respite care, and companionship services provided in Medicaid waiver programs effective July 1, 2021. *Support for increases in state funding for Medicaid waivers and the expansion of Medicaid waivers is included in the County's 2021 Human Services Issue Paper.*

*Senate Item 313 #1s*

Provides approximately \$6.3 million GF and approximately \$6.3 in federal Medicaid matching funds in FY 2021, and approximately \$60.8 million GF and approximately \$60.8 in federal Medicaid matching funds in FY 2022, to increase provider rates for personal care, respite care, and companionship services provided in Medicaid waiver programs by 6.4% on May 1, 2021 and 14.3% by November 1, 2021. *Support for increases in state funding for Medicaid waivers and the expansion of Medicaid waivers is included in the County's 2021 Human Services Issue Paper.*

Residential Property-Assessed Clean Energy (R-PACE) Workgroup

*House Item 125 #2h*

Directs the Department of Mines, Minerals, and Energy (DMME) to establish a workgroup to assess the feasibility of creating a Virginia R-PACE program.

Study of Local Fiscal Impacts of Mandatory Property Tax Exemptions

*House Item 114 #6h*

*Senate Item 114 #4s*

Directs the Commission on Local Government to review the effects of mandatory property tax exemptions on local governments and recommend potential options for mitigating their fiscal impacts. *The County has supported the goals of many of the General Assembly's efforts to provide tax relief for particular groups in recent years, but the County's position has been that such efforts should be provided in the form of state tax relief rather than mandatory local property tax exemptions, as local revenue sources are very limited. This study could be helpful in providing information to the General Assembly about the impacts on localities of the numerous exemptions that have been enacted in recent years.*

River Farm

*House Item 374 #3h*

Provides \$2 million GF in FY 2022 to support the purchase of River Farm in Alexandria by the Northern Virginia Regional Park Authority for conservation and maintenance as a publicly accessible historic site.

*Senate Item 374 #3s*

Removes \$3.5 million GF in FY 2022 and provides for the consideration of one-time funding of up to \$5 million GF for the identification, acquisition, and preservation of tribal lands for the Chickahominy Tribe, and for the conservation and preservation of River Farm.

Tree Canopy Stakeholder Workgroup

*House Item 107 #1h*

Directs the Department of Forestry to convene a stakeholder workgroup to provide recommendations for policies which encourage increased tree cover in communities, and the preservation of mature tree cover on sites being developed. *Support for increased local flexibility for tree preservation is included in the County's 2021 Legislative Program.*

Invasive Plant Species Stakeholder Workgroup

*Senate 373 #2s*

Directs the Department of Conservation and Recreation and the Virginia Department of Agriculture and Consumer Services to create a stakeholder workgroup to assess the sale and use of invasive plant species in retail, landscape, greenhouse, and nursery industries, consider measures to reduce or eliminate the sale and use of invasive plant species in the Commonwealth, and promote the sale and use of native plants. *The County supports HJ 527 (Bulova), which mirrors the language of this amendment. Support for efforts to discourage the sale of invasive species is included in the County's 2021 Legislative Program.*

Statewide Multi-Use Trail Initiative

*Senate: Item 447 #1s*

Provides for a one-time capitalization of \$40 million for a statewide multi-use trail initiative using federal funds available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act, instead of the \$5 million GF included in the Governor's introduced budget. This includes up to \$17.5 million for safety enhancements to the Washington & Old Dominion Trail at Wiehle Avenue, and improvements to the intermodal connectivity of the Cross County Trail at Difficult Run with Great Falls Park. Funding is also included for other projects in the Commonwealth, including the Eastern Shore-Bay Coast Railway Rails to Trails project; the Fall Line Trail; the Ivy Creek

Trail; and, the completion of the Tobacco Heritage Trail from Skipwith Road to Rudds Creek. The amendment also requires the Office of Intermodal Planning and Investment to coordinate a policy working group comprised of representatives of the Virginia Department of Transportation (VDOT), DRPT, the Department of Conservation and Recreation, the Statewide Trails Advisory Committee, and the staff of the House Appropriations and Senate Finance and Appropriations Committees to recommend a prioritization process for the identification of new multi-use trail opportunities, a master planning process, and funding needs assessment.

#### Transit Ridership Incentive Program

*Senate: Item 442 #3s*

Provides \$5 million in federal funds (made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act) to support transit incentives focused on fare and congestion reduction programs. Of these amounts, half will be allocated to support the establishment of programs to reduce the impact of fares on low-income individuals, including reduced-fare programs and elimination of fares, and half will be allocated for regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes.

#### Transit Ridership Incentive Program Cap

*House: Item 442 #1h*

Authorizes the Commonwealth Transportation Board (CTB) to waive the 25 percent cap for the Transit Ridership Incentive Program. The 2020 General Assembly created the Transit Ridership Incentive Program as part of an omnibus transportation bill. That bill allowed up to 25 percent of the funds in the program to be "available to support the establishment of programs to reduce the impact of fares on low-income individuals, including reduced-fare programs and elimination of fares." The remainder of the funds are to be used to "promote improved transit service in urbanized areas of the Commonwealth with a population in excess of 100,000." Due to the COVID-19 pandemic, there has been a decreased demand in multijurisdictional commuter bus services in urbanized areas and an increased demand for fare reduction.

### **Monitor**

#### Infrastructure and Operations Per Pupil Payments

*House Item 145 #14h*

Provides approximately \$20.1 million GF in FY 2021 and approximately \$9.9 million GF in FY 2022 to ensure 40 percent of Lottery Proceeds are dedicated to Infrastructure and Operations Per Pupil Payments, formerly known as Supplemental Lottery Per Pupil Allocations. The additional funding increases the Per Pupil Payments by approximately \$30 per pupil in FY 2021 and \$15 per pupil in FY 2022.

#### Salary Increase for State and State Supported Local Employees

*House Item 477 #2h*

Provides approximately \$70.4 million GF in FY 2022, in addition to approximately \$97.7 million previously appropriated in the introduced budget for employee bonuses, for a 3.5 percent salary increase for state employees, adjunct faculty, and state supported local employees. The total estimated state cost for these raises is approximately \$168.2 million GF.

*Senate Item 477 #1s*

Provides approximately \$20.3 million GF in FY 2022, in addition to approximately \$97.7 million previously appropriated in the introduced budget for employee bonuses, for a three percent salary increase for state employees, adjunct faculty, and state supported local employees. The state employee and adjunct faculty salary increases will be effective August 10, 2021, while the state supported employee raises will be effective September 1, 2021.

Learning Loss Supplemental Payments

*House Item 479.10 #2h*

Provides up to approximately \$81.1 million in FY 2021 from the state COVID-19 Relief Fund to fund the Learning Loss Supplemental Payments and a portion of the No Loss Payments. The budget approved during the 2020 Special Session provided up to \$95.2 million from this fund to be appropriated to public education, however the introduced budget proposed removing payments from the fund from public education, and backfilling with general funds. Revenues from games of skill machines are deposited into the COVID-19 Relief Fund.

*House Item 144 #4h*

Provides \$30 million NGF in FY 2022 from the federal Elementary and Secondary School Emergency Relief funds authorized in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 to provide grants to address COVID-19 related learning loss and other student support needs.

*Senate Item 145 # 7s*

Provides approximately \$30 million from the Lottery Proceeds Fund in FY 2022 to support one-time programs and initiatives to support the state share of \$117.18 per pupil based on the estimated number of federal Free Lunch participants, in support of one-time programs and initiatives to address learning loss resulting from the COVID-19 pandemic. No local match is required.

No Loss Payments

*House Item 145 #12h*

Reduces No Loss payments by approximately \$65 million GF in FY 2021 for a total of approximately \$234.7 million. It provides that in FY 2021, a deduction shall be applied to the No Loss payments equal to 25% of the school division's federal Elementary and Secondary School Emergency Relief (ESSER II) subgrant provided pursuant to 313 (c) of the Consolidated Appropriations Act, 2021 (Public Law 116-260), however such deduction shall not exceed 25% of the No Loss payment. The introduced budget proposed approximately \$299.4 million for FY 2021, but that was prior to the authorization of approximately \$845.4 million in ESSER II subgrants to Virginia School divisions through the federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021.

*House Item 145 #3h*

Supplants \$30 million GF in FY 2021 provided for No Loss payments with equivalent NGF gray machine revenues.

In-Person Instruction Requirement

*Senate Item 145 #11s*

Requires that all school divisions offer in-person instruction options to a student if requested by the parent or guardian in the 2021-2022 school year. There is no funding associated with this language.

Housing Trust Fund

*House Item 113 #1h*

Reduces GF appropriations to the Virginia Housing Trust fund by \$25 million in FY 2022, which levels the funding to the amounts authorized by the 2020 General Assembly. The additional approximately \$40.7 million for the Virginia Housing Trust Fund in FY 2021 served as a bridge to continue the Rent and Mortgage Relief program, which is being replaced in FY 2022 by the availability of over \$560 million in federal funds for rental assistance.

*Senate Item 113 #1s*

Reduces GF appropriations to the Virginia Housing Trust Fund intended to support the Virginia Rent and Mortgage Relief Program by \$15.7 million in FY 2021. The amendment supplants the GF resources by designating that the federal Consolidated Appropriations Act, P.L. 116-260 (2020) for rental assistance serve as the primary source of funding for the Commonwealth's rental assistance program.

Prepaid Postage Reimbursement for Absentee Ballots

*House Item 86 #1h*

Directs the Department of Elections to reimburse localities for the cost of prepaid postage for the return of absentee ballots. Localities must provide proper documentation to validate the qualifying reimbursement amounts. This is anticipated to cost the state \$1 million and will be paid out from the remaining funds from the budget actions passed during the 2020 Special Session. This is not an ongoing appropriation so the state must either appropriate additional funds in the future or localities will have to cover the costs.

Automatic Expungement of Certain Offenses

*House Item 425 #3h*

Provides approximately \$13.1 million GF in FY 2022 to cover the one-time and ongoing costs of implementing and operating an automatic expungement process for certain offenses prior to **HB 2113** (Herring). *The County supports the concept of expungement for certain crimes, however sufficient state funding for implementation is essential.*

Expungement Workgroup

*Senate Item 391 #1s*

Directs the Secretary of Public Safety and Homeland Security as a part of the workgroup created pursuant to **SB 1339** (Surovell) to include a comprehensive review of all systems and processes necessary for the expungement or sealing of police or court records, and to report on the costs of needed improvements for consideration in the 2022 General Assembly. *The County supports the concept of expungement for certain crimes, however sufficient state funding for implementation is essential.*

I-81/Route 29 Intercity Passenger Rail

*Senate: Item 443 #1s*

Provides \$137.6 million from the Coronavirus Response and Relief Supplemental Appropriations Act for extending intercity passenger rail service from Roanoke, Virginia to the Blacksburg-Christiansburg, Virginia area and increasing the frequency of intercity passenger rail service along the I-81/Route 29 Corridor from Washington, DC. This is instead of the \$50 million from the General Fund as proposed in the Governor's introduced budget. The amendment also requires an assessment of both total project costs and the incremental costs resulting from modeling conducted to assess any infrastructure or network costs needed to service a rail station in Bedford.

**FYI**

Utility Assistance Program

*House Item 479.10 #1h*

*Senate Item 479.10 #1s*

Removes the restriction that prevents utility customers from receiving assistance from the utility assistance program more than once.

Virginia Telecommunication Initiative (VATI) Pilot for Public Broadband Authorities

*House Item 114 #5h*

*Senate Item 114 #5s*

Establishes a one-year pilot program that will allow public broadband authorities to compete for funds from the Virginia Telecommunications Initiative without a private sector partner. The pilot program cannot exceed 10% of the total appropriated FY 2022 funds.

McLean – Capital One Hall Station

*Senate: Item 442 #2s*

Conditions the receipt of funding provided to the Northern Virginia Transportation Commission for distribution to the Washington Metropolitan Area Transit Authority for capital purposes and operating assistance, on adopting the petition of Fairfax County related to the naming of the McLean-Capital One Hall station.

Transit Equity and Modernization Study

*Item 442 #2h*

Provides \$500,000 from the general fund in fiscal year 2022 pursuant to the passage of **HJ 542** (McQuinn) which requires DRPT to study the Commonwealth's current public transportation system, focusing on the equitable delivery of transportation services and the modernization of transit in the Commonwealth.

Connected Infrastructure Demonstration Project

*Senate: Item 447 #2s*

Provides \$10 million in federal funds made available for Highway Infrastructure Programs by the Coronavirus Response and Relief Supplemental Appropriations Act to the Transportation Partnership Opportunity Fund for an urban smart infrastructure test bed in partnership with the City of Falls Church and Virginia Tech.

Coastal Virginia Transportation Infrastructure Inundation Study

*House: Item 446 #1h*

Requires VDOT to report annually on the status of what transportation infrastructure in the Coastal Shore region is at risk to inundation from sea-level rise and what is being done to address the concern.

Lorton Community Action Center

*House Item 356 #4h*

Provides \$200,000 NGF in FY 2022 from the TANF block grant to the Lorton Community Action Center to assist with food, housing, child care and education, workforce training and mental health services, and supports for low-income families during the COVID-19 pandemic.

United Community  
*House Item 356 #3h*

Provides \$500,000 NGF in FY 2022 from the TANF block grant to United Community to provide wrap-around services for low-income families in Northern Virginia, including child care, parenting classes, supportive services, a food pantry, and literacy and citizenship services and other needed services during the COVID-19 pandemic. This additional funding will provide \$1.2 million in TANF funding for United Community in FY 2022.

Good Shepherd Housing and Family Services  
*House Item 356 #1h*

Provides \$200,000 NGF in FY 2022 from the TANF block grant to Good Shepherd Housing and Family Services to assist with food, housing, child care/education, workforce training and mental health services, and supports related to the COVID-19 pandemic response.

FACETS  
*House Item 356 #2h*

Provides \$250,000 NGF in FY 2022 from the TANF block grant to FACETS to provide homeless assistance services and other related services during the COVID-19 pandemic. This additional funding will provide a total of \$350,000 in TANF funding for FACETS in FY 2022.

Koinonia Foundation  
*House Item 356 #6h*

Provides \$200,000 NGF in FY 2022 from the TANF block grant to the Koinonia Foundation to provide services to low-income families during the COVID-19 pandemic.

BritePaths  
*House Item 356 #5h*

Provides \$200,000 NGF in FY 2022 from the TANF block grant to BritePaths to provide services to low-income families during the COVID-19 pandemic.