

Office of the County Executive

LOB #5:

ADMINISTRATION OF COUNTY POLICY / LEGISLATIVE FUNCTIONS

Purpose

The Legislative Functions LOB develops and advocates the positions of the Fairfax County Board of Supervisors at the state and federal levels, staffs the Board's Legislative Committee, and monitors and evaluates legislative proposals during the General Assembly and Congressional sessions and throughout the year to determine the potential impact on the County.

Description

The Legislative Functions LOB develops, articulates, and advocates for the BOS' annual program of state and federal legislative and budgetary initiatives and positions. These documents are shared with legislators, constituents, and stakeholders to communicate the County's priorities and positions, and guide the advocacy efforts of legislative staff. Additionally, the Director of this LOB serves as the County's chief legislative advocate and principal County liaison with federal and state officials.

Advocacy on behalf of Fairfax County's interests is particularly crucial at the state level. Because Virginia is a strict adherent to the Dillon Rule, Fairfax County (and all other Virginia local governments) only has those powers granted expressly by the General Assembly (GA). The state can also rescind powers previously conferred. As a result, this LOB advocates for and represents Fairfax County throughout the year (both when the GA is in regular and special sessions and during the off-session) to seek new authority (enabling legislation), preserve existing authority, seek or preserve funding, and avoid unfunded mandates. The Legislative Functions LOB works at the Board's direction to advocate for state legislative changes (and administrative changes, as appropriate) on a wide, diverse range of issues, some of which have the potential to impact all County operations and services. Examples of such issues include: the state budget, education and transportation funding, taxation, land use, human services, and public safety, among others.

To develop, articulate, and advocate for the Board's state and federal legislative program, this LOB:

- Manages the Countywide review and analysis of proposed legislation.
- Reports to the Board, its Legislative Committee, and the County Executive on potential impacts to the provision of County services.
- Creates and implements strategies to acquire and retain legislative authority necessary for the County to meet the needs of residents.
- At the request of the Board, develops legislation and position statements to address specific problems identified by constituents, County agencies, and/or Boards, Authorities, and Commissions.
- Directs the private federal and state lobbying firms retained by the County to supplement the work of the County's in-house legislative staff.
- Collaborates with other jurisdictions and organizations to leverage necessary advocacy resources.
- Builds and maintains relationships with state and federal elected officials and administrators.
- Monitors and reports on potential impacts of relevant federal legislation.
- Coordinates meetings between County elected officials and the County's GA and Congressional delegations.
- Analyzes the state budget, particularly impacts on the provision of services at the local level and the allocation of state tax revenues.
- Researches state and federal legislative issues as requested by the Board.

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- Drafts and transmits letters from the Board to state and federal elected officials and agency directors regarding issues which impact the County.
- Represents the County's interests at study work group and commission meetings throughout the year.
- Organizes opportunities for the Board to discuss County priorities with state legislators (December work session and February reception in Richmond).

LOB History and Composition

Government Relations was designated as a LOB within the County Executive's office in 2015; however, since 1988, the Government Relations function has existed within the County Executive's office (prior to 1988, the Office of the County Attorney had primary responsibility for representing the County's interests at the state level). The composition of the team has evolved over the years to ensure the priorities and interests of the County are adequately represented at the state and federal level. Currently, this LOB includes three full-time positions (Legislative Director, Deputy Legislative Director, and Legislative Associate) and one part-time position (Legislative Assistant). When the GA is in session, this LOB "borrows" one full-time staff person from both the Office of the County Attorney and Department of Transportation. In addition, this LOB directs the lobbying activities of private firms retained by the County during the annual Virginia GA, Congressional sessions, and throughout the year.

Benefits

The Legislative Functions LOB provides legislative expertise custom-made for Fairfax County. Legislative Functions employees have a combined 29 years of County service in this LOB and frequently tap their institutional memory and longstanding relationships with County staff, legislators, and stakeholders to answer research questions, develop strategies for legislative initiatives, and advocate on the County's behalf.

Activities performed by this LOB directly support all Boards, Authorities, and Commissions (BACs) and County agencies' ability to achieve the seven County Vision Elements. Working with the Board of Supervisors, BACs, and County staff, this LOB explores and pursues legislative strategies to improve program efficiency and effectiveness. The Legislative Functions LOB also monitors nearly all standing General Assembly (GA) committees, which means the County's priorities are represented when GA members are more likely to consider County amendments and opposition to bills. Additionally, the Legislative Functions LOB manages the countywide state legislative review process, providing a mechanism for County staff to proactively identify bills that may negatively impact County services. When necessary, this LOB helps County staff prepare to testify before state legislative committees, to ensure the County's interests are appropriately represented. The Legislative Functions LOB also indirectly serves all County residents, because funding levels and authority bestowed by the state dictate services available to County residents and influence local tax rates.

Unlike contract lobbyists, Legislative Functions employees work exclusively for Fairfax County year-round and focus primarily on how legislation impacts County priorities. Additionally, this LOB represents the County at community meetings/work groups and answers legislative questions from the Board of Supervisors, BACs, and County staff without charging an additional fee for each hour of work performed.

Mandates

This Line of Business is not mandated.

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Trends and Challenges

Unfortunately, it has been the practice of the Commonwealth to significantly underfund core services, leaving localities to fill funding gaps with local revenues in order to maintain essential services. This poses a particular threat to economic development efforts, as state funding cuts in recent years, coupled with the impact the recession has had on local revenues, threaten to destroy the very attributes that draw businesses to Fairfax County. The Legislative Functions LOB plays offense and defense to ensure the County receives adequate state funding for transportation and education, among other services. For example, this LOB is staffing the Board of Supervisors' multi-year effort to secure more state funding for K-12 education, similar to this LOB's efforts to reform state transportation funding, which were ultimately successful in 2013 after many previous attempts.

In addition to funding constraints, the County's authority is significantly restricted as Virginia is a Dillon Rule state. As a result of the Dillon Rule, the relationship between the state and localities is unique in Virginia as compared to other states. In many instances, an overemphasis on statewide uniformity does not adequately consider the particular issues experienced in growing and urbanizing localities, limiting the County's ability to respond to community standards and priorities. To respond to emerging issues and trends in the County, the Legislative Functions LOB regularly works on behalf of the BOS and County agencies to implement legislative strategies seeking state authority to modify programs. This requires legislative staff to work closely with statewide and regional partners to achieve County goals (including other local governments, business groups, statewide organizations, and non-profits, among others).

Another critical challenge comes at the federal level, as Congress continues to struggle with fiscal issues. As a result of sequestration cuts and changes in federal spending, the Fairfax County economy has been negatively affected in recent years, due to a local and statewide dependence on federal spending (i.e., federal government jobs, contractors, and procurement). Such challenges at the federal level are likely to continue in the coming years, creating ongoing challenges for the County. This LOB oversees the activities of a private lobbying firm, which include monitoring changes in federal spending and identifying opportunities to offset federal cuts.

Resources

Category	FY 2014 Actual	FY 2015 Actual	FY 2016 Adopted
LOB #5: Administration of County Policy / Legislative Functions			
FUNDING			
<u>Expenditures:</u>			
Compensation	\$331,336	\$301,861	\$330,000
Operating Expenses	259,581	260,806	277,963
Total Expenditures	\$590,917	\$562,667	\$607,963
General Fund Revenue	\$0	\$0	\$0
Net Cost/(Savings) to General Fund	\$590,917	\$562,667	\$607,963
POSITIONS			
Authorized Positions/Full-Time Equivalents (FTEs)			
<u>Positions:</u>			
Regular	3 / 3	3 / 3	3 / 3
Total Positions	3 / 3	3 / 3	3 / 3

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Metrics

Metric Indicator	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate	FY 2017 Estimate
Days the General Assembly (GA) is In Session	45	60	45	60	45
Positions Taken by Board of Supervisors on Bills	148	197	152	197	150
Bills Referred to County Staff for Review	1,529	1,613	1,853	1,600	1,690
GA Committee Meetings Attended by Legislative Staff (Estimated)	315	395	349	395	322
Grant Opportunities Disseminated to County Staff (Estimated)	117	135	100	117	117

This LOB's Metrics 1-4 pertain to state lobbying efforts. Metric 1 captures the duration of the GA session, which alternates between 45 and 60 days (in odd and even numbered years, respectively). The length of the GA session impacts Metrics 2 through 4, which typically are higher for fiscal years with a long session (FY 2013 and FY 2015). During 45-day sessions, House of Delegates members are limited to fifteen bills apiece; there is no limit in 60-day sessions. The GA usually considers fewer bills in 45-day sessions, compared to 60-day sessions. As a result, typically fewer GA committee meetings are held, fewer bills are reviewed by County staff, and fewer positions are taken by the BOS during 45-day sessions. However, that may vary based on the circumstances of a particular session. In addition, in the recent past, special sessions have been convened almost every year, but their duration varies significantly and so does the resulting workload (Metrics 1-4 do not include special session data).

This LOB's Metric 5 captures the number of federal grant opportunities disseminated by legislative staff to County agencies.