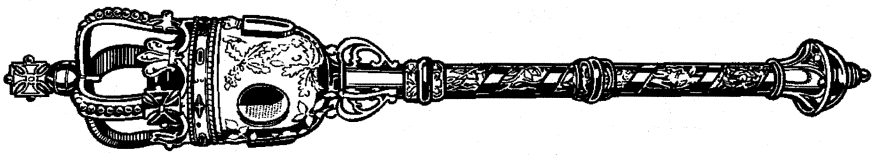
Report of the House Appropriations Subcommittee

on

General Government



House Bill 29

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House Bill 30

February 19, 2012

REPORT OF THE SUBCOMMITTEE
on
GENERAL GOVERNMENT

Mr. Chairman and Members of the Committee:

Consistent with the guidance we received from our Chairman, the General Government Subcommittee's mission this session has been a continued emphasis on analyzing the budget for the seat of government to identify savings and opportunities to streamline government that do not negatively impact the necessary operations of government or the lives of our citizens.

With this goal in mind the subcommittee reviewed and approved proposals included in Governor McDonnell's budget to consolidate agencies, eliminate or consolidate boards and commissions, cut the payment of dues for membership in redundant governmental organizations, and implement efficiencies in the general administration of government.

The subcommittee's work built on these proposals to identify additional savings and efficiencies. This included a detailed analysis of agencies' cash balances and needs. After this work, I am pleased to announce that the subcommittee's recommendations include balance reversions, revenue transfers, and expenditure reductions which result in additional resources in excess of $32 million over the three years, including $2.8 million in savings within the legislative agency budgets.

We identified these savings based on a genuine desire to increase the ability of this committee as a whole to make investments

in our health safety net, education funding, employee compensation and other core needs.

While much of our subcommittee's energy this session was spent identifying savings, we did spend a significant amount of time focusing on the needs of our judicial branch. The subcommittee examined the judicial vacancies and the current caseloads for each individual circuit or district. After considerable discussion and analysis, we are recommending that you authorize the filling of approximately two-thirds of the judgeships which are currently frozen. Of equal importance, we are recommending $240,000 in funding for the Supreme Court to contract with an independent entity to develop a detailed, systematic method to improve our ability to determine the appropriate allocation of judgeships in the future.

In addition, we are delighted to recommend funding of $3.2 million over the biennium for 46 additional staff positions in our district courts' clerks offices. We strongly feel that these additional positions are an important investment to ensure the continued successful operation of our court system.

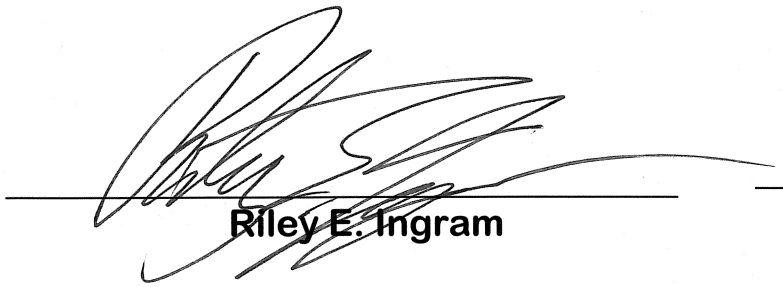
The most significant spending recommendation of the subcommittee is the recommendation to include $300 million for deposits into the rainy day fund during the 2012-14 biennium. These deposits will double the amount of cash in the rainy day fund from the current $300 million to $600 million. We view the replenishment of the rainy day fund as a vitally important action given the economic uncertainty we continue to face.

Lastly, Mr. Chairman, I would like to thank you for your support and all of the members of the subcommittee for all their hard work during this session. Mr. Chairman and fellow Committee members, I will ask staff to take you through our detailed recommendations, and then I hope it will be your pleasure to adopt our Subcommittee report.

Respectfully Submitted by the House Appropriations Subcommittee on General Government:

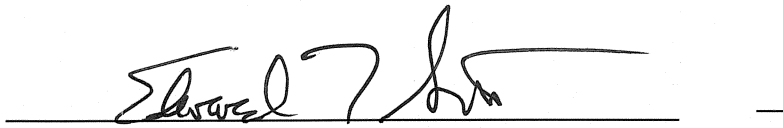
John M. O'Bannon, III

Robert Tata

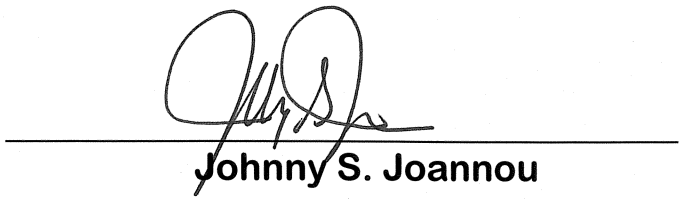


Riley E. Ingram

Christopher K. Peace



Edward T. Scott



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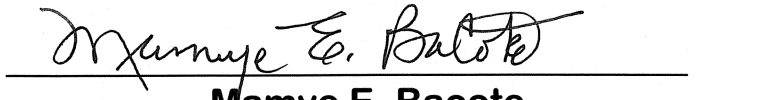

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Budget Amendment Recommendations

Amendment	House Bill 29 FY 2012	2012-14 BIENNIAL TOTAL GF	NGF	FTE
General Government & Independent				
HB 29 (2010-12 Budget)				
Judicial Department Reversion Clearing Account				
Adjust Savings From Judicial Vacancies	Language			
Office of the Attorney General				
Adjust Cap for OAG's Revolving Trust Fund	Language			
Central Appropriations				
Adjust Hiring Freeze Savings	$5,000,000			
Reversion of FY 2011 & FY 2012 Year End Balances	Language			
Legislative Agency Reversions	Language			
Savings as a Result of Attrition in the CD programs	Language			
Part 3 - Interfund Tranfers				
Reflect Sale of Tax Building During FY 2012	Language			
NGF Balances - Support Substance Abuse Treatment	Language			
Part 3 - Interest Earnings				
Parking Fund to Retain Interest	Language			
HB 30 (2012-14 Budget)				
Division of Legislative Services				
DLS Support for Commissions		Language		
Chesapeake Bay Commission from DLS				
Separate Chesapeake Bay Commission from DLS		($464,536)		(1.00)
Joint Commission on Health Care				
Separate Joint Commission on Health Care From DLS		($1,368,612)		(6.00)
Virginia Commission on Youth				
Separate Commission on Youth From DLS		($633,599)		(3.00)
Crime Commission				
Separate Crime Commission From DLS		($1,013,143)	($274,868)	(9.00)
Commission on Human Trafficking				
Eliminate Funding for Commission on Human Trafficking		($18,720)		
Bicentennial of the War of 1812 Commission				
Funding for Bicentennial of the War of 1812 Commission		$29,400		
Chesapeake Bay Commission from DLS				
Separate Chesapeake Bay Commission from DLS		$464,536		1.00
Joint Commission on Health Care				
Separate Joint Commission on Health Care From DLS		$1,368,612		6.00
Virginia Commission on Youth				
Separate Commission on Youth From DLS		$633,599		3.00
Crime Commission				
Separate Crime Commission From DLS		$1,013,143	$274,868	9.00

Supreme Court of Virginia			
HB 745 - Judicial Caseload Study	$240,000		
Additional Foreign Language Interpreters	$1,597,140		
Deposit of Commonwealth Funds	Language		
Circuit Courts			
Court Ordered Repair or Replacement of Court Facilities	Language		
Criminal Fund Savings - Interpreter Services	($1,969,228)		
Judicial Department Reversion Clearing Account			
Fill Selected Judicial Vacancies	Language		
Office of the Attorney General			
Adjust Cap for OAG's Revolving Trust Fund	Language		
Compensation Board			
Unallocated Savings Career Development Program - Sheriffs	($1,343,744)		
Unallocated Savings Career Development Program - Commissioners of the Revenue	($149,274)		
Unallocated Savings Career Development Program - Commonwealth Attorney	($316,285)		
Unallocated Savings Career Development Program - Treasurers	($235,927)		
State Board of Elections			
Funding Pursuant to House Bill 57	$20,000		
Deaprtment of Accounts			
Connect and clarify funding references	Language		
Department of Planning and Budget			
Eliminate Funding for School Efficiency Reviews	($294,412)		
Deaprtment of Taxation			
Correct embedded item reference	Language		
Eliminate positions in mapping unit			(3.00)
Deaprtment of Treasury			
Use Debit Cards to Disburse Student Loan Refunds	Language		
Central Appropriations			
Provide for the reduction of income tax refund checks	Language		
Eliminate savings associated with freeze on new hires	$21,066,040		
Delete Contigent Bonus Language	($26,066,040)		
Part 3 - Interfund Tranfers			
Reflect Sale of Tax Building During FY 2012	Language		
Part 3 - Interest Earnings			
Parking Fund to Retain Interest	Language		
TOTAL:	($7,319,642)	$0	(3.00)

Amendment to House Bill 30, as Introduced

General Government - Independent Subcommittee Item 28 #1h

Legislative Department	**FY 12-13**	**FY 13-14**	
Commission On Prevention Of Human Trafficking	($9,360)	($9,360)	GF

Language:

Page 15, line 26, strike "$9,360" and insert "$0".
Page 15, line 26, strike "$9,360" and insert "$0".
Page 15, strike lines 25 through 32.

Explanation:

(This amendment eliminates the appropriation for the Commission on Human Trafficking. The authorization for the commission has expired.)

General Government - Independent Subcommittee Item 29 #1h

Legislative Department	**FY 12-13**	**FY 13-14**	
Virginia Bicentennial Of The American War Of 1812 Commission	$14,700	$14,700	GF

Language:

Page 15, line 34, strike "$8,640" and insert "$23,340".
Page 15, line 34, strike "$8,640" and insert "$23,340".

Explanation:

(This amendment increases the funding for the Virginia Bicentennial of the American War of 1812 Commission from $8,640 a year to $23,340 each year to reflect the estimated cost for the Commission.)

General Government - Independent Subcommittee Item 35 #1h

Judicial Department	**FY 12-13**	**FY 13-14**	
Supreme Court	$240,000	$0	GF

Language:

Page 20, line 3, strike "$12,984,703" and insert "$13,224,703".

Page 20, after line 34, insert:
"F. Out of the amounts appropriated for this item, $240,000 the first year from the general fund is included for the Supreme Court to develop and implement a weighted caseload system to precisely measure and compare judicial caseloads throughout the Commonwealth on the circuit court, general district court, and juvenile and domestic relations district court levels. The Supreme Court shall report to the General Assembly by November 15, 2013, on the weighted caseload in each court in each county and city, and in each circuit and district based on the current circuit and district boundaries. The Court shall also recommend a plan for the realignment of the circuit and district boundaries and the number of judges the Court recommends for assignment to each court in each county and city within the new circuits and districts."

Explanation:
(This amendment provides $240,000 for the Supreme Court to contract with the National Center for State Courts for weighted caseload system to develop future recommendation for judicial boundaries and allocations.)

General Government - Independent Subcommittee Item 35 #2h

Judicial Department	**FY 12-13**	**FY 13-14**	
Supreme Court	$798,570	$798,570	GF

Language:
Page 20, line 3, strike "$12,984,703" and insert "$13,783,273".
Page 20, line 3, strike "$12,984,703" and insert "$13,783,273".
Page 20, after line 34, insert:
"F. The Executive Secretary of the Supreme Court shall provide to the Chairmen of House Appropriations and Senate Finance Committees on or before November 1, 2013 a report on the impact on criminal fund expenditures as a result of the hiring of full time foreign language interpreters."

Explanation:
(This amendment provides $798,570 from the general fund each year for the Supreme Court to hire 10 additional in-house foreign language interpreters. A companion amendment in Item 42 reflects savings to the criminal fund of $900,000 from the general fund the first year and $1.1 million from the general fund the second year as a result of the additional in-house interpreters.)

Amendment to House Bill 30, as Introduced

General Government - Independent Subcommittee Item 40 #1h

Judicial Department
Supreme Court Language

Language:
Page 22, after line 18, insert:
"I. Notwithstanding the provisions of § 16.1-69.48, Code of Virginia, the Executive Secretary of the Supreme Court shall ensure the deposit of collections for the Commonwealth directly into the State Treasury for Item 43 General District Courts, Item 44 Juvenile and Domestic Relations District Courts, Item 45 Combined District Courts, and Item 46 Magistrate System."

Explanation:
(This amendment restores language necessary for the district courts to deposit the Commonwealth's funds into the State Treasury.)

General Government - Independent Subcommittee Item 42 #1h

Judicial Department
Circuit Courts Language

Language:
Page 24, after line 46, insert:
"G. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of Virginia, or otherwise, including any new construction, shall be delayed at the request of the local governing body in which the court is located until June 30, 2014. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008."

Explanation:
(This amendment continues the suspension of the authority of circuit courts to enter orders requiring localities to repair or replace court facilities if they are deemed out of repair. This language was first included in the budget in Chapter 781, 2009 Acts of the Assembly.)

General Government - Independent Subcommittee Item 42 #2h

Judicial Department	**FY 12-13**	**FY 13-14**

Circuit Courts	($900,000)	($1,069,228)	GF

Language:

Page 23, line 9, strike "$104,233,237" and insert "$103,333,237".
Page 23, line 9, strike "$104,233,237" and insert "$103,164,009".
Page 23, line 41, strike "$110,751,446" and "$110,751,446 and insert:
"$109,851,446" and "$109,682,218".

Explanation:

(This amendment reflects savings in the criminal fund of $900,000 the first year and $1.1 million the second year as a result of the proposal to hire 10 additional in-house foreign language interpreters. The net savings of the two amendments is a savings of $101,430 from the general fund the first year and $270,658 from the general fund the second year.)

General Government - Independent Subcommittee — Item 61 #1h

Executive Offices

Attorney General And Department Of Law — Language

Language:

Page 35, line 20, strike "$900,000" and "$900,000" and insert:
"$1,250,000" and "$1,250,000".
Page 35, line 31, strike "$900,000" and insert "$1,250,000".

Explanation:

(This amendment increases the special fund appropriation for the Office of the Attorney General for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund by $350,000.)

General Government - Independent Subcommittee — Item 68 #3h

Administration	**FY 12-13**	**FY 13-14**	
Compensation Board	($639,878)	($703,866)	GF

Language:

Page 38, line 28, strike "$420,135,056" and insert "$419,495,178".
Page 38, line 28, strike "$420,779,860" and insert "$420,075,994".

Explanation:

(This amendment captures savings in the budget for sheriffs as a result of language first included in the budget in 2010 which limited state support for the Sheriff's Career development program and the Master Deputy program to individuals participating in the program before January 1, 2010.)

General Government - Independent Subcommittee Item 71 #2h

Administration	**FY 12-13**	**FY 13-14**	
Compensation Board	($71,083)	($78,191)	GF

Language:

Page 44, line 46, strike "$17,027,027" and insert "$16,955,944".
Page 44, line 46, strike "$17,027,027" and insert "$16,948,836".

Explanation:

(This amendment captures savings in the budget for sheriffs as a result of language first included in the budget in 2010 which limited state support for the Commissioners of Revenue Career development program and Deputy Commissioners of Revenue career development program to individuals participating in the program before January 1, 2010.)

General Government - Independent Subcommittee Item 72 #2h

Administration	**FY 12-13**	**FY 13-14**	
Compensation Board	($150,612)	($165,673)	GF

Language:

Page 46, line 6, strike "$63,932,679" and insert "$63,782,067".
Page 46, line 6, strike "$63,932,679" and insert "$63,767,006".

Explanation:

(This amendment captures savings in the budget for sheriffs as a result of language first included in the budget in 2010 which limited state support for the Career Prosecutor Career development program to individuals participating in the program before January 1, 2010.)

Amendment to House Bill 30, as Introduced

General Government - Independent Subcommittee — Item 74 #2h

Administration	**FY 12-13**	**FY 13-14**	
Compensation Board	($112,346)	($123,581)	GF

Language:

Page 49, line 34, strike "$16,158,524" and insert "$16,046,178".
Page 49, line 34, strike "$16,158,524" and insert "$16,034,943".

Explanation:

(This amendment captures savings in the budget for sheriffs as a result of language first included in the budget in 2010 which limited state support for the Treasurers Career development program and Deputy Treasurers career development program to individuals participating in the program before January 1, 2010.)

General Government - Independent Subcommittee — Item 87 #1h

Administration	**FY 12-13**	**FY 13-14**	
State Board Of Elections	$20,000	$0	GF

Language:

Page 60, line 39, strike "$7,257,817" and insert "$7,277,817".

Explanation:

(This amendment provides $20,000 from the general fund in the first year for one-time systems modification costs at the State Board of Elections pursuant to the passage of House Bill 57 of the 2012 Session. House Bill 57 changes the time frame by which the SBE must provide general registrars a complete list of registered voters from 10 days prior to the election to 16 days prior to the election.)

General Government - Independent Subcommittee — Item 260 #1h

Finance

Department Of Accounts — Language

Language:

Page 185, line 40, strike "A" and insert:
"As established in § 3-2.03 of this act, a".

Explanation:

(This amendment links the working capital advance provided in this item for the development of the new statewide financial system to the line of credit table in Part 3. A companion amendment to § 3-2.03 corrects the amount provided to the Department of Accounts.)

General Government - Independent Subcommittee — Item 271 #1h

Finance	**FY 12-13**	**FY 13-14**	
Department Of Planning And Budget	($147,206)	($147,206)	GF

Language:

Page 193, line 2, strike "$7,047,104" and insert "$6,899,898".
Page 193, line 2, strike "$7,089,123" and insert "$6,941,917".
Page 194, strike lines 5 through 41.

Explanation:

(This amendment eliminates funding in the Department of Planning and Budget for the school efficiency review program.)

General Government - Independent Subcommittee — Item 273 #1h

Finance

Department Of Taxation — Language

Language:

Page 196, line 24, strike "169" and insert "265 and 288".

Explanation:

(This amendment corrects the embedded item reference for the Department for the Deaf and Hard-of-Hearing, and adds the item reference for the Department of Accounts Transfer Payments.)

General Government - Independent Subcommittee — Item 274 #1h

Finance	**FY 12-13**	**FY 13-14**	
Department Of Taxation	-3.00	-3.00	FTE

Amendment to House Bill 30, as Introduced

Language:

Explanation:

(This amendment eliminates positions associated with the mapping function within the department. The budget bill, as introduced, eliminates the mapping function within the department but does not eliminate the positions.)

General Government - Independent Subcommittee Item 466 #1h

Central Appropriations

Central Appropriations Language

Language:

Page 352, after line 2, insert:

"Pursuant to § 2.2-1825, Code of Virginia, and notwithstanding § 59.1-479 et seq., Code of Virginia, beginning January 1, 2013, the State Comptroller shall issue individual income tax refunds only through debit cards, direct deposits, or other electronic means unless the Tax Commissioner determines that a check is more appropriate for a transaction or class of transactions."

Explanation:

(This amendment authorizes the elimination of individual income tax refund checks, and provides for the issuance of such refunds through debit cards, direct deposits, or other electronic means.)

General Government - Independent Subcommittee Item 3-1.01 #2h

Transfers

Interfund Transfers Language

Language:

Page 390, strike lines 41 through 43.

Page 390, line 44, strike "KK." and insert "JJ.".

Page 391, line 2, strike "LL." and insert "KK.".

Explanation:

(This amendment deletes language included in the introduced budget which assumed revenue in fiscal year 2013 from the sale the old Tax Building. The sale of the building will occur in fiscal year 2012 and a companion amendment reflecting the

sale is included in House Bill 29.)

General Government - Independent Subcommittee Item 3-3.03 #1h

General Fund Deposits
Interest Earnings Language

Language:

Page 392, line 50, strike "$16,675,169" and "$16,675,169" and insert:
"$16,649,754" and "$16,649,754".
Page 394, strike line 14.
Page 397, after line 31, insert:
"B. If actual general fund transfers in any year exceed the amount shown for "transfers" in the resources available for appropriation from the general fund in the first enactment of this act, the interest earnings retained by the general fund as a result of this provision shall be capped at $16,649,754 the first year and $16,649,754 the second year. Any interest earnings above this amount will be distributed proportionately back to the nongeneral funds shown in this item."

Explanation:

(This amendment (1) allows the Parking Fund to retain its interest and (2) caps the amount of interest that shall be withheld in any fiscal year. All proceeds collected by the Parking Fund are made through fees charged to state employees. Any interest earnings help offset those fees. A companion amendment to page one of this act reflects the resulting changes in general fund resources.)