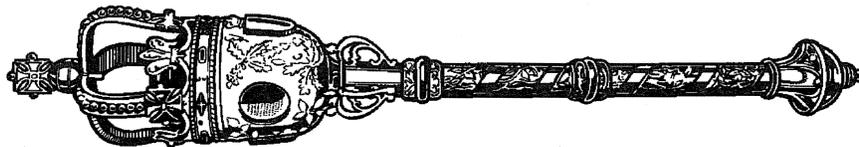


*Report of the
House Appropriations
Subcommittee*

on

General Government



House Bill 1500

February 3, 2013

REPORT OF THE SUBCOMMITTEE
on
GENERAL GOVERNMENT

Mr. Chairman and Members of the Committee:

I am pleased to present to you today the recommendations of the General Government Subcommittee. Consistent with the principles that have been consistently espoused by Chairman Putney the General Government Subcommittee's recommendations were developed with the goal of keeping Virginia's budget in structural balance; limiting our future financial commitments to the greatest extent possible while identifying proposals to make our government more efficient and responsive to our citizens.

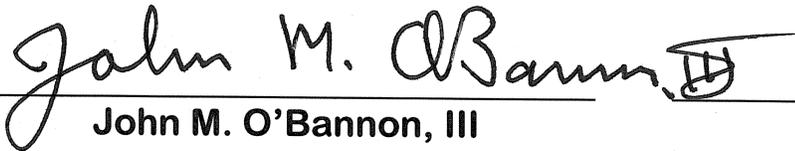
With these goals in mind, the number one goal of this subcommittee was to improve upon the Governor's proposal to provide \$50 million in FY 2014 as a prepayment towards the required 2014-16 rainy day deposits, which is estimated at \$370 million. I am extremely pleased the subcommittee is recommending a total prepayment of \$95 million in FY 2014. Prepaying these required deposits will provide the Commonwealth flexibility going forward as we face uncertainty in Washington and the economy.

As has been the case since the judicial vacancy freeze was first implemented, the subcommittee spent a significant amount of time examining 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 thirty-two additional judgeships, more than half of the judgeships which are currently frozen.

We attempted to balance the need to fill judgeships with the need to keep some positions vacant to ensure that there is sufficient flexibility in the system to reform the system based on the weighted caseload study that will be completed in the fall.

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.

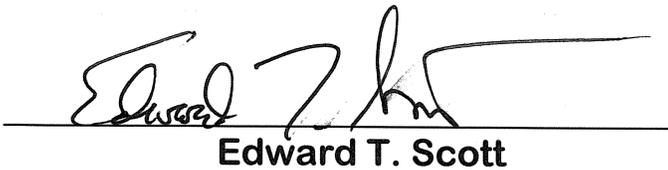
Respectfully Submitted by the House Appropriations Subcommittee
on General Government:


John M. O'Bannon, III


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**HB 1500
Amendment**

2012-14 Biennium		
<u>General Fund</u>	<u>Nongeneral Fund</u>	<u>FTE</u>

General Government

General Assembly

Correct Language Related to Board Member's Compensation Language

Capitol Square Preservation Council

Correct Printing Issues in Introduced Budget Bill Language
 Funding for Capitol Square Preservation Council 160,000 1.00

Dr. Martin Luther King Jr. Memorial Commission

Correct Printing Issues in Introduced Budget Bill Language

Division of Legislative Services

Correct Printing Issues in Introduced Budget Bill - JCHC Language

Virginia Code Commission

Correct Printing Issues in Introduced Budget Bill Language

Division of Legislative Services

Correct Printing Issues in Introduced Budget Bill - Youth Com. Language
 Correct Printing Issues in Introduced Budget Bill - Crime Comm. Language

Autism Advisory Council

Correct printing issues in Introduced Budget Bill Language

Legislative Reversion Clearing Account

Reversion of Legislative Balances Language

Circuit Courts

HB 2093 - Create Judgeship in 15th Circuit 245,242

Judicial Department Reversion Clearing Account

Fund Critically Needed Judgeship Language
 Revert Indigent Defense Commission Balances Language

Office of Attorney General

Increased Staffing for Tobacco Enforcement 250,000 3.00

Office of State Inspector General

Prohibit Transfer of Positions Language
 Adjust Funding for New Office of Inspector General (677,959) (5.00)

Department of General Services

Capture Savings for Vacant Position Pursuant to FICAS System (175,000) (1.00)

Department of Account Transfer Payments

Funding for 2014-16 Rainy Day Deposit 45,000,000

Department Of Taxation

Language Related to Electronic Filing For Tobacco Tax Language

Part 3: Transfers

VASAP Balances - Support Substance Abuse Treatment Language

Part 3: Adjustments and Modifications to Fees

Modify Language Pursuant to the Distribution of Fines and Fees Language

Part 4: StateWide Plans

Clarify Lang. - Limit on Hours of Part Time Workers Language

Total General Government 44,802,283

Amendments to House Bill 1500, as Introduced

General Government - Independent Subcommittee

Item 1 #1h

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 6, after line 52, insert:

"A citizen member who is also currently a treasurer, sheriff, clerk of court, commissioner of the revenue, or attorney for the Commonwealth by reason of election of the qualified county or city voters shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of his office are reimbursed. Full-time employees of one of the foregoing constitutional offices shall also not be entitled to compensation under this paragraph and shall be limited to reimbursement for their reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of the constitutional office are reimbursed."

Explanation:

(This amendment clarifies that constitutional officers or their full-time employees would not be paid separate compensation for their attendance as a member of a (i) legislative board, commission, authority, council, or other body, or (ii) joint legislative committee or subcommittee which is consistent with the policy for state employees.)

General Government - Independent Subcommittee

Item 7 #1h

Legislative Department

Capitol Square Preservation
Council

Language

Language:

Page 11, delete lines 35 through 39.

Explanation:

(This amendment removes redundant subtotals that were inadvertently printed in the introduced bill.)

Amendments to House Bill 1500, as Introduced

General Government - Independent Subcommittee

Item 7 #2h

Legislative Department

FY 12-13

FY 13-14

Capitol Square Preservation

\$0

\$160,000 GF

Council

0.00

1.00 FTE

Language:

Page 11, line 32, strike "\$0" and insert "\$160,000".

Explanation:

(This amendment restores \$160,000 from the general fund and one position the second year for the Capitol Square Preservation Council.)

General Government - Independent Subcommittee

Item 10 #1h

Legislative Department

Dr. Martin Luther King, Jr.

Language

Memorial Commission

Language:

Page 12, delete lines 23 through 28.

Explanation:

(This amendment removes redundant subtotals that were inadvertently printed in the introduced bill.)

General Government - Independent Subcommittee

Item 11 #1h

Legislative Department

Division Of Legislative Services

Language

Language:

Page 12, delete line line 28.

Page 12, delete lines 30 through 33.

Explanation:

(This amendment removes redundant subtotals and an agency title that was inadvertently printed in the introduced bill.)

Amendments to House Bill 1500, as Introduced

General Government - Independent Subcommittee

Item 16 #1h

Legislative Department

Virginia Code Commission

Language

Language:

Page 14, delete lines 4 through 9.

Explanation:

(This amendment removes redundant subtotals that were inadvertently printed in the introduced bill.)

General Government - Independent Subcommittee

Item 17 #1h

Legislative Department

Division Of Legislative Services

Language

Language:

Page 14, delete line 10.

Page 14, delete lines 12 through 15.

Explanation:

(This amendment removes redundant subtotals and an agency title that was inadvertently printed in the introduced bill.)

General Government - Independent Subcommittee

Item 18 #1h

Legislative Department

Division Of Legislative Services

Language

Language:

Page 14, delete line 16.

Page 14, delete lines 18 through 23.

Explanation:

(This amendment removes redundant subtotals and an agency title that was inadvertently printed in the introduced bill.)

Amendments to House Bill 1500, as Introduced

General Government - Independent Subcommittee

Item 30 #1h

Legislative Department

Autism Advisory Council

Language

Language:

Page 17, lines 18, delete "Virginia Freedom of Information" and insert:
"Division of Legislative Services".

Page 17, line 19, delete "Advisory Council".

Explanation:

(This amendment corrects the title of the agency in the grand total for the
Division of Legislative Services.)

General Government - Independent Subcommittee

Item 33 #1h

Legislative Department

Legislative Department Reversion
Clearing Account

Language

Language:

Page 21, after line 5, insert:

"On or before June 30, 2013, the Committee on Joint Rules shall authorize the
reversion to the general fund of \$1,625,771 representing savings generated by
legislative agencies in the first year. The total savings amount includes estimated
savings within the legislative agencies of:

<u>Legislative Agency</u>	<u>Estimated Savings</u>
Auditor of Public Accounts (133)	\$900,000
Virginia Coal and Energy Commission (118)	\$171,135
Virginia Code Commission (108)	\$30,237
Division of Legislative Services (107)	\$115,170
Capitol Police (961)	\$267,569
Disability Commission (837)	\$38,568
Joint Commission on Technology and Science (847)	\$50,000
Small Business Commission (862)	\$22,882
Commission on Electric Utility Regulation (863)	\$9,999
Autism Advisory Council (871)	\$6,300
State Water Commission (971)	\$13,911".

Amendments to House Bill 1500, as Introduced

Explanation:

(This amendment authorizes the reversion of legislative agency savings to the general fund.)

General Government - Independent Subcommittee

Item 42 #1h

Judicial Department

FY 12-13

FY 13-14

Circuit Courts

\$0

\$245,242 GF

Language:

Page 25, line 24, strike "\$103,430,987" and insert "\$103,676,229".

Page 27, after line 6 insert:

"H. The provisions of Item 53 of this act shall not apply to the judgeship created pursuant to the passage of House Bill 2093 of the 2013 General Assembly Session."

Explanation:

(This amendment funds an additional judgeships for the 15th judicial circuit pursuant to enactment of house bill 2093 of the 2013 General Assembly Session. The caseload per judgeship in the 15th judicial circuit is currently 46 percent above the statewide average.)

General Government - Independent Subcommittee

Item 53 #2h

Judicial Department

Judicial Department Reversion

Language

Clearing Account

Language:

Page 37, after line 24, insert:

"B. On or before June 30, 2013, the Director of the Department of Planning and Budget shall authorize the reversion to the general fund of \$38,000, representing additional savings generated within the Indigent Defense Commission."

Explanation:

(This amendment reverts \$38,000 in fiscal year end June 30, 2012 general fund balances for the Indigent Defense Commission.)

General Government - Independent Subcommittee

Item 61 #1h

Amendments to House Bill 1500, as Introduced

Executive Offices	FY 12-13	FY 13-14	
Attorney General And Department Of Law	\$0 0.00	\$250,000 3.00	GF FTE

Language:

Page 40, line 33, strike "\$3,270,910" and insert "\$3,520,910".

Explanation:

(This amendment provides \$250,000 from the general fund and 3.0 FTEs in the second year for the Office of Attorney General for enhanced enforcement regarding tobacco tax enforcement.)

General Government - Independent Subcommittee

Item 64.05 #1h

Executive Offices

Office Of The State Inspector
General

Language

Language:

Page 43, after line 38, insert:

"G. The Office of the State Inspector General shall retain all of the positions transferred to the Office from other executive branch agencies to effectuate the responsibilities of the Office as prescribed in the Code of Virginia."

Explanation:

(This amendment states that the Office of the State Inspector General shall retain all of the positions which have been transferred to it from other state agencies.)

General Government - Independent Subcommittee

Item 64.05 #2h

Executive Offices	FY 12-13	FY 13-14	
Office Of The State Inspector General	\$0 0.00	(\$677,959) -5.00	GF FTE

Language:

Page 42, line 40, strike "\$6,542,624" and insert "\$5,864,665".

Explanation:

Amendments to House Bill 1500, as Introduced

(This amendment reduces funding for new staffing for the Office of the State Inspector General included in the introduced budget. Funding for fifty-four positions is being transferred from other executive branch agencies and as a result additional funding is not necessary.)

General Government - Independent Subcommittee

Item 79 #1h

Administration	FY 12-13	FY 13-14	
Department Of General Services	\$0	(\$175,000)	GF
	0.00	-1.00	FTE

Language:

Page 63, line 18, strike "\$4,875,507" and insert "\$4,700,507".

Explanation:

(This amendment realizes \$175,000 from the general fund in savings and eliminates one vacant FTE position the second year. The position was designated for the operation of the Facility Inventory and Condition System but has remained vacant.)

General Government - Independent Subcommittee

Item 266 #1h

Finance	FY 12-13	FY 13-14	
Department Of Accounts Transfer Payments	\$0	\$45,000,000	GF

Language:

Page 220, line 30, strike "\$294,645,117" and insert "\$339,645,117".

Page 221, line 1, strike "\$50,000,000" and insert "\$95,000,000".

Page 221, line 7, strike "\$50,000,000" and insert "\$95,000,000".

Explanation:

(This amendment provides \$45.0 million from the general fund in the second year to increase from \$50.0 million to \$95.0 million the advance payment towards the required rainy day deposits for the 2014-2016 biennium. The estimated total required deposits for the 2014-2016 biennium is in excess of \$370 million.)

General Government - Independent Subcommittee

Finance

Department Of Taxation

Language

Language:

Page 231, after line 7, insert:

"R. The Department of Taxation with input from tax stamp providers, tobacco wholesalers, the Attorney General's Office and tobacco manufacturers, shall develop a plan for implementing an electronic-filing system for tobacco related reports. The Department shall conclude their work and make the plan available to the Chairmen of the House Appropriations Committee and Senate Finance Committee, and the Secretary of Finance no later than December 1, 2013."

Explanation:

(This amendment instructs the Tax Department to work with interested parties to develop an electronic filing system for tobacco related tax processes.)

General Government - Independent Subcommittee

Item 3-1.01 #2h

Transfers

Interfund Transfers

Language

Language:

Page 476, after line 40, insert:

8. Commission on The Virginia Alcohol Safety Action Program (Special)

For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies.

\$600,000 \$0".

Page 476, after line 41, strike "\$74,961,467 \$74,961,467" and insert:

"\$75,561,467 \$\$74,961,467".

Explanation:

(This amendment transfers \$600,000 in nongeneral fund balances within the Commission on the Virginia Alcohol Safety Action Program to support expenses incurred by the Department of Behavioral Health and Developmental Services to support treatment and rehabilitation of those suffering from substance abuse.)

General Government - Independent Subcommittee

Item 3-6.05 #1h

Adjustments and Modifications to Fees

Deposit of Fines and Fees

Language

Language:

Page 492, line 16, after "treasury." insert:

"The State Comptroller shall promptly and without delay transmit any and all non-withheld local fees and fines to the locality's treasury not later than sixty (60) days after these fines and fees were deposited and recorded in the state treasury by the District Courts. Furthermore, the State Comptroller and the Executive Secretary of the Supreme Court shall work with the District Courts and the localities to develop a process to provide the localities a complete accounting of when these fees were collected."

Explanation:

(This amendment modifies language included in Chapter 3 pursuant to the distribution of local fines and fees from those localities where more than 50 percent of their collections were written to local ordinances. The new language is intended to clarify the timeliness of the reimbursement to the localities of their portion of the fines and fees.)

General Government - Independent Subcommittee

Item 4-7.01 #1h

Statewide Plans

Manpower Control Program

Language

Language:

Page 535, line 40, after "month" insert:

"over a 12 month period".

Explanation:

(This amendment clarifies language in the introduced budget limiting the number of hours that can be work by part time employees. The language clarifies that the limit of less than an average of 30 hours a week shall be calculated based on the average over an entire 12 month period.)
