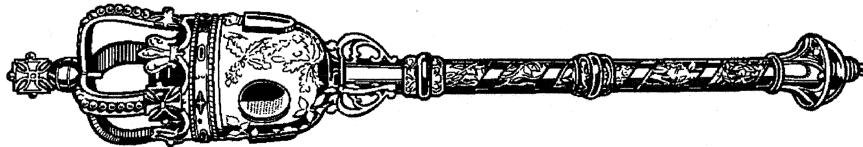


*Report of the
House Appropriations
Subcommittee*

on

Public Safety



House Bill 1400

February 8, 2015

REPORT OF THE SUBCOMMITTEE

on

PUBLIC SAFETY

Mr. Chairman and Members of the Committee:

This Committee and your Public Safety Subcommittee has always maintained a focus on the need to make the Commonwealth's communities and, by extension, its citizens, safer. And, this year has been no exception. Following our review of the funding actions included for the Public Safety agencies in the Introduced Budget, there were several issues that the Subcommittee recommended addressing.

First, Mr. Chairman, I am pleased to recommend an additional \$4.5 million in funding for the Virginia State Police. A fully-staffed and fairly-compensated State Police is an important aspect in the public safety of the Commonwealth's citizens. For that reason, the Subcommittee recommends providing \$4.0 million in the first year to restore funding for state police overtime compensation.

The Subcommittee is also recommending \$650,000 in fiscal year 2016 for 7 bills either increasing criminal penalties for existing offenses or creating new penalties. These bills address, among other public safety issues, increased penalties for sex trafficking of adults and minors, the creation of a new felony for those under protective orders committing assault, and the expansion of offenses for which those convicted must submit DNA samples.

In to support the Commonwealth's other priorities, the Subcommittee's members have recommended increasing the transfer of net profits from the Department of Alcoholic Beverage Control. The recommended transfers of \$4.5 million in FY 2015 and \$6.0 million in FY 2016 to support the many worthwhile initiatives undertaken in this year's budget.

In order to meet our constitutionally-mandated responsibilities to provide health care to those confined in our correctional institutions, the Subcommittee has recommended an additional \$11.0 million in the first year and \$23.0 million in the second year for increased inmate medical costs. However, with the intention of better controlling future growth in these costs, the Subcommittee and its members have recommended directing the Department of Corrections to take the first step in the consideration of using managed care to deliver high-quality medical care to inmates in a more cost-efficient manner.

Lastly, I would like to say how pleased I am to hear the report from the Compensation and Retirement Subcommittee with regard to its recommendations regarding compensation issues, specifically regarding our public safety personnel. As the Chairman of the Public Safety Subcommittee the number one concern I hear is the need to address the compensation package we provide for our public safety professionals and I fully support the steps we are taking to address compensation concerns specifically for our state troopers and our entry level correctional officers and deputy sheriffs.

Finally, I would like to thank the Chairman and the members of Subcommittee for their hard work. 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.

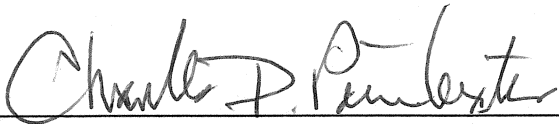
Respectfully Submitted by the House Appropriations Subcommittee
on Public Safety:



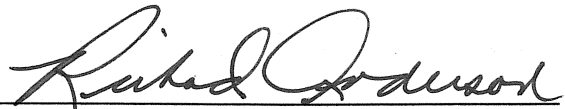
L. Scott Lingamfelter, Chairman



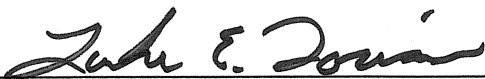
John M. O'Bannon, III



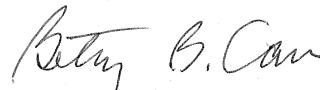
Charles D. Pointdexter



Richard L. Anderson



Luke E. Torian



Betsy B. Carr

Budget Amendment Recommendations

HB 1400	2014-16 BIENNIAL TOTAL		
<u>Amendment</u>	<u>General</u> <u>Fund</u>	<u>Nongeneral</u> <u>Fund</u>	<u>FTE</u>
Compensation Board			
Funding Estimated FY15 Per Diem Shortfall	2,498,446		
Secretary of Public Safety and Homeland Security			
Flood Prevention Cost Review		Language	
Commonwealth's Attorneys' Services Council			
Reduce GF Support For Comm. Attorney Training	(371,220)		
Department of Alcoholic Beverage Control			
ABC Reporting of Administrative Enforcement Actions		Language	
ABC Advisory Committee		Language	
Department of Corrections			
Powhatan Replacement - Pre-Planning		Language	
Correctional Health Care Request for Information		Language	
Inmate Hepatitis C Treatment Costs	2,600,000		
HB 1958 - Prohibit Distribution of Obscene Material		Language	
Woodrum Impacts - House Bills	500,000		
Department of Criminal Justice Services			
Law Enforcement Training, Sex Offender Reg.		Language	
Law Enforcement Training, Alzheimer's/Dementia	50,000		
Department of Forensic Science			
HB 1928 - DNA Testing Costs	101,200		
State Police			
Eliminate New Funding for Proposed Gun Legislation	(100,000)		(1)
HB 2029 - State Police Background Checks	263,220		
Department of Veterans Services			
Administrative Support for Virginia War Memorial	107,333		2
Dept. Veterans Serv. - Move Language		Language	
Dept. Veterans Serv. - Delete Obs. Language		Language	
Central Accounts			
Restore State Police Funding	4,000,000		
Restore Dept. Forensic Sci Funding	282,000		
Part 3			
<u>Interfund Transfers</u>			
Additional ABC Profit Transfer		Language	
<hr/>			
Total - Spending Actions	9,930,979	0	1

Public Safety Subcommittee

Item 67 #1h

Administration

FY 14-15

FY 15-16

Compensation Board

\$2,498,446

\$0 GF

Language:

Page 48, line 23, strike "\$61,425,332" and insert "\$63,923,778".

Explanation:

(This amendment provides \$2,498,446 in the first year from the general fund to fully fund estimated shortfall in jail per diem payments in fiscal year 2015.)

Public Safety Subcommittee

Item 376.05 #1h

Public Safety

Secretary Of Public Safety And
Homeland Security

Language

Language:

Page 335, after line 33, insert:

"The Secretary of Public Safety and Homeland Security, in consultation with the Director, Department of Emergency Management, the Executive Director, Virginia Resources Authority, and the Director, Department of Housing and Community Development, shall review and make recommendations regarding the provision of flood-proofing grants and loans to private property owners and businesses, an estimate of the magnitude of current flood-proofing needs and estimates of annual amounts needed to address flood-proofing needs. The Secretary shall report the findings and recommendations of this review to the Joint Subcommittee to Formulate Recommendations to Address Recurrent Flooding no later than December 1, 2015."

Explanation:

(This amendment directs the Secretary of Public Safety and Homeland Security to study flood-proofing needs and funding mechanisms, and to report findings and recommendations to the Joint Subcommittee to Formulate Recommendations to Address Recurrent Flooding no later than December 1, 2015.)

Public Safety Subcommittee

Item 377 #1h

Public Safety	FY 14-15	FY 15-16	
Commonwealth's Attorneys' Services Council	(\$188,026)	(\$183,194)	GF

Language:

Page 335, line 36, strike "\$971,001" and insert "\$782,975".

Page 335, line 36, strike "\$971,636" and insert "\$788,442".

Page 335, line 41, before "Included" insert "A."

Page 335, after line 43 insert:

"B. Notwithstanding the provision of § 2.2-2619.1 up to \$200,000 shall be made available in the first year and an additional \$200,000 shall be made available the second year to the Council from the Commonwealth's Attorneys Training Fund support the training of Commonwealth's attorneys and their assistants."

Explanation:

(This amendment

Public Safety Subcommittee

Item 378 #1h

Public Safety

Department Of Alcoholic Beverage
Control

Language

Language:

Page 336, after line 24, insert:

"D.1. It is the intent of the General Assembly that the funds appropriated in this item be expended primarily for activities involving the licensing of alcoholic beverage manufacturers, wholesalers, and retailers and the enforcement of administrative regulations. The authority to enforce the criminal laws of the Commonwealth granted pursuant to § 4.1-105 of the Code of Virginia should only be exercised ancillary to such administrative enforcement.

2. No later than 90 days after the enactment of this act, the Department of Alcoholic Beverage Control shall formulate and begin to implement a plan to effect the following:

a. an increase in the number of administrative inspections conducted at licensed premises;

b. an increased review and analysis of the reports filed by mixed beverage licensees, and an increase in the number of audits to ensure compliance with the food-to-beverage ratio required of such licensees; and,

c. an increase in specialized industry compliance services provided to the manufacturing and wholesale tiers of the alcoholic beverage industry.

A copy of the plan shall be forwarded to the Governor and Chairmen of the House Committee on General Laws and the Senate Committee on Rehabilitation and Social Services.

3. No later than June 30, 2016, the Department of Alcoholic Beverage Control shall report to the Governor and Chairmen of the House Committee on General Laws and the Senate Committee on Rehabilitation and Social Services on its progress on implementation of the plan."

Explanation:

(This amendment seeks to advise the Alcoholic Beverage Control Board that the General Assembly intends that they concentrate their enforcement efforts on the administrative regulation of the alcoholic beverage industry, and requires a plan and report to address these specific issues.)

Public Safety Subcommittee

Item 379 #1h

Public Safety

Department Of Alcoholic Beverage
Control

Language

Language:

Page 336, strike lines 39 and 40 and insert:

"A. The Secretary of Finance shall chair an advisory committee to review the progress of the Department of Alcoholic Beverage Control in planning, financing, procuring, and implementing the information technology systems necessary to sustain the department's business enterprise. Members of this committee shall include the Director, Department of Planning and Budget; the Director, Department of Accounts; the Chief Information Officer of the Commonwealth; the Auditor of Public Accounts; and the Staff Directors of the Senate Finance and House Appropriations Committees and/or their designees. The advisory committee shall provide a quarterly report, beginning July 1, 2015, to the Chairmen of the Senate Finance and House Appropriations Committees."

Explanation:

(This amendment establishes an advisory committee to review the progress of the department in updating its information technology systems.)

Public Safety

Department Of Corrections

Language

Language:

Page 339, after line 14, insert:

"F. The Department of Corrections is authorized to use funds from the amounts paid into the Corrections Special Reserve Fund pursuant to paragraph O of Item 385 to conduct a preplanning study relating to replacement of the Powhatan Correctional Center."

Explanation:

(This amendment authorizes the Department of Corrections to use Woodrum impact funds in order to conduct a preplanning study for the replacement of Powhatan Correctional Center, which was permanently closed in December, 2014.)

Public Safety

Department Of Corrections

Language

Language:

Page 342, after line 15, insert:

"P. The Department of Corrections shall develop and issue a request for information for the comprehensive management and provision of health care services for all inmates confined at facilities not covered by the August 4, 2014 solicitation for health care management services. This request for information shall focus on identifying health care management models that use the best practices and cost containment methods employed by Medicaid managed care organization in delivering provider-managed and outcome-based comprehensive health care services. These services shall include consolidated management and operational responsibility for delivering all primary and specialty care, nursing, x-ray, dialysis, dental, medical supplies, laboratory services, pharmaceuticals, as well as all off-site care, case management, and related services. Specific information shall be sought on 1) how existing state-funded managed care networks can be leveraged; 2) federal health care funding opportunities; 3) identifying state-of-the-art practices in care coordination and utilization review; and 4) identifying innovative correctional health care management systems being used or developed in other states. A report

summarizing the responses to the Request for Information and estimating the potential long-term savings from the approaches identified in the responses shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees, the Secretary of Public Safety and Homeland Security, and the Department of Planning and Budget no later than September 15, 2015."

Explanation:

(This amendment directs the Department of Corrections to issue a request for information to identify innovative cost-saving inmate health care models.)

Public Safety Subcommittee

Item 384 #2h

Public Safety

FY 14-15

FY 15-16

Department Of Corrections

\$0

\$2,600,000 GF

Language:

Page 339, line 39, strike "\$924,277,765" and insert "\$926,877,765".

Page 342, after line 15, insert:

"P. Included in this appropriation is \$2,600,000 the second year from the general fund to provide for the increased costs of medication used in the treatment of inmates with Hepatitis C."

Explanation:

(This amendment is self-explanatory.)

Public Safety Subcommittee

Item 385 #1h

Public Safety

Department Of Corrections

Language

Language:

Page 344, after line 40, insert:

"P. No funding appropriated in this act for the Department of Corrections shall be used to distribute or make available to prisoners incarcerated in state correctional facilities obscene materials, as defined in Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2."

Explanation:

(This amendment is self-explanatory.)

Public Safety	FY 14-15	FY 15-16	
Department Of Corrections	\$0	\$500,000	GF

Language:

Page 342, line 17, strike "\$101,118,441" and insert "\$101,618,441".

Page 344, strike lines 34 through 40.

Page 344, line 29, strike "\$150,000" and insert "\$650,000".

Page 344, after line 33, insert:

- "a. House Bill 1493 -- \$50,000
- b. House Bill 1702 -- \$50,000
- c. House Bill 1807 -- \$50,000
- d. House Bill 1839 -- \$50,000
- e. House Bill 1964 -- \$300,000
- f. House Bill 2040 -- \$50,000
- g. House Bill 2070 -- \$50,000
- h. House Bill 2385 -- \$50,000."

Explanation:

(This amendment provides for the estimated increase in the costs of the Department of Corrections' cost of incarceration relating to the bills listed. The amendment also eliminates \$150,000 in funds proposed for firearm bills proposed by the Governor.)

Public Safety	
Department Of Criminal Justice Services	Language

Language:

Page 348, after line 26, insert:

"J. The Department of Criminal Justice Services shall ensure that local law enforcement have the ability to accept and transmit to the State Police all of the information required by the State Police for the sex offender registry consistent with the provisions of § 9.1-903 of the Code of Virginia."

Explanation:

(This amendment clarifies that local law enforcement are required to accept and

transmit to the state police information for the sex-offender registry.)

Public Safety Subcommittee

Item 389 #2h

Public Safety	FY 14-15	FY 15-16	
Department Of Criminal Justice Services	\$0	\$50,000	GF

Language:

Page 345, line 32, strike "\$79,010,071" and insert "\$79,060,071".

Page 348, after line 26, insert:

"J. Out of the amounts appropriated for this item, \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia."

Explanation:

(This amendment provides \$50,000 from the general fund in fiscal year 2016 for the Department of Criminal Justice Services to provide training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.)

Public Safety Subcommittee

Item 401 #1h

Public Safety	FY 14-15	FY 15-16	
Department Of Forensic Science	\$0	\$101,200	GF

Language:

Page 353, line 34, strike "\$41,356,593" and insert "\$41,457,793".

Explanation:

(This amendment provides \$101,200 in the second year from the general fund to provide the costs to the Department of Forensic Science of implementing the provisions of House Bill 1928, which creates additional misdemeanors that upon conviction require the individual convicted to provide a blood, saliva, or tissue sample for DNA testing and storage. A companion amendment will adjust front-page general fund revenues to reflect the estimated \$168,950 in fee collections to be generated by the provisions of the bill.)

Public Safety Subcommittee

Item 413 #1h

Public Safety	FY 14-15	FY 15-16	
Department Of State Police	\$0	(\$100,000)	GF
	0.00	-1.00	FTE

Language:

Page 359, line 25, strike "\$49,593,531" and insert "\$49,493,531".

Page 360, strike line 33 through 35.

Explanation:

(This amendment eliminates funding included in the introduced budget related to new gun control legislation to be proposed during the 2015 general assembly session.)

Public Safety Subcommittee

Item 413 #2h

Public Safety	FY 14-15	FY 15-16	
Department Of State Police	\$0	\$263,220	GF

Language:

Page 359, line 25, strike "\$49,593,531" and insert "\$49,856,751".

Explanation:

(This amendment provides \$263,220 in the second year from the general funds for the estimated costs of background checks conducted by the Department of State Police pursuant to the provisions of House Bill 2029. A companion amendment to the front page will reflect the estimated \$370,000 in fees collected by State Police as a result of the legislation.)

Public Safety Subcommittee

Item 459 #1h

Veterans Affairs and Homeland Security

Department Of Veterans Services

Language

Language:

Page 423, after line 34, insert:

"A. Notwithstanding § 23-7.4:1, Code of Virginia, the department shall provide the State Council of Higher Education in Virginia the information these schools need to administer the Virginia Military Survivors and Dependent Education Program. The department shall retain the responsibility to certify the eligibility of those who apply for financial aid under this program.

B. No child may receive the education benefits provided by § 23-7.4:1, Code of Virginia, and funded by this or similar state appropriations, for more than four years or its equivalent."

Explanation:

(This amendment moves language from Item 461 to this item. A companion amendment deletes the language from Item 461.)

Public Safety Subcommittee

Item 461 #2h

Veterans Affairs and Homeland Security

Department Of Veterans Services

Language

Language:

Page 424, strike lines 10 through 43.

Explanation:

(This amendment removes obsolete language from relating to the Department of Veteran Services. A companion amendment moves still-relevant language to Item 459.)

Public Safety Subcommittee

Item 462 #1h

Veterans Affairs and Homeland Security

FY 14-15

FY 15-16

Department Of Veterans Services

\$0
0.00

\$107,333 GF
2.00 FTE

Language:

Page 424, line 45, strike "\$2,650,812" and insert "\$2,758,145".

Explanation:

(This amendment Provides \$107,333 from the general fund and 2 FTEs to support

the operation and maintenance of the Virginia War Memorial. The \$107,333 represents partial year funding for the 2 positions.)

Public Safety Subcommittee

Item 471.10 #9h

Central Appropriations

FY 14-15

FY 15-16

Central Appropriations

\$4,000,000

\$0 GF

Language:

Page 441, line 19, strike "\$60,072,307" and insert "\$56,072,307".

Page 441, line 23, strike "\$60,072,307" and insert "\$56,072,307".

Page 452, line 13, strike "\$4,483,193" and insert "\$483,193".

Page 452, line 16, strike "\$7,152,547" and insert "\$3,152,547".

Explanation:

(This amendment reduces the central account reversion from unspecified operational efficiencies at the Department of State Police by \$4,000,000 in the first year.)

Public Safety Subcommittee

Item 471.10 #14h

Central Appropriations

FY 14-15

FY 15-16

Central Appropriations

\$0

\$282,000 GF

Language:

Page 441, line 19, strike "\$90,459,489" and insert "\$90,177,489".

Page 441, line 24, strike "\$90,459,489" and insert "\$90,177,489".

Page 451, line 20, strike "\$131,000" and insert "\$37,000".

Page 451, line 42, strike "\$196,052" and insert "\$102,052".

Page 451, line 47, strike "\$331,128" and insert "\$237,128".

Page 451, line 48, strike "\$1,790,451" and insert "\$1,508,451".

Explanation:

(This amendment reduces the Central Appropriations reversion from the Department of Forensic Sciences by \$282,000 in the second year relating to its provision of video enhancement services, trace evidence services, and controlled substances testing.)

Public Safety Subcommittee

Transfers

Interfund Transfers

Language

Language:

Page 498, line 50, after "at" strike "\$77,300,000" and insert "\$79,350,000".

Page 498, line 50, strike "\$80,200,000" and insert "\$84,200,000".

Explanation:

(This amendment captures additional ABC profits of \$2.0 million in fiscal year 2015 and \$4 in fiscal year 2016. A companion amendment reduces the assumed administrative expenditures for ABC by \$7.4 million in fiscal year 2016.)
