

House Bill 1600

Veto No. 1 Secretary of Administration Community Service Grants for Public Broadcasting (Item 67)

General Assembly Action: Adopted a \$1.0 million GF reduction to community service grants for public broadcasting, in addition to the reduction of \$636,139 GF the second year included in the budget as introduced.

Governor's Action: Vetoes the additional \$1.0 million GF reduction for community service grants for public broadcasting.

Notes:

- The Governor's veto strikes Item 67 from the Appropriations Act. This has the practical affect of leaving the item as it was in Chapter 879 (2008), 2008-2010 Appropriations Act.
- As a separate budget Item (Item 68.05), the Governor proposed, and the General Assembly approved, a reduction of \$318,070 GF the first year and \$636,139 GF the second year in the community service and instructional television services grants to public television and radio stations. These reductions represent a five percent cut the first year and a ten percent cut the second year.
- The budget reductions for public broadcasting contained in Item 68.05 are not affected by the Governor's veto.

Veto No. 2
Weights and Measures Program
Department of Agriculture and Consumer Services
(Item 98)

General Assembly Action: Reduced general funds for the inspection of weights and measures devices by \$1,250,000 in the second year, and added language that privatized the program beginning January 1, 2010.

Governor's Action: Vetoes the amendment, which will leave a total of \$2.5 million for the inspection program, which will continue to be operated by the state.

Notes:

- The Senate approved an amendment that established an annual user fee of \$22 for each weights and measures device, and captured \$2.5 million in general fund savings, which was replaced with the same amount of nongeneral fund revenue from the user fee. Language included in the Senate amendment required the VDACS Board to study the potential to privatize the program and report back to the 2010 General Assembly.
- The budget conferees decided to privatize the program rather than impose the fee.
- The Governor's veto letter indicates that he will direct the VDACS Commissioner to convene a work group to study the potential for privatization of the program and make recommendations prior to the 2010 General Assembly Session.

Veto No. 3
Section 3-1.01.FF.1
Fire Programs Fund
(Item 67)

General Assembly Action: Accepted the Governor's proposed five percent reduction in the Fire Programs Fund for FY 2010, which resulted in the transfer of \$1.1 million NGF to the general fund in the second year.

Governor's Action: Vetoes the five percent reduction in the Fire Programs Fund.

Notes:

- The Fire Programs Fund is administered by the Department of Fire Programs.
- The Governor proposed the five percent reduction in the budget as introduced.
- The five percent reduction was intended to be more or less consistent with other reductions proposed for law enforcement in the budget as introduced.
- The General Assembly restored the reductions for sheriffs and added funds back for HB 599 payments to localities with police departments. The Governor decided the Fire Programs Fund should be restored as well.
- The Fire Programs Fund provides funds to localities mainly for equipment purchases, along with some funds for training expenses, but the fund does not support salaries for local firefighters, as is the case with the Compensation Board.

Veto No. 4
Part 4: General Provisions
Employee Compensation
(Item 4-6.01)

General Assembly Action: No action (see notes).

Governor's Action: In his letter to the House of Delegates explaining his vetoes to HB 1600, the 2009 Budget Bill, the Governor reiterates his previous veto of language to § 4-6.01.b. of the General Provisions.

Notes:

- The 2008 General Assembly added language to mandate that no person who is appointed to a position by the Governor, who is subject to confirmation by the General Assembly, shall receive any compensation if the appointment was subsequently withdrawn and that person is subsequently reappointed after the conclusion of the General Assembly's regular session.
- The Governor vetoed the adopted language, but this veto was rejected by the Keeper of the Rolls (House Clerk) as unconstitutional. As a result, the language objected to by the Governor continues to appear in the budget.
- The Governor asserts that his veto of the language is constitutional and he:
 1. Does not recognize the Keeper of the Rolls' 2008 rejection of his veto, and
 2. Will act in the future as though his veto of the language had been effective.
- Similar language was also included by the General Assembly in Chapter 847, 2007 Acts of Assembly.