Report of the Subcommittee on General Government

(Amendments to SB 850, as Introduced)

Senate Finance Committee
Virginia General Assembly

February 8, 2009

Mr. Chairman and Members of the Committee:

Your subcommittee has reviewed the provisions of Senate Bill 850, the budget bill as introduced, with respect to the two broad areas for which it has responsibility – General Government and Employee Compensation.

In light of the general fund revenue shortfall our recommendations are primarily in the nature of reductions. In those few places where we have included spending increases, they are typically in response to either statutory requirements or bills passed by the Senate.

In response to concerns raised from numerous sources, the subcommittee worked extensively to address the proposed decrease in the local share of excess fees. I am pleased to say that we have been able to retain the statutory two-thirds local share.

We were also concerned about the proposed elimination of long-term care coverage under the state's sickness and disability program. This benefit is provided for in statute and was viewed positively in the recent JLARC review of employee compensation. With minor cost saving modifications that bring the program into conformity with prevailing practice, your subcommittee is able to recommend the continuation of this important employee benefit.

In the area of information technology, your subcommittee has sought to further improve the management of agency technology applications by strengthening the oversight responsibilities of the Chief Applications Officer. By establishing the Virginia Enterprise Applications Program Division within the Virginia Information Technologies Agency, the Commonwealth can seek to achieve additional savings and close differences between available funds and the projected costs of existing information technology services.

Now, let me address compensation.

With regard to employee compensation, we have reluctantly endorsed the deferral of both the FY 2009 and FY 2010 salary increases. These deferrals save $164 million GF for the 2008-2010 biennium. We recognize that the absence of a salary increase in the

biennium will disappoint many, as it disappoints us. We trust that we will be able to address the needs of our employees as soon as the economy begins to recover.

In total, our recommendations capture net savings of $20.2 million GF above SB 850, as introduced.

Mr. Chairman, we believe that our recommendations will help move the Commonwealth through these difficult times. It is our hope it will be your pleasure to adopt them.

Respectfully Submitted,

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The Honorable Yvonne B. Miller, Chairman

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The Honorable Walter A. Stosch

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The Honorable Janet D. Howell

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The Honorable Frederick M. Quayle

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The Honorable William Roscoe Reynolds

GENERAL GOVERNMENT SUBCOMMITTEE SPREADSHEET (SB 850)

2009 Session
General Government Amendments to SB 850

	FY 2009			FY 2010		
	GF	NGF	Total	GF	NGF	Total
REVENUES						
Revenue Impact of Chesterfield Charter (SB 942)		$0	$0	($1,900,000)	$0	($1,900,000)
Addition to GF Balances - Legislative Reductions	$3,420,233	$0	$3,420,233	$1,427,486	$0	$1,427,486
Revenue from Clerks Excess Fees	$0	$0	$0	($6,000,000)	$0	$0
TOTAL: REVENUES	**$3,420,233**	**$0**	**$3,420,233**	**($6,472,514)**	**$0**	**($472,514)**
LEGISLATIVE DEPARTMENT						
General Assembly Of Virginia						
Joint Subcommittee on Early Reading Proficiency (SJR 313)	$0	$0	$0	$10,400	$0	$10,400
Division of Capitol Police						
Eliminate Positions (9 FTE)	($726,050)	$0	($726,050)	($726,050)	$0	($726,050)
Division Of Legislative Services						
2011 Redistricting Expenses	$0	$0	$0	$180,600	$0	$180,600
Joint Commission On Health Care						
Study Funding for Poison Control Centers	LANGUAGE	$0	$0	$0	$0	$0
Commission On Energy and Environment						
Commission on Energy and Environment	$0	$0	$0	$20,975	$0	$20,975
Joint Legislative Audit and Review Commission						
Study of Court Funding	LANGUAGE	$0	$0	$0	$0	$0
Study of Courthouse Construction	LANGUAGE	$0	$0	$0	$0	$0
Legislative Department Reversion Clearing account						
Legislative Reductions	LANGUAGE	$0	$0	$0	$0	$0
JUDICIAL DEPARTMENT						
Supreme Court						
Electronic Access Fee	LANGUAGE	$0	$0	$0	$0	$0
Special Justices' Expenses (SB 1078)	$0	$0	$0	$50,000	$0	$50,000
Circuit Courts						
Compensation for Counsel in Capital Cases	LANGUAGE	$0	$0	$0	$0	$0
District Courts						
Local Assistance	LANGUAGE	$0	$0	$0	$0	$0
J&DR District Courts						
Local Assistance	LANGUAGE	$0	$0	$0	$0	$0

2009 Session
General Government Amendments to SB 850

	FY 2009			FY 2010		
	GF	NGF	Total	GF	NGF	Total
Combined District Courts						
Local Assistance	LANGUAGE	$0	$0	$0	$0	$0
Virginia Criminal Sentencing Commission						
Study of Parole Board Data (Including Geriatric cases)	LANGUAGE	$0	$0	$0	$0	$0
ADMINISTRATION						
Secretary Of Administration						
SOA: Reduce Public Broadcasting	$0	$0	$0	($228,283)	$0	($228,283)
Compensation Board						
CB: Sheriffs' Career Development	LANGUAGE	$0	$0	$0	$0	$0
CB: Clerks' Emergency Scheduling Authorization	LANGUAGE	$0	$0	$0	$0	$0
CB: Chesterfield Charter Change (SB 942)		$0	$0	($914,000)	$0	($914,000)
Department Of Human Resource Management - Administration of Health Insurance						
DHRM: School Division Health Insurance Pool	LANGUAGE	$0	$0	$0	$0	$0
Human Rights Council						
HRC: Reverse Transfer of Human Rights Council	$0	$0	$0	$463,125	$26,200	$489,325
HRC: Reverse Transfer of Human Rights Council	$0	$0	$0	($51,637)	$0	($51,637)
Department Of Minority Business Enterprise						
DMBE: Procurement Disparity Study	$30,000	$0	$30,000	$0	$0	$0
State Board Of Elections						
SBE: Utilization of Electronic Systems (SB 1320)	$0	$0	$0	($100,160)	$0	($100,160)
SBW: Full-time Registrars (SB 1520)	$0	$0	$0	$185,000	$0	$185,000
COMMERCE AND TRADE						
Department Of Labor and Industry						
DLI: Reverse Transfer of Human Rights Council	$0	$0	$0	($463,125)	($26,200)	($489,325)
DLI: Reverse Transfer of Human Rights Council	$0	$0	$0	$51,637	$0	$51,637
FINANCE						
Department Of Accounts Transfer Payments						
DOATP: Payments to Localities to Reflect Actual Distributions	$403,143	$0	$403,143	$404,651	$0	$404,651
DOATP: Line of Duty Act Short-term Disability (SB 943)	$0	$0	$0	$225,000	$0	$225,000
DOATP: Line of Duty Act Funding (SB 1006)	$0	$0	$0	($9,233,131)	$22,000,000	$12,766,869
Department Of Taxation						
TAX: Zip code problem in sales tax allocation	LANGUAGE	$0	$0	$0	$0	$0
TAX: Amnesty Program Costs (SB 1120)	LANGUAGE					

2009 Session
General Government Amendments to SB 850

	FY 2009			FY 2010		
	GF	NGF	Total	GF	NGF	Total
TAX: Recordation and Grantor Taxes (SB 1157)	LANGUAGE	$0	$0	$0	$0	$0
TAX: Digital Media Fee (SB 1421)	LANGUAGE	$0	$0	$0	$0	$0
TAX: Power of Attorney (SB 905)	$0	$0	$0	$549,040	$0	$549,040
Treasury						
TR: Rail & Public Transportation insurance	LANGUAGE	$0	$0	$0	$0	$0
Treasury Board						
TB: Debt Service Savings	($761,080)	$0	($761,080)	($790,492)	$0	($790,492)
TB: Jail Debt Service Table	LANGUAGE	$0	$0	$0	$0	$0
TB: NGF Debt Service - Out of State Students	$0	$0	$0	($8,000,000)	$8,000,000	$0
Human Resources						
Department of Mental Health						
MH&MR: WTA Costs of Facility Closures	LANGUAGE	$0	$0	$0	$0	$0
TECHNOLOGY						
Virginia Information Technologies Agency						
Reduction in VITA Staffing (-37.00 FTE)	LANGUAGE	$0	$0	$0	$0	$0
VEAP / VITA Program Transfer	LANGUAGE	$0	$0	$0	$0	$0
CENTRAL APPROPRIATIONS						
CA: Judicial Retirement (SB 856)	$0	$0	$0	($1,331,000)	$0	($1,331,000)
CA: Unbudgeted Expenses for DGS Administered Contracts	$1,572,071	$0	$1,572,071	$1,737,970	$0	$1,737,970
CA: Long-term Care Under VSDP				$3,429,000	$0	$3,429,000
CA: Productivity Incentive Fund (Secretary of Technology)	$0	$0	$0	($142,500)	$0	($142,500)
CA: VITA Rate Cost Containment	$0	$0	$0	($6,005,454)	$0	($6,005,454)
INDEPENDENT AGENCIES						
Virginia Retirement System						
Strike Local Alternative Retirement Rates	LANGUAGE	$0	$0	$0	$0	$0
TOTAL: OPERATING	**$518,084**	**$0**	**$518,084**	**($20,678,434)**	**$30,000,000**	**$3,321,566**
PART III						
Interfund Transfers						
VASAP Balance	LANGUAGE	$0	$0	$0	$0	$0
Working Capital and Lines of Credit						
School Division Health Insurance Pool Line of Credit	LANGUAGE	$0	$0	$0	$0	$0
Disposition of Excess Fees Collected by Clerks of the Circuit Courts						
Clerks' Excess Fees	LANGUAGE	$0	$0	$0	$0	$0

GENERAL GOVERNMENT SUBCOMMITTEE
LANGUAGE AMENDMENTS
(SB 850)

Health and Human Resources Subcommittee — Item 11 #2s

Legislative Department

Joint Commission On Health Care — Language

Language:

Page 13, after line 15, insert:

"The Joint Commission on Health Care shall review the Commonwealth's poison control system, including services provided, costs of and funding for the system, and the number of poison control centers required to best meet the needs of Virginians. The commission shall report its finding and recommendations by December 15, 2009. The Department of Health shall provide such information and assistance as may be required for this study."

Explanation:

(This amendment directs the Joint Commission on Health Care to report on the Commonwealth's poison control system by December 15, 2009.)

General Government Subcommittee — Item 29 #1s

Legislative Department

Joint Legislative Audit And Review Commission — Language

Language:

Page 19, following line 30 insert:

"F. The Joint Legislative Audit and Review Commission (JLARC) shall study the funding of the District and Circuit Courts in Virginia and report its findings by November 1, 2009."

Explanation:

(This amendment directs JLARC to study the funding of District and Circuit Courts in Virginia.)

General Government Subcommittee — Item 29 #2s

Legislative Department

Joint Legislative Audit And Review Commission — Language

Language:

Page 19, following line 30 insert:

"F. The Joint Legislative Audit and Review Commission (JLARC) shall study the funding of courthouse construction, operation, and maintenance in Virginia, including the extent to which the current fee structure provides an equitable, efficient and sufficient source of revenues for this purpose across the Commonwealth."

Explanation:

(This amendment directs JLARC to study the funding of courthouse construction, operation, and maintenance in Virginia.)

General Government Subcommittee — Item 31 #1s

Legislative Department

Legislative Department Reversion Clearing Account — Language

Language:

Page 20, line 5, following "of" strike "$1,000,000" and insert "$4,420,233".

Page 20, line 5, following "$1,000,000" insert "and on or before June 30, 2010 shall authorize the reversion of $1,427,486"

Explanation:

(This amendment provides for additional budget reversions of $3,420,233 GF the first year and $1,427,486 GF the second year from the Senate of Virginia and other agencies within the Legislative Department.)

General Government Subcommittee — Item 33 #1s

Judicial Department

Supreme Court — Language

Language:

Page 21, line 39, insert:

"In addition to any filing fee or other fee permitted by law, an electronic access fee

may be charged for each case filed electronically pursuant to Rule 1:7 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the state treasury to the credit of the Courts Technology Fund established pursuant to Section 17.1-132 of the Code of Virginia, to be used to support the costs of statewide electronic filing systems."

Explanation:

(This amendment authorizes the Supreme Court of Virginia to establish an electronic access fee to generate additional funds to develop and maintain a statewide electronic case filing system.)

General Government Subcommittee — Item 40 #1s

Judicial Department

Circuit Courts — Language

Language:

Page 25, following line 52, insert:

"4. Notwithstanding the provisions of Section 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia."

Explanation:

(This amendment authorizes the Supreme Court of Virginia to set the hourly rates for compensation of court appointed counsel in cases involving felonies that may be punishable by death. Current language in the Code authorizes the Circuit Court judge to set the fee. It is the intention of the Supreme Court to cap these fees at $200 per hour in-court and $150 per hour out-of-court.)

General Government Subcommittee — Item 41 #1s

Judicial Department

General District Courts — Language

Language:

Page 27, following line 6, insert:

"G. Any locality may provide assistance to the District Court either through direct funding of locally supported district court staff positions, or through the provision of support services. Any such assistance shall be subject to approval of the chief judge."

Explanation:

(This amendment allows localities to provide assistance to the District Courts.)

General Government Subcommittee — Item 42 #1s

Judicial Department

Juvenile And Domestic Relations District Courts — Language

Language:

Page 28, following line 32, insert:

"G. Any locality may provide assistance to the Juvenile and Domestic Relations District Court either through direct funding of locally supported Juvenile and Domestic Relations District Court staff positions, or through the provision of support services. Any such assistance shall be subject to approval of the chief judge."

Explanation:

(This amendment allows localities to provide assistance to the Juvenile and Domestic Relations District Courts.)

General Government Subcommittee — Item 43 #1s

Judicial Department

Combined District Courts — Language

Language:

Page 29, following line 21, insert:

"F. Any locality may provide assistance to the Combined District Court either through direct funding of locally supported Combined District Court staff positions, or through the provision of support services. Any such assistance shall be subject to approval of the chief judge."

Explanation:

(This amendment allows localities to provide assistance to the Combined District Courts.)

General Government Subcommittee | Item 48 #1s

Judicial Department

Virginia Criminal Sentencing Commission | Language

Language:

Page 31, at the beginning of line 22, insert "A."

Page 31, following line 31, insert:

"B. The Virginia Criminal Sentencing Commission shall review the status of all offenders housed in state facilities operated by the Virginia Department of Corrections who are subject to consideration for parole. The purpose of the review is to determine the numbers of such offenders who have already, or will within the next six years, serve an amount of time in prison, which would be equal to or more than the amount of time for which they would have been sentenced for the same offense, and under the same circumstances, under the current sentencing guidelines system. The review shall include consideration of the numbers and types of older offenders who may be eligible for geriatric release. The Department of Corrections and the Virginia Parole Board shall provide all necessary information and assistance in carrying out this review. This review shall be presented to the Secretary of Public Safety, the Chairmen of the Senate and House Courts of Justice Committees, the Chairman of the Virginia State Crime Commission, and the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2009.

Explanation:

(This amendment directs the Virginia Criminal Sentencing Commission to review the extent to which inmates who are eligible for parole may have already served as much time as they would have served had they been sentenced for the same offense under the current sentencing guidelines.)

General Government Subcommittee | Item 69 #4s

Administration

Compensation Board | Language

Language:

Page 51, line 52, following "Program" insert ", where such criteria include that a

sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1."
Page 51, line 53, following "accreditation" insert "by March 1."

Explanation:

(This amendment makes a technical correction in the qualification date for participation in the Sheriffs' Career Development Program.)

General Government Subcommittee — Item 74 #7s

Administration

Compensation Board — Language

Language:

Page 66, after line 15 insert:

"O. If the Clerk determines that sufficient funds for staff support are not available to meet the deadlines imposed upon his office by the Code of Virginia, the Clerk may petition the chief judge of the Circuit Court for relief from such deadlines. The Court, after reviewing such petition, may grant such relief as it finds necessary, not withstanding any provision of the Code of Virginia. In granting such petition, the Court shall ensure that deadlines affecting public safety and the operation of the criminal justice system are not compromised. This action constitutes an emergency authorization to insure that Clerk's offices are able to meet those requirements of office critical to protecting public safety and the operation of the criminal justice system when sufficient funds are not available to meet all the requirements of office. It is the intent of the General Assembly that the budget proposal submitted by the Governor for the 2010-1012 biennium provide sufficient general funds to reverse this action."

Explanation:

(This amendment allows the Clerk of the Circuit Court to petition the chief judge for relief from statutory deadlines in cases where insufficient staff are available due to budget reductions.)

General Government Subcommittee — Item 86 #1s

Administration

Administration Of Health Insurance

Language

Language:

Page 82, following line 46, insert:

"E.1. The Department of Human Resource Management, with the assistance of the Department of Education, shall develop, implement, and administer a statewide health insurance program for employees of Virginia public school divisions that shall be similar in plan design, premium structure, and administration to the state employee health insurance program. Coverage under the Public Schools Health Insurance Program shall be effective beginning July 1, 2010. Except as provided for in paragraph, I.3 of this item, the Public Schools Health Insurance Program administered by the Department of Human Resource Management shall be the sole health insurance plan for public school divisions.

2. Notwithstanding any contrary provision of law, each public school division within the Commonwealth shall be required to enroll in the Public Schools Health Insurance Program created in paragraph I.1, unless such school division elects to exercise its rights as provided in paragraph I.3 of this Item.

3. Subject to policies, procedures and schedules to be promulgated by the Department of Human Resource Management, public school divisions may make an irrevocable election to opt-out of participation in the Public Schools Health Insurance Program authorized in this paragraph.

4. The Department of Human Resource Management shall develop policies and procedures for the enrollment of school divisions and their employees in the Public Schools Health Insurance Program authorized in this paragraph and the one-time election to opt-out of the program authorized in paragraph I.3."

Explanation:

(This amendment authorizes the Department of Human Resource Management to create a statewide health insurance program for employees of Virginia public school divisions.)

General Government Subcommittee

Item 269 #1s

Finance

Department Of Taxation Language

Language:

Page 276, line 13, before "The" insert "A.".

Page 276, after line 24, insert:

"B. The Department of Taxation shall convene a working group to review and make recommendations, on or before November 30, 2009, to the Senate Finance Committee and to the House Finance Committee with respect to the basis on which recordation and grantor taxes are calculated on the transfer of real estate to the actual consideration for the real estate. The working group shall be comprised of representatives of interested parties identified by the Tax Commissioner, and shall include, without limitation, representatives of associations representing real estate businesses in Virginia, the Virginia Association of Realtors, the Virginia Court Clerks Association, the Virginia Association of Counties, and the Virginia Municipal League. The working group shall consider enforcement and implementation issues associated with § 58.1-812 of the Code of Virginia. The working group shall also review the fiscal impacts related to the current law and to proposed changes in the law. The fiscal impacts on state and local governments and the housing industry will be reviewed in terms of order of magnitude."

Explanation:

(This amendment is a companion to Senate Bill 1157. It requires the Tax Department to convene a working group to examine the basis on which recordation and grantor taxes are calculated.)

General Government Subcommittee Item 270 #1s

Finance

Department Of Taxation Language

Language:

Page 277, following line 51, insert:

"I. The Department of Taxation shall (i) secure and utilize software based on Global Positioning System data in the allocation to localities of the one percent local option sales and use tax, (2) modify remittance forms as appropriate to help identify coding errors in use tax allocations by out-of-state vendors, (3) provide localities with increased computer systems access to information-only data in order to facilitate local input in error identification, and (4) report to the Chairmen of the Senate

Finance and House Appropriations Committees by September 1, 2009, on options for providing incentives and/or penalties for erroneous reporting of sales and use tax data by merchants."

Explanation:
(This amendment is self-explanatory.)

General Government Subcommittee — Item 270 #2s

Finance
Department Of Taxation — Language

Language:
Page 277, following line 51, insert:

"I. Upon request of the Secretary of Finance, the State Comptroller shall grant the Department of Taxation a Treasury Loan for the planning and implementation of the Virginia Tax Amnesty Program, estimated to be $6,951,928. Repayment of this loan will be from the gross revenues generated by the amnesty program."

Explanation:
(This amendment is self-explanatory.)

General Government Subcommittee — Item 270 #3s

Finance
Department Of Taxation — Language

Language:
Page 277, following line 51, insert:

"I. The Department of Taxation is hereby appropriated revenues from the digital media fee imposed pursuant to §58.1-1731, Code of Virginia, to recover the direct cost of administration incurred by the department in implementing and collecting such fee. Documented costs incurred in FY 2009, up to a total $320,000, may be recovered from fees remitted in FY 2010."

Explanation:

(This amendment is self-explanatory.)

Transportation Subcommittee | Item 274 #1s

Finance

Department Of The Treasury | Language

Language:

Page 280, line 13, strike "C." and insert:

"C. Notwithstanding the provisions of §15.2-4518.13 and §15.2-4526, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions' joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance maintained by the Commissions and administered by the Virginia Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of §8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.

D."

Explanation:

(This amendment allows the Northern Virginia and Potomac Rappahannock Transportation Commissions, in cooperation with the Department of Rail and Public Transportation, to competitively procure liability insurance from either public or private providers for the Virginia Railway Express.)

General Government Subcommittee | Item 280 #5s

Finance

Treasury Board | Language

Language:

Page 285, strike lines 38 to 58.
Page 286, strike lines 1 to 16.
Page 285, line 38, insert:
"2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82 of the Code of Virginia, in effect as of December 31, 2008, for the following:

Project	Commonwealth Share of Approved Capital Costs
Loudoun County Adult Detention Center Phase 2	8,389,677
Virginia Beach City Jail Expansion & Renovation	11,302,749
Rappahannock Regional Jail Expansion	24,417,429
Riverside Regional Jail Expansion Phase 2	41,662,121
Western Virginia Regional Jail	46,806,831
Blue Ridge Regional Jail	31,664,995
Prince William /Manassas Regional Adult Detention Center (Main Jail Facility Phase I including renovations) (with Board of Corrections approval by June 1, 2009)	30,519,905
New River Valley Regional jail	29,868,567
Newport News Public Safety Renovations	428,125
Patrick County Jail	2,689,032
Total Approved Capital Costs	**227,749,431**

b. Subject to the approval of the Board of Corrections of the final expenditures for the Prince William/Manasssas Regional Adult Detention Center (Main Jail Facility, Phase I, including renovations), the state share of the approved capital cost for this project shall not exceed $30,519,905.

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia."

Explanation:

(This amendment sets out the VPBA bond authorization for each local or regional

jail project eligible to receive a contribution from the Commonwealth.)

General Government Subcommittee — Item 280 #6s

Finance	**FY 08-09**	**FY 09-10**	
Treasury Board	$0	($8,000,000)	GF
	$0	$8,000,000	NGF

Language:

Page 287, strike lines 6 to 24.

Page 287, following line 24, insert:

Institution	FY 2009	FY 2010	*FY 2010*
George Mason University	$311,338	~~$311,338~~	*$934,014*
Old Dominion University	$193,298	~~$193,298~~	*$579,894*
University of Virginia	$760,448	~~$760,448~~	*$2,281,344*
Virginia Polytechnic Institute and State University	$794,424	~~$794,424~~	*$2,383,272*
Virginia Commonwealth University	$289,108	~~$289,108~~	*$867,324*
College of William and Mary	$241,596	~~$241,596~~	*$724,788*
Christopher Newport University	$11,324	~~$11,324~~	*$33,972*
University of Virginia's College at Wise	$7,800	~~$7,800~~	*$23,400*
James Madison University	$457,402	~~$457,402~~	*$1,372,206*
Norfolk State University	$113,258	~~$113,258~~	*$339,774*
Longwood University	$21,646	~~$21,646~~	*$64,938*
University of Mary Washington	$102,204	~~$102,204~~	*$306,612*
Radford University	$71,570	~~$71,570~~	*$214,710*
Virginia Military Institute	$65,262	~~$65,262~~	*$195,786*
Virginia State University	$142,136	~~$142,136~~	*$426,408*
Richard Bland College	$1,448	~~$1,448~~	*$4,344*
Virginia Community College System	$415,738	~~$415,738~~	*$1,247,214*
TOTAL	$4,000,000	~~$4,000,000~~	*$12,000,000*

Explanation:

(This amendment captures savings of $8.0 million GF the second year by increasing the capital fee for out-of-state students from $2 per credit hour to $6 per credit hour and distributes the revenue among the institutions of higher education based on the distribution set out in SB 850, as introduced.)

General Government Subcommittee — Item 315 #13s

Health And Human Resources

Department Of Mental Health, Mental Retardation And Substance Abuse Services — Language

Language:

Page 368, following line 16, insert:

"E. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall work jointly with the Department of Human Resource Management and the community services boards, or such other entity as may be required, in the service area of the Southeastern Virginia Training Center, the Central Virginia Training Center, the Commonwealth Center for Children and Adolescents, and the adolescents unit at Southwestern Virginia Mental Health Institute to coordinate the transfer of as many staff from such facilities to positions staffing the community facilities authorized in item C-XXX and Item XXX of this Act, or in the case of the Commonwealth Center for Children and Adolescents, and the adolescent unit at Southwestern Virginia Mental Health Institute such other facilities as may be appropriate. Such transfers shall, to the extent possible, include a reasonable allowance for annual, sick, and compensatory time earned as employees of the Commonwealth. Any individuals offered such comparable transfers, or better positions, with such community services boards, or such other entity as may be required, shall not receive the transitional severance allowance authorized by §2.2-3200 et. seq. of the Code of Virginia (The Workforce Transition Act of 1995)."

Explanation:

(This amendment provides the Department of Mental Health, Mental Retardation and Substance Abuse Services with the authority to work with employees of institutions affected by changes mandated in the Appropriations Act to implement employment transfers rather than terminations that would trigger eligibility for severance benefits under the Workforce Transition Act of 1995.)

General Government Subcommittee — Item 433 #2s

Technology

Virginia Information Technologies Agency — Language

Language:

Page 469, strike lines 5 through 56.

Page 470, strike lines 1 through 57.
Page 471, strike lines 1 through 12.

Page 469, following line 4, insert:

"A.1. Effective July 1, 2009, the Virginia Enterprise Applications Program Office will cease as an agency and the activities will become effective as the Division of Enterprise Applications, headed by the Chief Applications Officer, under this program.

2. Effective July 1, 2009, the amounts provided in this item include funding for the Division's operation and projects currently under the Virginia Enterprise Applications Program Division (VEAP). The Information Technology Investment Board will not budget any amounts for these projects from revenues it receives from billings or overhead which it charges to other agencies for services, unless it can clearly demonstrate that the project benefits the Commonwealth and is recoverable under Federal overhead guidelines.

3. On July 1 and January 1 of each year, the CAO shall report and recommend to the Chief Information Officer and the Information Technology Investment Board, the processes reviewed and the data standards established and adopted in § 2.2-2033, Code of Virginia. The CAO shall report, every six months to the Governor and the Information Technology Investment Board, progress in the areas the division is responsible for implementing and any agencies and institutions that have not cooperated with the implementation.

B. 1. Notwithstanding any other provision of law except the limitations imposed by § 2.2-518, § 2.2-4803 and § 2.2-4806, Code of Virginia, Executive Department agencies and institutions may enter into management agreements with CGI Technologies & Solutions, Inc. (CGI) for debt collection and cost recovery services pursuant to Statements of Work 6 and 7 of the Enterprise Applications Master Services Agreement between the Commonwealth of Virginia and CGI. Work on enhanced collections and recoveries shall not proceed if they commit the Commonwealth to expanding or significantly altering any existing federal or state program without the review and approval of the Governor and General Assembly.

2. Moneys resulting from enhanced collections and cost recoveries pursuant to this item shall be held in the Virginia Technology Infrastructure Fund as established by §2.2-2023, Code of Virginia.

C. Nothing in this item shall prevent Executive Department agencies or institutions from committing resources to support the coordinated efforts of the CAO. Such agency commitments shall be detailed in the CAO's quarterly reports to the Information Technology Investment Board.

D. Effective July 1, 2009, the working capital advance established for the Virginia Enterprise Applications Program Office (VEAP) is hereby brought forward to this item to cover up to $30,000,000 for expenditures from anticipated revenues from enhanced collections and cost recoveries to be collected pursuant to this item and will be deposited to the Virginia Technology Infrastructure Fund. The repayments of any such working capital advance shall be made from such enhanced collections and cost recoveries. No funds derived from this working capital advance shall be expended without the prior budget approval of the Information Technology Investment Board and the Secretary of Finance. The CAO shall inform the Governor, the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees of the anticipated use.

E. The Department of Planning and Budget shall not take any administrative actions to reduce these amounts without notification to the Chairmen of the House Appropriations and Senate Finance Committees.

F. The Information Technology Investment Board shall work with the Secretaries of Technology and Finance to close any projected differences between budgeted funds and projected costs by reducing costs within affected agencies for decentralized services through changes in transformation planning, applications services, and information technology contract support. The Information Technology Investment Board shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on these efforts by October 1, 2009."

Explanation:

(This amendment improves language related to the transfer of the Virginia Enterprise Applications Program Office (VEAP) to the Virginia Information Technologies Agency (VITA) by 1.) strengthening the role of the Information Technology Investment Board in personnel decisions related to the Chief Applications Officer (CAO), 2.) clarifying the nature of the responsibilities of the CAO; and 3). prohibiting the use of VITA general overhead funding for the operations of the Division of Enterprise Applications.)

Central Appropriations	**FY 08-09**	**FY 09-10**	
Central Appropriations	$0	$3,429,000	GF

Language:

Page 518, line 25, strike "($90,324,589)" and insert "($86,895,589)".
Page 519, line 23, strike ".80" and insert "1.00".
Page 519, strike lines 56-58.
Page 520, strikes lines 1-16.
Page 520 line 17, strike "5" and insert "4".
Page 520, following line 25 insert:

"D.1 Notwithstanding any provision to the contrary, any references to a period of 14 days or a period of 28 days in §§ 51.1-1111, -1112, -1122, and -1123 of the Virginia Sickness and Disability Program (VSDP) are hereby changed to a period of 45 days. Moreover, the period of 45 days shall be consecutive days that the participating employee is (i) actively at work and (ii) fully released to return to work full time, full duty. The Virginia Retirement System shall develop policies and procedures to administer the effects of the 45-day period in connection with participants who are deemed to have a major chronic condition.

2. Notwithstanding any provision to the contrary, any eligible employee commencing employment or re-employment on or after July 1, 2009, shall not be entitled to receive Virginia Sickness and Disability Program benefits under Article 3, Chapter 3 of Title 51.1 (Non-work Related Disability Benefits) until the employee completes one continuous year of active employment or re-employment.

3. Notwithstanding any provision to the contrary, for all eligible employees commencing employment or re-employment on or after July 1, 2009, short-term disability coverage under the Virginia Sickness and Disability Program shall provide income replacement for no more than 60 percent of a participating employee's creditable compensation for the first 60 months of continuous state service after employment or re-employment."

Explanation:

(This amendment continues the Long-Term Care insurance program for state employees enrolled in the Virginia Sickness and Disability Program (VSDP), reduces the recurrent period for repeat Short-Term Disability (STD) claims from 14

workdays to 45 workdays, institutes a one-year waiting period for new employees before receiving STD benefits for non-work related claims, and institutes a cap of 60% on the STD income replacement rate until a new employee serves a five-year vesting period. These changes to the STD program are meant to bring the VSDP program in line with best practices prevalent in private sector disability plans.)

General Government Subcommittee — Item 485 #1s

Independent Agencies
Virginia Retirement System — Language

Language:
Page 434 strike lines 53 to 56.
Page 435, strike lines 1 to 7.

Explanation:
(This amendment strikes language that would have authorized localities to utilize retirement rates other than those set by the board of the Virginia Retirement System.)

General Government Subcommittee — Item 3-1.01 #6s

Transfers
Interfund Transfers — Language

Language:
Page 604, following line 36, insert:
"7. For expenses incurred by the Department of Corrections for substance abuse treatment for offenders incarcerated state facilities and for probationers under the supervision of district probation and offices, from balances of the Virginia Alcohol Safety Action Program (Section 18.2-271.1 of the Code of Virginia)
$500,000 $0

Explanation:
(This amendment transfers $500,000 from nongeneral fund balances as of June 30, 2009, under the Virginia Alcohol Safety Action Program (VASAP) central office, to the general fund, to support substance abuse treatment for offenders in state correctional facilities and for probationers under the supervision of district probation offices. A companion amendment to Item 387 restores

$400,000 to the Department of Corrections for this purpose in the second year.)

General Government Subcommittee — Item 3-2.03 #1s

Working Capital Funds and Lines of Credit

Lines of Credit — Language

Language:

Page 613, after line 14, insert:
"Administration of Health Insurance,
for the public schools health insurance program — $20,000,000"

Explanation:

(This amendment provides a $20.0 million line of credit for start-up of the Public Schools Health Insurance Program. A companion amendment to Item 86, authorizes creation of this program.)

General Government Subcommittee — Item 3-5.13 #1s

Adjustments and Modifications to Tax Collections

Disposition of Excess Fees Collected by Clerks of the Circuit Courts — Language

Language:

Page 620, strike lines 37 to 40.

Explanation:

(This amendment eliminates language that would increase the Commonwealth's share of Clerks' excess fees from one-third to two-thirds. A companion amendment to Item 475.20 reduces aid to local governments by $6.0 million GF the second year to offset the effect of this amendment.)