



Report of the Subcommittee on
General Government

(Amendments to SB 700,
as Introduced)

Senate Finance Committee
Virginia General Assembly

February 6, 2005

Mr. Chairman:

The General Government Subcommittee has met several times during the session to consider the three broad areas for which it has responsibility – General Government, Employee Compensation, and Capital Outlay.

Let me briefly address our recommendations.

GENERAL GOVERNMENT

This year many of the Subcommittee's recommendations for General Government are limited. This is in keeping with the concept that the short session provides an opportunity to make mid-course corrections, rather than embark on new initiatives. Let me highlight two of the most important:

- Restoration of \$1.0 million for the Courts, and
- Providing an additional \$1.3 million to begin the phase-in of full funding for our Commonwealth's Attorneys over the next three years.

Now, let me address compensation.

COMPENSATION

As we have stated often, our state employees are valued and dedicated to providing quality services to the public. It is the hard work of our state employees that causes state programs to function effectively. We are keenly aware that the compensation of our state employees has fallen below that provided in the private sector.

We cannot address this entire problem in one session. We have, however, made a start by recommending over \$55 million for a four percent salary increase for classified state employees and state-supported local employees that will show up in their paychecks in December of this year. (A similar increase for faculty is addressed in the report of the Education Subcommittee.)

In an effort to recognize the contributions of our most productive and creative employees in an increasingly competitive workplace, the increase for the state classified workforce will be based on an evaluation of their performance rather than across-the-board for the first time since 2000.

CAPTAL OUTLAY

The Finance Committee's individual subcommittees have reviewed project requests to make sure that this subcommittee's recommendations reflect the needs of critical state programs and the clients they serve. It has been our job to try to coordinate and balance these competing needs.

Generally, our capital recommendations stay away from new initiatives and build on the work started by the bond programs of the past two years. Specifically, the subcommittee's recommendations focus on by providing funds for the purchase equipment for new buildings coming on-line, and cost increases of previously authorized projects that are due to the extraordinary, world-wide run-up in the cost of key building materials.

The primary exceptions to this include:

- Projects authorized to be built using non-general funds raised by institutions of higher education,

- \$2.0 million from the general fund for architectural and engineering work on a new school for the deaf, blind and multi-disabled to be co-located with the Woodrow Wilson Rehabilitation Center in Fishersville,
- \$3.3 million from the general fund to replace dangerously outdated kitchen equipment at the Southeastern Virginia Training Center,
- \$3.6 million from the general fund to replace the seriously deteriorated roof on the Barracks at VMI, and
- Authorization of a public-private partnership to replace the 8th and 9th Street Office Buildings here in Richmond.

This latter initiative is long overdue. Starting now is made all the more important by the pressing need to address critical maintenance problems with the General Assembly Building where we now sit.

This brings us to our final and perhaps most significant issue – the terrible condition of many state buildings. On this, we are recommending that the Commonwealth build on last year’s initiatives by planning to implement the Auditor of Public Accounts’ recommendations on deferred maintenance and capital outlay beginning with the budget for the 2006-2008 biennium. This last action is critical if we are to have a consistent, long-term approach to this challenge.

We are aware that many of you are interested in specific capital projects. With that in mind, a detailed spreadsheet is attached.

Mr. Chairman, we believe that our recommendations reinforce the courts, preserve our buildings and recognize the loyal service of our public employees. It is our hope it will be your pleasure to adopt them.

Respectfully Submitted,

The Honorable Thomas K. Norment, Jr., Chairman

The Honorable John H. Chichester

The Honorable Benjamin J. Lambert III

The Honorable Walter A. Stosch

The Honorable Janet D. Howell

The Honorable Frederick M. Quayle

The Honorable H. Russell Potts, Jr.

**SUBCOMMITTEE
SPREADSHEET
(SB 700)**

Recommendations of the General Government Subcommittee

	General Fund			Non-general Fund		
	<u>FY 2005</u>	<u>FY 2006</u>	<u>Total</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>Total</u>
Legislative						
Chesapeake Bay Commission: VA's Share	0	30,000	30,000	0	0	0
Crime Commission: Replace Federal Grants	0	88,772	88,772	0	0	0
Legislative Services (2.00 FTE)	Language	0	0	0	0	0
Total: Legislative	0	118,772	118,772	0	0	0
Judicial						
Family Court Study Reporting Date	Language	0	0	0	0	0
Restore Reductions	0	1,000,000	1,000,000	0	0	0
Circuit Courts: 1 New Judgeship (SB 1167)	0	202,656	202,656	0	0	0
District Courts: 2 New Judgeships (SB 1154)	0	365,930	365,930	0	0	0
Legal Aid NGF Adjustment	0	0	0	0	321,500	321,500
Total: Judicial	0	1,568,586	1,568,586	0	321,500	321,500
Executive Offices						
GOV: Salary to \$155,000	Language	0	0	0	0	0
AG: Regulatory & Consumer Advocacy Fund	Language	0	0	100,000	100,000	200,000
AG: Medicaid Fraud Unit (3.00 FTE)	0	96,941	96,941	0	290,823	290,823
AG: Salary to \$130,000	Language	0	0	0	0	0
Total: Executive Offices	0	96,941	96,941	100,000	390,823	490,823
Administration						
SOA: Allegheny Mountain Radio	Language	0	0	0	0	0
Comp Bd: Commonwealth's Attorneys	0	1,309,604	1,309,604	0	0	0
Comp Bd: Late Jail Openings	(1,700,000)	0	(1,700,000)	0	0	0
Com Bd: Clerks' Technology Trust Fund	0	0	0	0	6,723,620	6,723,620
Com Bd: Clerks' Salary Bracket	0	7,444	7,444	0	0	0
Com Bd: Clerks' Provision of Records to Comm. Att'y	Language	0	0	0	0	0
Com Bd: Clerks' Career Development Plan	Language	0	0	0	0	0
Comp Bd: Return to Custody Program	Language	0	0	0	0	0
DHRM: Study of Agency Head Compensation	Language	0	0	0	0	0
DHRM Study of DSS Compensation in N.Va.	Language	0	0	0	0	0
DCG: Correct NGF Error	Language	0	0	0	0	0
DGS: Tuberculosis Sample Library (SB 861)	5,000	67,000	72,000	0	0	0
DVS: Correct NGF Error	Language	0	0	0	0	0
Total: Administration	(1,695,000)	1,384,048	(310,952)	0	6,723,620	6,723,620
Finance						

Recommendations of the General Government Subcommittee

	General Fund			Non-general Fund		
	FY 2005	FY 2006	Total	FY 2005	FY 2006	Total
DOA: Line of Duty Act (SB 878)	0	(855,000)	(855,000)	0	136,000	136,000
Treas. Bd.: 8th Street Demolition Interest	0	(210,000)	(210,000)	0	0	0
Total: Finance	0	(1,065,000)	(1,065,000)	0	136,000	136,000
Technology						
VITA: State Data Center Operating Costs	0	(1,106,152)	(1,106,152)	0	1,106,152	1,106,152
VITA: Enhanced Project Mgmt	0	(319,558)	(319,558)	0	319,558	319,558
Total: Technology	0	(1,425,710)	(1,425,710)	0	1,425,710	1,425,710
Central Accounts						
State & Local Salary Increase to 4%	0	13,762,945	13,762,945	0	0	0
Total: Central Accounts	0	13,762,945	13,762,945	0	0	0
Capital Outlay						
<u>General Government</u>						
DGS: Transformer	350,000	0	350,000	0	0	0
DGS: Chiller for GAB	625,000	0	625,000	0	0	0
DGS: Study of GAB	150,000	0	150,000	0	0	0
DGS: Authorize PPEA for 9th & Broad St.	Language	0	0	0	0	0
DGS: Treasury Loan for Capitol Renovation & Extension	Language	0	0	0	18,551,217	18,551,217
DGS: Building Condition & Security Survey of Supreme Court	50,000	0	50,000	0	0	0
DGS: Office Building on 9th & Franklin Deck	Language	0	0	0	0	0
DVS: Hampton Roads Veterans' Care Ctr.	50,000	0	50,000	0	0	0
DVS: Vet Care Center Supplement (80 beds)	Language					
<u>Public Education</u>						
DOE: Planning for New School for the Deaf, Blind and Multi-Disabled	2,000,000	0	2,000,000	0	0	0
<u>Higher Education</u>						
CWM: Parking Deck Supplement	0	0	0	3,500,000	0	3,500,000
CWM: Acquire Community Hospital Property (NGF)	0	0	0	Language	0	0
CWM: Football Practice Field Supplement	0	0	0	3,250,000	0	3,250,000
CWM: Historic Campus	0	0	0	1,700,000	0	1,700,000
CWM: Rec Sports Center	0	0	0	2,750,000	0	2,750,000
GMU: Arlington Phase II Parking Garage Supplement	0	0	0	0	3,200,000	3,200,000
GMU: Prince William Performing Arts Center Supplement	0	0	0	0	5,000,000	5,000,000
GMU: Patriot Center Supplement	0	0	0	0	1,000,000	1,000,000
GMU: North Loop Infrastructure Supplement	0	0	0	0	1,975,000	1,975,000

Recommendations of the General Government Subcommittee

	General Fund			Non-general Fund		
	<u>FY 2005</u>	<u>FY 2006</u>	<u>Total</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>Total</u>
GMU: Field House Addition Supplement	0	0	0	0	600,000	600,000
GMU: Roberts Road Property	0	0	0	0	2,000,000	2,000,000
GMU: Child Development Center	0	0	0	0	1,800,000	1,800,000
JMU: Consolidate RMH Acquisition Language	Language	0	0	0	0	0
JMU: Acquire Rockingham Memorial Hospital Site	5,000,000	0	5,000,000	0	0	0
LU: Fund Fource for Soccer Fields	Language	0	0	0	0	0
LU: Fund Source for Lancer Gym & Willet Hall	Language	0	0	0	0	0
UMW: JMC Equipment	500,000	0	500,000	0	0	0
ODU: Increased Scope of Physical Science Building	Language	0	0	0	0	0
ODU: Parking Garage capital project	Language	0	0	0	0	0
ODU: Research/office Building	Language	0	0	0	0	0
ODU: Langley Wind Tunnel Upgrade 9(d) Bonds	0	0	0	0	8,000,000	8,000,000
ODU: Quad Student Housing Phase I	0	0	0	0	23,745,125	23,745,125
UVA: Advanced Research Technology Facility	0	0	0	0	23,870,000	23,870,000
UVA: North Health System Garage	0	0	0	6,400,000	0	6,400,000
UVA: Arts Garage	0	0	0	0	2,600,000	2,600,000
UVA Med Ctr: Clinic Relocation	0	0	0	8,500,000	0	8,500,000
UVA-Wise: Land Acquisition	0	0	0	0	1,200,000	1,200,000
VCU: Massey	0	0	0	6,000,000	0	6,000,000
VCU: Ad Center NGF Lang	0	0	0	7,000,000	0	7,000,000
VCU: Nursing	0	0	0	1,000,000	0	1,000,000
VCCS-LFCC:Adjust scope for capital project	0	0	0	1,236,000	0	1,236,000
VCCS-BRCC: Campus Commons	0	0	0	0	1,700,000	1,700,000
VMI: Barracks Roof	3,600,000	0	3,600,000	0	0	0
VMI: Kilbourne Hall	3,700,000	0	3,700,000	0	0	0
VT: Performing Arts Center Supplement	0	0	0	0	5,000,000	5,000,000
VT: Graduate Student Center	0	0	0	0	3,000,000	3,000,000
VSU: Remediation of Dormitory Mold	192,000	0	192,000	0	0	0
VSU: Supplement Rogers Stadium Renovations 9(d)	0	0	0	0	2,600,000	2,600,000
VSU: Student Housing 9(d)	0	0	0	0	3,290,000	3,290,000
VSU: Emergency Generators (w/NGF Split)	750,000	0	750,000	250,000	0	250,000
VSU: Gandy Hall Equipment	689,000	0	689,000	0	0	0
<u>Other Education</u>						
JYF: NGF for Ships	0	0	0	358,000	0	358,000
JYF: Land Acquisition	0	0	0	0	1,369,000	1,369,000
JYF: Land Acquisition	0	0	0	Language	0	0
<u>Human Resources</u>						
WSH: Admin Building Roof Replacement	150,000	0	150,000	0	0	0

Recommendations of the General Government Subcommittee

	General Fund			Non-general Fund		
	FY 2005	FY 2006	Total	FY 2005	FY 2006	Total
SEVTC: Replace Kitchen Equipment	3,310,000	0	3,310,000	0	0	0
<u>Natural Resources</u>						
DCR: Land Acquisition		0	0	0	0	0
DGIF: Upper & Lower Powhatan Lakes (Insurance)	0	0	0	250,000	1,750,000	2,000,000
DGIF: Adjust Scope of Central Warehouse Project	0	0	0	400,000	0	400,000
<u>Public Safety</u>						
DOC: Reduced Cost of Environmental Improvements	(1,000,000)	0	(1,000,000)	0	0	0
<u>Central Appropriations</u>						
General Conditions: Funding History of CO Projects in Budget		0	0	0	0	0
Central CO: Decrement Maint. Reserve for GAB & VMI Barracks	(4,225,000)	0	(4,225,000)	0	0	0
Central CO: Transfer Maint. System from APA to DGS	0	0	0	0	0	0
Central CO: Plan to Implement APA Maint. Res. Study	0	0	0	0	0	0
Central CO: Plan to Implement APA Capital Study	0	0	0	0	0	0
Central CO: Modified Cost Overruns from Unused Bonds	0	0	0	0	0	0
Central CO: Additional Cost Overruns (Delete List)	0	0	0	0	0	0
Total: Capital Outlay	15,891,000	0	15,891,000	42,594,000	112,250,342	154,844,342
<u>General Provisions</u>						
4-4.01: Chippokes Capital Projects		0	0	0	0	0
4-5.04: Desktop Computers & Total Cost of Ownership		0	0	0	0	0
4-6.01: VDOT Commissioner's Salary to \$175,000		0	0	0	0	0
4-6.01: Port Authority Director's Salary Supplements		0	0	0	0	0
4-6.03: Retirement Benefits (Active Reserves & Guard)		0	0	0	0	0
4-6.03: Retirement Benefits (Legislative)		0	0	0	0	0
4-6.03: Retirement Benefits (Legislative)		0	0	0	0	0
4-6.03: Retirement Benefits (Judicial)		0	0	0	0	0
Total	14,196,000	14,440,582	28,636,582	42,694,000	121,247,995	163,941,995

**LANGUAGE
AMENDMENTS
(SB 700)**

Executive Offices	FY 04-05	FY 05-06	
Attorney General And Department Of Law	\$100,000	\$100,000	NGF

Language:

Page 32, line 40, strike "\$1,938,429" and insert "\$2,038,429".

Page 32, line 40, strike "\$1,938,429" and insert "\$2,038,429".

Page 32, strike lines 45-77.

Page 33, strike lines 1-11, and insert:

"A. Included in this Item is \$850,000 the first year and \$850,000 the second year in special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the Fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 5 (Section 3.1-336.1 et seq.) and Article 6 (Section 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia. The Department of Law is also authorized to deposit to the Fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the Fund shall be retained in the Fund, provided, however, that any amounts contained in the Fund which exceed \$850,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the Fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the Fund may be used to pay costs associated with enforcement efforts pursuant to Article 5 (Section 3.1-336.1 et seq.) and Article 6 (Section 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Article 1.1 (Section 37.1-70.1 et seq.) of Chapter 2 of Title 37.1 of the Code of Virginia."

Explanation:

(This amendment increases the balance of special funds remaining in what is now the Regulatory and Consumer Advocacy Revolving Trust Fund by \$100,000 each year. The language also authorizes the Office of the Attorney General to pay costs associated with enforcement efforts related to civil commitment of sexually violent predators, to represent the interests of electricity consumers in Regional Transmission

Entity stakeholder processes, and to enforce the Tobacco Escrow statute, which is necessary to maintain the revenue stream to the Commonwealth from the Master Settlement Agreement.)

General Government Subcommittee

Item 65 #1s

Administration

FY 04-05

FY 05-06

Compensation Board

\$0

\$1,309,604 GF

Language:

Page 48, line 42, strike "\$46,914,440" and insert "\$48,224,044".

Page 51, following line 10, insert:

"J. Included in this appropriation is \$1,309,604 the second year for 72 new positions as the first step in a three year plan to fully fund the Compensation Board's staffing standards by June 30, 2008. The Governor shall include the additional funding required to meet this goal in his budget proposals for the 2006-2008 biennium."

Explanation:

(This amendment phases in full funding of the Compensation Board's staffing standards for Commonwealth's Attorneys over three years. SB 700, as introduced, proposed to phase-in full funding of these staffing standards over six years. It is the intent of the General Assembly that those technical changes necessary to implement this amendment shall be made to the position table in Item 63 of this Act during enrolling.)

General Government Subcommittee

Item 66 #2s

Administration

Compensation Board

Language

Language:

Page 53 following line 45, insert:

"J.1. The Compensation Board shall develop minimum criteria for a career development program for Clerks of Circuit Courts. The criteria for the program shall include initial and continuing education requirements for Clerks, the adoption of certain written administrative and human resource management policies, audit requirements, written customer service and accounting policies, and performance standards for each major duty of the office, and any other matters deemed relevant by the Compensation Board. Beginning July 1, 2006, the program shall require that the

Clerk certify to the Compensation Board that the most recent audit by the Auditor of Public Accounts reported no findings of material weakness under direction of the Clerk during the Clerk's term of office or internal control shortcomings in the prior year's report during the Clerk's term of office that are repeated in the current audit report.

2. The program shall require any Clerk of the Circuit Court who desires to participate in it to certify to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board, and that his office also has a Deputy Circuit Court Clerks' Career Development plan that meets the minimum criteria established by the Compensation Board for such plans.

3. The Compensation Board shall submit the Career Development Program for Clerks of Circuit Courts to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2005.

4. Notwithstanding the provisions of §17.1-279 C, Code of Virginia, the Compensation Board may allocate funds from the technology trust fund for consulting services provided by the National Center for State Courts to assist in the development of a Career Development Program for Circuit Court Clerks.

K.1. The Compensation Board shall develop minimum criteria for a career development program for deputy Clerks of Circuit Courts. The criteria for the program shall address the selection process, minimum length of service, job performance, certification, formal education, and any other matters deemed relevant by the Compensation Board.

2. The program shall require any Clerk of the Circuit Court who desires to participate in it to certify to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board, and that his office also has a performance evaluation plan that meets the minimum criteria established by the Compensation Board for such plans.

3. The Compensation Board shall submit the Career Development Program for Deputy Clerks of Circuit Courts to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2005.

4. Notwithstanding the provisions of §17.1-279 C, Code of Virginia, the Compensation Board may allocate funds from the technology trust fund for consulting services provided by the National Center for State Courts to assist in the development of a Career Development Program for Deputy Circuit Court Clerks.

K.1. The Compensation Board shall develop minimum criteria for a career development program for deputy Clerks of Circuit Courts. The criteria for the program shall address the selection process, minimum length of service, job performance, certification, formal education, and any other matters deemed relevant

by the Compensation Board.

2. The program shall require any Clerk of the Circuit Court who desires to participate in it to certify to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board, and that his office also has a performance evaluation plan that meets the minimum criteria established by the Compensation Board for such plans.

3. The Compensation Board shall submit the Career Development Program for Deputy Clerks of Circuit Courts to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2005.

4. Notwithstanding the provisions of §17.1-279 C, Code of Virginia, the Compensation Board may allocate funds from the technology trust fund for consulting services provided by the National Center for State Courts to assist in the development of a Career Development Program for Deputy Circuit Court Clerks."

Explanation:

(This amendment requires the Compensation Board to develop a career development plan for Clerks and Deputy Clerks of the Circuit Courts.)

General Government Subcommittee

Item 85 #1s

Administration

Department Of Human Resource
Management

Language

Language:

Page 72, following line 28, insert:

"E. The Department of Social Services (DSS), with assistance from the Department of Human Resource Management (DHRM), shall conduct a study of the salaries of its classified employees located in the Northern Virginia pay area (NOVA). The study shall include an analysis of turnover, duties and responsibilities, salary alignment, market availability, salary reference data, agency business needs, and all other applicable Commonwealth Pay Factors in order to determine if salary adjustments are needed in order to attract and retain a qualified, high-performance workforce."

Explanation:

(This amendment requires a study of the Department of Social Services' salaries paid in Northern Virginia.)

General Government Subcommittee

Item 85 #2s

Administration

Department Of Human Resource
Management

Language

Language:

Page 72, following line 28, insert:

"E. The Department of Human Resource Management (DHRM), shall conduct a study of the compensation provided to state agency heads and cabinet secretaries and deputy cabinet secretaries. The study shall include an analysis of duties and responsibilities, internal and external salary alignment, market availability, salary reference data, agency business needs, and such other applicable pay factors and management practices as are needed in order to attract and retain highly qualified senior executives. The Department shall report its findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005."

Explanation:

(This amendment requires a study of the current system of agency head and cabinet officer compensation.)

General Government Subcommittee

Item 505 #1s

Central Appropriations

FY 04-05

FY 05-06

Central Appropriations

\$0

\$13,762,945 GF

Language:

Page 460, line 9, strike "\$135,080,353" and insert "\$148,843,298".

Page 465, strike lines 20 to 53.

Page 466, strike lines 1 to 47.

Page 467, strike lines 1 to 20.

Page 465, line 20 insert:

"Q. Included in the amounts for Compensation supplements is \$55,051,789 which shall be used to provide the following salary increases for public employees in the 2005-2006 fiscal year:

1. The base salary of employees listed in subparagraphs 4 a through 4 d of this paragraph shall be increased by four percent on November 25, 2005.
2. The base salary of employees set out in subparagraph 2 e of this paragraph shall be increased by four percent on December 1, 2005.

3. The base salary of employees listed in subparagraphs 5 a through 5 d of this paragraph shall be increased based on an evaluation of employee performance by an average of four percent on November 25, 2005. This appropriation includes the following estimated amounts for these purposes:

Employee Group	FY 2006
State Employees	\$38,002,344
State Supported Local Employees	\$17,049,445

4. Transfers from this item shall be used to effect an increase of four percent and related increases in employee benefits for:

a. Executive Department

1. Any official whose salary is listed in § 4-6.01 c and d of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c; and

b. Legislative Department

1. Heads of agencies in the Legislative Department;
2. Secretaries and administrative assistants as provided for in Item 1 of this act.

c. Judicial Department

1. Judges and Justices in the Judicial Department;
2. Heads of agencies in the Judicial Department; and,

d. Independent Agencies

1. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Executive Directors of the Virginia College Savings Plan and the Virginia Office for Protection and Advocacy, and the Directors of the State Lottery Department and the Virginia Retirement System;

e. State-Supported Local Employees

1. Locally elected constitutional officers;
 2. General Registrars and members of local electoral boards;
 3. Full-time employees of locally elected constitutional officers; and,
 4. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.
3. Transfers from this item shall be used to effect an average performance-based increase of four percent under the classified pay plan and related increases in employee benefits for:

a. Executive Department

1. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;
2. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote; and
3. Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office.

b. Legislative Department

1. Full-time employees in the Legislative Department, other than officials elected by popular vote; and

c. Judicial Department

1. Full-time employees in the Judicial Department.

d. Independent Agencies

1. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the State Lottery Department, the Virginia Workers' Compensation Commission, the Virginia Retirement System, and the Virginia Office for Protection and Advocacy.

5.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the performance-based salary increase authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases for employees listed in paragraphs Q 3 a 2 through Q 3 d 1 shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in the preceding paragraph subparagraph 4.a.

R. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by four percent on November 25, 2005. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances where employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

S. The base rates of pay, and related employee benefits, for wage employees may be increased by up to four percent on November 25, 2005. The cost of such increases for wage employees shall be borne by funds appropriated to each agency."

Explanation:

(This amendment provides an additional \$13.8 million GF the second year to fund a four percent salary increase for state classified and state supported local employees on November 25, 2005 and December 1, 2005 respectively. The classified salary increase is an average based on performance.)

Administration

Department Of General Services

FY 04-05
\$0

FY 05-06
\$18,551,217 NGF

Language:

Page 487, following line 23, insert:

"C-1.10. Improvements: Renovation and
Extension of the Capitol

\$18,551,217

Fund Sources: Special

\$18,551,217".

The Department of Accounts shall advance \$18,551,217 to the Department of General Services in anticipation of revenues to be received for the completion of the renovation and extension of the Capitol. These funds shall be used to pay the cost of construction; upgraded, secure pedestrian and telecommunications connectivity between the Capitol and the General Assembly Building; landscaping; furnishings; fixtures and equipment. This revenue anticipation note may be repaid in whole or in part, without interest, at any time from grants, private donations, a general fund appropriation, Virginia Public Building Authority bonds, or such other sources as may be available from the income of the Capitol Square Preservation Foundation.

Explanation:

(This amendment provides \$18.6 million nongeneral funds from a revenue anticipation note to be issued by the Department of Accounts to provide Non-general funds needed for the renovation and extension of the Capitol.)

Administration

Department Of General Services

FY 04-05
\$0

FY 05-06
(\$2,497,000) NGF

Language:

Page 487, line 31, strike "\$2,497,000" and insert "\$0".

Page 487, line 30, following "Construction:" strike "Phase I".

Page 487, following line 31 insert:

"1. The Governor is authorized to implement that portion of the plan presented to the Chairmen of the Senate Finance and House Appropriations Committees, as set forth in paragraph 5 of Item C-1.45 of Chapter 943 of the 2004 Acts of Assembly, as further described in this Item, by entering into a comprehensive agreement with a private entity pursuant to The Public-Private Education Facilities and Infrastructure Act of 2002 (§56-575.1 et seq. of the Code of Virginia), as he determines proper and

cost-beneficial to the Commonwealth, as otherwise provided for in this Item.

2. The project shall provide for the demolition of the derelict building and development of office and parking facilities on certain state-owned property bounded by 8th, 9th, and Broad Streets in the City of Richmond.

3. The improvements authorized in this Item are described generally as a 620 vehicle parking deck, estimated to cost \$23.7 million, more or less, and a 450,000 net square foot office building incorporating restored historical architectural features as fully as possible, estimated to cost \$94.0 million, more or less, which shall be utilized as part of the consolidated Capitol Square complex operations, and for the relocation and/or co-locations of state agency office space from offices leased from private sources.

4. Any agreement or agreements developed pursuant to this Item may include, but need not be limited to, the temporary transfer of the state-owned real property described herein, provided that the real property, and any improvements, thereto ownership shall be retained by the Commonwealth as may seem prudent and cost-beneficial.

5. The General Assembly determines that time is of the essence in making available the facilities described herein, and the Department of General Services is directed to initiate the project as soon as practical following the enactment of this chapter.

6. The Governor shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the plans and status of this project.

7. It is anticipated that sufficient general fund appropriations or Virginia Public Building Authority bond authorization will be provided in future fiscal years to cover all phases of the project as specified in the final contract."

Explanation:

(This amendment provides for the replacement of the 8th and 9th Street Office Buildings with a new structure to be constructed under the Public-Private Education Facilities and Infrastructure Act of 2002. The total estimated cost is \$117.7 million.)

General Government Subcommittee

Item C-3.50 #1s

Administration

Department Of General Services

Language

Language:

Page 488, following line 4, insert:

"C-3.50. New Construction: Suffolk Human Services Building

Fund Sources:

The Department of General Services shall conduct a study of the feasibility of

constructing a new human services building in Suffolk to house the Departments of Social Services and Health and report its findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005. All agencies of the Commonwealth shall provide such assistance as the Department shall require in the completion of this study."

Explanation:

(This amendment requires a study of the feasibility of constructing a new human services building in Suffolk.)

General Government Subcommittee

Item C-3.50 #2s

Administration

Department Of General Services

FY 04-05

\$2,000,000

FY 05-06

\$0 GF

Language:

Page 496, following line 51, insert:

"C-3.50. Planning: Relocation of the Schools for the Deaf, Blind and Multidisabled

\$2,000,000

Fund Sources: General

\$2,000,000".

Explanation:

(This amendment provides \$2.0 million GF the first year to plan for relocation of the Schools for the Deaf, Blind and Multidisabled to the site of the Woodrow Wilson Rehabilitation Center in Fishersville.)

General Government Subcommittee

Item C-4.10 #1s

Administration

Department Of Veterans Services

Language

Language:

Page 488, after line 15, insert:

"C-4.10. New Construction: Construct New Veterans' Care Center (16249)

Fund Sources:

The Governor is authorized to request federal funds in support of providing an additional 80 beds for the new Veterans' Care Center project. Upon receipt of the federal funds, the Treasurer shall advance a loan of \$2,800,000 to the Department of

Veterans Services for the state share of the construction of the additional 80 beds. These funds shall be advanced to the Department of Veterans Services in the form of a short-term Treasury Loan, with no interest."

Explanation:

(This amendment authorizes the Governor to submit a request for federal funds in support of adding an additional 80 beds to the new Veterans' Care Center. The total cost of adding the 80 beds is estimated at \$8 million of which the state share is \$2.8 million. Upon receipt of the federal funds, the amendment provides for a Treasury loan of \$2.8 million for the state share in order to move the project forward without delay.)

General Government Subcommittee

Item C-15.50 #1s

Education: Higher Education

The College Of William And Mary
In Virginia

Language

Language:

Page 492, after line 1, insert:
"C-15.50. Acquisition: Williamsburg
Community Hospital
Fund Sources:

The College of William and Mary in Virginia is hereby granted authority to purchase the former Williamsburg Community Hospital, consisting of real property and improvements described generally as 24 acres, more or less, and 217,000 square feet of facilities, more or less, that constitute the current physical location of the majority of the hospital's operation. It is the intent of the Governor and the General Assembly that sufficient appropriations will be provided to the College of William and Mary to support this purchase.

To the extent necessary in connection with this purchase, the College of William and Mary in Virginia is hereby granted authority to enter into a written agreement to lease said property to Sentara Healthcare if such a lease is necessary to allow sufficient time for the completion of construction and transfer of Senatara Healthcare operations to a new hospital facility."

Explanation:

(This amendment authorizes the College of William and Mary to enter into negotiations for acquisition of the former Williamsburg Community Hospital, adjacent

to the campus.)

General Government Subcommittee

Item C-194.10 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 539, following line 58, insert:

“C. A study committee consisting of representatives from the Department of Planning and Budget, Department of Accounts, State Council of Higher Education in Virginia, the Auditor of Public Accounts, House Appropriations and Senate Finance Committees, and the Offices of the Secretaries of Administration and Finance shall develop procedures to implement the recommendations relating to budgeting and funding from the Auditor of Public Accounts’ Interim Report on Deferred Maintenance in the Commonwealth issued December 2004. The recommendations shall be in alignment with the real estate initiative objectives set out in Executive Order 75. The study committee should report its recommendations to the Governor and the General Assembly by September 1, 2005. Representatives from the Office of the Secretary of Administration will ensure coordination with the Governor’s real estate initiative.

D.1. In connection with the audit of deferred maintenance authorized in this Item, institutions of higher education and other agencies of the Commonwealth should perform facility condition assessments of their facilities as quickly and as comprehensively as is feasibly possible. By July 1, 2005, the Directors of the Departments of General Services and Planning and Budget will issue criteria defining facilities for which condition assessments are not necessary.”

Explanation:

(This amendment requires development of a plan for implementation of the Auditor of Public Accounts' recommendations on deferred maintenance.)

General Government Subcommittee

Item C-194.10 #2s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 539, following line 58, insert:

“C. Upon completion of the pilot phase of implementation of the Facility Inventory and Condition Assessment System as required by Item 194.10 of the 2004 of this Act, on or about May 1, 2006 the Auditor of Public Accounts shall transfer responsibility for the system and oversight for implementation of the system at the remaining agencies in the Commonwealth to the Department of General Services. The Auditor of Public Accounts shall notify the Chairmen of the Senate Finance and House Appropriations Committees of the transfer of the Facility Inventory and Condition Assessment System to the Department of General Services. No later than October 1, 2005 the Director of the Department of General Services shall report to the Governor and the Chairmen of the House Appropriation and Senate Finance Committees an estimate of the additional resources and personnel requirements, if any.”

Explanation:

(This amendment requires transfers the deferred maintenance system developed by the Auditor of Public Accounts to the Department of General Services.)

General Government Subcommittee

Item C-194.20 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 539, following line 58, insert:

“C-194.20 Planning: Implementation of the Capital Outlay Recommendations

A study committee consisting of representatives from the Department of Planning and Budget, State Council of Higher Education in Virginia, the Auditor of Public Accounts, House Appropriations and Senate Finance Committees, and the Offices of the Secretaries of Administration and Finance shall develop procedures to implement the recommendations relating to budgeting and funding from the Auditor of Public Accounts’ Interim Report on Capital Outlay in the Commonwealth issued December 2004. The recommendations shall be in alignment with the real estate initiative objectives set out in Executive Order 75. The study committee should report its recommendations to the Governor and the General Assembly in time to be used in developing the by September 1, 2005. The representatives from the Office of the

Secretary of Administration will ensure coordination with the Governor's real estate initiative."

Explanation:

(This amendment requires development of a plan for implementation of the Auditor of Public Accounts' recommendations on capital outlay.)

General Government Subcommittee

Item C-196.10 #3s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 540, line 13 following "costs" insert "."

Page 540, strike lines 14 to 55.

Page 540, following line 55, insert:

"B. The Director of the Department of Planning and budget shall develop criteria for ranking the priority of capital projects to receive supplemental funding from this item. Such criteria shall give first priority to life safety, and shall also include, but not be limited to, the continued operation of current facilities and program. The Director shall report his criteria to the Chairmen of the House Appropriations and Senate Finance Committees by June 1, 2005. Allocations of funds from this item shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees quarterly beginning on July 1, 2005.

Explanation:

(This amendment requires the development of criteria for allocation of supplemental funding for capital projects.)

General Government Subcommittee

Item C-196.10 #4s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 540, following line 55, insert:

"C. The Director of the Department of Planning and Budget may supplemental the following capital projects from unused bond proceeds:

Norfolk State University	RISE Center	\$7,991,153
Old Dominion University	Renovation of Technology Building	\$1,140,000

Virginia State University

Gandy Hall Renovation

\$1,020,000."

Explanation:

(This amendment sets out those capital projects that may be supplemented from unused bond proceeds.)

General Government Subcommittee

Item 4-4.01 #1s

Capital Projects

General

Language

Language:

Page 575, after line 53, insert:

"aa. Any new construction project developed by or for the Chippokes Plantation Farm Foundation, with an estimated cost of \$750,000 or less, shall be exempt from the capital outlay review and approval process."

Explanation:

(This amendment excludes small construction projects undertaken by the Chippokes Plantation Farm Foundation from the capital outlay review and approval process managed by the Department of General Services (DGS). The DGS process is designed to review major construction projects and adds excessive costs to the small scale facilities installed at Chippokes.)

General Government Subcommittee

Item 4-6.01 #2s

Positions and Employment

Employee Compensation

Language

Language:

Page 586, strike lines 5 to 12 and insert:

"4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records."

Explanation:

(This amendment clarifies the authority of the Board of Commissioners of the Virginia Port Authority to supplement the salary of its Executive Director.)

General Government Subcommittee

Item 4-6.03 #2s

Positions and Employment

Employee Benefits

Language

Language:

Page 594, following line 28, insert:

“i. Any member of the Judicial Retirement System (1) whose term expired, and (2) who was not reappointed to a new term during the current or next Session of the General Assembly, and (3) who is subsequently appointed to the same position by the Governor shall not be considered to have a break in service for retirement purposes. The appropriate employer shall pay the required member retirement contributions.”

Explanation:

(This amendment provides uninterrupted JRS services credit for judges who are not immediately re-elected.)

General Government Subcommittee

Item 4-6.03 #3s

Positions and Employment

Employee Benefits

Language

Language:

Page 594, following line 29, insert:

"i. "In lieu of any benefits that might otherwise be payable under Title 51.1, Chapter 11 of the Code of Virginia, any employee of the Commonwealth who: i) had at least 20 years of creditable service as of January 1, 2005, ii) served in the Legislative Branch of Government between January, 1986 and February 28, 2005, and iii) who was hospitalized in December 2004 shall receive a VRS retirement allowance in the amount set out in s51.1-1112.B. and shall receive the retiree health care credit that would normally attach thereto."

Explanation:

(This amendment allows certain VRS members to retire due to a disability.)

General Government Subcommittee

Item 4-6.03 #4s

Positions and Employment

Employee Benefits

Language

Language:

Page 594, following line 29, insert:

"i. Any employee with 15 years of full-time or part-time service, and employed prior to 1985 in the Legislative Branch of Government, shall be entitled to a compilation of all full-time or part-time service to be counted toward that person's creditable service in the Virginia Retirement System. Part-time service is defined as a minimum of a total of five months of service over two consecutive calendar years."

Explanation:

(This amendment allows additional individuals to receive service credit for retirement purposes only.)

Item C-34.30 #1s

Education: Higher Education

James Madison University

FY 04-05

\$5,000,000

FY 05-06

\$0 GF

Language:

Page 498, strike lines 2 through 35 and insert:

"1. James Madison University, with the approval of the Governor as otherwise provided by law, is hereby granted authority to enter into a written agreement with Rockingham Memorial Hospital for the acquisition of certain real property and improvements described generally as 15 acres, more or less, and improved by several structures totaling 600,000 gross square feet, more or less, situated on Cantrell Avenue, South Main Street, and South Mason Street that constitute the current physical location of the majority of the hospital's operations in the amount of \$50,600,000.

2. The acquisition may be accomplished over a period of up to five years, and the payment in year one shall not exceed \$15,000,000 from all sources. The appropriation in this item constitutes the first phase of this acquisition. It is anticipated that

sufficient general fund and nongeneral fund appropriations will be provided in future fiscal years to cover all phases of the project as specified in the final contract.

3. a. The bond proceeds provided in this Item are for the auxiliary portion of the acquisition authorized herein.

b. The authorization and the issuance of bonds in this Item are contingent on the execution of an agreement for the acquisition of the property by April 25, 2005.

4. In connection with this acquisition, James Madison University is hereby granted authority to enter into a written agreement to lease said property to Rockingham Memorial Hospital (RMH) for the amount of \$1 (one dollar) per annum for a period of 5 years from date of closing, with the option to extend the lease for one additional year for all or a portion of said property, in order to provide sufficient time for the completion of construction and transfer of RMH operations to a new hospital facility.”

Explanation:

(This amendment provides \$5.0 million GF in addition to the \$10.0 million from 9(d) bond proceeds included in SB 700, as introduced, to acquire the Rockingham Memorial Hospital site adjacent to the James Madison University campus. It also consolidates language authorizing this acquisition into one budget item. The total cost is \$50.6 million.)

Item 4-6.03 #1s

Positions and Employment

Employee Benefits

Language

Language:

Page 594, following line 29, insert:

"i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation

of creditable service."

Explanation:

(This amendment allows the VRS to avoid penalizing employees called to active duty in the armed forces of the United States when calculating retirement benefits due under the VRS retirement programs.)