



Report of the Subcommittee on
General Government

(Amendments to SB 29
And SB 30 as Introduced)

Senate Finance Committee
Virginia General Assembly

February 19, 2006

Mr. Chairman:

The Capital Outlay and Special Projects Subcommittee was created at the beginning of the 2006 session to place greater emphasis on the Commonwealth's massive capital program. In spite of our late start, we have met several times and have embarked on some new and innovative approaches to capital projects.

Before moving to capital outlay, let me address the Enterprise Public Private Partnership proposal that was also assigned to us for review. The Subcommittee agrees that the Commonwealth must modernize its enterprise systems. However, the Subcommittee recommends modifying the approach recommended in the introduced budget. Specifically, we recommend appropriating \$15.1 million GF of the \$30.5 million GF originally requested this biennium to focus on those aspects of the projects that will generate the quickest return for the Commonwealth. Additionally, we have put in place a strengthened governance procedure to help assure continuity of management for a project that is likely to span the terms of several governors.

In the field of capital outlay, one topic kept demanding our attention - cost over-runs. Now, we well understand that construction costs have escalated rapidly in the past two years. However, requests for project supplements that exceed sixty percent of the original project budget are indicative of a process that is broken. The budget that was submitted to us contained \$150 million GF to supplement the budgets of approved projects. To this we are recommending an additional \$35 million GF for cost over-runs. This totals an amazing \$185 million GF in one session -- \$245 million in two years if we add in those approved last year.

Mr. Chairman, this must stop!

We are recommending to you and the members of the Committee four initiatives that we think will help control our capital spending in the future.

- 1) We should establish a joint subcommittee to reform the capital budgeting process by more closely aligning it with the six-year capital plan. To be effective this planning process must make room for legislative as well as executive input into project priorities.
- 2) We strongly recommend that this joint subcommittee develop standards for reevaluating projects that exceed the original budget. Under the current process, the on-going “adjustments” we make to capital projects in the name of cost over-runs and other supplements often leaves us with a very different project – and certainly a more costly one – than we had originally intended. Had we known in advance the full scope of these projects and the ultimate cost to the taxpayers, the General Assembly may not have approved all of them. It is impossible to evaluate the costs and benefits of projects when we don’t truly know the cost!
- 3) In a similar vein, we are recommending a requirement that the Department of Planning and Budget display the funding history of capital projects in the appropriations act. Since capital projects often span several biennial budgets, it is important that anyone who picks up a budget bill can easily tell the full cost of a capital project. In the interest of full disclosure we did this for the renovation of the Capitol and DPB can follow our lead.
- 4) As you will see in the Subcommittee’s recommendations, we have placed a priority on budgeting for detailed architectural and engineering design work before providing funds for construction. This new approach, which was recommended by the Auditor of Public Accounts last year, will allow us to budget based on firm, professional cost estimates grounded in actual construction documents.

Taken together, and combined with prudence and discipline, the Subcommittee believes these initiatives can bring back much

needed structure and accountability to the Commonwealth's capital process.

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.

Some of our more important initiatives include:

- \$7.3 million from the general fund for architectural and engineering work on a renovate the Virginia School for the Deaf and the Blind in Staunton,
- \$7.4 million from the general fund for architectural and engineering work on the new forensics facility in Northern Virginia,
- \$15.3 million from the general fund to plan for the replacement of four facilities operated by the Department of Mental Health,
- \$22.5 million from the general fund for the Hancock Geriatric Center,
- \$31.6 million from the general fund for construction of the 100 bed Sexually Violent Predators facility,
- \$46.8 million from the general fund to replace and expand the Barracks at VMI,
- Projects authorized to be built using nongeneral funds raised by institutions of higher education, and
- \$16.8 million from the general fund to demolish the dilapidated and unsafe 8th Street Office Building and plan for its replacement and the renovation of the 9th street Office Building here in Richmond.

This latter initiative is long overdue and I must add that we are concerned by the delay in moving this project forward, and the resulting cost increases. 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. Our recommendations include \$500,000 to begin the process of planning for replacement of the General Assembly Building. This major project will likely cost just over \$180 million when completed.

This brings us to our final and perhaps most significant issue – the terrible condition of many state buildings. The state’s maintenance reserve program has become a band-aid. At best, it keeps the condition of facilities from deteriorating further. However, because the program has lacked a consistent mechanism for allocating funding, agencies and institutions often lack funds to routinely address their maintenance needs. As a result, our backlog of deferred maintenance grows larger each year. To begin addressing the problem of deferred maintenance, the Subcommittee recommends that the Commonwealth build on last year’s initiatives by implementing a pilot program to address deferred maintenance needs. Six state agencies, representing a cross section of the Commonwealth’s capital facilities, have been chosen to participate in this \$50 million initiative. Let us be clear...this program is not intended to replace the maintenance reserve program, but rather to address an area of capital outlay that has been largely ignored.

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 recommended amendments set out a sound approach for the Commonwealth’s capital program. It is our hope it will be your pleasure to adopt them.

Respectfully Submitted,

The Honorable Frederick M. Quayle, Chairman

The Honorable Charles J. Colgan

The Honorable Charles R. Hawkins

The Honorable Janet D. Howell

The Honorable Emmett W. Hanger

The Honorable John c. Watkins



General Government Recommendations 2/19/2006

Legislative	General Fund				Non-general Fund		
	SB 29	SB 30			SB 30		
	FY 2006	FY 2007	FY 2008	Total	FY 2007	FY 2008	Total
General Assembly Of Virginia							
General Assembly - Additional Legislative Aides		830,035	830,035	1,660,070	0	0	0
General Assembly - Per Diem Adjustment		208,199	208,199	416,398	0	0	0
General Assembly - Senate Clerk's Expenses (4.00 FTE Positions)	150,000	344,932	244,932	589,864	0	0	0
General Assembly - Joint Subcommittee on Mentally Ill in Criminal Justice			Language				
General Assembly - Joint Subcommittee on Agency Head Compensation			Language				
Auditor Of Public Accounts							
Clarification of Reporting of Private Gifts to Higher Education		Language	0	0	0	0	0
Debt Capacity Review		Language	0	0	0	0	0
Virginia Alcohol Safety Action Program							
VASAP Accounts Receivable	Language						
Division of Capitol Police							
Additional Positions (17.00 FTE positions)		949,039	869,039	1,818,078	0	0	0
Career Development Plan		300,000	300,000	600,000	0	0	0
Division Of Legislative Services							
Brown v. Board of Education Scholarship Awards committee		30,000	30,000	60,000	0	0	0
Small Business Commission		15,000	15,000	30,000	0	0	0
Commission on Electric Utility Restructuring		10,000	10,000	20,000	0	0	0
Manufacturing Commission (SB 261)		12,000	12,000	24,000	0	0	0
Attorney Career Development Plan		112,494	112,494	224,988			
Joint Commission on Technology and Science							
Attorney Career Development Plan		16,724	16,724	33,448	0	0	0
Virginia Freedom of Information Advisory Council							
Attorney Career Development Plan		6,409	6,409	12,818	0	0	0
Commission on Unemployment Compensation							
Commission Expenses		6,000	6,000	12,000	0	0	0
	150,000	2,840,832	2,660,832	5,501,664	0	0	0
Judicial							
Supreme Court							
Courts Technology Fund (SB 157)		0	0	0	7,940,000	8,178,200	16,118,200
Technical Assistance Positions (5.00 FTE Positions)		350,000	400,000	750,000	0	0	0
Court Of Appeals Of Virginia							
Court of Appeals Travel Expense		38,500	38,500	77,000	0	0	0
Compensation for Chief Judge, Court of Appeals (SB 156)		5,560	5,560	11,120	0	0	0

General Government Recommendations 2/19/2006

	General Fund				Non-general Fund		
	SB 29	SB 30			SB 30		
	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>Total</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>Total</u>
Circuit Courts							
New Circuit Judge (SB 388)		219,791	217,291	437,082	0	0	0
Criminal Fund - Court Appointed Counsel Fees (Language)		1,420,400	343,800	1,764,200	0	0	0
IMCF - Sexually Violent Predator Cases (SB 559)		440,000	440,000	880,000	0	0	0
IMCF - Forensic Evaluation Rate Increase (SB 633)		482,100	482,100	964,200	0	0	0
IMCF - Compensation of Expert Witnesses (SB 251)		50,000	50,000	100,000			
General District Courts							
New General District Judges (SB 391)		601,209	593,709	1,194,918	0	0	0
District Court Positions (50.00 FTE Positions)		1,000,000	2,000,000	3,000,000	0	0	0
Juvenile And Domestic Relations District Courts							
Guardians ad Litem		Language			0	0	0
New Juvenile Judges (SB 391)		801,612	791,612	1,593,224	0	0	0
Indigent Defense Commission							
Public Defender Positions (32.00 FTE Positions)		1,000,000	2,000,000	3,000,000	0	0	0
	0	6,409,172	7,362,572	13,771,744	7,940,000	8,178,200	16,118,200
Executive Offices							
Attorney General And Department Of Law							
AG Positions (10.00 FTE Positions: 4 legal secretaries & 6 attorneys)		838,652	746,652	1,585,304	0	0	0
AG Restore NGF positions (7.00 FTE Positions)		0	0	0	658,809	588,809	1,247,618
AG Outside Counsel Costs		Language	0	0	0	0	0
AG Nonpersonal Services		200,000	0	200,000	0	0	0
Tobacco Settlement Language		Language	0	0	0	0	0
Tobacco Enforcement Language Clarification		Language	0	0	0	0	0
Complete Transfer of Master Settlement Agreement from Taxation		19,078	19,078	38,156	0	0	0
Division Of Debt Collection							
Debt Collection Language Clarification		Language	0	0	0	0	0
	0	1,057,730	765,730	1,823,460	658,809	588,809	1,247,618
Administration							
Secretary of Administration							
Public Radio Community Service Grants	0	100,000	0	100,000	0	0	0
Allegheny Mountain Radio	0	20,000	20,000	40,000	0	0	0
Department of Human Resource Management							
Upward Review Language	0	Language	0	0	0	0	0
Compensation Board							
Commonwealth's Attorneys Staffing Standards	0	4,742,594	9,960,994	14,703,588	0	0	0

General Government Recommendations 2/19/2006

	General Fund				Non-general Fund		
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	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>Total</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>Total</u>
6 Additional Offices in Master Deputy Prgm.	0	158,162	158,162	316,324	0	0	0
11 deputies for 1:1,500 Requirement	0	358,906	411,760	770,666	0	0	0
Multi-jurisdiction Sheriffs	0	8,000	8,000	16,000	0	0	0
Restore Jail Overcrowding Language	0	Language	0	0	0	0	0
Restore Master Deputy Language	0	Language	0	0	0	0	0
Correct Cross Reference	0	Language	0	0	0	0	0
Correct Error in Clerk's Salary Table	0	Language	0	0	0	0	0
New Jail Population Forecast Position	0	83,033	81,993	165,026	0	0	0
Clerk's Career Dev. Prgm. July 1 Effective Date	0	Language	0	0	0	0	0
Clerks' Technology Fund for VITA Fee (SB 433) - NGF	0	0	0	0	0	50,000	50,000
Eliminate Position Reallocation Language	0	Language	0	0	0	0	0
Clarification on Withholding of Funds	0	Language	0	0	0	0	0
Victim Notification & Sex Offender Registry	0	260,000	216,000	476,000	0	0	0
Department of General Services							
Ethanol fuel Initiative	0	(450,000)	0	(450,000)	0	0	0
Department of Veterans Affairs							
Richmond Veterans' Center Operations	0	0	0	0	787,100	11,400,000	12,187,100
Veterans Affairs Field Offices & Staff	0	526,169	631,822	1,157,991	367,000	90,090	457,090
Veterans Cemetery Study	0	Language	0	0	0	0	0
Travel Expenses for Council Members	0	5,000	0	5,000	0	0	0
State Board of Elections							
Electronic Voting Machine Pilot (SB 272)	0	300,000	0	300,000	0	0	0
Constitutional Amendments on Ballot (SB 357/SB 526)	0	266,000	0	266,000	0	0	0
Subtotal: Administration	0	6,377,864	11,488,731	17,866,595	1,154,100	11,540,090	12,694,190
Finance							
Department of Accounts							
Norfolk Public Facilities Sales Tax (SB 655)	0	390,000	390,000	780,000	0	0	0
Department of Taxation							
Forms Development: Federal Earned Income Tax Credit (SB 42)	0	128,325	0	128,325	0	0	0
Transfer Master Settlement Agreement to Attorney General	0	(19,078)	(19,078)	(38,156)	0	0	0
Sales Tax Exemption Reporting Position (1.00 FTE)	0	(65,000)	(67,000)	(132,000)	0	0	0
Local Option Sales Tax for WMATA (SB 267)	243,000	0	0	0	0	0	0
Department of the Treasury							
VARISK Coverage before EEOC & State Bar	0	Language	0	0	0	0	0
Report on Debt Service Changes	0	Language	0	0	0	0	0
Claims Payment to Troy Hopkins (SB 609)	0	438,920	0	438,920	0	0	0
Treasury Board							

General Government Recommendations 2/19/2006

	General Fund				Non-general Fund		
	SB 29	SB 30			SB 30		
	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>Total</u>	<u>FY 2007</u>	<u>FY 2008</u>	<u>Total</u>
Debt Service Adustment	0	(878,000)	(6,200,000)	(7,078,000)	0	0	0
Subtotal: Finance	243,000	(4,833)	(5,896,078)	(5,900,911)	0	0	0
Central Accounts							
State Salary Increase to 4.0% Based on Performance (Additional 1%)	0	11,100,770	21,917,392	33,018,162	0	0	0
State Supported Local Salary Increase to 4.0% (Additional 1%)	0	4,902,445	8,404,193	13,306,638	0	0	0
State & Local 3% in YR 2	0	0	48,489,756	48,489,756	0	0	0
Faculty 3% in YR 2	0	0	12,864,000	12,864,000	0	0	0
Amortize VRS Retirement Rates over 26 Years	0	5,576,040	5,818,468	11,394,508	0	0	0
Public Safety Retirement & Line of Duty (SB 393 & SB 636)	0	18,584,000	20,591,000	39,175,000	0	0	0
Longwood Internal Pay Issues	0	317,203	317,203	634,406	0	0	0
Transfer DMHMR&SAS Salaries to Central Accounts	0	148,658	811,861	960,519	0	0	0
Transfer Science Museum Salaries to Central Accounts	0	13,812	25,500	39,312	0	0	0
Transfer VSDB at Staunton Salaries to Central Accounts	0	38,132	70,398	108,530	0	0	0
Transfer VSDB at Hampton Salaries to Central Accounts	0	31,696	58,515	90,211	0	0	0
Attorney salaries in the Office of the Attorney General (+\$2,000 per attorney)	0	270,136	270,136	540,272	0	0	0
Va Base Map Program	0	1,145,485	(485,000)	660,485	0	0	0
Mileage Reimbursement Rate to IRS Allowance	0	1,600,000	1,600,000	3,200,000	2,900,000	2,900,000	5,800,000
Jamestown/Yorktown 2007 Security	0	Language	0	0	0	0	0
Council on Virginia's Future	0	(1,000,000)	0	(1,000,000)	0	0	0
Subtotal: Central Accounts	0	42,728,377	120,753,422	163,481,799	2,900,000	2,900,000	5,800,000
Independent Agencies							
Virginia Retirement System							
Implementation of SB 393	0	0	0	0	200,000	0	200,000
Review of Virginia Sickness and Disability Program (VSDP)	0	0	0	0	75,000	0	75,000
Subtotal: Independent agencies	0	0	0	0	275,000	0	275,000
General Provisions							
Mileage Reimbursement Rate to IRS Allowance	0	Language	0	0	0	0	0
Agency Head Salary Table	0	Language	0	0	0	0	0
Jamestown/Yorktown NGF Salary Supplements	0	Language	0	0	0	0	0
PPEA Reviews (SB 541)	0	Language	0	0	0	0	0
Telecommuting Plans	0	Language	0	0	0	0	0
Total	393,000	49,101,408	126,346,075	175,447,483	4,054,100	14,440,090	18,494,190

General Government Subcommittee

Item 1 #5s

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 7, following line 47, insert:

"G. The Chairman of the Senate Finance Committee shall appoint a joint subcommittee to address the responsibilities of the Commonwealth with respect to the development of an appropriate long-term strategy to address the increasing number of adults and juveniles with mental illness who are in contact with, or at high risk of involvement with Virginia's criminal justice system. All agencies and institutions of the Commonwealth shall cooperate with the joint subcommittee and provide technical assistance, as required. The joint subcommittee shall provide a report on its findings and recommendations to the 2007 Session of the General Assembly."

Explanation:

(This amendment creates a joint subcommittee to develop a long-term strategy for addressing the mentally ill in the criminal justice system.)

General Government Subcommittee

Item 1 #6s

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 7, following line 47, insert:

"G. The Chairman of the Senate Finance Committee shall appoint a joint subcommittee to address the compensation of state agency heads and cabinet secretaries. The Department of Human Resource Management and the Virginia Retirement System shall provide such assistance as the joint subcommittee shall require. "

Explanation:

(This amendment creates a joint subcommittee to develop a plan for modernization of agency head compensation.)

General Government Subcommittee

Item 32 #3s

Judicial Department
Circuit Courts

FY 06-07
\$1,420,400

FY 07-08
\$343,800 GF

Language:

Page 19, line 2, strike "\$85,719,167" and insert "\$87,139,567".

Page 19, line 2, strike "\$86,969,167" and insert "\$87,312,967".

Page 21, following line 7, insert:

"H. It is the intent of the General Assembly that the caps on payments to court-appointed attorneys in criminal cases pursuant to Section 19.2-163 of the Code of Virginia be removed effective July 1, 2007, and that the Supreme Court of Virginia be directed to prepare a report on steps required to provide appropriate representation in such cases. The report shall include, but not be limited to, recommendations for establishing appropriate hourly rates, or for setting fixed amounts in specific types of cases, which may be exceeded by up to ten percent at the discretion of the court, along with recommended criteria for use by the court in determining when those fixed amounts may be exceeded by more than ten percent. The report shall also consider whether it would be cost effective to expand the availability of public defenders to handle a greater proportion of the total caseload of indigent defendants in criminal cases in Virginia. The Indigent Defense Commission is directed to cooperate with this study as necessary. Copies of the report shall be provided to the Governor and to the General Assembly by September 15, 2006."

Explanation:

(This amendment provides \$1,420,400 the first year and \$343,800 the second year from the general fund to fully fund court-appointed attorney fees for indigent clients in criminal cases, up to the caps as specified in Section 19.2-163, Code of Virginia. The amounts in this amendment represent the additional funds required above the amounts already included in the budget as introduced, to fully fund the existing caps. This amendment also directs the Supreme Court of Virginia, with the assistance of the Indigent Defense Commission, to prepare a report on steps necessary to remove the caps on payments to court-appointed counsel and to provide appropriate representation to indigent defendants in criminal cases.)

General Government Subcommittee

Item 34 #1s

Judicial Department

Juvenile And Domestic Relations
District Courts

Language

Language:

Page 21, strike line 38 and insert: "shall order the parent, parents, adoptive parent or adoptive parents of the child, or another party with a legitimate interest therein who has filed a petition with the court, to".

Page 21, line 42, strike "the parents" and insert "such party".

Explanation:

(This amendment clarifies legislative intent regarding the payment for Guardians ad Litem to permit the court, in cases where a party with a legitimate interest has filed a petition to the court, to shift the costs of the Guardian ad Litem to the party initiating the case when that party has caused the Commonwealth to incur the costs of a Guardian ad Litem.)

General Government Subcommittee

Item 57 #1s

Administration

FY 06-07

FY 07-08

Secretary Of Administration

\$20,000

\$20,000 GF

Language:

Page 33, line 9, strike "\$3,599,669" and insert "\$3,619,669".

Page 33, line 9, strike "\$3,599,669" and insert "\$3,619,669".

Page 33, following line 49, insert:

"D. Out of the amounts for community service grants to public radio shall be paid \$20,000 the first year and \$20,000 the second year from the general fund to Allegheny Mountain Radio."

Explanation:

(This amendment provides \$20,000 GF each year for Allegheny Mountain Radio.)

General Government Subcommittee

Item 59 #8s

Administration

Compensation Board

Language

Language:

Page 36, line 27, following "overcrowding" strike "to"

Page 36, strike lines 28 through 32

Page 36, line 33, strike "to overcrowding"

Explanation:

(This amendment restores language governing the reallocation of positions provided for jail overcrowding to the existing provisions. If overcrowding in a jail is

reduced or eliminated, positions will first be reallocated to court services in that sheriff's office and then to other offices.)

General Government Subcommittee

Item 59 #11s

Administration

FY 06-07

FY 07-08

Compensation Board

\$8,000

\$8,000 GF

Language:

Page 34, line 34, strike "\$370,241,258" and insert "\$370,249,258".

Page 34, line 34, strike "\$371,007,797" and insert "\$371,015,797".

Page 38, following line 15, Insert:

"L. Whenever a Sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this Item and such Sheriff shall receive as additional compensation the sum of one thousand dollars."

Explanation:

(This amendment allows for the payment of a \$1,000 supplement to Sheriffs serving more than one locality. This supplement would be provided for the sheriffs serving: Allegheny County and Covington; Fairfax County and Fairfax City; Prince William County, Manassas and Manassas Park; Rockbridge County and Lexington; Southampton County and Franklin City; York County and Poquoson; James City County and Williamsburg; and Bedford County and Bedford City.)

General Government Subcommittee

Item 59 #19g

Administration

Compensation Board

Language

Language:

Page 37, line 3, strike "Funding" and insert:

"Subject to appropriations by the General Assembly for this purpose, funding".

Explanation:

(This amendment restores clarifying language that funding for offices certifying their participation in the Master Deputy Program after January 1, 1997 is subject to appropriations by the General Assembly. This language was inadvertently deleted in the introduced budget.)

Administration

Department Of Human Resource
Management

Language

Language:

Page 64, following line 11, insert:

"G. The Department of Human Resource Management shall update its policies to ensure that each agency shall use upward feedback regarding supervisor's performance as part of the performance appraisal process for the performance cycle ending October 24, 2006. Safeguards will be established to facilitate anonymity of the employee providing feedback. The Department of Human Resource Management shall develop appropriate guidelines for implementing upward feedback and shall provide training to agencies as necessary to implement such a program. At such time as performance increases are funded consistent with the Performance Management Program, agencies shall use upward feedback as a part of the evaluation process for supervisors."

Explanation:

(This amendment requires the Department of Human Resource Management to establish an upward feedback program as a part of the evaluation process for supervisors.)

Administration

Department Of Veterans Services

Language

Language:

Page 66, after line 4, insert:

"The Commissioner, Department of Veterans Services, shall commission a study, not to exceed \$50,000 in cost, to examine the need for and cost of additional veterans cemeteries in the Commonwealth of Virginia. The scope of the study shall encompass Virginia's state-owned veterans cemeteries, and national veterans cemeteries that currently exist in or may be constructed in the Commonwealth of Virginia. The study shall (i) examine the current services provided by either state and national veterans cemeteries in the Commonwealth of Virginia; (ii) identify situations where the cemetery needs of Virginia's veterans are not presently met by a state or national veterans cemetery; (iii) recommend how Virginia and the federal

government can improve the cemetery services provided to Virginia's veterans and identify the related costs of such services; and (iv) recommend whether Virginia should acquire property for additional veterans cemeteries and identify the related costs of additional cemeteries. The Commissioner shall report the results of the study to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2006."

Explanation:

(This amendment authorizes implementation of a study to determine Virginia's needs for new cemeteries for veterans. The study will review current services provided by state and national veterans cemeteries in Virginia, identify needs that are not presently met, recommend how to improve the cemetery services, identify the related costs and methods of acquiring, and recommend whether Virginia should acquire additional property.)

General Government Subcommittee

Item 270 #1s

Finance

Department Of The Treasury

Language

Language:

Page 225, following line 3, insert:

"B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar."

Explanation:

(This amendment extends insurance coverage to constitutional officers and staff in administrative proceedings before the Equal Employment Opportunity Commission or the Virginia State Bar.)

General Government Subcommittee

Item 270 #2s

Finance

Department Of The Treasury

Language

Language:

Page 225, following line 3, insert:

"Beginning October 1, the Department of the Treasury shall report quarterly to the

Governor and the chairmen of the House Appropriations and Senate Finance Committees, in a form agreeable to each or in a unified report mutually agreeable to them, changes in required debt service payments from the general fund as the result of any refinancing, refunding, or issuance actions taken by the Commonwealth. The report shall also identify 1) any anticipated changes in debt service that will result from planned refinancing, refunding, or issuance changes during the next 24 months, and 2) any opportunities for savings in debt service that might accrue as the result of the potential to refinance, refund, or alter issuances during the next 24 months. In addition to the quarterly reports, the Department of the Treasury shall provide an update to this report on February 1 of each year."

Explanation:

(This amendment requires a quarterly report on actual and projected changes in the Commonwealth's debt service requirements.)

General Government Subcommittee

Item 270 #3s

Finance	FY 06-07	FY 07-08	
Department Of The Treasury	\$438,998	\$0	GF

Language:

Page 224, line 41, strike "\$7,384,559" and insert "\$7,823,557".

Explanation:

(This amendment provides \$438,998 GF the first year for the relief of Troy Hopkins, as provided for in SB 609.)

General Government Subcommittee

Item 461 #5s

Central Appropriations	FY 06-07	FY 07-08	
Central Appropriations	\$11,100,770	\$21,917,392	GF

Language:

Page 396, line 1, strike "\$124,835,526" and insert "\$135,936,296".

Page 396, line 1, strike "\$172,094,188" and insert "\$194,011,580".

Page 397, line 51, strike "three" and insert "four".

Page 397, line 51, following "2006" insert "and April 25, 2007 for agency heads and appointed officials, as provided for in section 4-6.01 of this Act"

Page 399, following line 13, insert:

"5. performance evaluations of supervisory personnel shall include the upward evaluations required by Item 77, of this Act.

6. Agency Heads and other officials whose salaries are listed in section 4-6.01 of this Act shall receive a one time payment equal to 1.67 percent of base salary on December 16, 2006 as a transition payment in recognition of the delay of their annual salary increase for FY 2007 until April 25, 2007, as provided for in section 4-6.01."

Explanation:

(This amendment provides an additional \$11.1 million GF the first year and \$21.9 million GF the second year for an additional 1.0 percent salary increase for state classified employees. The total increase for classified employees will average 4.0 percent and will vary by employee based on an evaluation of performance.)

General Government Subcommittee

Item 461 #6s

Central Appropriations

FY 06-07

FY 07-08

Central Appropriations

\$4,902,445

\$8,404,193 GF

Language:

Page 396, line 1, strike "\$124,835,526" and insert "\$129,737,971".

Page 396, line 1, strike "\$172,094,188" and insert "\$180,498,381".

Page 400, line 24, strike "three" and insert "four".

Explanation:

(This amendment provides an additional \$4.9 million GF the first year and \$8.4 million GF the second year for an additional 1.0 percent salary increase for state-supported local employees. The total increase for state-supported local employees will be 4.0 percent.)

General Government Subcommittee

Item 461 #7s

Central Appropriations

FY 06-07

FY 07-08

Central Appropriations

\$0

\$48,489,756 GF

Language:

Page 396, line 1, strike "\$172,094,188" and insert "\$220,583,944".

Page 397, line 51, following "2006" insert "; and three percent on November 25, 2007 for state employees, and April 25, 2008 for agency heads and appointed officials, as provided for in section 4-6.01 of this Act"

Page

Page 399, following line 13, insert:

"5. performance evaluations of supervisory personnel shall include the upward evaluations required by Item 77, of this Act.

Page 400, line 24, following "2006, insert:

" and three percent on December 1, 2007"

Explanation:

(This amendment provides \$48.5 million GF the second year for a 3.0 percent salary increase for state classified and state-supported local employees. The total increase for classified employees will average 3.0 percent and will vary by employee based on an evaluation of performance.)

General Government Subcommittee

Item 461 #8s

Central Appropriations

FY 06-07

FY 07-08

Central Appropriations

\$0

\$12,864,000 GF

Language:

Page 396, line 1, strike "\$172,094,188" and insert "\$184,958,188".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$12,864,000 to provide for a three percent salary increase and related employee benefit costs effective November 25, 2007. Such Non-general funds as may be required to implement this increase are hereby appropriated."

Explanation:

(This amendment provides \$12.9 million GF the second year for an average 3.0 percent salary increase for faculty.)

General Government Subcommittee

Item 461 #9s

Central Appropriations

FY 06-07

FY 07-08

Central Appropriations

\$5,576,040

\$5,818,468 GF

Language:

Page 396, line 1, strike "\$124,835,526" and insert "\$130,411,566".

Page 396, line 1, strike "\$172,094,188" and insert "\$177,912,656".

Page 401, line 17, following "of", strike "30" and insert "26"

Explanation:

(This amendment reduces the amortization period for the calculation of retirement rates from the thirty years recommended in SB 30, as introduced to twenty-six years. The VRS Board of Trustees had adopted rates based on a 21 year amortization period. A companion amendment to Direct Aid for Public Education makes the same change for teacher retirement.)

General Government Subcommittee

Item 461 #10s

Central Appropriations

FY 06-07

FY 07-08

Central Appropriations

\$18,584,000

\$20,591,000 GF

Language:

Page 396, line 1, strike "\$124,835,526" and insert "\$143,419,526".

Page 396, line 1, strike "\$172,094,188" and insert "\$192,685,188".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$18,584,000 the first year and \$20,591,000 the second year for increased retirement and Line of Duty Act benefits provided for in SB 393."

Explanation:

(This amendment provides \$18.6 million GF the first year and \$20.6 million GF the second year for increased retirement and Line of Duty Act benefits provided for in SB 393.)

General Government Subcommittee

Item 4-5.11 #1s

Special Conditions And Restrictions On Expenditures

PPEA Reviews (SB 541)

Language

Language:

Page 511, following line 43, insert:

"4-5.11 PUBLIC PRIVATE PARTNERSHIPS

a. Public Private Partnership Advisory Commission

1. Any responsible public entity seeking to consider a public-private partnership shall notify and involve the Public Private Partnership Advisory Commission in accordance with the requirements set forth in Senate Bill 541. The responsible public entity shall cooperate with the Public Private Partnership Advisory Commission and shall provide briefings, documents and analysis as necessary to

understand the partnership before approving the project.

2. The Public Private Partnership Advisory Commission shall notify the responsible public entity when the Commission will conduct a review and the Commission shall provide its findings and recommendations within 45 days of receiving the detailed proposal. However, no responsible entity will sign a final comprehensive agreement for a qualifying project until the responsible entity determines what actions, if any, the Commission has taken. In those circumstances, where the responsible public entity receives finding and recommendations from the Commission, the responsible public entity must provide the Commission with a written response on how it has addressed the recommendation before entering into either an interim agreement or final comprehensive agreement.

3. The Public Private Partnership Advisory Commission shall provide a written report to the General Assembly regarding their review of qualifying projects and the actions by the responsible public entity to address their recommendations.

b. Other Matters

1. The Secretary of Finance shall set and execute standard financial review and analysis procedures prior to any state entity finalizing an interim or final comprehensive agreement. The standards shall include, at a minimum, a cost-benefit analysis, an assessment of opportunity costs, and consideration of the results of all studies and analyses related to the proposed qualifying project.

2. Upon approval of an interim or final comprehensive agreement, the responsible public entity shall provide the Governor, the Chairmen of the House Appropriation and Senate Finance Committees, and the Auditor of Public Accounts with quarterly status reports on the progress of the project, including work completed to date, project expenditures, and expenditures by state agencies to support the project, if applicable.

3. If applicable, the Director of Department of Planning and Budget, is authorized to transfer funds from other agencies to agencies as needed to pay for costs directly associated with the public private partnership, provided, however, that such transfers are reported to the Chairmen of the House Appropriations and Senate Finance Committees, as provided by this act.

4. The Director of Department of Planning and Budget with the State Comptroller shall establish a separate budget and accounting of non capital outlay public private partnership projects to determine the amount of current resources budgeted for the qualifying project, costs under the projects and take steps to isolate and capture any excess budgeted resources over the partnership project costs. The Director of Department of Planning and Budget shall not authorize the agencies to use the budgeted funds for the qualified project for any other purpose. The Director of Department of Planning and Budget with the State Comptroller shall report this information semi-annually to the Governor, the Chairmen of the House Appropriation and Senate Finance Committees, and the Auditor of Public Accounts.

5. Pursuant to section 4-701 of this act, the Director, Department of Planning and Budget may affect the position level of involved agencies for this purpose of a qualifying public private partnership project. Any such changes shall be reported to the Chairmen of the House Appropriation and Senate Finance Committees, as provided in this act. The Director of Department of Planning and Budget shall not authorize agencies to use funding resulting from reductions in position levels for any purpose other than paying for a qualifying public private partnership project and all budgeted funding in excess of the cost of the qualifying public private partnership projects shall be accounted for in accordance with b4 above.

6. For public private partnerships involving the construction of capital assets, the responsible public entity shall comply with the conditions outlined in Part 2 of this Act, including the conditions applicable to alternative financing.

7. If the public private partnership's alternative financing mechanism involves cost recoveries over and above amounts already collected through existing or planned collection activities, there is hereby created a special fund in the State Treasury. All additional cost recovery activities shall be deposited to this fund, subject to terms and conditions set out in an agreement between each affected agency and the vendor.

8. Any such revenues derived from federal funds shall not be deposited to the Fund but shall be returned to the applicable federal source.

9. No funds may be transferred or expended from this Fund except by legislative appropriation, which shall be based solely on funds already collected and not on projected collections.

10. For public private partnerships that result in capital leases, the responsible public entity shall comply with the conditions outlined in §4-4.00 of this Act, including the conditions requiring the Treasury Board approval."

Explanation:

(This amendment provides for the review of Public Private partnerships as required by SB 541.)

General Government Subcommittee

Item 4-6.01 #1s

Positions and Employment

Employee Compensation

Language

Language:

Page 513, line 17, strike "prior approval".

Page 513, line 21, strike "of the Director or Librarian of Virginia. The" and insert "and the".

Explanation:

(This amendment is intended to clarify that prior approved increases in NGF salary amounts for museum directors and the state librarian are part of a base salary and not subject to re-approval each year.)

General Government Subcommittee

Item 4-6.01 #3s

Positions and Employment

Employee Compensation

Language

Language:

Page 511, strike lines 48 to 51.

Page 512, strike lines 1 to 56.

Page 513, strike lines 1 to 59.

Page 514, strike lines 1 to 67.

Page 515, strike lines 1 to 67.

Page 516, strike lines 1 to 56.

Page 517, strike lines 1 to 22.

Page 517, strike lines 42 to 45.

Page 511, following line 48, insert:

"§ 4-6.01 EMPLOYEE SALARIES AND WAGES

a. Executive Branch Employees:

1. Classified Compensation Plan:

a. The compensation of classified employees in the Executive Branch shall be governed by the Classified Compensation Plan authorized by §4-7.02 of Chapter 1073, 2000 Acts of Assembly, including applicable geographic and shift differentials. This plan shall be administered by the Department of Human Resource Management.

1. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the Classified Compensation Plan shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if:

a) The agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the subsequent biennial costs, and the Secretary concurs, or

b) Such funds are appropriated by the General Assembly.

2. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with §4-8.00, Reporting Requirements.

b. Salary adjustments for any employee through a promotion, role change exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if:

1. The agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium, or

2. Such funds are appropriated by the General Assembly.

c. No changes to the salary band assignment of individual career group roles administered under the new pay plan that is authorized by the 2000 session of the General Assembly, or similar actions, shall be implemented at the option of affected agencies. Further, no changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

2. The compensation of Executive Branch Employees (other than faculty at institutions of higher education) not covered by the provisions of the Classified Compensation plan shall be administered in a manner consistent with that plan.

3. Faculty: Reserved for future use.

4. Cabinet Officers: Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Chief of Staff	\$141,288	\$145,527	\$145,527
Secretary of Administration	\$141,265	\$145,503	\$145,503
Secretary of Agriculture and Forestry	\$141,265	\$145,503	\$145,503
Secretary of Commerce and Trade	\$141,265	\$145,503	\$145,503
Secretary of the Commonwealth	\$141,265	\$145,503	\$145,503
Secretary of Education	\$141,265	\$145,503	\$145,503
Secretary of Finance	\$141,265	\$145,503	\$145,503
Secretary of Health and Human Resources	\$141,265	\$145,503	\$145,503
Secretary of Natural Resources	\$141,265	\$145,503	\$145,503
Secretary of Public Safety	\$141,265	\$145,503	\$145,503
Secretary of Technology	\$141,265	\$145,503	\$145.50
Secretary of Transportation	\$141,265	\$145,503	\$145,503

5. Executive Branch Agency Heads:

a. Incumbents: The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Level I Range	\$102,770-\$17 7,428	\$106,880-\$ 184,525	\$106,880 -\$184,52 5
Chief Information Officer, Virginia Information Technologies Agency	\$177,428	\$184,525	\$184,525
Commissioner, Department of Motor Vehicles	\$132,627	\$137,932	\$137,932
Commissioner, Department of Social Services	\$132,628	\$137,933	\$137,933
Commissioner of Mental Health, Mental Retardation and Substance Abuse Services	\$178,732	\$185,881	\$185,881
Commonwealth Transportation Commissioner	\$163,591	\$170,135	\$170,135
Director, Department of Corrections	\$136,207	\$141,655	\$141,655
Director, Department of Environmental Quality	\$138,885	\$144,440	\$144,440
Director, Department of Medical Assistance Services	\$137,064	\$142,547	\$142,547
Director, Department of Planning and Budget	\$128,618	\$133,763	\$133,763
Executive Director, Department of Game and Inland Fisheries	\$116,787	\$121,458	\$121,458
State Health Commissioner	\$162,484	\$168,983	\$168,983
State Tax Commissioner	\$130,532	\$135,753	\$135,753
Superintendent of Public Instruction	\$157,572	\$163,875	\$163,875
Superintendent of State Police	\$134,788	\$140,180	\$140,180
	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Level II Range	\$89,366-\$	\$92,940-\$1	\$92,940-

	141,291	46,943	\$146,943
Alcoholic Beverage Control Commissioners (two)	\$115,330	\$119,943	\$119,943
Chairman, Alcoholic Beverage Control Board	\$115,330	\$119,943	\$119,943
Commissioner, Department of Agriculture and Consumer Services	\$99,316	\$103,289	\$103,289
Commissioner, Department of Veterans Services	\$115,880	\$120,515	\$120,515
Commissioner, Virginia Employment Commission	\$115,330	\$119,943	\$119,943
Commissioner, Marine Resources Commission	\$107,139	\$111,425	\$111,425
Director, Department of Business Assistance	\$115,330	\$119,943	\$119,943
Director, Department of General Services	\$130,575	\$135,798	\$135,798
Director, Department of Mines, Minerals and Energy	\$128,969	\$134,128	\$134,128
Director, Department of Human Resource Management	\$127,547	\$132,649	\$132,649
Director, Department of Juvenile Justice	\$126,994	\$132,074	\$132,074
Director, Department of Forensic Science	\$139,703	\$145,291	\$145,291
Executive Director, Motor Vehicle Dealer Board	\$101,653	\$105,719	\$105,719
Director, Department of Rail and Public Transportation	\$125,322	\$130,335	\$130,335
Executive Director, Virginia Port Authority	\$126,837	\$131,910	\$131,910
Director, Department of Charitable Gaming	\$102,172	\$106,259	\$106,259
State Comptroller	\$115,330	\$119,943	\$119,943
State Treasurer	\$123,434	\$128,371	\$128,371
	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Level III Range	\$77,711-\$122,864	\$80,819-\$127,778	\$80,819-\$127,778
Adjutant General	\$121,952	\$126,830	\$126,830

Chairman, Virginia Parole Board	\$115,668	\$120,295	\$120,295
Members (three), Virginia Parole Board	\$97,252	\$101,142	\$101,142
Member, Virginia Parole Board	\$100,287	\$104,298	\$104,298
Commissioner, Department of Labor and Industry	\$116,271	\$120,922	\$120,922
Commissioner, Department of Rehabilitative Services	\$120,946	\$125,784	\$125,784
Coordinator, Department of Emergency Management	\$96,329	\$100,182	\$100,182
Director, Department of Aviation	\$118,285	\$123,016	\$123,016
Director, Department of Conservation and Recreation	\$118,347	\$123,081	\$123,081
Director, Department of Criminal Justice Services	\$114,900	\$119,496	\$119,496
Director, Department of Employment Dispute Resolution	\$98,406	\$102,342	\$102,342
Director, Department of Historic Resources	\$97,253	\$101,143	\$101,143
Director, Department of Housing and Community Development	\$109,481	\$113,860	\$113,860
Director, Department of Health Professions	\$112,481	\$116,980	\$116,980
Director, The Science Museum of Virginia	\$113,383	\$117,918	\$117,918
Director, Virginia Museum of Fine Arts	\$117,746	\$122,456	\$122,456
Director, Virginia Museum of Natural History	\$97,253	\$101,143	\$101,143
Executive Director, Jamestown-Yorktown Foundation	\$112,656	\$117,162	\$117,162
Executive Secretary, Virginia Racing Commission	\$94,770	\$98,561	\$98,561
Librarian of Virginia	\$122,864	\$127,779	\$127,779
State Forester, Department of Forestry	\$89,367	\$92,942	\$92,942
Superintendent, Department of Correctional Education	\$119,150	\$123,916	\$123,916

	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Level IV Range	\$67,576-\$106,	\$70,279-\$1	\$70,279-

	849	11,123	\$111,123
Administrator, Commonwealth's Attorneys' Services Council	\$86,480	\$89,939	\$89,939
Commissioner, Department for the Aging	\$103,618	\$107,763	\$107,763
Commissioner, Virginia Department for the Blind and Vision Impaired	\$82,365	\$85,660	\$85,660
Director, Office of Substance Abuse Prevention	\$93,459	\$97,197	\$97,197
Director, Department of Minority Business Enterprise	\$95,000	\$98,800	\$98,800
Director, Department of Professional and Occupational Regulation	\$98,309	\$102,241	\$102,241
Executive Director, Board of Accountancy	\$82,465	\$85,764	\$85,764
Executive Director, Frontier Culture Museum of Virginia	\$93,459	\$97,197	\$97,197
Human Rights Director, Human Rights Council	\$67,576	\$70,279	\$70,279
Secretary, State Board of Elections	\$79,715	\$82,904	\$82,904
	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Level V Range	\$58,760-\$92,996	\$61,110-\$96,716	\$61,110-\$96,716
Director, Gunston Hall	\$75,880	\$78,915	\$78,915
Director, Virginia Department for the Deaf and Hard-of-Hearing	\$73,585	\$76,528	\$76,528
Executive Director, Department of Fire Programs	\$78,616	\$81,761	\$81,761
Executive Director, Virginia Commission for the Arts	\$75,974	\$79,013	\$79,013
Chairman, Compensation Board	\$20,288	\$21,100	\$21,100

b New Appointees: The annual salaries of persons appointed to positions listed in this subsection shall be established at:

1) No more than 15 percent above the appointee's pre-appointment salary, not to exceed the maximum for the salary range, or

2) The minimum for the salary range.

3) The basis for calculation of a new appointees salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.

4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's potential contribution to the Commonwealth, and such other criteria as he may find useful.

c Annual Salary Increases: In his budget proposals to the General Assembly, the Governor shall propose increases or decreases, if any, to the salaries of incumbents in the positions listed in this subsection.

1) Such proposals shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,

c) No more than the maximum for the salary range and

d) Shall be effective on the first day of the pay period next following the Governor's signature of the budget bill.

2) In making his proposals in the budget, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

3) Incumbents with less than six months tenure in the position listed in this subsection shall not be eligible for the salary increase authorized by this subsection.

4) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

d. Competitive Salary Increases: At any time, the Governor may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the salary range,

c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and

d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the Governor should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time, the Governor may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

1) Based on his evaluation of their individual performance,

2) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and

2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the Governor shall provide;

a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records.

f. Special Provisions for Executive Branch Agency Heads:

1) Except as may be otherwise provided in this Act, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

2) If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act.

a) Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

b) If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation."

Page 517, line 42, insert:

"

July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008"
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Page 518, following line 48, insert:

"b. Legislative, Judicial and Independent Agency Employees:

1. The compensation of employees of Legislative, Judicial and Independent Agencies shall be administered in accordance with such pay plans as may be adopted by their respective appointing authorities.

a) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of the judicial or independent agencies that has not been reviewed and approved by the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

b) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of Legislative agencies that are under the jurisdiction of the Joint Rules Committee until such plan has been reviewed and approved by the Committee. Such plan shall be provided to the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

2. Judges and Elected Agency Heads:

a) Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Supreme Court			
Chief Justice	\$158,514	\$164,855	\$164,855
Associate Justice (six)	\$148,682	\$154,629	\$154,629

Court of Appeals			
Chief Judge, Court of Appeals	\$142,248	\$147,938	\$147,938
Judge, Court of Appeals (ten)	\$141,248	\$146,898	\$146,898
Circuit Courts			
Judges	\$138,028	\$143,549	\$143,549
General District Courts			
Judges	\$124,233	\$129,202	\$129,202
Juvenile and Domestic Relations District Courts			
Judges	\$124,233	\$129,202	\$129,202
Combined District Courts			
Judges	\$124,233	\$129,202	\$129,202
Corporation Commission			
Chairman, State Corporation Commission	\$142,815	\$148,528	\$148,528
Members, State Corporation Commission (4)	\$141,250	\$146,900	\$146,900
Workers' Compensation Commission			
Chairman, Virginia Workers' Compensation Commission	\$140,925	\$146,562	\$146,562
Members, Virginia Workers' Compensation Commission (2)	\$138,029	\$143,550	\$143,550
General Assembly			
Clerk of the House	\$133,290	\$138,622	\$138,622
Clerk of the Senate	\$130,481	\$135,700	\$135,700

b) Salaries of the judges in the Court of Appeals are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional \$1,000 annually.

3. Agency Heads:

a) Incumbents. The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	July 1, 2006 to April 24, 2007	April 25, 2007 to April 24, 2008	April 25, 2008 to July 1, 2008
Legislative and Judicial Level I	\$102,770-\$1	\$106,880-\$	\$106,880-\$18

	77,428	184,525	4,525
Auditor of Public Accounts	\$147,843	\$153,757	\$153,757
Director, Division of Legislative Automated Systems	\$131,083	\$136,326	\$136,326
Director, Division of Legislative Services	\$130,606	\$135,830	\$135,830
Director, Joint Legislative Audit and Review Commission	\$148,779	\$154,730	\$154,730
Executive Secretary, Supreme Court of Virginia	\$140,556	\$146,178	\$146,178
Director, Judicial Inquiry and Review Commission	\$120,299	\$125,111	\$125,111
Director, Virginia State Bar	\$153,182	\$159,309	\$159,309
Director, Public Defender Commission	\$123,027	\$127,948	\$127,948
Legislative and Judicial Level II	\$70,678-\$128,503	\$73,505-\$133,643	\$73,505-\$133,643
Chief, Division of Capitol Police	\$94,533	\$98,314	\$98,314
Executive Director, Virginia Alcohol Safety Action Program	\$97,099	\$100,983	\$100,983
Director, Virginia Criminal Sentencing Commission	\$120,299	\$125,111	\$125,111
Director, Board of Bar Examiners	\$75,000	\$78,000	\$78,000
Independent Range	\$102,770-\$177,428	\$106,880-\$184,525	\$106,880-\$184,525
Director, State Lottery Department	\$134,328	\$139,701	\$139,701
Executive Director, Virginia College Savings Plan	\$137,350	\$142,844	\$142,844
Executive Director, Virginia Office for Protection and Advocacy	\$104,454	\$108,632	\$108,632
Director, Virginia Retirement System	\$124,918	\$129,915	\$129,915

b New Appointees: The annual salaries of persons appointed to positions listed in this subsection of this Act shall be established at:

- 1) No more than 15 percent above the appointee's pre-appointment salary, not to exceed the maximum for the salary range, or
- 2) The minimum for the salary range.
- 3) The basis for calculation of a new appointee's salary shall be the last full-time

salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.

4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The appointing authority shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's potential contribution to the Commonwealth, and such other criteria as he may find useful.

c Annual Salary Increases: The appointing authority shall annually provide to the Department of Planning and Budget proposals for such increases or decreases as are deemed appropriate for the annual salaries of incumbents appointed to positions listed in this subsection. The Governor shall include such increases or decreases in his budget proposals to the General Assembly.

1) Such proposals shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,

c) No more than the maximum for the salary range and

d) Shall be effective on the first day of the pay period next following the Governor's signature of the budget bill.

2) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.b.3.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

3) In making his proposals to the Department of Planning and Budget the appointing authority in the Judicial and Independent Agencies shall provide written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Copies of these justifications shall be provided by the appointing authority to the Chairmen of the House Appropriations Committee and the Senate Finance Committee. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act in the budget, with.

4) Incumbents with less than six months tenure in the position listed in this subsection and in §1-1 through §1-15 of this Act shall not be eligible for the salary increase authorized by this subsection.

d. Competitive Salary Increases: At any time the appointing authority may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the salary range,

c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and

d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the appointing authority in the Judicial Branch and independent Agencies shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall

not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time the appointing authority may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

a) Based on his evaluation of their individual performance,

b) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and

2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the appointing authority shall provide;

a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records."

Explanation:

(This amendment consolidates the salaries of agency heads and other appointed officials into one series of tables in the appropriations act. it also provides that increases for such employes shall be effective after the authorizing tables have been amended by the Governor and the General Assembly.)

General Government Subcommittee

Item 4-7.02 #1s

Statewide Plans

Telecommuting Plans

Language

Language:

Page 523, following line 11, insert:

"4-7.02 TELECOMMUTING PLANS

It shall be the policy of the Commonwealth to offer employees a teleworking option whenever possible.

Explanation:

(This amendment is self-explanatory.)